

What Farmers Need to Know About Handling Catastrophic Loss at Livestock Operations

Overview

This fact sheet explains the options for disposing of construction and demolition debris and livestock mortalities; replacing livestock confinement buildings, other farm buildings, and waste storage facilities; and the requirements under the Virginia Pollution Abatement General Permit for Animal Feeding Operations* (VPA AFO General Permit). This fact sheet and the links are available at www.deq.virginia.gov/CatastrophicLossResources.



Deceased livestock disposal

- There are several options for farmers to dispose of livestock mortalities. The options, requirements, permits, and best practices can be found in Table 1 on the following webpage: <https://www.deq.virginia.gov/water/land-application-beneficial-reuse/animal-agricultural-waste/emergency-animal-mortality-management-for-non-disease-scenarios>.
- If planning to use a permitted sanitary landfill - contact the landfill to schedule delivery and to determine their requirements such as the submittal of a [Special Waste Disposal Request for Emergency Animal Mortality Form](#) to DEQ. If the Special Waste Disposal Request Form is required, the farmer must complete Part I – Generator Information of the Form and you will need your VPA AFO General Permit number (if applicable). You may contact your Animal Waste Program permit contact to obtain your permit number. The landfill completes Part II of this Form.
- **Open burning and the use of air curtain incinerators to dispose of animal carcasses are NOT an option.**

Construction and demolition debris disposal

- Check with your locality or private waste collection service
- If you are taking your waste to a drop-off site - contact the facility in advance
- **Open burning of non-vegetative waste is NOT permitted**
- You may need to contact your local county fire department for any burn permits

Rebuilding at operations covered under the VPA AFO* General Permit

- Waste storage facilities** are required to be constructed outside the 100-year floodplain. The floodplain can be verified with your Animal Waste Program permit contact or by searching your farm-site address here: <https://msc.fema.gov/portal/search>.
- Contact your Animal Waste Program permit contact to learn of additional VPA AFO General Permit requirements that must be met when constructing waste storage facilities.
- If you would like to increase the number of livestock, then submit to DEQ: a new [VPA AFO General Permit Registration Statement](#) with updated livestock numbers, your revised nutrient management plan (NMP), and the Department of Conservation and Recreation's NMP approval letter. Adjacent neighbor notification is required when a permittee is proposing to increase (greater than 10%) the number of confined animals. The adjacent neighbor notification must be completed prior to signing the Registration Statement.
- Estimate your water use to determine if you are required to report withdrawals: <https://datascience.deq.virginia.gov/Water-Budget-Estimation/>

Definitions:

*Animal feeding operation means a lot or facility, together with any associated treatment works, where both of the following conditions are met:

1. Animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period; and
2. Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the operation of the lot or facility.

**Waste storage facility means: a waste holding pond or tank, a lagoon or treatment facility, or a structure.

***300 animal units means:

- 300 - slaughter/feeder cattle,
- 200 - mature (milked or dry) dairy cattle,
- 750 - swine (weighing 55 lbs. or more),
- 150 - horses, or
- 3,000 - sheep or lambs

Rebuilding at operations NOT currently covered under the VPA AFO* General Permit

- If you remain under the threshold of 300 animal units*** that requires a VPA AFO General Permit, then you do NOT need to submit a permit application (Registration Statement) to DEQ.
- If you plan to confine 300 animal units*** or more, then you must obtain a permit for the AFO. To obtain coverage under the VPA AFO General Permit, you must submit to DEQ: a completed [VPA AFO General Permit Registration Statement](#), your current nutrient management plan (NMP), the Department of Conservation and Recreation’s approval letter for the current NMP, and (if the AFO has never been covered under a VPA individual or general permit) a [Local Government Ordinance Form](#). Adjacent neighbor notification is required prior to signing the Registration Statement.
- If you need to obtain coverage under the VPA AFO General Permit: waste storage facilities** are required to be constructed outside the 100-year floodplain. The floodplain can be verified by searching your address here: <https://msc.fema.gov/portal/search> or with your Animal Waste Program permit contact. Please contact your Animal Waste Program permit contact to determine what other permit requirements must be met when constructing waste storage facilities.
- An increase in livestock numbers may put your operation over the threshold to report your water withdrawals, use the <https://datascience.deq.virginia.gov/Water-Budget-Estimation/> to estimate your water use to determine if you are required to report water withdrawals.

Construction General Permit (CGP) and stormwater requirements

- For replacement buildings being constructed within the existing footprint, the reconstruction of livestock confinement buildings or other farm buildings can be considered routine maintenance. Please note the following:
 - If less than one acre will be disturbed for the replacement building, then a CGP is NOT required.
 - If one or more acres will be disturbed for the replacement building, then a CGP is REQUIRED, however, a stormwater plan demonstrating compliance with water quality and quantity technical requirements does NOT apply.
- For replacement buildings being constructed larger than the existing footprint or in an alternate location:
 - If less than one acre will be disturbed for the replacement building, then a CGP is NOT required.
 - If one or more acres will be disturbed for the replacement building, then a CGP is REQUIRED, and a stormwater plan demonstrating compliance with water quality and quantity requirements is REQUIRED. To satisfy stormwater plan requirements, an [Agreement In Lieu of a Stormwater Plan for Farm Buildings](#) may be used if the total impervious land cover is less than 5% of the total parcel area where the building(s) will be constructed.
- For more information on stormwater permitting: <https://www.deq.virginia.gov/water/stormwater/stormwater-construction>.

Erosion and sediment control plan requirements

- Contact your local government to understand their specific requirements for Erosion and Sediment Control Plans.
- Typically, if the area to be disturbed is 10,000 square feet or greater, then you must have an Erosion and Sediment Control Plan.

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