

**WASTE TREATMENT LAGOON  
(CODE 359)**

**DESCRIPTION**

An impoundment made by excavation, earth fill, or a combination of both for the biological treatment of animal or other agricultural waste.

**PURPOSE**

To develop a waste management system that will provide biological treatment and storage of animal waste until it can be safely utilized on cropland. This practice should be implemented where it is necessary to prevent potential pollutants from animal wastes or wastewater from reaching the waters of the State.

**CONDITION**

Apply this practice to areas on farmland where animal wastes or wastewater from dairy operations constitute a significant pollution hazard or to livestock operations where wastewater or rainwater runoff is contributing to a water quality problem.

**POLICIES**

1. The practice must be installed on the same farm parcel where the animal waste is generated.
2. A minimum of **fifteen (15)** animal units (AU) must regularly use or occupy the area being addressed, cost-share funds will be based on applicable flat rates plus project and farm limits. Operations with **one (1) to less than fifteen (15)** animal units (AU) may be eligible based on the animal unit pro-rated cost-effectiveness (SECTION III, *Water Quality Project Application Instructions*, #44B).
3. Cost-sharing **is authorized** for:
  - a. Collection basins and settling basins utilizing aerobic or anaerobic treatment.
  - b. Storage and diversion facilities that will contribute significantly to maintaining or improving soil conservation or water quality.
  - c. Measures needed as part of the system to convey animal wastes or wastewater (e.g., diversions, channels, waterways, outlet structures, or piping).
  - d. The installation of underground piping to convey rainwater away from livestock areas and the Waste Treatment Lagoon. Reasonable precautions must be taken at the point of discharge to prevent erosion problems.
  - e. Leveling and filling to permit the installation of an effective system; vegetative cover (including mulching) to protect the area surrounding the Lagoon.
  - f. Roof guttering and down spouting (Code 558) as part of a Waste Treatment.

## Waste Treatment Lagoon 359-2

- g. An agricultural waste fence only if essential to a particular waste storage project for the safety of livestock or humans.
  - h. Permanently installed equipment needed as an integral part of the system.
4. Cost-sharing *is not authorized* for:
- a. Measures primarily for the prevention or abatement of air pollution, unless the measures also have soil and water conservation benefits.
  - b. Portable pumps, pumping equipment, or other portable equipment; equipment for spreading animal wastes on the land.
  - c. Buildings or modifications to buildings; portions of a waste treatment lagoon installed under or attached to a building which serves as part of the building or its foundation.
  - d. Animal waste facilities that do not meet local or State regulations.
  - e. Installations intended primarily for the operator's convenience.
5. A current Waste Management System Plan (WMSP), according to NRCS Standards and Specifications, must be signed by the applicant and the District Conservationist and accompany the MACS Water Quality Project form. The WMSP must be farm-specific and include information on the situation, problem, geographic area, Nutrient Management Plan (NMP), system components, component details, waste utilization, installation timetable, and structure operation and maintenance.
6. The applicant and the farm's Nutrient Management Plan must be in compliance with Maryland's Nutrient Management regulations (COMAR 15.20.08) at the time of Application. No Applications will be approved without a Nutrient Management Plan Certification Form submitted with the Application (SECTION III, #30).
7. For a start-up operation or expansion to increase the animal capacity within the next six months, *and* if the applicant will document that fact in writing to the Department's satisfaction, cost-share may be approved for manure storage capacity based on the total new animal capacity on the farm. The SCD must document the animal capacity increase on the Certificate of Imminent Start-up or Expansion of a Poultry-Growing Operation form or Certificate of Imminent Start-up or Expansion of a Livestock Operation form (SECTION III, #19 or #20) and submit this form with the MACS Water Quality Project form.
8. MACS will initiate an On-Farm Status Review (Spot Check) six months following the completion of any project subject to the Certificate Imminent Start-Up or Expansion form.

## Waste Treatment Lagoon 359-3

9. MACS requires the placement of any waste storage structure, including any Waste Treatment Lagoon, to be a minimum of 100 feet from streams, drainage ditches, and other surface waters, wells, and sinkholes. No exceptions will be made for new operations. Exceptions for existing operations may be allowed when constraints posed by the site and existing infrastructure prevent placement outside the 100-foot setback. Exceptions, including expansions, will be considered on a case-by-case basis. A SCD Certification for 100-Foot Set-Back Exception form (SECTION III, # 11) and identification of protective measures to maintain water quality must be included with the application.
10. Applicants are required to keep their WMSP and NMP updated and current throughout the maintenance life of any animal waste treatment or containment project. These updates are the responsibility of the applicant and landowners, and the District and/or the nutrient management consultant provides assistance. The District is responsible for verifying the applicant has a current Waste Management System Plan.
11. NRCS Standards and Specifications for Waste Treatment Lagoon (Code 359) shall be followed when applying this practice.
12. This practice shall be properly maintained and operated for a minimum of fifteen (15) years. The applicant agrees to provide all equipment, labor, and materials needed to meet this requirement.
13. If MACS cost-share funding was received for an Animal Waste Treatment and Containment Project and if supporting practices (367, 558, and 561) were not installed with the initial waste treatment lagoon, the total eligible cost, not to exceed \$200,000 per project, and the cubic foot volume ceiling rate eligibility cap, is still applicable. The remaining balance of eligible cost-share can be applied towards the proposed Roofs and Covers (367), Roof Runoff Structure (558), and Heavy Use Area Protection (561).
14. **MACS defines Animal Waste Treatment and Containment Projects to include Practice Codes 313, 316, 359, 367, 558, and 561 to solve a single water quality problem. The waste storage facility and supporting practices are part of a Waste Management System Plan (WMSP), and the total cost is not to exceed \$200,000 per project.**

### COST-SHARE RATE

For Waste Treatment Lagoon, the State cost-share payment will not exceed 87.5% of the total eligible cost, not to exceed \$200,000 per project, the maximum allowed for an animal waste treatment or containment project.

A farm cap limit of \$450,000 per person (within life maintenance, installed by the applicant or conveyed by the predecessor(s) in title) will apply.

## ATTACHMENTS

***Applicant(s) with an outstanding Unsatisfactory On-Farm Status Review of previous project(s) may be ineligible for MACS Cost-Share funding. When a previous project expires with outstanding unsatisfactory status, the applicant is ineligible for any future MACS funding.***

*The following items are needed:*

1. A copy of a recorded deed(s) for the parcel(s) where the BMP is located. If the current, appropriate deed is already on file in the MACS Office, then record both the agreement number of the file where the deed is kept and the liber/folio numbers in the General Comments section of the application.
2. A copy of the Real Property Data Search page from the Maryland Department of Assessments and Taxation's website ([www.dat.maryland.gov](http://www.dat.maryland.gov)) indicating the Maryland Property View Account ID Number and owner information.
3. An aerial photograph indicating the property lines as well as all existing and proposed BMPs. Include the distance of the proposed structure to the Waters of the State.
4. A plan view sketch graphically demonstrating the layout and details of the proposed BMPs, including the location of existing/proposed structures and landscape features, including distance(s) (in feet) to streams and drainage ditches.
5. Worksheet to determine storage requirement.
6. A farm-specific Waste Management System Plan (WMSP), which includes information on the site, problem, geographic area, NMP, system components, component details and dimensions, waste utilization, installation timetable, structure operation, and maintenance. This document must be signed by the District Conservationist and the applicant and/or operator.
7. Certificate of Imminent Start-up or Expansion of a Poultry-Growing Operation form or Certificate of Imminent Start-up or Expansion of a Livestock Operation form (SECTION III, #19 or #20), if applicable.
8. Nutrient Management Plan Certification Form shall be submitted with the Application (SECTION III, #30).
9. 100-Foot Set-Back SCD Certification for Exception form (SECTION III, #11) if required.
10. Appropriate Additional Provisions form(s), if required.
11. A letter of justification explaining why co-cost funding (EQIP, RCPP, NFWT, AMA, etc.) was not included or considered with the Water Quality Project forms.