

ANIMAL WASTE LAND APPLICATION SETBACKS*
UPDATED SEPTEMBER 20, 2006
SB 1217 INTERAGENCY GROUP

Setbacks for swine waste land application areas vary according to permit, the date of facility siting and/or the date the waste application field is placed in use. Setbacks for other types of operations with coverage under State General Permits and as defined in G.S. 143-215.10B, have a single setback requirement. The following outline provides setback requirements by time periods and legislation.

- I. All operations meeting the G.S. 143-215.10B definitions (formerly 2H.0200 thresholds), including swine farms sited or expanded before September 30, 1995 are required to have from the outer perimeter of the waste application area the following:
 - A. A 25-foot vegetative buffer from perennial water (2H.0217 (h)(iii))
 - B. A 200-foot distance to dwelling not owned by the producer (NRCS Standard Code 633)
 - C. A 100-foot distance to a well (NRCS Standard Code 633 Standard)

For swine farms with a waste application field put in place after August 27, 1997 category IV applies:

- II. Swine farms sited after September 30, 1995 and constructed or expanded before August 27, 1997 must meet items I A, B, and C and have from the outer perimeter of the waste application area the following:
 - A. A 50-foot distance to perennial stream/river other than an irrigation ditch or canal (Senate Bill 1080)
 - B. A 50-foot distance to a residential property boundary (Senate Bill 1080)

For waste application fields put in place after August 27, 1997 category IV applies:

- III. Swine farms sited or expanded after August 27, 1997 must meet the requirements of items I A, B, and C and must have from the outer perimeter of the waste application area the following:
 - A. A 75-foot distance to a perennial stream/river other than an irrigation ditch or canal (House Bill 515)
 - B. A 75-foot distance to a residential property boundary (House Bill 515)
- IV. Any swine farm regardless of siting date must meet the 75-foot requirements of item III for any new waste application field put in use after August 27, 1997 which:
 - A. As of August 27, 1997, the waste application field was not within the property boundary where the waste was generated or
 - B. As of August 27, 1997, the waste application field was not within the property boundary where waste was previously applied from the operation.

Other new waste application fields within the property boundary where the waste is generated or has been previously applied are not required to meet the 75-foot buffer, but must comply with items I and II.

* Guidance does not reflect Neuse, Tar-Pam and Jordan Lake Rule requirements

- V. All farms renewing NPDES permits after that date must implement one or a combination of the following waste application setbacks from surface waters including streams, lakes, and other surface waters, and conduits to those waters (40 CFR 412.4):
- A. 100-foot setback (no closer than 100 feet to any down-gradient surface waters, open tile line intake structures, sinkholes, agricultural well heads, or other conduits to surface waters);
 - B. 35-foot wide vegetated buffer can be substituted for the 100-foot setback specified in A;
 - C. 20-foot wide vegetated setback with water table control structures to trap particulate nutrient losses, or any other compliance alternative approved by the Director of DWQ that provides pollutant reductions equivalent or better than reductions achieved by the 100-foot setback specified in A.