

CAFO Ordinance Amendment

AN ORDINANCE AMENDING PORTIONS OF THE ORDINANCE OF ESTABLISHING HEALTH REGULATIONS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS PASSED AND APPROVED ON DECEMBER 13, 2005, AND AMENDMENTS THERETO

WHEREAS, the County Commissioners of Knox County, Missouri, passed and approved an ordinance establishing health regulations for concentrated animal feeding operations on December 13, 2005; and

WHEREAS, the County Commissioners passed certain amendments to the ordinance on March 27, 2006; and

WHEREAS, the County Commissioners now wish to amend certain portions of that ordinance having to do with the definition of a manure pit and the Surety Bond which shall be required.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Knox County, Missouri, as follows:

The following section shall be added to the original ordinance, to wit:

1.26 **Manure Pit:** An enclosed area located below ground surface level and directly under a building which is a part of the CAFO, used to collect animal waste and animal waste water. Before a manure pit becomes full, all or part of the animal waste and animal waste water must be removed and used for application.

Sections 4.3, 4.4, and 4.5 of the original ordinance, as amended, are hereby repealed and the following sections are hereby approved in their place:

4.3 All Livestock Feedlots, Livestock Lagoons, and Manure Pits shall be designed in such a manner as to avoid the degradation of air quality. In no event shall the concentration of gases at the boundary of the land resulting from the operation of a Livestock Lagoon, Livestock Feedlot or Manure Pit exceed the following levels:

GAS Carbon Dioxide (CO₂) **MAXIMUM ALLOWABLE CONCENTRATION** 5000 **EXPOSURE PERIOD** not applicable

GAS Ammonia (NH₃) **MAXIMUM ALLOWABLE CONCENTRATION** 5 **EXPOSURE PERIOD** not applicable

GAS Hydrogen Sulfide (H₂S) **MAXIMUM ALLOWABLE CONCENTRATION** 10 **EXPOSURE PERIOD** 2 hours

GAS Methane (CH₄) **MAXIMUM ALLOWABLE CONCENTRATION** 1000 **EXPOSURE PERIOD** not applicable

GAS Carbon Monoxide (CO) **MAXIMUM ALLOWABLE CONCENTRATION** 50 **EXPOSURE PERIOD** One hour

1 In parts of pure gas per million parts of atmospheric air

2 The time during which the effects of the noxious gas are felt by an adult human or a 150 pound livestock

4.4 The applicant shall demonstrate that the soils on the premises, including a soil-plate filter area, are suitable for and compatible with the proposed Livestock Feedlot operations with respect to the location of Livestock Lagoons and Manure Pits and the application of Liquid, slurry or solid animal waste onto or into the soil on the premises. Further, no animal waste from a Livestock Lagoon or Manure Pit shall be applied when soils are water saturated, frozen or covered with snow, or when other soil conditions would result in waste runoff.

4.5 The Livestock Feedlot, Livestock Lagoon, or Manure Pit shall demonstrate that it shall at all times be operated in compliance with any required local, state, or federal permits, licenses or other approvals, and in compliance with all applicable state and local laws and regulations.

Sections 6.2 and 6.3 of the original ordinance as amended are hereby repealed and the following sections are hereby approved in their place:

6.2 A cash or surety bond shall be furnished to the Knox County Treasurer for any manure storage system. A manure storage system may include one or more lagoons at any single CAFO or it may include one or more manure pits and no lagoons. If the bond is a surety bond, the surety shall be approved by the County Commission and found to be of reputable character and financially sound with respect to the obligation incurred. The bond shall be furnished before construction and during the operating period. The bond shall remain with the County Treasurer until the operator has complied with all Federal, State and Local laws in operation of the facility and until the prompt clean up and proper disposal of any waste improperly handled or disposed of at the facility and restoration of the premises upon which the facility is operated. If a cash bond is posted, all interest earned thereon shall

become part of the bond subject to terms and conditions, including the condition of release. The County Commission shall give approval before release of the bond.

6.3 The cash or surety bond schedule for a CAFO with one lagoon is as follows:

6.3.1 Class III -- \$2,500.00

6.3.2 Class II -- \$5,000.00

6.3.3 Class I -- \$7,000.00

6.3.4 Plus an additional \$2,000.00 for each additional lagoon.

The following section shall be added to the original ordinance, to wit:

6.4 The cash or surety bond schedule for a CAFO with one manure pit and no lagoon is as follows:

6.4.1 Class III -- \$1,000.00

6.4.2 Class II -- \$2,500.00

6.4.3 Class I -- \$5,000.00

6.4.4 Plus an additional \$1,000.00 for each additional lagoon.

This ordinance shall be in full force and effect from and after its passage by the Board of County Commissioners of Knox County, Missouri. Passed this 10th day of April, 2006.