

ADEM/NRCS BUFFER DISTANCE SUMMARY FOR ANIMAL FEEDING OPERATIONS

ADEM Administrative Code Chapter 335-6-7: Listed buffers represent the regulatory safety minimum, after application of necessary buffers on an individual facility basis that meet or exceed NRCS technical standards, guidelines, and recommendations on an individual site basis, and as necessary to protect surface water and groundwater quality and minimize potential odor impacts.

Required by ADEM AFO/CAFO Rule 4/1/99 to 12/1/00.

Additional Requirements by ADEM AFO/CAFO Rule effective 12/1/00.

Recommended by NRCS

Required by Current NRCS Standard

Structure or Practice	Property Line ^{1/}	Public Use Area or DCSHP ^{1/}	Water or Sinkholes ^{6/}	Well ^{2/}	Road	Building	100 Year ^{3/} Floodplain	Top of Slope
Dry Waste Facility ^{4/} (new)	165'	330' 300'	100'	100' 100' from up gradient well 300' from down gradient well			Must be protected from 100-year flood	
Dry Waste Facility ^{4/} (expansion)	165'	165' 165'	100'	100' 100' from up gradient well 300' from down gradient well			Must be protected from 100-year flood	
Liquid Waste Facility ^{4/} (new)	500' A.U. Distance <1,000 500' 1,000-2,499 1,320' 2,500-3,999 2,640' ≥4,000 5,280'	1,320' 700'	100' 200' >5 sq. mi. DA 200' PWS 200' O. Waters 200'	100' 500' Potable(offsite) 150' from up gradient well 300' from down gradient well			Must be protected from 100-year flood	
Liquid Waste Facility ^{4/} (expansion)	500' A.U. Distance <1,000 500' 1,000-2,499 1,320' 2,500-3,999 2,640' ≥4,000 5,280'	660' 700'	100' 200' >5 sq. mi. DA 200' PWS 200' O. Waters 200'	100' 500' Potable(offsite) 150' from up gradient well 300' from down gradient well			Must be protected from 100-year flood	
Land Application	Cannot cross Property Line 25'	100' 100' dry 200' liquid 500' spray 100' dry 200' liquid 500' spray	50' 100' O. Waters 200' PWS 200' O. Waters 50'	100' well and water supply 100' non-potable well or water supply 200' potable well or water supply 200' from up gradient well 300' from down gradient well	Cannot be applied on Roads 50' spreader truck 100' spray		Dry waste not applied to very frequently or frequently flooded soils. ^{5/}	
Incinerator ^{4/}	165'	330' new 165' existing	100' 200'	100' 100' from up gradient well 300' from down gradient well		20'		
Waste Field Storage ^{4/ 7/}	165'	330' new 165' existing 300'	100' 150'	100' non-potable 200' potable 300' from down gradient well 150' from up gradient well			1' above 25yr-24hr storm floodplain	<150'

NRCS recommended distances are from the individual waste handling structure such as a dry stack, composter, solid separator, waste storage pond, lagoon, etc. It does not include the animal shelter.

A.U.: Animal Unit by AFO/CAFO Definition **DA:** Drainage Area **PWS:** Public Water Supply

DCSHP: Non-owner existing occupied Dwelling, Church, School, Hospital, or Park

O. Waters: Outstanding National Resource Water (ONRW) or Outstanding Alabama Water (OAW)

^{1/}: Setback from property lines, public areas, or DCSHP can be reduced or either doesn't apply if approved in writing by neighbors.

^{2/}: New wells are to be constructed from an existing structure or practice as a new structure or new practice from an existing well.

^{3/}: ADEM requires that all waste stored within the 100-year floodplain to be protected from inundation and damage associated with the 100-year event. Land application in a 100-year floodplain must be performed in a manner to prevent nonpoint source runoff of pollutants/nutrients and meet/exceed NRCS requirements.

^{4/}: From ADEM perspective this includes all poultry and livestock shelters, liquid waste handling facilities, dry stacks, composters, incinerators, freezers, significant temporary storage etc. at the facility or offsite location. Buffers for incinerators/composters/freezers shall conform to the required liquid waste or dry waste buffers of the facility at which the incinerator/composter/freezer is located.

^{5/}: As defined by the soil survey.

^{6/}: Including, but not limited to, perennial or intermittent streams, ponds, lakes, springs, or sinkholes.

^{7/}: Buffers for temporary storage at the facility or in the field are considered waste storage facilities and must meet ADEM buffers for liquid/dry wastes and new/expansion as appropriate. Waste field storage and small accumulation/piles of waste in the field for brief periods for purposes of transloading for land application must meet ADEM land application buffers.

EXCEPTIONS:

ADEM can require more restrictive buffers than listed above if ADEM determines as a technical matter that on an individual site or watershed basis that more restrictive buffers are necessary to ensure the protection of State water quality or effective minimization of odor.

The above occupied dwelling, church, school, hospital, park, property line, and stream buffers do not apply in the following situations:

- (1) If ADEM determines that buffer encroachment to construct additional treatment facilities only for confinement buildings and production levels/capacity existing as of 4/1/99 is necessary to protect water quality.
- (2) If the buildings and structures existed prior to 4-1-99 or were under significant construction as of 4-1-99 and completed by 8-1-99. This includes repairing or replacing buildings that existed prior to 4-1-99 as long as the repaired or replacement structure is placed on the previous site and is no closer to property line, dwelling, etc. than it was prior to the repair.
- (3) Unless otherwise approved by the Director or his designee, existing or previously constructed/operated AFOs or AFOs constructed after April 1, 1999, that are inactive, idle, or closed, that have not registered and do not confine greater than 50 animal units during any 36 month period, while still an AFO, will not be considered existing facilities, but are/will be considered as expanding facilities for the application of buffer requirements and other requirements of this Chapter at the time animal confinement greater than 50 animal units resumes.

The above buffer distances from an occupied dwelling, church, school, hospital, park or property line do not apply in the following situations if any of the following conditions apply. Applicable well/waterbody buffers still apply:

If the facility owner/operator owns the adjoining property.

If the adjoining property owner consents to buffer exemption in writing through a dated, notarized document.

If the adjoining property contains a deed restriction notifying the owner of nearby AFOs.

If the area is specifically zoned for AFO/CAFOs.

This document is a brief description of current CAFO program buffers. This document is subject to update/correction as needed. This document is not a legal document and does not replace or modify the requirements of ADEM Administrative Code Chapter 335-6-7. This document is not designed nor intended to detail every possible buffer requirement and may not provide the reader with a complete understanding of every CAFO program buffer requirement.

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