

NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

FACT SHEET

(pursuant to NAC 445A.236)

Applicant: Bureau of Land Management
US Department of the Interior
P.O. Box 3270
Sparks, Nevada 89432

Permit: NV0023388

Location: National Wild Horse and Burro Center
15780 SR 445
Reno, Washoe County, Nevada 89510
Latitude: 39° 47' 24" N, Longitude: 119° 40' 04" W
Township 22N, Range 21E, Section 7 MDB&M

General: The Applicant has applied for a National Pollutant Discharge Elimination System (NPDES) permit, NV0023388, to discharge manure and process wastewater in excess of the 25-year, 24-hour storm event from the National Wild Horse and Burro Center (NWHBC) in Warm Springs Valley. The facility is located approximately 20 miles north of Sparks. This short-term holding facility has a maximum capacity of 2,000 horses/burros. The NWHBC, the Applicant's largest adoption preparation center, is defined as a concentrated animal feeding operation (CAFO) because the facility confines at least 500 horses for 30 days or more in a 12-month period in an area devoid of vegetation during the normal growing season.

The 160-acre property included a small feedlot operation when acquired by the Applicant. The NWHBC began operation in 1977 and was expanded in the early 1990s. With rare exceptions, the facility only receives animals removed from Nevada rangelands. In 2004, Nevada was reported to have a wild horse and burro population of 19,000, more than half the US total.

The Applicant has designed and proposes to build a 70.6 acre-foot runoff retention pond, rechannel approximately 1,000 linear feet of stream channel adjacent to the pond, construct approximately 3,400 linear feet of 4-foot high earth berms around the perimeter of the facility, and cut and fill approximately 1,000 linear feet of drainage improvements on the east property line.

The retention pond has been designed to contain all production area runoff, process wastewater, resulting from the 25-year, 24-hour storm event. The runoff retention pond is expected to hold water for up to one or two weeks per year, on average, and will be dry the remainder of the year. The maximum design head on the liner will be 9 feet. Depths of water greater than 3 feet will be pumped and circulated to prevent anaerobic conditions from developing.

The in-place soil liner, minimum 12 inches thick, shall have a maximum permeability of 1×10^{-7} cm/sec and a 12-inch thick protective soil cover. One-foot of freeboard is required for the pond. The 4-foot high berms will prevent run-on to the production area from adjacent lands.

Flow: The proposed permit will authorize the discharge of manure and process wastewater in response to storms that exceed the 25-year, 24-hour event. The discharge flow rate will not be limited by the permit and will be dependent upon the magnitude of the exceedance of the design storm event.

Site Groundwater: Groundwater is approximately 100 feet below ground surface. Groundwater flow direction and gradient have not been determined, but flow is assumed to be to the northeast toward Mullen Creek.

Based on a single analysis, the groundwater has elevated total dissolved solids, 690 mg/L; fluoride, 7.1 mg/L; arsenic, 0.27 mg/L; and sulfate, 290 mg/L concentrations and a pH of 8.95 SU. The chloride concentration was 110 mg/L. Nitrate was not detected with a detection level of 0.05 mg/L. Barium, copper, lead, manganese, and zinc were not detected. The iron concentration was not reported.

Receiving Water Characteristics: Any discharge from the retention pond would flow to an unnamed ephemeral tributary to the ephemeral Cottonwood Creek. Cottonwood Creek discharges to the ephemeral Mullen Creek. Due to the transitory nature of these streams, there is no monitoring of the stream water quality.

Proposed Effluent Limitations: Samples taken in compliance with the monitoring requirements specified below shall be taken from:

- a. Manure and process wastewater; and
- b. Storm-related discharge to waters of the State.

Table 1: Discharge Limitations

PARAMETERS	EFFLUENT DISCHARGE LIMITATIONS	MONITORING REQUIREMENTS		
		Sample Locations	Measurement Frequency	SAMPLE TYPE
pH (standard units)	Monitor and Report	a.	Annually ¹	Discrete
		b.	Each discharge ²	
Chlorides (mg/L, mg/kg) ³	Monitor and Report	a.	Biannually ⁴	Composite Discrete
		b.	Each discharge ²	
Total Dissolved Solids (mg/L, mg/kg) ³	Monitor and Report	b.	Each discharge ²	Discrete
Total Suspended Solids (mg/L)	Monitor and Report	b.	Each discharge ²	Discrete
5-day Biological Oxygen Demand (mg/L)	Monitor and Report	b.	Each discharge ²	Discrete
Total Nitrogen – N (mg/L, mg/Kg)	Monitor and Report	a.	Biannually ⁴	Composite Discrete
		b.	Each discharge ²	
Total Kjeldahl Nitrogen –N (mg/L, mg/kg) ³	Monitor and Report	a.	Biannually ⁴	Composite Discrete
		b.	Each discharge ²	
Nitrate –N (mg/L, mg/kg) ³	Monitor and Report	a.	Biannually ⁴	Composite Discrete
		b.	Each discharge ²	
Ammonia -N (mg/L, mg/kg) ³	Monitor and Report	a.	Biannually ⁴	Composite Discrete
		b.	Each discharge ²	
Total Phosphorus -P (mg/L, mg/kg) ³	Monitor and Report	a.	Biannually ⁴	Composite Discrete
		b.	Each discharge ²	
Fecal Coliform (CFU or MPN/100 mL)	Monitor and Report	a.	Annually ¹	Composite Discrete
		b.	Each discharge ²	
Manure Transferred to Other Parties (tons)	Monitor and Report	a.	Monthly	Estimate ⁵
Volume of Discharge (gallons)	Monitor and Report	b.	Each discharge ²	Estimate

Notes:

- 1: Annual characterizations shall be conducted in the fourth quarter and reported in the fourth quarter Discharge Monitoring Report (DMR).
- 2: The Permittee shall collect the sample within 30 minutes of the first knowledge of the discharge to waters of the State. If sampling in that period is inappropriate due to dangerous weather conditions, collect the sample as soon as possible after suitable conditions occur, and document the reason for delay. Also, report date and time of each discharge.
- 3: mg/L for liquids, mg/kg for solids.
- 4: Biannual characterizations shall be conducted in the first and third quarters and reported in the appropriate DMR.
- 5: Based on truck loads.

mg/L:	Milligram per liter.	CFU:	Colony Forming Unit.
gpd:	Gallons per day.	MPN:	Most Probable Number.
-N:	As nitrogen.	mL:	Milliliter.
-P:	As phosphorus.	ft:	Feet.
mg/kg:	Milligrams per kilogram.		

Rationale for Permit Requirements: Monitoring requirements for the parameters specified in Table 1: Discharge Limitations are being proposed to ensure that the Applicant has appropriate manure data to comply with the Manure Transfer Requirements, Part I.A.13., and to determine any potential impact to waters of the State that may occur in response to a discharge.

Manure nutrient data, nitrogen and phosphorus, is required for the proper beneficial use of the manure; used primarily to determine manure application rates. The concentration of chlorides in the manure may determine, or at least be a factor in determining, the beneficial uses of this material.

Monitoring of the nitrogen species, total phosphorus, pH, chlorides, total dissolved solids, total suspended solids, and fecal coliform of the discharge is required because these are the parameters most likely to be present in the discharge. These parameters are not limited because there are no water quality standards for the ephemeral receiving waters.

Nutrient Management Plan (NMP): Submittal of an NMP is not required by the draft permit because all components of a Plan, for a facility that transfers 100% of their manure to other parties, will be permit requirements. Containment of manure and feed storage area runoff are part of the production area, Part I.A.4.; providing the nutrient analysis data to anyone receiving manure, Part I.A.9.; etc. are included in the proposed permit.

The Division does not have authority to regulate manure transferred to other parties, unless the manure is used in an activity identified by the Administrator as a significant contributor of pollution or the manure is composted.

Schedule of Compliance: The Permittee shall submit the following items to the Division for review and approval:

- Within sixty (60) days of the permit effective date, the Permittee shall Submit to the Division a schedule to complete the upgrade and/or replacement of all waste storage facilities to the standards of NRCS Conservation Practice Standard Code 313, Waste Storage Facility, October 2003 or more recent, or NRCS Conservation Practice Standard Code 359, Waste Treatment Lagoon, October 2003 or more recent, as appropriate, within one year.

- Within sixty (60) days of the permit effective date, the Permittee shall submit to the Division for review and approval an Animal Mortality Management Plan.

- Within thirty (30) days of Division approval of the Animal Mortality Management Plan, the Permittee shall implement the AMMP.

- At least ninety (90) days prior to the closure of a lagoon, pond, surface impoundment, or other manure or process wastewater storage or treatment facility, the Permittee shall submit to the Division for review and approval a component closure plan or facility closure plan, if operations will cease.

- At least ninety (90) days prior to the temporary closure of a lagoon, pond, surface impoundment, or other manure, litter, or process wastewater storage or treatment facility, the Permittee shall submit to the Division for review and approval a component temporary closure plan or facility temporary closure plan, if operations will temporarily cease.

-By December 31, 2006, the Permittee shall remove all manure from the historic stockpile area.

Proposed Determination: The Division has made the tentative determination to issue the proposed permit for a period of five (5) years.

Procedures for Public Comment: The Notice of the Division's intent to issue a permit authorizing the facility to discharge manure and process wastewater in response to storms that exceed the 25-year, 24-hour event to surface waters of the State, subject to the conditions contained within the permit is being sent to the **Reno Gazette-Journal** for publication. The notice is being mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit can do so in writing for a period of thirty (30) days following the date of publication of the notice of proposed action in the newspaper. The comment period can be extended at the discretion of the Administrator. The deadline date and time by which all comments are to be submitted (via postmarked mail or time-stamped faxes, e-mails, or hand-delivered items) to the Division is 5:00 PM October 3, 2005.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected interstate agency, the Regional Administrator of EPA Region IX or any interested agency, person or group of persons.

The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determines to be appropriate. All public hearings must be conducted in accordance with NAC 445A.238.

The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NRS 445A.605.

Prepared by: Bruce Holmgren
Date: August 2005