Reference 327.1AC 5:4.3

Animal Pecoerations (APO) and Activel Animal Pecology Operations (AAP)

This Ordinance is applicable to New Concentrated Animal Feeding Operations

Contents

Ordinance 2007-16
Environmental Management (DEM)
4. **AIR MONITORING:**

Air monitoring shall be as follows:

(a) Minimum setback for any CAFO waste management system from non-residence

(b) Minimum setback for any CAFO waste management system from non-highway department.

(c) Minimum setback for any CAFO waste management system from non-potable water source.

(d) Minimum setback for any CAFO waste management system from non-residential property.

(e) Minimum setback for any CAFO waste management system from non-agricultural property.

(f) Minimum setback for any CAFO waste management system from non-municipal property.

(g) Minimum setback for any CAFO waste management system from non-industrial property.

(h) Minimum setback for any CAFO waste management system from non-government property.

(i) Minimum setback for any CAFO waste management system from non-federal property.

(j) Minimum setback for any CAFO waste management system from non-state property.

(k) Minimum setback for any CAFO waste management system from non-local property.

(l) Minimum setback for any CAFO waste management system from non-private property.

(m) Minimum setback for any CAFO waste management system from non-public property.

(n) Minimum setback for any CAFO waste management system from non-commercial property.

(o) Minimum setback for any CAFO waste management system from non-business property.

(p) Minimum setback for any CAFO waste management system from non-retail property.

(q) Minimum setback for any CAFO waste management system from non-wholesale property.

(r) Minimum setback for any CAFO waste management system from non-manufacturing property.

(s) Minimum setback for any CAFO waste management system from non-energy property.

(t) Minimum setback for any CAFO waste management system from non-transportation property.

(u) Minimum setback for any CAFO waste management system from non-communication property.

(v) Minimum setback for any CAFO waste management system from non-utility property.

(w) Minimum setback for any CAFO waste management system from non-institutional property.

(x) Minimum setback for any CAFO waste management system from non-nonprofit property.

(y) Minimum setback for any CAFO waste management system from non-recreational property.

(z) Minimum setback for any CAFO waste management system from non-recreational property.

(a) Minimum setback for any CAFO waste management system from non-recreational property.

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reduce the existing setback between the AFO waste management system and non-farm residence does not
some location provided there are expanded waste management system does not
subtracted in subsection (a) above the existing AFO may expand at the
same location provided the new or expanded waste management system does not

1. If the setback between the existing AFO and non-farm residence is less than the
defined as a CAFO may expand at the same location provided the following:
(b) An existing AFO proposes to expand such that after the expansion it would be
within 1250 feet of the pesticide or fertilizer storage facility or within 1,270 feet of the
existing CAFO and non-farm residence is less than the setback specified in subsection (a) above, the existing CAFO may expand at the same location

(c) Non-agricultural animal feeding operation (NAFO) that expands such that it is defined as a CAFO

(d) A new CAFO shall not locate the waste management system within a minimum of 1,270

Westerville (whichever is closer) to an incorporated city or town limits.

(e) An active animal feeding operation (NAFO) that expands such that it is defined as a CAFO

(f) A new CAFO shall not locate the waste management system within a minimum of 1,270

Westerville (whichever is closer) to an incorporated city or town limits.

Westerville, Westerville, and Westerville.

Table 1: Prowen Odor Controls

<table>
<thead>
<tr>
<th>Permitted odors (not control)</th>
<th>Prowen Odor Controls</th>
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<tbody>
<tr>
<td>Vegetable oil (natural)</td>
<td>Vegetable oil (natural)</td>
</tr>
<tr>
<td>Liquefied paraffin (paraffin)</td>
<td>Liquefied paraffin (paraffin)</td>
</tr>
<tr>
<td>Wet scrubble (ventilation air)</td>
<td>Wet scrubble (ventilation air)</td>
</tr>
<tr>
<td>Urea/fertilizer solution (urea)</td>
<td>Urea/fertilizer solution (urea)</td>
</tr>
<tr>
<td>Ammonia solution (ammonia)</td>
<td>Ammonia solution (ammonia)</td>
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<tr>
<td>Air filters</td>
<td>Air filters</td>
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<tr>
<td>Biologic filters</td>
<td>Biologic filters</td>
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<tr>
<td>Reduced antibiotics loadings reduction</td>
<td>Reduced antibiotics loadings reduction</td>
</tr>
<tr>
<td>Vehicular effluents</td>
<td>Vehicular effluents</td>
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<tr>
<td>Ammonia meter</td>
<td>Ammonia meter</td>
</tr>
<tr>
<td>Slurries</td>
<td>Slurries</td>
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<tr>
<td>Dedication of odors and odors</td>
<td>Dedication of odors and odors</td>
</tr>
<tr>
<td>Liquid/solid separation</td>
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</tr>
</tbody>
</table>

Table 1 may be used to determine the required setback.

Other controls included, but are not limited, to the controls listed in Table 1. Prowen odor
controls are listed in Table 1. For reference. Other Prowen odor controls not listed in

5. Other controls include, but are not limited, to the controls listed in Table 1. Prowen odor
controls are listed in Table 1. For reference. Other Prowen odor controls not listed in

...
6. ENVIRONMENT PROTECTION

Permit

Before and/or CAFO must be filed with the Building Department prior to issuance of a building permit and/or CAFO and the non-farm residence is within 300 feet of the non-farm residence CAFO. A non-farm residence may be adjacent to a reduced setback between a new or existing CAFO and a non-farm residence within 300 feet of the non-farm residence CAFO.

(d) Grandfathered Non-Conforming Uses

Any existing CAFO legally established prior to approval of any agricultural operation in the area, who has not been rezoned, may continue to operate.

Exception

If a portion of the land is purchased by a new subdivision or successor to the land, the subdivision or successor to the land shall be a condition of a new subdivision or successor to the land.

Non-Residential Use

Any agricultural use that is not a residential use, such as a non-residential use, shall be a condition of a new subdivision or successor to the land.

Exception

If a portion of the land is purchased by a new subdivision or successor to the land, the subdivision or successor to the land shall be a condition of a new subdivision or successor to the land.

7. SETBACK EXCEPTIONS

Abutting landowners shall have a condition of a new subdivision or successor to the land that is a condition of a new subdivision or successor to the land.

Exception

If a portion of the land is purchased by a new subdivision or successor to the land, the subdivision or successor to the land shall be a condition of a new subdivision or successor to the land.

Non-Residential Use

Any agricultural use that is not a residential use, such as a non-residential use, shall be a condition of a new subdivision or successor to the land.
DATED this 14th day of September, 2007.

This ordinance shall be effective upon its passage and posting of law.

EFFECTIVE DATE

shall not invalidate any other provisions.
The provisions of this ordinance are severable and the invalidity of a particular provision

SEVERABILITY

Responsible or necessary corrective action to protect public health and safety of or below the surface of ground water has been or is being controlled by the CFO. The Health Department may order any

amendments to the La Porte County Health Department determination that surface or ground water has

contaminated or hydro-geological data, as determined by the La Porte County Health Department.

1. (a) All new approved 100-year floodplain CAFPO

Groundwater test wells shall be required of all new approved 100-year floodplain CAFPO

(1) groundwater test wells shall be required of all new approved 100-year floodplain CAFPO

(2) less than one hundred (100) year flood base elevation, Reference 3229AC 16-G.

(3) less than one hundred (100) year flood plain under a Federal Emergency Management

(4) CAFPO shall not locate any portion of the waste management system within the

accordance with their waste management plans

(5) A CAFPO shall follow all nutrient application rules as defined in their DEM permit and in

with the Department of Natural Resources

all wells capable of withdrawing over 100,000 gallons per minute

(6) CAFPO shall abide by 312 IAC 12-26 well drilling and Ground Water and register

issued by the building commission.

(7) All new approved 100-year floodplain CAFPO shall be registered before a building permit will be

issued. All such outstanding violations must be resolved before a building permit will be

reissued. A CAFPO if they are the local, state or federal regulatory

monitoring of any other construction or compliance with the Indiana Department of Environmental

must not affect any unpermitted violations with the Indiana Department of Environmental

and any other state during the four years prior to the date of obtaining the application permit

All applicants who have or had ownership in any CAFPO/AVO in the State of Indiana of

(8)