

HOUSE BILL No. 1134

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-16-2.5.

Synopsis: Confined feeding operation manure. Establishes requirements concerning the application and staging of manure generated by a confined feeding operation.

Effective: July 1, 2011.

Saunders, Cheatham

January 6, 2011, read first time and referred to Committee on Agriculture and Rural Development.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1134



A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-16-2.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]:

4 **Chapter 2.5. Confined Feeding Operation Manure**

5 **Sec. 1. As used in this chapter, "confined feeding operation" has**
6 **the meaning set forth in IC 13-11-2-40.**

7 **Sec. 2. As used in this chapter, "incorporation" means the:**

- 8 (1) **mixing of liquid or solid manure with surface soil using**
9 **standard agricultural practices, such as tillage; or**
- 10 (2) **placement of liquid manure beneath the surface of the soil**
11 **in the crop root zone using equipment specifically designed**
12 **for that purpose.**

13 **Sec. 3. As used in this chapter, "stage" means to temporarily**
14 **place manure in a pile at the site where the manure will be land**
15 **applied.**

16 **Sec. 4. All manure generated by a confined feeding operation**
17 **located in Indiana or outside Indiana is subject to the following**



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requirements:

- (1) The manure must be land applied through incorporation.**
- (2) Manure that is staged at a manure application site for more than seventy-two (72) hours must be:**
 - (A) covered or adequately contained by a berm to prevent run-on or runoff;**
 - (B) applied to the site within ninety (90) days;**
 - (C) placed at least:**
 - (i) one hundred (100) feet from property lines and public roads; and**
 - (ii) four hundred (400) feet from residential buildings.**
- (3) Solid manure may not be staged at a manure application site:**
 - (A) within three hundred (300) feet of surface waters of the state, drainage inlets, including water and sediment control basins, or water wells unless there is a:**
 - (i) barrier between the solid manure and the surface waters of the state, drainage inlets, or water wells; or**
 - (ii) surface gradient that contains or directs any contaminated runoff away from the surface waters of the state, drainage inlets, or water wells;**
 - on the site;**
 - (B) on an area with a slope greater than six percent (6%), unless run-on and runoff is controlled; or**
 - (C) on any standing water, waterway, or flood plain.**

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