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Confined Livestock Feeding Standards (CFOs and CAFOs)

- A. IDEM Permit Required
All Confined Animal Feeding Operations (CFOs and CAFOs) must be issued an Indiana Department of Environmental Management (IDEM) permit before an Improvement Location Permit for the CFO or CAFO may be issued.
- B. Route Permit Required
All CAFOs must obtain a "Route Permit" from the Marshall County Highway Department.
- C. Water Wells and Ground Water
All CAFOs must abide by 312 AIC 12 Water Well Drilling and Ground Water. All wells capable of withdrawing over 100,000 gallons per day or 70 gallons per minute must be registered
- D. Water Wells Testing
All CAFOs must submit an annual report of a private well water test. This test must be an approved test taken by an official approved by the Zoning Administrator.
- E. Manure Application
All CAFOs must comply with all IDEM manure application regulations. All surface spread manure must be incorporated within 24 hours unless applied to a growing crop.
- F. Irrigation of Manure
Irrigation of manure, except low nutrient water, is prohibited.
- G. Odor Control
All CAFOs must provide a detailed odor control plan that includes the use of current, proven odor control technology. The plan may be updated from time to time by the producer to include the latest proven technology. The plan shall address the following areas:
 - 1. Confinement building
 - 2. Manure storage
 - 3. Manure application
 - 4. Carcass disposal in compliance with Indiana State Board of Health Regulations.
 - 5. Dust and particle matter
- H. Setbacks From CAFO Structures
 - 1. The minimum setback of a CFO and CAFO structures from the nearest adjacent residence shall be one-thousand three-hundred twenty (1,320) feet. CAFO's must employ one of the following following odor control technologies:
 - a. Biofilters

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- b. Oil spray for dust control
 - c. Shelterbelts
 - d. Wet scrubbers
 - e. Catalytic convertors
 - f. Windbreak walls
 - g. Aerodynamic deduster
 - h. Biomass filter
 - l. Ozonation
 - j. Digester
 - k. Diet manipulation
 - l. Reducing manure loading rates for lagoons
 - m. Surface of lagoon aerated
 - n. Permeable cover for manure storage and lagoon
 - o. Impermeable covers
 - p. Composting
 - q. Solids separation
 - r. Acidification of manure to keep in ammonium form
 - s. Dry manure storage
 - t. Urine/feces segregation
 - u. Other proven strategies as described in an approved odor control plan
2. For CAFO's the setback shall be increased by two-hundred (200) feet for every additional one-thousand (1,000) animals units for those operations which do not employ an additional odor control technology.
- I. Shelterbelt Requirements for CAFO's
- 1. Shelterbelts shall be a minimum of two rows of trees or shrubs
 - 2. Shelterblents must achieve a minimum height level to have the desired effect on odor before CAFO operations may start.

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J. Resolution of Existing Violations

Any producer who has in the past five years committed CFO or CAFO violations in Indiana or any other state must resolve such violations before an Improvement Location Permit may be issued.

K. CAFOs in Special Flood Hazard Area

CFO and CAFO facilities are not permitted in Special Flood Hazard Areas.

M. Other Use Separation Distances

Any new dwelling, other than quarters provided for hired help with the CFO or CAFO, or any new church, business, school, recreational area (Public or Private), or public building shall have a separation distance of not less than 1,320 feet from any CFO or CAFO that has a state (Indiana) IDEM confined feeding approval. An exception to this Section may be sought by requesting a Variance of Developmental Standard. If, or when, such a variance is granted by the Board of Zoning Appeals, the party obtaining the variance shall be required to either attach to the recorded deed of conveyance a covenant protecting the CFO's or CAFO's rights to operate, or if no contemporaneous conveyance is contemplated, incorporate a similar recorded covenant by cross-referenced affidavit in aid of title. Said covenants shall read as follows:

For deed of conveyance: "In accepting this deed, grantees do hereby acknowledge that surrounding land is agricultural in usage; and grantees, and their successors in interest are precluded from complaining and/or attempting to enjoin any farm operation within 1,320 feet because of nuisances which might result from said operation.

Then for cross-reference: "The undersigned owners of the following described real estate: (HI) do hereby acknowledge that surrounding land is agricultural in usage; and affiants, and their successors in interest, are precluded from complaining and/or attempting to enjoin any farm operation within 1,320 feet because of nuisances which might result from said operation."

N. Site Plan

All CFOs and CAFO's submit a site plan containing the following:

1. Boundaries of the operation and manure application areas.
2. General topography of the area.
3. Location of waste treatment/control facilities.
4. Location of the streams, drainage ditches, highways, lakes and recreational areas.
5. Location of all residential dwellings, businesses, public buildings and recreational areas within 1,320 feet of the operation.