

Dry Litter Poultry Requirements

Per NC General Statute 143-215.10C and Administrative Code in 15A NCAC 02T .1303, dry litter poultry operations are deemed permitted. This means that while these operations are not required to apply for permits, they must follow general requirements as outlined in statutes and rules. Following is a summary of these requirements for all dry litter operations over 30,000 birds.

1. Litter shall not be stockpiled within 100 feet of perennial streams, waterbodies, or wells.
2. Stockpiled litter shall not be left uncovered for more than 15 days.
3. For land application, a setback of 25 feet from perennial streams and perennial waterbodies must be maintained. However, land appliers should be aware of setbacks from all ditches and intermittent streams. Runoff of litter due to improper land application can lead to discharges which can result in violations or enforcement actions.

NOTE: *Even if the above requirements are met, it is still the responsibility of the generator or manure hauler (if used) to make sure that there is no discharge to waters of the State.*

4. Litter shall be applied at rates that do not exceed the agronomic rate of the receiving crop. The rates may be based on NC Department of Agriculture & Consumer Services (NCD&CS) soil test recommendations or Natural Resources Conservation Service (NRCS) Standards. For more information on realistic yield expectations (RYE), contact a technical specialist with the Cooperative Extension Service, NRCS, NCD&CS, or your local Soil and Water Conservation District.
5. Develop and maintain a Waste Utilization Plan (Nutrient Management Plan). At a minimum, the waste plan must contain a list of fields used for land application, the crops to be grown, and the maximum application rate for each crop/field. While recommended, it is not required for plans be developed by a certified technical specialist. An example waste plan is available at <http://www.ncagr.gov/SWC/tech/guidancedocuments.html>
6. Litter shall be sampled as close to the time of application as practical, but at least within 60 days of the land application event. If manure is given or sold to a 3rd party, it is still the responsibility of the generator to conduct the waste analysis, and provide a copy to the 3rd party or manure hauler.

The state average nitrogen (N) content for dry litter as shown in the *North Carolina Agricultural Chemical Manual* published annually by NC State University may be used to calculate application rates in lieu of individual waste analysis; however, waste analysis is still required. Information on waste analysis procedures is available from the Cooperative Extension Service, publication number AG-439-33, *Soil Facts: Waste Analysis*, at <https://content.ces.ncsu.edu/waste-analysis>.



7. A soil analysis is required at least once every three years for all fields that receive litter using the standard soil fertility analysis, available from NCDA&CS. Information on soil sampling procedures is available from the Cooperative Extension Service, publication number AG-439-30, *Soil Facts: Careful Soil Sampling -The Key to Reliable Soil Test Information*, at <https://content.ces.ncsu.edu/careful-soil-sampling-the-key-to-reliable-soil-test-information>.
8. Lime shall be applied to fields as specified by the Soil Test Report to assure suitable conditions for crop growth.
9. Litter application must stop on a field if copper or zinc soil concentrations reach an Index level of 3,000. As a proactive measure, waste generators should begin seeking alternate fields if the level exceeds 2,000.
10. Recordkeeping. All records shall be kept for three years, including but not limited to:
 - Soil test and waste analysis results
 - Date and estimated volume of litter removed
 - Land application records – when, where, and how much
 - Records of litter sold or given to a 3rd party including the amount of litter removed, the date litter was removed, and the name, address, and phone number of the manure hauler.
11. When litter is given to a 3rd party, the following requirements apply:
 - Recordkeeping requirements in #10 above,
 - A copy of the current waste analysis must be provided to the 3rd party,
 - Provide a copy of these guidelines to the 3rd party.
12. For dry litter operations that give/sell litter to a 3rd party or manure hauler:
 - If the 3rd party applies litter to land that is owned/leased by the litter generator, then that land must be included in the litter generator's Waste Utilization Plan.
 - If the 3rd party hauls all litter away, and applies it to other 3rd party fields, then the litter generator does not need to have fields listed in the Waste Utilization Plan; however, a plan is still needed. The plan would be similar to the format suggested in #5 above, but it would just state that all litter is hauled away.

Manure Haulers are regulated in Administrative Code in 15A NCAC 02T Section .1400. It is strongly recommended that owners of dry litter poultry operations verify that any manure hauler they use complies with all requirements – including registering with the Division of Water Resources.

This is not meant to be a complete list of requirements, but to give poultry growers and the public a summary of the regulations that are in place. For more information, you can visit our webpage: <https://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/animal-feeding-operation-permits/dry-litter-poultry> or contact:

Animal Feeding Operations Program
Division of Water Resources
Christine.Lawson@ncdenr.gov or (919) 807-6354