APPENDIX E: TERMS OF THE NUTRIENT MANAGEMENT PLAN INCORPORATED INTO THE PERMIT

I. PERMITTEE

In accordance with Parts III.2.b and f of NPDES Permit No. NMG010000, the following terms of the nutrient management plan (NMP) are hereby incorporated as site specific terms and conditions of the general permit for:

NMG010031
Oppliger Feedyard, Inc. (North)
P.O. Box 854
Clovis, NM 88101

For the purposes of this permit, "NMP" refers to the latest version of the NMP approved by EPA. Any changes to the NMP must be submitted to EPA in accordance with Part III.A.6 of the permit.

II. SITE SPECIFIC PERMIT TERMS

A. Adequate Storage

Table 1

STORAGE STRUCTURE	STORAGE PERIOD (days)	TOTAL CAPACITY (gallons)
RCS #1	30	98,732,853

Manure shall be stored in accordance with the NMP.

B. Land Application

The permittee has selected the narrative rate approach to address rates of application. The permittee shall calculate the amounts of manure, litter, and process wastewater to be land applied on land application areas specified below using the methodology described in Section 5 of the NMP.

Table 2

Land Application Area	Outcome of the field-specific assessment of the potential for nitrogen and phosphorus transport	Crop	Annual Yield Goal (tons/ac)	Recommendation (lbs/ac)		Maximum Amount of Nutrients Derived from all Sources (lbs/ac)	
				Nitrogen	Phosphorus	Nitrogen	Phosphorus
Field 1	N-Based Land Application Rates	Corn Silage / Small Grain Silage	25 / 8	445	136 (*1)	445	TBD (*1, 2)
		Small Grain Silage	8	134	43 (*1)	134	TBD (*1, 2)
		Forage Sorghum	10	240	83 (*1)	240	TBD (*1, 2)
		Sorghum Silage / Small Grain Silage	20 / 8	375	117 (*1)	375	TBD (*1, 2)
Field 3	N-Based Land Application Rates	Corn Silage / Small Grain Silage	25 / 8	445	136 (*1)	445	TBD (*1, 2)
		Small Grain Silage	8	134	43 (*1)	134	TBD (*1, 2)
		Forage Sorghum	10	240	83 (*1)	240	TBD (*1, 2)
		Sorghum Silage / Small Grain Silage	20 / 8	375	117 (*1)	375	TBD (*1, 2)

Footnotes

*1 Nutrient recommendations and maximum amount of nutrients derived from all sources have been established for both nitrogen and phosphorus; However, in accordance with the outcome of the field-specific assessment of the potential for nitrogen and phosphorus transport, land application of manure, litter, and process wastewater shall be nitrogen based.

*2 To be determined. The maximum amount of phosphorus derived from all sources shall be the quantity of phosphorus in the volume of land applied manure, litter, and process wastewater reported in the annual report.

C. Site Specific Conservation Practices

Table 3

Agricultural Well Head	Setback Requirement
1	100-foot setback.
2	Compliance alternative: 1) Well located inside protective structure. 2) Well includes a concrete surface slab. 3) Maintain surface gradients sloping away from the wellhead outside the concrete foundation to prevent the ponding of effluent in the proximity to the well. 4) Each wellhead will be observed on regular intervals. 5) Or properly plug well.
3	Compliance alternative: 1) Well located upgradient of feedyard pens and located inside protective structure. 2) Well includes a concrete surface slab. 3) Maintain surface gradients sloping away from the wellhead outside the concrete foundation to prevent the ponding of effluent in the proximity to the well. 4) Each wellhead will be observed on regular intervals.
4	Compliance alternative: 1) Well located inside protective structure. 2) Well includes a concrete surface slab. 3) Maintain surface gradients sloping away from the wellhead outside the concrete foundation to prevent the ponding of effluent in the proximity to the well. 4) Each wellhead will be observed on regular intervals.
5	Compliance alternative: 1) Well located upgradient of feedyard pens and located inside protective structure. 2) Well includes a concrete surface slab. 3) Maintain surface gradients sloping away from the wellhead outside the concrete foundation to prevent the ponding of effluent in the proximity to the well. 4) Each wellhead will be observed on regular intervals.
6	Compliance alternative: 1) Well located inside protective structure. 2) Well includes a concrete surface slab. 3) Maintain surface gradients sloping away from the wellhead outside the concrete foundation to prevent the ponding of effluent in the proximity to the well. 4) Each wellhead will be observed on regular intervals. 5) Or properly plug well.
7	Compliance alternative: 1) Well located inside protective structure. 2) Well includes a concrete surface slab. 3) Maintain surface gradients sloping away from the wellhead outside the concrete foundation to prevent the ponding of effluent in the proximity to the well. 4) Each wellhead will be observed on regular intervals.

D. Protocols for appropriate testing of manure, litter, and process wastewater

Manure and process wastewater shall be sampled in accordance with Section 7 of the NMP.

E. Mortality Management

All mortalities shall be disposed of in accordance with Section 3 of the NMP.

F. Clean Water Diversion

The natural drainage area is accounted for in the required storage capacity of the production area. See Section 3.2 of the NMP.