



## NOTICE OF PROPOSED ACTION

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes and/or the Clean Water Act, where applicable. The Administrator has received an application for a New & Existing Concentrated Animal Feeding Operations (CAFOs) and Aquatic Animal Production facility, permit number NV0024091 from the following applicant:

BROKEN ARROW HORSE & CATTLE CO. LLC  
5676 INDIAN LAKES ROAD  
FALLON, NV - 89406

### **Permit NV0024091, BROKEN ARROW HORSE AND CATTLE CO. LLC:**

The Permittee, Broken Arrow Horse and Cattle Co., LLC, has applied for the renewal of National Pollutant Discharge Elimination System (NPDES) permit NV0024091, for their facility located at 5676 Indian Lakes Road, in Fallon, Churchill County, Nevada. The permit allows the Permittee to discharge manure and production area runoff in the event of a 25-year, 24-hour, or larger, storm event.

The facility, Broken Arrow Horse and Cattle Co, LLC, 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. As a CAFO, the Permittee is required to contain all manure and runoff from the production area; this includes confinement areas, manure storage areas, raw materials storage areas, and waste containment areas. An exception to this is a stormwater overflow resulting from a 25-year, 24-hour, or larger, storm even or chronic storm condition. To qualify for this exception, the production area must be properly designed, constructed, operated, and maintained to contain manure, direct precipitation, and the runoff from a qualifying storm event.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes, as amended, and implementing regulations, the Administrator proposes to issue Permit NV0024091 to discharge for a five (5) year period, subject to certain effluent limitations.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance should submit their comments or request, in writing, hand delivered or postmarked no later than 5:00 P.M. on 10/31/2024 , either in person or by mail to:

Department of Conservation and Natural Resources  
Division of Environmental Protection  
Bureau of Water Pollution Control  
901 South Stewart Street, Suite 4001  
Carson City, NV 89701

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. All comments or objections received within the thirty (30) day period will be considered in the formulation of final determination(s) regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

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 determined to be appropriate. All public hearings must be conducted in accordance with NAC 445A.238.

The applications, proposed permits, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Bonnie Hartley, Bureau of Water Pollution Control, at (775) 687-9502 or at [bhartley@ndep.nv.gov](mailto:bhartley@ndep.nv.gov). The office facsimile number is (775) 687-4684. For further information, the fact sheet for this project can be viewed at the following website: <https://ndep.nv.gov/posts/category/water>.

Please bring the forgoing notice to the attention of all persons whom you know would be interested in this matter.