Governor Issues Emergency Regulations For Hog Farms

Governor Paul E. Patton issued emergency regulations on September 18 governing the operation of large swine operations in Kentucky. The regulations were issued after residents in Western Kentucky expressed concern about two large pork producers building farms in the region that will effectively double the state's hog population to 1 million.

In July, Gov. Patton ordered the Natural Resources and Environmental Protection Cabinet to stop processing applications for swine waste management permits to allow time to develop regulations for large-scale swine operations. The new regulations require waste lagoon liners, groundwater monitoring, and buffer zones. Buckman Farms, a 5,760 swine breeding operation in Hickman County would be exempt from the rules since it filed its application prior to July. But VALL Inc., which proposed to build a 24,000 sow-breeding complex in Hopkins County must comply.

The regulations will cover operations of 1,000 or more swine units. A swine unit is a term for waste generated. Under the regulations, 1,527 pregnant sows, 2,500 finishing swine or 10,000 nursery swine would make up 1,000 swine units.

The emergency regulations will stay in effect for six months. The state has also filed a notice of intent to promulgate regulations in January regarding the permanent regulation. For more information about these regulations contact Bob Ware or Bruce Scott, 502-564-3410. To order a copy of the emergency regulations contact Martha Hall, 502-564-3410. ext. 406.

Major Provisions of Hog Farm Rules

Siting Setbacks          Lagoon                    Land spreading injection* other

- dwelling (not applicants)  1500 ft.                  500 ft.                  750 ft.
- incorporated city          3000 ft.                  1000 ft.                  1500 ft.
- lake, stream, karst feature  150 ft.                   75 ft.
- 150 ft.
- property line              150 ft.                   50 ft.                    100 ft.
- outstanding resource water  1 mile                    750 ft.                  1500 ft.
- groundwater and water intake  5 miles                  1 mile                    1 mile

Prohibitions (** barns, lagoons, land application, *** barns, lagoons, **** land application)

- Wellhead protection area.
- State/National Parks and Forests, Nature Preserves.*
- 100 year floodplain, wetlands.**
- Steep slopes, land with less than 18 inches to bedrock.***

Lagoon Design

- Anaerobic, lined with clay, native soils, or synthetic liners.
- Not to exceed 5 acres.
- Designed to hold 1 year’s production of solids, 120 days of reserve capacity, 12 inches of excess rainfall, 25-year 24-hour storm event.

Nutrient Management

- Manure land application rates based on nitrogen content.
- Operator must own or control land where waste is applied.
- Yearly soil and waste testing for nutrients.

Monitoring

- 3 groundwater monitoring wells around lagoon, samples taken semi annually for nutrients, chlorides, and fecal coliform.
- If results show leak, plan must be submitted to repair lagoon.
- Lagoon effluent to be land applied analyzed for nutrients.

Public Notification

- Notification in newssapers and to adjacent landowners by mail of intent to construct and operate swine operation.
- Notification and public comment on draft permit action.
- Administrative hearing or appeal if aggrieved by permit action.

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The emergency regulations will stay in effect for six months. The state has also filed a notice of intent to promulgate regulations which will take the place of the emergency regulations when they expire. A public hearing is scheduled on Nov. 25 at 6:30 pm, Hopkinsville Community College Auditorium, Talbert Dr, Hopkinsville. The two other hearings will be scheduled in late January regarding the permanent regulation. For more information about these regulations contact Bob Ware or Bruce Scott, 502-564-3410. To order a copy of the emergency regulations contact Martha Hall, 502-564-3410. ext. 406.
Kentuckians are greatly concerned about the quality of their waterways. Year after year, public opinion polls rank water pollution among the top environmental problems facing the Commonwealth. It is difficult to fully assess the extent of water pollution in Kentucky since only 7% of the state’s 89,431 miles of waterways are monitored for pollution. However, data reveals that one-third of Kentucky’s monitored waterways are degraded by pollution.

The Environmental Quality Commission (EQC) is sponsoring a series of public forums across the state to build awareness and promote actions necessary to better address water pollution problems in Kentucky. The third EQC Clean Water Campaign forum will focus on water pollution problems in the Floyd’s Fork watershed. Floyd’s Fork watershed contains 167 miles of streams in six counties (Jefferson, Bullitt, Shelby, Oldham, Henry, Spencer) and has been ranked by EQC as the third most polluted monitored waterway in Kentucky. Failing septic systems, storm sewer and wastewater discharges, and agriculture runoff are the principle sources of pollution in the watershed. The EQC Clean Water Campaign Public Forum will bring state and local interests together to:

- Review water pollution problems in the Floyd’s Fork area
- Identify state and local roles, opportunities, and actions needed to better address water pollution.

Public Forum - October 16 Jefferson County Central Government Center, 7201 Outer Loop Rd, Louisville
7:00 pm EQC Clean Water Campaign: Floyd’s Fork - Opening Remarks
*Aloma Dew, EQC Chair
*Representative Allen Miracle, Shepherdsville
7:15 pm Water Pollution Problems in the Floyd’s Fork Watershed
Overview of Problem
* David Leist, Mike Mudd, KY Division of Water
Wastewater Treatment, Stormwater, On-Site Sewage Disposal: Issues and Needs
* Gordon Garner, Director, Louisville, Jefferson Co. MSD
Citizen Issues and Concerns
* Tina Halbig, Floyd’s Fork Environmental Association
8:15 pm General Discussion
9:00 pm Adjourn
Field Trip - October 17, 1997 (Open to the public but seating is limited to 20 and reservations are required, Contact EQC at 502-564-2150, ext. 160)
8:30 am - 12 noon - Raft float to view Floyd’s Fork Watershed ($2.00 per person charge).

All EQC meetings are open to the public. Meeting facilities are accessible to people with disabilities. For more information about the above meeting contact EQC at 502-564-2150.

Public Notices Continued - from front page

PROPOSED STATE REGULATIONS
*Air Quality - Notice of Intent to promulgate 401 KAR 50:032 to establish operation limits for asphalt producers who do not hold Title V permit. Public Hearing Oct. 21, 10 am, Div. Air Quality, 803 Schenkel Lane, Frankfort. Contact: Ken Hines, 502-573-3382
*Water - Notice of Intent to amend 401 KAR 5:001 dealing with definitions that relate to permitting of swine feeding operations and 401 KAR 5:008 a new regulation for the permitting of swine feeding operations. Public Hearing Nov. 25, 6:30 pm, Hopkinsville Community College, Talbert Dr, Hopkinsville. Contact: Jack Wilson, 502-564-3410.

FEDERAL NOTICES
*Lexington Paint and Supply (Fayette Co.)- major modification to paint manufacturer (log# F201).
*Lingo Manufacturing, Florence (Boone Co.)- major modification to metal shelving manufacturer (log# E689).
*Louisville Gas and Electric (Jefferson Co.) - Title V permit (log #E694).
* Whitehall Furniture, Owensboro (Daviess Co.) - Title V permit for wood furniture manufacturer (log # E812)

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