

# NR 151 Revisions

Miscellaneous Proposed Changes to  
Ag Performance Standards & Prohibitions

Advisory Committee Meeting  
January 7, 2008



# Miscellaneous Changes

Miscellaneous changes covered by this presentation are in addition to changes being proposed to implement a tillage setback, the phosphorus index, & TMDLs.



# Custodial Changes

- To achieve consistency with similar concepts in other rules & standards
  - Term “direct conduit to groundwater” replaces term “karst”. Consistent with NR 243
  - Term “Margin of Safety” replaces term “Freeboard”. Consistent with NR 243 & NRCS 313



# Modifications to Standards

- Sheet, rill and wind erosion (NR 151.02)
  - Language added to clarify that pastures must also meet the sheet, rill and wind erosion performance standard.



# Modifications to Standards

- Margin of Safety for manure storage facilities (NR 151.05)
  - New Facilities & Alterations: Maintain margin of safety (formerly freeboard) and contain 25-year, 24-hr storm event.
  - Failing & Leaking Existing Facilities: Must maintain margin of safety to be in compliance.



# Modifications to Standards

- Direct Runoff
  - Modified definition (NR 151.015(7))
  - Affects livestock operations (NR 151.08(4))
- Intent of Modifications:
  - Add feed storage leachate and milking center wastes to list of discharges addressed
  - Expand applicability to cover channelized and overland flow from animal lot runoff to all waters of the state.
  - Allow identification of other direct runoff sources consistent with the intent of this prohibition.



# Modifications to Standards

- Overflow
  - Created definition (NR 151.015(15m))
  - Affects livestock operations (NR 151.08(2))
- Intent of Modification
  - Clarifies that the prohibition on manure overflows includes intentional (pumping onto ground) as well as accidental (flow over brim) events

# Modifications to Standards

- Substantially Altered
  - Modified definition (NR 151.015(20))
  - Affects altered livestock facilities (NR 151.05(2))
  - Affects definition of “new facilities” under NR 151.095(5).
- Intent of Modification
  - Clarifies that abandonment of manure storage facilities after October 1, 2002 is considered to be a significant alteration. This means that such abandoned facilities are considered “new” and must close the abandoned site without regard to the availability of cost sharing.

# Modifications to Standards

- Nutrient Management (NR 151.07)
  - Clarifying note added to par. (2) regarding municipalities, industries and septage
  - Other regulations apply to these materials, but producers must account for nutrient additions as part of their NMP



# Modifications to Standards

- Nutrient Management (NR 151.07)
  - Impaired Waters (303(d)) and ORW/ERW
    - Removed reference to soil nutrient test levels and replace with reference to nutrient delivery
    - Recognizes soil test levels are not the sole indication of delivery (revised NRCS 590)
    - Requires use of P-Index or other models



# Modifications to Standards

- Notice Requirements
  - Affects notices issued under NR 151.09 and NR 151.095
- Intent of Modifications
  - Removed requirement to include appeals language in the notice to bring process into alignment with other DNR programs.



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