

## **Closure - Waste Impoundments**

### Definition/Purpose

A Closure of Waste Impoundments Practice means the safe removal of existing waste and waste water and the application of this waste on land in an environmentally safe manner. This practice is only applicable to waste storage ponds and lagoons. (DIP)

### Policies

1. The Commission agrees that both technical and financial assistance from the District may be appropriate to ensure water quality protection in situations where farmers are going out of business or where a landowner who was not an operator has an abandoned waste impoundment on his/her property.

Therefore, the District may enter into a contract to offer Cost Share Program financial assistance for a waste impoundment closure. Applicants must follow these guidelines:

- a. The District must verify the system is not under active maintenance requirements for an ACSP contract.
- b. The District demonstrates clearly in the contract provided to the Division that the waste impoundment is in a condition that is creating a water quality problem or presents a potential water quality problem if not corrected.
- c. Each contract must contain the following information and must be received by the Division prior to approval:
  - i. Length of time system has been abandoned.
  - ii. Indication of status with the Department of Environmental Quality (i.e. has farm received a Notice of Violation.)
  - iii. Name of watershed in which system is located.
  - iv. Name of receiving waters (stream, river).
  - v. Volume of system based on length, width, depth of liquid/sludge and slopes.
  - vi. Two estimates from established contractors, using entire volume of system as determined by the District and as included in the waste impoundment closure plan. In situations where pumping is impractical because of consistency of sludge (i.e. solid), sludge may be excavated. Estimates should include information regarding how waste is to be removed (i.e. drag line, agitate and pump, etc.)
  - vii. Surface area (acres) of the lagoon.
  - viii. A profile of the dam and how it is to be breached, if applicable.

## Agriculture Cost Share Program

- ix. A statement signed by the applicant/landowner that he/she will not re-implement the system and that no confined animal operation will be restarted on that farm. The completion of **NC-ACSP-1C (07/02)** meets this requirement.
  - x. **A statement, signed by the technician, certifying that the operation has an approved waste management plan is required for all contracts.**
- d. The District or a Technical Specialist shall prepare the waste impoundment closure plan in accordance with the current standards promulgated by the United States Department of Agriculture, Natural Resource Conservation Service and the State, using the latest version of NC Nutrient Management Software program. The plan must address removal of transfer pipes and installation of a spillway, if needed. The planned waste application may not cause excessive zinc or copper soil levels nor exceed the crops' timely nitrogen uptake.
  - e. Cost Share Program funds will be used for the removal of waste and stabilization of site only (not for fill materials). Removal of foreign materials will be at the landowner's expense and must be removed according to state and federal guidelines.
  - f. Breaching of any diked or dammed structures is optional; however all disturbed areas will be vegetated to permanent grass, trees, or wildlife plantings. NCACSP policies and NRCS Standards will apply to all vegetated areas.
  - g. Districts may write contracts for waste impoundment closures based on the lowest bid that is technically acceptable. Payments will be based on actual cost based on receipts. Total charge to NCACSP is restricted to no more than the maximum cost share for the practice listed in the NCACSP average cost list. Receipts and a copy of the waste analysis report must accompany Requests for Payment.
  - h. A subcommittee of the TRC will review lagoon/pond closure contracts that exceed \$50,000. The District will be notified of the subcommittee's decision. Closure activities covered by the contract shall not begin until the District has received the approval from the Division.
- 2. If the former waste impoundment is converted to residential or commercial structures during the maintenance period, the cost share contract shall be considered out of compliance.

Agriculture Cost Share Program

<b>CLOSURE - WASTE IMPOUNDMENT</b>	
<b>Maintenance Period</b>	10 years
<b>BMP Units</b>	EACH
<b>Required Effects</b>	ACRES_AFFECTED ANIMAL TYPE ANIMAL UNITS N and P WASTE MANAGED
<b>JAA/NRCS standards unless otherwise noted</b>	ECS - 342 - Critical Area Planting ECS - 633 - Waste Utilization ENG - 360 - Closure of Waste Impoundments; DSWC Guidelines for Lagoon Closure Plan Development
<b>CS2 Reference Materials</b>	NC-ACSP-11 Signature Page Map with BMP location, fields, and roads. NC-ACSP-1C Form NC-ACSP-WMP Form Lagoon Specification Questions, 2 bids
<b>Additional Spot-check Requirements</b>	All waste management systems for operations not permitted by the Division of Water Resources must be spot-checked annually for five years following implementation.