Permit No.: SD-0034768

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 WYNKOOP STREET
DENVER, COLORADO 80202-1129

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

In compliance with provisions of the Clean Water Act, 33 U.S.C 1251 et seq., the "Act," the

Maher Cattle Company, LLC

is authorized to discharge and must operate their facility in accordance with effluent limitations, monitoring requirements, and other provisions set forth herein. The facility is located in Indian country as defined at 18 U.S.C. § 1151 on the Standing Rock Indian Reservation at the Section 22, Township 18 North, Range 24 East, latitude 45.508702 and longitude -101.162230 in Corson County, South Dakota.

A copy of this Permit must be kept by the Permittee at the site of the permitted activity.

This Permit will become effective **May 1, 2026.**

This Permit and the authorization to discharge under the NPDES shall expire at midnight, **March 31, 2031.**

STEPHANIE DEJONG

Digitally signed by STEPHANIE DEJONG
Date: 2026.03.31 14:31:42 -06'00'

Authorized Permitting Official

Stephanie DeJong, Manager
Clean Water Branch

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PART I. BACKGROUND INFORMATION

Production Area The feedlot is located in Section 22, Township 18 North, Range 24 East, latitude 45.508702 and longitude -101.162230, northwest of Timber Lake, Corson County, South Dakota.

The facility has the capacity to confine approximately 10,000 beef cattle in the confinement areas and 3,400 background feeder cattle at the yearling lot**.** Manure storage is done by scraping and piling in the confinement pens until land application. The total capacity for manure, litter, and process wastewater storage is approximately 14,062,702 gallons to contain all process generated waste waters as well as the runoff and direct precipitation from a 25-year, 24-hour rainfall event, which for the facility's location is 3.74 inches of precipitation.

Land Application Identification and description of the areas utilized for land application of manure, litter, or process wastewater are included in the Nutrient Management Plan (NMP) in Appendix A of this Permit. 6,025 acres of land under the control of the facility are available for applying the manure, litter, and process wastewater.

PART II. EFFLUENT LIMITATIONS AND STANDARDS

A. Effluent Limitations and Standards

The following effluent limitations apply:

1. Technology-based Effluent Limitations and Standards - Production Area

   There shall be **no discharge** of manure, litter, or process wastewater pollutants into waters of the United States from the production area all requirements provided below are met:

   a. Whenever precipitation causes an overflow of manure, litter, or process wastewater, pollutants in the overflow may be discharged into waters of the United States provided:
      i. The production area is designed, constructed, operated and maintained to contain all manure, litter, process wastewater plus the runoff and direct precipitation from the 25-year, 24-hour rainfall event for the location (3.74 inches).

ii. The production area storage volume is adequately designed, constructed, operated and maintained contain all manure, litter, and process wastewater accumulated during the storage period including, at a minimum, the following:
(A) The volume of manure, litter, process wastewater, and other wastes accumulated during the storage period;
(B) Normal precipitation less evaporation during the storage period;
(C) Normal runoff during the storage period;
(D) The direct precipitation from the 25-year, 24-hour rainfall event;
(E) The runoff from the 25-year, 24-hour rainfall event from the production area;
(F) Residuals solids after liquid have been removed;
(G) Necessary freeboard to maintain structural integrity; and
(H) A minimum treatment volume, in the case of treatment lagoons.

b. The production area must be operated in accordance with the additional measures and records specified in Part II.A.2 of this Permit.

2. Other Limitations – Production Area

a. Additional Measures

In addition to meeting the requirements in Part II.A.1 of this Permit, the Permittee must implement the following additional measures.

i. Conduct weekly visual inspections of all storm water diversion devices, runoff diversion structures, and devices channeling contaminated storm water to the wastewater and manure storage and containment structures.
ii. Conduct daily visual inspections of all water lines, including drinking water and cooling water lines.
iii. Install a depth marker in all open surface liquid impoundments. The depth marker must clearly indicate the minimum capacity necessary to contain the runoff and direct precipitation of the 25-year, 24-hour rainfall event. The marker shall be visible from the top of the levee.
iv. Conduct weekly inspections of the manure, litter, and process wastewater impoundments noting the level as indicated by the depth marker installed in accordance with Part II.A.2.a.iii.
v. Correct any deficiencies that are identified in daily and weekly inspections as soon as possible.

vi. Dispose of dead animals within three (3) days unless otherwise provided for by EPA. Mortalities must not be disposed of in any liquid manure or process wastewater system that is not specifically designed to treat animal mortalities. Animals shall be disposed of in a manner to prevent discharge of pollutants to waters of the United States.

vii. Create and maintain on-site records documenting implementation of all required additional measures, including the records specified for Operation and Maintenance in Part IV.D, Table IV-A, for a period of at least five years.

viii. If the Permittee constructs new wastewater retention facilities or modifies existing retention facilities, the Permittee shall ensure that all retention structure design and construction will, at a minimum, be in accordance with the technical standards developed by the Natural Resources Conservation Service (NRCS). The Permittee must use those standards that are current at the time of construction, which shall be in addition to the following minimum design standards required for construction and/or modification of a retention facility: (a) soils used in the embankment shall be free of foreign material such as trash, brush, and fallen trees; (b) the embankment shall be constructed in lifts or layers no more than 6 inches thick and compacted at optimum moisture content; (c) all embankment walls shall be stabilized to prevent erosion or deterioration; and (d) site specific variation in embankment construction shall be in accordance with NRCS design standards.

ix. A rain gauge shall be kept on-site and maintained to ensure it is functional and accurate. A log of all measurable rainfall events shall be kept with the NMP.

x. Open lots and associated wastes shall be isolated from run-on from outside surface drainage by ditches, dikes, berms, terraces or other such structures designed to carry peak flows expected at times when a 25-year, 24-hour rainfall event occurs. Clean water and flood waters must be diverted from contact with feedlots and holding pens, and manure and/or process wastewater storage systems. Clean water includes rain falling on the roofs of facility structures, runoff from adjacent land, or other sources.

xi. The Permittee shall not expand operations, either in size or numbers of animals, prior to amending or enlarging the waste handling procedures and structures to accommodate any additional wastes or run-off that will be generated by the expanded operations.

b. Prohibitions

i. All discharges to retention facilities shall be composed entirely of manure, litter, or process wastewater from the proper operation and

maintenance of the facility, including runoff from the animal confinement, storage and handling areas and direct precipitation on the surface of the storage structures. The disposal of other materials into these retention facilities is prohibited.

ii. Animals confined at the facility shall not be allowed to come into direct contact with waters of the United States. Fences may be used to restrict such access.

iii. The facility shall not be built in a water of the United States (including streams, rivers, lakes, wetlands, and playa lakes) as defined in 40 CFR 122.2.

iv. Wastewater containment facilities, manure storage facilities or holding pens may not be located in the 100-year flood plain unless the facility is protected from inundation and damage that may occur during that flood event.

v. There shall be no discharge of manure, litter, or process wastewater from retention or control structures to groundwater with a functionally equivalent subsurface discharge to waters of the United States.

vi. There shall be no discharge of rainfall runoff from manure or litter storage piles to waters of the United States.

3. Technology-based Effluent Limitations and Standards - Land Application Areas under the Control of the Owner/Operator

   If the Permittee applies manure, litter, or process wastewater to land under the Permittee's ownership or operational control, the Permittee must implement the NMP in accordance with the requirements specified below and in Part III.A of this Permit.

   The NMP that is developed and implemented must incorporate the following requirements:

   a. Nutrient transport potential. The NMP must incorporate elements in paragraphs c – h below based on a field-specific assessment of the potential for nitrogen and phosphorus transport from the field.

   b. Form, source, amount, timing, and method of application. The NMP must address the form, source, amount, timing, and method of application of nutrients on each field to achieve realistic production goals, while minimizing nitrogen and phosphorus movement to surface waters.

   c. Determination of application rates. Application rates for manure, litter, or process wastewater must minimize phosphorus and nitrogen transport from the field to surface waters in compliance with the most current

South Dakota Natural Resources Conservation Service (NRCS) Conservation Practice Standard, Nutrient Management, Code 590.

d. Site specific conservation practices. Identify appropriate site specific conservation practices to be implemented, including as appropriate buffers or equivalent practices, to control runoff of pollutants to waters of the United States.

e. Protocols to land apply manure, litter, or process wastewater. Establish protocols to land apply manure, litter, or process wastewater in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater.

f. Manure and soil sampling. Manure must be analyzed at least once annually for nitrogen and phosphorus content. Soil must be analyzed at least once every five years for phosphorus content. The results of these analyses must be used in determining application rates for manure, litter, and process wastewater;

g. Inspection of land application equipment for leaks. Equipment used for land application of manure, litter, or process wastewater must be inspected periodically for leaks;

h. Land application setback requirements. Manure, litter, or process wastewater must not be applied closer than one hundred (100) feet to any down-gradient water of the United States, open tile line intake structures, sinkholes, agricultural well heads, or other conduits to waters of the United States. The Permittee may elect to use a 35-foot vegetated buffer where applications of manure, litter, or process wastewater are prohibited as an alternative to the 100-foot setback to meet this requirement. As a compliance alternative, the Permittee may demonstrate that a setback or buffer is not necessary because implementation of alternative conservation practices or field-specific conditions will provide pollutant reductions equivalent to or better than the reductions that would be achieved by the 100-foot setback.

i. Records. Complete on-site records including the site specific NMP must be maintained to document implementation of all required land application practices. Such documentation must include the records specified for Soil and Manure/Wastewater Nutrient Analysis, Operation and Maintenance, and Land Application in Part IV.D, Table IV-A.

4. Other Limitations for Land Application under the Control of the Owner/Operator

    a. Additional BMPs to control discharges from land application areas

        i. Areas shall be identified that, due to topography, activities or other factors, have a high potential for significant soil erosion. Where these areas have the potential to contribute pollutants to a water of the United States, measures used to limit erosion and pollutant runoff shall be identified and implemented in the NMP.
        ii. Irrigation Control: Irrigation systems shall be managed so as to reduce or minimize (a) ponding or puddling of wastewater on land application fields, (b) contamination of ground and surface water and (c) the occurrence of nuisance conditions such as odors and flies.

    b. Prohibitions

        i. There shall be no discharge of manure, litter, or process wastewater to a water of the United States from the facility as a result of the application of manure, litter, or process wastewater to land areas under the control of the owner/operator, except where it is an agricultural storm water discharge. Where manure, litter, or process wastewater has been applied in accordance with the facility's site specific NMP, including the maintenance of records to document implementation of all required land application practices, a precipitation related discharge of manure, litter, or process wastewater from land areas under the control of the owner/operator is considered to be an agricultural storm water discharge.
        ii. Manure and process wastewater shall not be applied to frozen, snow-covered, or saturated soil. If application to frozen, snow-covered, or saturated soil is absolutely necessary, the operator shall notify the EPA of any deviation from the NMP.
        iii. There shall be no dry weather discharges from land application sites.
            1. During any land application of liquid manure or process wastewater to a field, a visual inspection of the downgradient edge of the field and any other potential discharge locations (e.g., tile drains, ditches, or other conveyances) must be conducted during the land application event and after the land application event to check for field runoff and discharges.

In the event of a discharge, the monitoring requirements of Part IV.C.1 must be implemented.

2. During any land application of manure, litter, or process wastewater to a land application area where a land application setback or compliance alternative is required pursuant to Part II.A.3.h of this Permit, a visual inspection must be conducted during the land application event and after the land application event to 1) confirm that the land application setback or compliance alternative is being maintained and functioning as intended and 2) determine if there are any discharges. In the event of a discharge, the monitoring requirements of Part IV.C.1 must be implemented.

5. Other Limitations

a. Process wastewater discharges from outside the production area, including washdown of equipment that has been in contact with manure, raw materials, products or byproducts that occurs outside of the production area, and runoff of pollutants from raw materials, products or byproducts (such as manure, feathers, litter, bedding and feed) from the facility that have been spilled or otherwise deposited outside the production area that have the potential to contribute pollutants to waters of the United States, shall be identified in the NMP. The NMP shall identify measures necessary to meet applicable water quality standards.

b. Discharges that do not meet the definition of process wastewater, including discharges associated with feed, fuel, chemical, or oil spills, equipment repair, and equipment cleaning where the equipment has not been in contact with manure, raw materials, products or byproducts; and domestic wastewater discharges that have the potential to contribute pollutants to waters of the United States, shall be identified in the NMP.

c. Storm water discharges that are not addressed under the effluent limitations in Part II above remain subject to applicable industrial or construction storm water discharge requirements.

In addition to meeting the above effluent limitations (Part II.A), the Permittee must comply with the special conditions established in Part III of this Permit.

B. Other Legal Requirements

The issuance of this Permit does not authorize any infringement of Federal, Tribal, or local laws or regulations, any noncompliance with the authority or jurisdiction of the Tribe, or any infringement on Tribal sovereignty,

PART III. SPECIAL CONDITIONS

A. Requirements for Developing and Implementing Nutrient Management Plans (NMPs)

The Permittee developed and submitted a site specific NMP along with the permit application. The NMP specifically identifies and describes practices that will be implemented to assure compliance with the effluent limitations and special conditions of this Permit (Parts II.A and III.A).

1. NMP Terms and Conditions.

The site specific NMP at a minimum must include practices and procedures necessary to implement the applicable effluent limitations and standards. The owner or operator shall comply with the contents of the NMP (Appendix A of this Permit). In addition, the NMP covered by this Permit must, as applicable:

a. Ensure adequate storage of manure, litter, and process wastewater, including procedures to ensure proper operation and maintenance of the storage facilities. All wastewater and manure containment structures shall at a minimum be designed, constructed, operated, and maintained in accordance with the standards of the *Natural Resources Conservation Service, Field Office Technical Guide*. Storage capacity must be sufficient to meet the minimum requirements of Part II.A.1, as stated above, and also must be sufficient to allow the facility to comply with the land application schedule specified in the NMP.

b. Ensure and maintain that clean water is diverted, as appropriate, from the production area. Any clean water that is not diverted and comes into contact with raw materials, products, or byproducts including manure, litter, process wastewater, feed, milk, eggs, or bedding is subject to the effluent limitations specified in Part II.A of this Permit. Where clean water is not diverted the Permittee must document that it has been accounted for in meeting the requirement to ensure adequate storage capacity as a condition of this Permit. Clean water includes, but is not limited to, rain falling on the roofs of facility structures and runoff from adjacent land.

c. Ensure that chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater, or storm water storage or

treatment system unless specifically designed to treat such chemicals or contaminants. All wastes from dipping vats, pest and parasite control units, and other facilities utilized for the management of potentially hazardous or toxic chemicals shall be handled and disposed of in a manner sufficient to prevent pollutants from entering the manure, litter, or process wastewater retention structures or waters of the United States.

d. Identify appropriate site specific conservation practices to be implemented, including as appropriate buffers or equivalent practices, to control runoff of pollutants to waters of the United States and specifically, to minimize the runoff of nitrogen and phosphorus. These practices may include, but are not limited to, residue management, conservation crop rotation, grassed waterways, strip cropping, vegetated buffers, riparian buffers, setbacks, terracing, and diversions. The plan shall identify areas which, due to topography, activities, or other factors, have a high potential for significant erosion. Where these areas have the potential to contribute pollutants to waters of the United States, the NMP shall identify measures used to limit erosion and pollutant runoff.

e. Manure, wastewater and soil sampling protocols must be conducted in accordance with the following requirements:

(1) Manure, Litter, and Process Wastewater Testing. Representative samples of manure, litter, and process wastewater shall be collected and analyzed for nutrient content, including nitrogen and phosphorus, at least annually. Manure sampling and analysis shall be conducted as close to the time of application as possible. Separate samples shall be taken from each manure storage site that represents a different animal type, size, age, diet, management practice, type of manure storage and handling, production period, or other factor that could affect nutrient values. Steps must be taken to ensure the collection of a representative sample. The sample shall be collected according to the NMP in Appendix A.

(2) Soil Testing. Representative samples of soil for all fields under the control of the CAFO operator where manure and wastewater may be applied must be collected and analyzed for phosphorus content at least once every five (5) years, in accordance with the protocols established in the NMP. Representative samples shall be collected from each field included in the NMP. Each sample area should consist of only one general soil type or condition. If a field varies in slope, color, drainage or texture, and if those areas can be fertilized separately, collect and analyze a separate sample for each area. Samples shall be collected according to the NMP in Appendix A.

f. Establish protocols to land apply manure, litter, or process wastewater in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater.

Document the calculation of land application rates of manure, litter, or process wastewater consistent with the following narrative rate approach:

(1) The outcome of the field-specific assessment of the potential for nitrogen and phosphorus transport from each field. The potential for nitrogen and phosphorus transport shall be determined using the assessment tools and procedures described in NRCS Conservation Practice Standard Code 590 (Nutrient Management.) The facility must specify any conservation practices used in calculating the risk rating (See the NMP in Appendix A);

(2) The crops to be planted in each field or any other uses of a field such as pasture or fallow fields, including alternative crops if applicable. Any alternative crops included in the NMP must be listed by field, in addition to the crops identified in the planned crop rotation for that field (See the NMP in Appendix A);

(3) The realistic annual yield goal for each crop or use identified for each field for each year, including any alternative crops identified (See the NMP in Appendix A);

(4) The methodology (including formulas, sources of data, protocols for making determination, etc.) and actual data that will be used to account for: (a) the results of soil tests required by Parts II.A.3.f and Part III.A.1.e, (b) credits for all nitrogen in the field that will be plant-available, (c) the amount of nitrogen and phosphorus in the manure, litter, and process wastewater to be applied, (d) accounting for all other additions of plant available nitrogen and phosphorus to the field (i.e., from sources other than manure, litter, or process wastewater or credits for residual nitrogen), (e) the timing and method of land application, and (f) volatilization of nitrogen and mineralization of organic nitrogen (See the NMP in Appendix A).

(5) Any other factors necessary to determine the amounts of nitrogen and phosphorus to be applied in accordance with the Narrative Rate Approach (See the NMP in Appendix A).

(6) NMP using the Narrative Rate Approach must also include the following projections, which will not be site specific permit terms (See the NMP in Appendix A):

a. Planned crop rotations for each field for the period of permit coverage;

b. Projected amount of manure, litter, or process wastewater to be applied;
c. Projected credits for all nitrogen in the field that will be plant-available;
d. Accounting for other additions of plant-available nitrogen and phosphorus to the field;
e. The predicted form, source, and method of application of manure, litter, and process wastewater for each crop; and
f. Timing of application for each field, insofar as it concerns the calculation of rates of application.

g. Ensure management of mortalities (i.e., dead animals) to ensure that they are not disposed of in a liquid manure, storm water, or process wastewater storage or treatment system that is not specifically designed to treat animal mortalities (See the NMP in Appendix A).

h. Prevent direct contact of confined animals with waters of the United States.

2. Signature. The NMP shall be signed by the owner/operator or other signatory authority in accordance with Part VI.E (Signatory Requirements) of this Permit.

3. A current copy of the NMP shall be kept on site at the permitted facility in accordance with Part IV.D of this Permit and provided to the EPA upon request.

4. Changes to the nutrient management plan

a. When the Permittee makes changes to the NMP previously submitted to EPA, the Permittee must provide EPA with the most current version of the NMP and identify changes from the previous version, with the exception of annual calculations of application rates for manure, litter, and process wastewater as required in Parts III.A.1.f (for the Narrative Rate Approach), which are not required to be submitted to EPA.

b. When changes to the NMP are submitted to EPA, EPA will review the revised NMP to ensure that it meets the requirements of Parts II.A.4 and III.A.1. If EPA determines that the changes to the NMP necessitate revision to the terms of the NMP incorporated into the Permit, EPA will determine whether such changes are substantial. Substantial changes to the terms of a NMP incorporated as terms and conditions of Permit include, but are not limited to:
   i. Addition of new land application areas not previously included in the NMP, except that if the added land application area is covered by the terms of a NMP incorporated into an existing NPDES permit and the

Permittee complies with such terms when applying manure, litter, and process wastewater to the added land;

ii. For NMPs using the Narrative Rate Approach, changes to the maximum amounts of nitrogen and phosphorus derived from all sources for each crop;

iii. Addition of any crop or other uses not included in the terms of the NMP; and

iv. Changes to site specific components of the NMP, where such changes are likely to increase the risk of nitrogen and phosphorus transport to waters of the United States.

c. If EPA determines that the changes to the terms of the NMP are not substantial, EPA will include the revised NMP in the permit record, revise the terms of the permit based on the site specific NMP, and notify the Permittee and the public of any changes to the terms of the permit based on revisions to the NMP.

d. If EPA determines that the changes to the terms of the NMP are substantial, EPA will notify the public, make the proposed changes and the information submitted by the Permittee available for public review and comment, and respond to all significant comments received during the comment period. EPA may require the Permittee to further revise the NMP, if necessary. Once EPA incorporates the revised terms of the NMP into the Permit, EPA will notify the Permittee of the revised terms and conditions of the Permit.

B. Facility Closure Requirements

The following conditions shall apply to the closure of lagoons and other earthen or synthetic lined basins and other manure, litter, or process wastewater storage and handling structures:

1. Closure of Lagoons and Other Surface Impoundments
   a. No lagoon or other earthen or synthetic lined basin shall be permanently abandoned, except in accordance with the requirements of this section.
   b. Lagoons and other earthen or synthetic lined basins shall be operated and maintained in accordance with Permit requirements at all times until closed in compliance with this section.
   c. All lagoons and other earthen or synthetic lined basins must be closed in compliance with the requirements of this section if the Permittee ceases operation. In addition, any lagoon or other earthen or synthetic lined basin that is not in use for a period of twelve (12) consecutive months must be closed in compliance with the requirements of this section unless the facility is financially viable, intends to resume use of the structure at a later date, and either: (1) maintains the structure as though it were actively in use, to prevent compromise of structural integrity; or (2) removes manure and wastewater to a depth of one

foot or less and refills the structure with clean water to preserve the integrity of the synthetic or earthen liner. In either case, the Permittee shall submit a written report to EPA within thirty (30) days of basin closure detailing the actions taken, and shall conduct routine inspections, maintenance, and record keeping as though the structure were in use. Prior to restoration of use of the structure, the Permittee shall notify EPA in writing and provide the opportunity for inspection.

d. All closure of lagoons and other earthen or synthetic lined basins must be consistent with NRCS Conservation Practice Standard Code 360 (Waste Facility Closure). Consistent with this standard the Permittee shall remove all waste materials to the maximum extent practicable and dispose of them in accordance with the Permittee's NMP, unless otherwise authorized by EPA.

e. Unless otherwise authorized by EPA, completion of closure for lagoons and other earthen or synthetic lined basins shall occur as promptly as practicable after the Permittee ceases to operate or, if the Permittee has not ceased operations, twelve (12) months from the date on which the use of the structure ceased, unless the lagoons or basins are being maintained for possible future use in accordance with the requirements above.

2. Closure Procedures for Other Manure, Litter, or Process Wastewater Storage and Handling Structure

No other manure, litter, or process wastewater storage and handling structure shall be abandoned, except in accordance with the requirements of this section. Closure of all such structures shall occur as promptly as practicable after the Permittee has ceased to operate, or, if the Permittee has not ceased to operate, within twelve (12) months after the date on which the use of the structure ceased. To close a manure, litter, or process wastewater storage and handling structure, the Permittee shall remove all manure, litter, or process wastewater and dispose of it in accordance with the Permittee's NMP or document its transfer from the permitted facility in accordance with off-site transfer requirements specified in Part III.C below, unless otherwise authorized by EPA.

C. Requirements for the Transfer of Manure, Litter, and Process Wastewater to Other Persons

1. In cases where facility-generated manure, litter, or process wastewater is sold or given away, the Permittee must comply with the following conditions:
   a. Maintain records showing the date and amount of manure, litter, and/or process wastewater that leaves the permitted operation;
   b. Record the name and address of the recipient;
   c. Provide the recipient(s) with representative information on the nutrient content of the manure, litter, and/or process wastewater; and
   d. These records must be retained on-site, for a period of five (5) years and must be submitted to the EPA upon request.

D. Additional Special Requirements

1. Retention Structure Dewatering: A schedule must be developed and implemented for liquid waste removal from the retention structure(s) according to the approved NMP. A date log indicating weekly inspection of wastewater level in the retention facility, including specific measurement of wastewater level must be kept. Retention facilities shall be equipped with either irrigation or evaporation or liquid removal systems capable of dewatering the retention facilities. Operators using pits, ponds, or lagoons for storage and treatment of storm water, manure and process generated wastewater, including flush water-waste handling systems, shall maintain sufficient available storage capacity to contain the runoff and the direct precipitation from a 25-year, 24-hour rainfall event. The operator shall restore the storage capacity as soon as possible after any rainfall event or accumulation of wastes reduces such storage capacity, weather permitting.

2. Spills: Appropriate measures necessary to prevent spills and to clean up spills of any toxic and other pollutants shall be taken. If spills are anticipated, materials handling procedures and storage must be specified in the NMP. Procedures for cleaning up spills shall be identified, and the necessary equipment to implement clean up shall be made available to facility personnel. All spills must be reported to EPA (see Part IV below).

3. Solids, sludges, manure or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner to prevent pollutants from being discharged to waters of the United States.

4. Manure, litter, and process wastewater handling, treatment, and management shall not result in the destruction or adverse modification of the critical habitat of endangered or threatened species or contribute to the taking of endangered or threatened species of plant, fish or wildlife. The operator shall notify the U.S. Fish and Wildlife Service in the event of any significant fish, wildlife, or migratory bird/endangered species kill or die-off on or near retention ponds, or in fields where waste has been applied, and which could reasonably have resulted from waste management at the facility.

PART IV. DISCHARGE MONITORING AND NOTIFICATION REQUIREMENTS

A. Notification of Discharges Resulting from Manure, Litter, and Process Wastewater Storage, Handling, On-site Transport and Application

If for any reason, there is a discharge of pollutants to a water of the United States, the Permittee is required to make immediate oral notification within 24-hours to EPA Region 8, Emergency Management Branch at (303) 293-1788; Region 8's NPDES and Wetlands

Enforcement Section at (800) 227-8917; and Standing Rock Sioux Tribe at (701) 854-3823. Additionally, the Permittee shall notify EPA and Standing Rock Sioux Tribe in writing within five (5) working days of the discharge from the facility. Written notice shall be provided to the mailing addresses in Part VI.D.8. In addition, the Permittee shall keep a copy of the notification submitted to EPA together with the other records required by this Permit. The discharge notification shall include the following information:

a. A description of the discharge and its cause, including a description of the flow path to the receiving water body and an estimate of the flow and volume discharged;

b. The period of non-compliance, including exact dates and times, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate and prevent recurrence of the discharge; and

c. The signed certification statement in accordance with Part VI.E and F.

B. Monitoring Requirements for All Discharges from Retention Structures

In the event of any overflow or other discharge of pollutants from a manure and/or wastewater storage or retention structure, whether or not authorized by this Permit, the following actions shall be taken:

1. All discharges shall be sampled and analyzed. Samples must, at a minimum, be analyzed for the following parameters: total nitrogen, nitrate and nitrite nitrogen, ammonia nitrogen, total phosphorus, *E. coli* bacteria, five-day biochemical oxygen demand (BOD_5), total suspended solids, pH, and temperature. The samples must be collected and analyzed in accordance with approved EPA methods for water analysis listed in 40 CFR Part 136. Monitoring records must include the information in Part VI.C.4 of the Permit.

2. Record an estimate of the volume of the release and the date and time.

3. Samples shall consist of grab samples collected from the over-flow or discharges from the retention structure. This Permit requires daily sampling of a discharge lasting up to 7 days. For a discharge lasting more than 7 days, weekly sampling is required. One sample shall be collected from the initial discharge (within 30 minutes). Samples collected shall be representative of the monitored discharge.

4. If conditions are not safe for sampling, the Permittee must provide documentation of why samples could not be collected and analyzed. For example, the Permittee may be unable to collect samples during dangerous weather conditions (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.). However, once dangerous

conditions have passed, the Permittee shall collect a sample from the retention structure (pond or lagoon) from which the discharge occurred.

5. Monitoring results must be submitted to the U.S. EPA Region 8, NPDES and Wetland Enforcement Section (8ECA-W-N) and Tribe within thirty (30) days of the discharge event in accordance with Part V.2.

C. **Monitoring Requirements for Discharges from Land Application Areas**

1. In the event of any runoff or discharge from a facility's land application area to a water of the United States, the actions specified below must be taken. Discharges subject to monitoring requirements include, but are not limited to, (1) dry weather discharges resulting from land application of manure, litter, or process wastewater, including discharges through tile drains, ditches, or other conveyances, and irrigation return, and (2) stormwater or snowmelt runoff or discharges of from areas where manure, litter, or process wastewater has not been applied in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater, as provided in 33 U.S.C. 1362(14) and 40 CFR § 122.23(e).

   a. All discharges that meet either of the two criteria specified in paragraph C.1 above that discharge to waters of the United States shall be sampled and analyzed as follows:

      i. Grab samples of the discharge must be collected at a location prior to mixing with the receiving waters, that will provide for a representative sample of the discharge. The specific sampling location(s) must be documented.

      ii. Samples shall be collected in accordance with the protocols described in Section 3 of EPA's Industrial Stormwater Monitoring and Sampling Guide (EPA 832-B-09-003, April 2021) (https://www.epa.gov/sites/default/files/2015-11/documents/msgp_monitoring_guide.pdf) (See Appendix B). For sheet flow discharges that are too shallow to collect with a sample bottle, the protocols in the Industrial Stormwater Monitoring and Sampling may be supplemented with procedures for installing a temporary barrier device or similar structure to intercept runoff flow.

      iii. Samples must, at a minimum, be analyzed for the following parameters: total nitrogen, nitrate and nitrite nitrogen, ammonia nitrogen, total phosphorus, *E. coli*, BOD_5, total suspended solids, pH, and temperature.

      iv. The discharge samples must be analyzed in accordance with approved EPA methods for water analysis listed in 40 CFR Part 136.

   b. Samples of the receiving water shall be collected upstream and downstream of the point of discharge to the immediate receiving water as follows:

i. Upstream samples must be collected at a location that provides a representative sample of the water quality immediately upstream of the discharge, prior to mixing with the discharge. Downstream samples must be collected at a location that provides a representative sample of the water quality after mixing with the discharge and prior to the introduction of other pollutant sources. The specific sampling locations must be documented.

ii. Samples shall be collected in accordance with EPA Region 4's Surface Water Sampling procedures (LSASDPROC-201-R5, December 2021) (See Appendix C).

iii. Grab samples of ambient receiving waters must, at a minimum, be analyzed for the following parameters: total nitrogen, nitrate and nitrite nitrogen, ammonia nitrogen, total phosphorus, *E. coli*, BOD_5, total suspended solids, pH, and temperature.

iv. The receiving water samples must be analyzed in accordance with approved EPA methods for water analysis listed in 40 CFR Part 136.

c. A log shall be kept of the receiving water conditions throughout the reach bounded by the upstream and downstream sampling locations during any discharge event. The log must document any observed colors; bottom deposits; condition of any aquatic life observed; presence of visible films, sheens or coatings; fungi, slimes or growths; and potential nuisance conditions.

d. For any discharge subject to monitoring under Part IV.C.1 above, if the duration of the discharge event exceeds 24 hours, the discharge and receiving water shall be monitored daily until the discharge ceases.

e. The Permittee must record an estimate of the volume of the discharge and the date and time of the beginning and end of the discharge;

f. If conditions are not safe for sampling, the Permittee must provide documentation of why samples could not be collected and analyzed. For example, the Permittee may be unable to collect samples during dangerous weather conditions (such as local flooding, high winds, hurricane, tornadoes, electrical storms, etc.). However, once dangerous conditions have passed, the Permittee shall collect a sample of the discharge.

g. The analytical results of the representative sample(s) taken from the discharge and receiving water must be submitted to U.S. EPA Region 8, NPDES and Wetland Enforcement Section (8ECA-W-N) and Tribe within thirty (30) days of the discharge event in accordance with Part V.2.

***D*. General Inspection, Monitoring, and Record keeping Requirements**

The Permittee shall inspect, monitor, and record the results of such inspection and monitoring in accordance with Table IV–A:

The Permittee shall maintain a log recording information obtained during the inspection.

Table IV-A. NPDES Large CAFO Permit Record Keeping Requirements

Activity	Description	Units	Frequency
Permit and Nutrient Management Plan	The CAFO must maintain on-site a copy of the current NPDES permit, including the permit authorization notice.	N/A	Maintain at all times
Permit and Nutrient Management Plan	The CAFO must maintain on-site a current site specific NMP that reflects existing operational characteristics. The operation must also maintain on-site all necessary records to document that the NMP is being properly implemented with respect to manure and wastewater generation, storage and handling, and land application. In addition, records must be maintained on the development and implementation of the NMP is in accordance with the minimum practices in Part III. A.1.	N/A	Maintain at all times
Soil and Manure/Waste water Nutrient Analysis	Analysis of manure, litter, and process wastewater to determine nitrogen and phosphorus content.[1]	ppm Pounds/ton	At least annually
Soil and Manure/Waste water Nutrient Analysis	Analysis of soil in all fields where land application activities are conducted to determine phosphorus content.[1]	ppm	At least once every 5 years

Activity	Description	Units	Frequency
Operation and Maintenance	Visual inspections of all storm water diversion devices, runoff diversion structures, and devices channeling contaminated storm water to the wastewater and manure storage and containment structures including the inspection date, who conducted the inspection, and deficiencies	N/A	Weekly
Operation and Maintenance	Visual inspection of all water lines including the inspection date, who conducted the inspection, and deficiencies	N/A	Daily[2]
Operation and Maintenance	Documentation of depth of manure and process wastewater in all liquid impoundments including the date and who made the measurement	Feet	Weekly
Operation and Maintenance	Documentation of all corrective actions taken and dates of corrective actions. Deficiencies not corrected within 30 days must be accompanied by an explanation of the factors preventing immediate correction.	N/A	As necessary
Operation and Maintenance	Documentation of animal mortality handling practices (such as burial, landfill, incineration, etc.)	N/A	As necessary
Operation and Maintenance	Design documentation for all manure, litter, and wastewater storage structures including the following information: • Volume for solids accumulation • Design treatment volume • Total design storage volume[3] • Days of storage capacity	Cubic yards/gallons Cubic yards/gallons Cubic yards/gallons Days	Once in the permit term unless revised

Activity	Description	Units	Frequency
Operation and Maintenance	Documentation of all overflows from all manure and wastewater storage structures including: ***(Note: Required by the NPDES Regulation – applicable to all CAFOs)***		
	• Date and time of overflow • Estimated volume of overflow • Analysis of overflow (as required in Part IV.B.1. above)	Month/day/year Total gallons ppm	Per event Per event Per event
Land Application	For each application event where manure, litter, or process wastewater is applied, documentation of the following by field:		
	• Date of application • Method of application • Weather conditions at the time of application and for 24 hours prior to and following application • Total amount of nitrogen and phosphorus applied[4]	Month/day/year N/A N/A Pounds/acre	Daily Daily Daily Daily
Land Application	Documentation of the crop and expected yield for each field	Bushel/acre	Seasonally
Land Application	Documentation of the actual crop planted and actual yield for each field	Bushel/acre	Seasonally
Land Application	Documentation of test methods and sampling protocols used to sample and analyze manure, litter, and wastewater and soil.	N/A	Once in the permit term unless revised
Land Application	Documentation of the basis for the application rates used for each field where manure, litter, or wastewater is applied.	N/A	Once in the permit term unless revised

Activity	Description	Units	Frequency
Land Application	Documentation showing the total nitrogen and phosphorus to be applied to each field including nutrients from the application of manure, litter, and wastewater and other sources	Pounds/acre	Once in the permit term unless revised
Land Application	Documentation of manure application equipment inspection including inspection dates	N/A	Seasonally
Land Application	Documentation of visual inspections of potential land application area discharge locations and land application setback(s) or compliance alternative(s) specified in Part II.A.3.h and Part IV.c.1.	N/A	For each land application event and field where applied
Manure Transfer	For all manure transfers the CAFO must maintain the following records: • Date of transfer • Name and address of recipient • Approximate amount of manure, litter, or wastewater transferred	N/A N/A Tons/gallons	As necessary As necessary As necessary

[1] Refer to the State and/or Tribal nutrient management technical standard for the specific analyses to be used.
[2] Visual inspections should take place daily during the course of normal operations. The completion of such inspection should be documented in a manner appropriate to the operation. The Permittee may choose to maintain a daily log or maintain weekly records documenting that required daily inspections have been completed.
[3] Total design volume includes normal precipitation less evaporation on the surface of the structure for the storage period, normal runoff from the production area for the storage period, 25-year, 24-hour precipitation on the surface of the structure, 25-year, 24-hour runoff from the production area, and residual solids.
[4] Including quantity/volume of manure, litter, or process wastewater applied and the basis for the rate of phosphorus application.

E. High Bank Creek Monitoring Requirements

This Permit requires monitoring at locations of UP3, DP, and DS1 as outlined in Table IV-B. The monitoring requirements for these locations are outlined in Table IV-C below. Monitoring results for High Bank Creek locations at UP3, DP, and DS1 shall be submitted with the annual report.

Table IV-B. Monitoring Locations for High Bank Creek (UP3, DP, and DS1)

Site ID	Name	Latitude	Longitude	Description
UP3	Upstream 3	45.50399	-101.17428	High Bank Creek upstream of the production area
DP	Discharge Point	45.50846	-101.16197	Discharge point near the yearling pens into High Bank Creek where discharge was observed in 2023
DS1	Downstream 1	45.50782	-101.15308	High Bank Creek downstream of the production area

Table IV-C. Monitoring Requirements for High Bank Creek Locations (UP3, DP, and DS1)

Sampling Parameters	Monitoring Frequency d/	Sample Type a/	Data Value Reported on Annual Report b/
Ammonia as N (mg/L)	Quarterly	Grab	All Quarterly Results
Nitrate as N (mg/L)	Quarterly	Grab	All Quarterly Results
Nitrite as N (mg/L)	Quarterly	Grab	All Quarterly Results
TKN (mg/L)	Quarterly	Grab	All Quarterly Results
TN (mg/L) c/	Quarterly	Calculate	Calculated Quarterly Results
Total Phosphorus (mg/L)	Quarterly	Grab	All Quarterly Results
BOD_5 (mg/L)	Quarterly	Grab	All Quarterly Results
TSS (mg/L)	Quarterly	Grab	All Quarterly Results
E. Coli (MPN/100 mL)	Quarterly	Grab	All Quarterly Results

a/ See Part VII of the Permit for definition of terms.
b/ Refer to the Permit for requirements (Part V) regarding how to report data on the Annual Report.
c/ TN is the sum of TKN and Nitrate + Nitrite as Nitrogen
d/ Quarterly monitoring shall be representative for seasonal variation per year (e.g. one sample shall be collected during Summer, Fall, Winter, and Spring)

PART V. ANNUAL REPORTING REQUIREMENTS

1. With the effective date of this Permit, the Permittee must electronically report DMRs annually using NetDMR. Electronic submissions by Permittees must be submitted annually to EPA Region 8 by March 31st of each year for the annual report requirements below. NetDMR is accessed from the internet at https://npdes-ereporting.epa.gov/net-netdmr and support portal at https://usepa.servicenowservices.com/oeca_icis?id=netdmr_homepage.

2. In addition to submitting reports to the EPA, the Permittee must submit a copy of the DMR to the Tribe. Currently, the Permittee may submit a copy to the Tribe by one of three ways:
   a. a paper copy may be mailed;
   b. the email address may be added to the electronic submittal through NetDMR; or,
   c. the Permittee may provide viewing rights through NetDMR.

3. Legible copies of all other reports required herein shall be signed and certified in accordance with the Signatory Requirements (see Part VI.E), and submitted to EPA Region 8 Enforcement and Compliance Assurance Division and the Tribe at the addresses given below:

   original to: U.S. EPA, Region 8 (8ECA-W-N)
   Attention: DMR Coordinator
   1595 Wynkoop Street
   Denver, Colorado 80202-1129

   copy to: Standing Rock Sioux Tribe
   Environmental Program
   P.O. Box D
   Fort Yates, ND 58538

   Prior to December 21, 2025, all other reports required herein (e.g., Part VI, D.5 and D.6), shall be signed and certified in accordance with the Signatory Requirements (see Part VI.E), and submitted to EPA Region 8 Enforcement and Compliance Assurance Division and Tribe at the addresses given above. Effective no later than December 21, 2025, these reports shall be submitted electronically using "NeT". If the NeT tool is not available on December 21, 2025, the reports can continue to be submitted to the addresses above until such time as the tool becomes available.

4. The annual report must include the following information:
   a. The number and type of animals, whether in open confinement or housed under roof;
   b. Estimated amount of total manure, litter, and process wastewater generated by the CAFO in the previous twelve (12) months (tons/gallons);
   c. Estimated amount of total manure, litter, and process wastewater transferred to other person by the CAFO in the previous twelve (12) months (tons/gallons);

d. Total number of acres for land application covered by the NMP;
e. Total number of acres under control of the CAFO that were used for land application of manure, litter, and process wastewater in the previous twelve (12) months;
f. Summary of all manure, litter, and process wastewater discharges from the production area that have occurred in the previous twelve (12) months, including date, time, and approximate volume;
g. A statement indicating whether the current version of the CAFO's NMP was developed or approved by a certified nutrient management planner;
h. Actual crops planted and actual yields for each field for the preceding twelve (12) months;
i. Results of all samples of manure, litter, or process wastewater for nitrogen and phosphorus content for manure, litter, and process wastewater that was land applied;
j. Results of calculations conducted in accordance with Part III.A.1.f. (for the Narrative Rate Approach);
k. Amount of manure, litter, and process wastewater applied to each field during the preceding twelve (12) months;
l. The CAFO uses the Narrative Rate Approach to address rates of application:
    i. The results of any soil testing for nitrogen and phosphorus conducted during the preceding twelve (12) months.
    ii. The data used in calculations conducted in accordance with Part III.A.1.f.
    iii. The amount of any supplemental fertilizer applied during the preceding twelve (12) months.
m. Monitoring results for High Bank Creek locations UP3, DP, and DS1.

PART VI. STANDARD PERMIT CONDITIONS

A. General Conditions

1. In accordance with the provisions of 40 CFR Part 122.41, et. seq., this Permit incorporates by reference all conditions and requirements applicable to NPDES Permits set forth in the Clean Water Act, as amended, (hereinafter known as the "Act") as well as all applicable regulations.

2. *Duty to Comply*. The Permittee must comply with all conditions of this Permit. Any failure to comply with the Permit may constitute a violation of the Clean Water Act and may be grounds for enforcement action; termination, revocation and reissuance, modification; or denial of a permit renewal application.

3. *Toxic Pollutants.* The Permittee shall comply with effluent standards and prohibitions established under section 307(a) of the Act for toxic pollutants within the time provided in

the regulations that establish these standards or prohibitions, even if the Permit has not yet been modified to incorporate the requirement.

4. *Permit Actions.* This Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. *Property Rights.* Issuance of this Permit neither conveys any property rights or any exclusive privileges of any sort, nor does it authorize any injury to private property or any invasion of personal rights.

6. *Duty to Provide Information.* The Permittee shall furnish to EPA, within a reasonable time, any information which EPA may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. The Permittee shall also furnish to EPA, upon request, copies of records required to be kept by this Permit.

7. Nothing in this Permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to 18 U.S.C. Section 1001.

8. Nothing in this Permit shall preclude the right of the Tribe to adopt any standard or limitation respecting discharges of pollutants, or any requirement respecting control or abatement of pollution, that is more stringent than those required in this Permit. Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable Tribal law or regulation under authority preserved by Section 510 of the Act.

9. Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject under Section 311 of the Act.

10. *Severability.* The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

11. Bypass
    a. *Definitions*

i. Bypass means the intentional diversion of waste streams from any portion of a treatment facility. (40 CFR § 122.41(m)(1)(i))

ii. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production. (40 CFR § 122.41(m)(1)(ii))

b. *Bypass not exceeding limitations*. The Permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of 11.c. and 11.d. of this section.

c. *Notice*

i. *Anticipated bypass.* If the Permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible, at least ten days before the date of the bypass to U.S. EPA Region 8, NPDES and Wetland Enforcement Section (8ECA-W-N) and Tribe at the mailing addresses in Part VI.D.8.

ii. *Unanticipated bypass*. The Permittee shall submit notice of unanticipated bypass as required in Part VI.D.5. of this part (24-hour notice) to EPA at the phone number in Part VI.D.8.

d. *Prohibitions of bypass.*

i. Bypass is prohibited, and EPA may take enforcement action against a Permittee for bypass, unless:

(A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(C) The Permittee submitted notices as required under paragraph 10.c. of this section.

ii. EPA may approve an anticipated bypass, after considering its adverse effects, if EPA determines that it will meet the three conditions listed above in paragraph 10.d.(i).

e. Any bypass allowed by Part VI.A.11 of this Permit must, where practicable, be released to vegetated fields for filtering, or captured in secondary containment to minimize discharges to waters of the United States.

12. Upset
    a. *Definition*. *Upset* means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless or improper operation. (40 CFR § 122.41(n))
    b. *Effect of an upset*. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph 12.c. of this section are met.
    c. *Conditions necessary for a demonstration of upset*. A Permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
        i. An upset occurred and that the Permittee can identify the cause(s) of the upset;
        ii. The permitted facility was at the time being properly operated;
        iii. The Permittee submitted notice of the upset as required in paragraph Part VI. D.5. of this part (24-hour notice); and
        iv. The Permittee complied with any remedial measures required under paragraph 15. of this section.

    d. *Burden of proof*. In any enforcement proceeding the Permittee seeking to establish the occurrence of an upset has the burden of proof.

13. *Duty to reapply*. If the Permittee wishes to continue an activity regulated by this Permit after the expiration date of this Permit, the Permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this Permit, unless permission for a later date has been granted by the EPA. EPA cannot grant permission for applications to be submitted later than the expiration date of the existing permit.

14. *Need to halt or reduce activity not a defense*. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

15. *Duty to mitigate.* The Permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment.

16. *Inspection and entry.* The Permittee shall allow EPA or an authorized representative (including an authorized contractor acting as a representative of EPA), upon presentation of credentials and other documents as may be required by law to:
    a. Enter upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
    b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
    c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
    d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

B. Proper Operation and Maintenance

1. The Permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit which has a reasonable likelihood of adversely affecting human health or the environment.

2. The Permittee shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the Permit.

C. Monitoring and Records

1. All samples taken in compliance with the monitoring requirements established under Part IV.C and E shall be representative. Samples shall be collected from the discharge stream prior to entering the receiving water. Receiving water samples shall be collected in a representative location of the receiving stream at the locations specified in Part IV.E. Samples and measurements shall be representative of the volume and nature of the monitored activity, discharge, receiving stream, or other monitored location.

2. If the Permittee monitors any pollutant in accordance with paragraph 1, above, more frequently than required by this Permit, using test procedures approved under 40 CFR Part 136 or another method as required under 40 CFR subchapters N or O, or as specified in this Permit; the results of this monitoring shall be included in the calculation and reporting of the data submitted in the required reports to the EPA. Such increased frequency shall also be indicated on the report.

3. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least three (3) years from the date of the sample, measurement, report, or application. This period may be extended by request of the EPA at any time.

4. Records of monitoring information shall include:
    a. The date, exact place, and time of sampling or measurements;
    b. The name(s) of the individual(s) who performed the sampling or measurements;
    c. The date(s) analyses were performed;
    d. The time(s) analyses were initiated;
    e. The names(s) of individual(s) who performed the analyses;
    f. References to and, when available, written procedures for the analytical techniques or methods used; and
    g. The results of such analyses, including the bench sheets, instrument readouts, computer disks or tapes, etc., used to determine these results when analysis is conducted by the Permittee.

5. The Permittee shall follow the following monitoring procedures:
    a. Any required monitoring must be conducted according to test procedures approved in 40 CFR Part 136, or as required under 40 CFR subchapters N or O, unless other test procedures have been specified in this Permit. The Permittee must select a test procedure that is Sufficiently Sensitive for all monitoring conducted in accordance with this Permit.
    b. The Permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to ensure accuracy of measurements and shall maintain appropriate records of such activities.
    c. An adequate analytical quality control program, including the analyses of sufficient standards, spikes, and duplicate samples to ensure the accuracy of all required analytical results shall be maintained by the Permittee or designated commercial laboratory.

6. The Act provides that any person who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under this Permit shall, upon conviction, be punished by a fine of not more than $10,000, or by imprisonment for not more than two years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than $20,000 per day of violation, or by imprisonment of not more than 4 years, or both.

D. Reporting Requirements

1. The Permittee shall give notice to EPA, Wastewater Section (8WD-CWW) and Standing Rock Sioux Tribe as soon as possible of any planned physical alterations or additions to the permitted facility. Notice shall be provided to the mailing addresses in Part VI.D.8. Notice is required only when:
   a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in § 122.29(b); or
   b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are not subject to effluent limitations in the permit.
   c. The alteration or addition results in a significant change in the Permittee's manure use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing Permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to the NMP.

2. The Permittee shall give advance notice to EPA, Wastewater Section (8WD-CWW) and Standing Rock Sioux Tribe of any planned physical alterations or additions or changes in activity which may result in noncompliance with requirements in this Permit. Notice shall be provided to the mailing addresses in Part VI.D.8.

3. This Permit is not transferable to any person except after notice to EPA, Wastewater Section (8WD-CWW). Notice shall be provided to the mailing address in Part VI.D.8. A permit may be automatically transferred to a new permittee if:
   a. The current Permittee notifies the EPA, Wastewater Section (8WD-CWW) at least 30 days in advance of the proposed transfer date at the mailing address in Part VI.D.8;
   b. The notice includes a written agreement between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them;
   c. The notice includes the signed certification statement required by Part VI.E and F; and,
   d. The EPA does not notify the existing Permittee and the proposed new permittee of the EPA's intent to modify, or revoke and reissue the Permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in b, above.

4. The Permittee shall orally report any noncompliance that may endanger human health or the environment, no later than twenty-four (24) hours from the time that the Permittee becomes aware of the circumstances. The report shall be made to a) EPA, Region 8, Superfund & Emergency Management Division at (303) 293-1788; at 303-293-

1788 b) Region 8's NPDES and Wetlands Enforcement Section at (800) 227-8917, and c) and to the Standing Rock Sioux Tribe, Environmental Program at (701) 854-3823. A written submission shall also be provided to EPA, NPDES and Wetlands Enforcement Section (8ECA-W-N), and the Tribe within five (5) days of the time the Permittee becomes aware of the circumstances at the mailing addresses in Part VI.D.8. The report shall contain the following information:

a. A description of the noncompliance and its cause;
b. The period of noncompliance, including exact dates and times,
c. The estimated time noncompliance is expected to continue if it has not been corrected;
d. Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance; and
e. The signed certification statement in accordance with Part VI.E and F.

An EPA delegated representative may waive the written report on a case-by-case basis if the incident has been orally reported in accordance with the requirements above.

5. The following occurrences of noncompliance shall be orally reported to EPA, Region 8's NPDES and Wetlands Enforcement Section at (800) 227-8917 (8:00 a.m. - 4:30 p.m. Mountain Time) and the Standing Rock Sioux Tribe, Environmental Program at (701) 854-3823 within twenty-four (24) hours:
   a. Any unanticipated bypass which exceeds any effluent limitation in the Permit.
   b. Any upset which exceeds any effluent limitation in the Permit.
   c. Violation of a maximum daily discharge limitation for any of the pollutants listed in the Permit to be reported within twenty-four (24) hours.

6. The Permittee shall report all instances of noncompliance not reported under the above requirements and of this section, at the time monitoring reports are submitted. The reports shall contain the information listed in D.5 of this part.

7. Where the Permittee becomes aware that it failed to submit any relevant facts in the permit application or submitted incorrect information in the permit application or in any report to EPA, it shall promptly submit such facts or information to EPA, Wastewater Section (8WD-CWW) at the mailing address in Part V.D.8.

8. All written reports and notices and verbal notices required by this section of the Permit (VI.D) shall be submitted to the applicable addresses and phone numbers given below:

original written report to:	U.S. EPA, Region 8 (8WD-CWW) Wastewater Section Attention: Section Chief 1595 Wynkoop Street Denver, Colorado 80202-1129 U.S. EPA, Region 8 (8ECA-W-N) NPDES and Wetlands Enforcement Section Attention: Section Chief 1595 Wynkoop Street Denver, Colorado 80202-1129
copy of written report to:	Standing Rock Sioux Tribe Environmental Program P.O. Box D Fort Yates, ND 58538
verbal notifications to:	EPA Superfund & Emergency Management Division at (303) 293-1788 EPA NPDES Enforcement at 303-312-6312 or 800-227-8917 Standing Rock Sioux Tribe, Environmental Program at 701-854-3823

E. Signatory requirements

All applications, reports, or information submitted to EPA shall be signed and certified in accordance with the provisions below.

1. For a corporation. By a responsible corporate officer. A responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. For a partnership or sole proprietorship. By a general partner or the proprietor, respectively; or

3. For a municipality, State, Federal, or other public agency. By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

4. All reports required by the Permit and other information requested by the EPA shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

    a. The authorization is made in writing by a person described above and is submitted to the EPA; and,

    b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, operator of a well or well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

5. Changes to authorization: If an authorization under section 9.7.4 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of section 9.7.4 must be submitted to the EPA prior to or together with any reports, information, or applications to be signed by an authorized representative.

F. Certification

Any person signing a document under Part VI.E above shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

G. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, Subpart B, all reports prepared in accordance with the terms of this Permit shall be available for public inspection. As required by the Act and 40 CFR § 122.7, permit applications, permits and effluent data shall not be considered confidential.

H. Penalties for Violations of Permit Conditions

The Clean Water Act provides for statutory maximum and minimum civil and criminal monetary penalties for violations of its provisions. The Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 requires EPA to make adjustments of statutory civil penalties on an annual basis according to a prescribed formula to reflect inflation, beginning in 2016. EPA has adjusted its civil monetary penalties effective January 8, 2025 (90 Fed. Reg. 1375-1378). Please note that the civil penalties described below are reflective of the most recent Civil Monetary Penalty Inflation Rule the year this permit was issued and that civil penalties will have been adjusted annually thereafter. Civil penalties that EPA issues will therefore be reflective of the minimum amounts adjusted for inflation at the time of the violation. The civil and criminal penalties for violations of the Act are as follows:

1. Any person who violates Section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under Section 402, or any requirement imposed in a pretreatment program approved under Section 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed $68,445 per day for each violation.

2. Any person who violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or any requirement imposed in a pretreatment program approved under Section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $2,500 to $25,000 per day of violation, or imprisonment for not more than one year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than $50,000 per day of violation, or by imprisonment for not more than two years, or both.

3. Any person who knowingly violates Section 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, or any requirement imposed in a pretreatment program approved under Section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of $5,000 to $50,000 per day of violation, or imprisonment for not more than three years, or both. In the case of a second or subsequent conviction for a knowing violation,

a person shall be subject to criminal penalties of not more than $100,000 per day of violation, or imprisonment for not more than six years, or both.

4. Any person who knowingly violates Section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment for not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than $500,000 or by imprisonment for not more than 30 years, or both. An organization, as defined in Section 309(c)(3)(B)(iii) of the CWA, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than $1,000,000 and can be fined up to $2,000,000 for second or subsequent convictions.

5. Any person may be assessed an administrative penalty by the Administrator for violating Section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under Section 402 of this Act. Where an administrative enforcement action is brought for a Class I civil penalty, the assessed penalty may not exceed $27,378 per violation, with a maximum amount not to exceed $68,445. Where an administrative enforcement action is brought for a Class II civil penalty, the assessed penalty may not exceed $27,378 per day for each day during which the violation continues, with the maximum amount not to exceed $342,218.

I. Reopener Provision

This Permit may be reopened and modified (following proper administrative procedures) to include the appropriate effluent limitations (and compliance schedule, if necessary), or other appropriate requirements if one or more of the following events occurs:

1. Water Quality Standards: The water quality standards of the receiving water(s) to which the Permittee discharges are modified in such a manner as to require different effluent limits than contained in this Permit.
2. Wasteload Allocation: A wasteload allocation is developed and approved by the Tribe and/or the EPA for incorporation in this Permit.
3. Water Quality Management Plan: A revision to the current water quality management plan is approved and adopted which calls for different effluent limitations than contained in this Permit.
4. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in the permit, the EPA shall institute to modify or revoke and reissue the

permit to conform to the toxic effluent standard or prohibition.

PART VII. DEFINITIONS

Act ("the Act") means the Clean Water Act (formerly referred to as either the Federal Water Pollution Act or the Federal Water Pollution Control Act Amendments of 1972), Pub. L. 92-500, as amended by Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, Pub. L. 97-117, and Pub. L. 100-4. In this Permit the Act may be referred to as the CWA. [40 CFR § 122.2]

Animal feeding operation (AFO) means a lot or facility (other than an aquatic animal production facility) where the following conditions are met: (i) animals (other than aquatic animals) have been, are, or will be stabled or confined and fed or maintained for a total of forty-five (45) days or more in any 12-month period, and (ii) crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. [40 CFR 122.23(b)(1)]

Application means EPA standard national forms for seeking coverage under an NPDES permit, including any additions, revisions or modifications to the forms; or forms approved by EPA for use in "approved States," including any approved modifications or revisions [e.g. for NPDES general permits, a written "notice of intent" pursuant to 40 CFR 122.28; for NPDES individual permits, Form 1 and 2B pursuant to 40 CFR 122.1(d)].

Concentrated animal feeding operation (CAFO) means an AFO which is defined as a Large CAFO or Medium CAFO by 40 CFR 122.23 (4) and (6), or that is designated as a CAFO. In the Permit, it may also refer to the permitted facility.

Daily Maximum (Daily Max., a.k.a Maximum Daily) is the maximum measured value for a pollutant discharged during a calendar day or any 24-hour period that reasonably represents a calendar day for purposes of sampling. For pollutants with daily maximum limitations expressed in units of mass (e.g., kilograms, pounds), the daily maximum is calculated as the total mass of pollutant discharged over the calendar day or representative 24-hour period. For pollutants with limitations expressed in other units of measurement (e.g., milligrams/liter, parts per billion), the daily maximum is calculated as the average of all measurements of the pollutant over the calendar day or representative 24-hour period. If only one measurement or sample is taken during a calendar day or representative 24-hour period, the single measured value for a pollutant will be considered the daily maximum measurement for that calendar day or representative 24-hour period. The Daily Maximum limitation is the highest allowable discharge limit over the calendar day or representative 24-hour period. [40 CFR §§ 122.2, see "daily discharge" and "maximum daily discharge limitation"]

EPA means the United States Environmental Protection Agency, the Regional Administrator of EPA Region 8 or an authorized representative.

E. coli means *Escherichia coli*. Table 1A in 40 CFR 136.3, cites the approved methods of analysis.

Grab sample, for monitoring requirements, is defined as a sample collected over a period not exceeding 15 minutes (typically a single "dip and take" sample or an instantaneous measurement) at a location that is representative of conditions at the time the sample is collected.

Land application means the application of manure, litter, or process wastewater onto or incorporated into the soil.

Land application area means land under the control of an CAFO owner or operator, whether it is owned, rented, or leased, to which manure, litter, or process wastewater from the production area is or may be applied. [40 CFR 412.2(e)]

Large CAFO means an AFO that stables or confines as many as or more than the numbers of animals specified in any of the following categories: (i) 700 mature dairy cattle, whether milked or dry; (ii)1,000 veal calves; (iii)1,000 cattle other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs; (iv) 2,500 swine each weighing 55 pounds or more; (v)10,000 swine each weighing less than 55 pounds; (vi) 500 horses; (vii) 10,000 sheep or lambs; (viii) 55,000 turkeys; (ix) 30,000 laying hens or broilers, if the AFO uses a liquid manure handling system; (x)125,000 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system; (xi) 82,000 laying hens, if the AFO uses other than a liquid manure handling system; (xii) 30,000 ducks (if the AFO uses other than a liquid manure handling system); or (xiii) 5,000 ducks (if the AFO uses a liquid manure handling system). [40 CFR 122.23(b)(4)]

Liquid manure handling system means a system that collects and transports or moves waste material with the use of water, such as in washing of pens and flushing of confinement facilities. This would include the use of water impoundments for manure and/or wastewater treatment.

Manure is defined to include manure, litter, bedding, compost and raw materials or other materials commingled with manure or set aside for land application or other use.

Medium CAFO means any AFO that stables or confines as many or more than the numbers of animals specified in any of the following categories: (i) 200 to 699 mature dairy cattle, whether milked or dry cows; (ii) 300 to 999 veal calves; (iii) 300 to 999 cattle other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs; (iv) 750 to 2,499 swine each weighing 55 pounds or more; (v) 3,000 to 9,999 swine each weighing less than 55 pounds; (vi)150 to 499 horses, (vii) 3,000 to 9,999 sheep or lambs, (viii) 16,500 to 54,999 turkeys, (ix) 9,000 to 29,999 laying hens or broilers, if the AFO uses a liquid manure handling system; (x) 37,500 to 124,999 chickens (other than laying hens), if the AFO

uses other than a liquid manure handling system; (xi) 25,000 to 81,999 laying hens, if the AFO uses other than a liquid manure handling system; (xii) 10,000 to 29,999 ducks (if the AFO uses other than a liquid manure handling system); or (xiii) 1,500 to 4,999 ducks (if the AFO uses a liquid manure handling system) and either one of the following conditions are met (a) pollutants are discharged into waters of the United States through a man-made ditch, flushing system, or other similar man-made device; or (b) pollutants are discharged directly into waters of the United States which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation. [40 CFR 122.23(b)(6)]

Permit means this NPDES permit upon finalization. [40 CFR Part 122.2]

Permittee means the "person" as defined by section 502(5) of the Act or 40 CFR Part 122.2, including an agent or employee thereof, authorized to discharge under the Permit. [Section 502(5) of the Act, 40 CFR § 122.2]

Process wastewater means water directly or indirectly used in the operation of the CAFO for any or all of the following: spillage or overflow from animal or poultry watering systems; washing, cleaning, or flushing pens, barns, manure pits, or other AFO facilities; direct contact swimming, washing, or spray cooling of animals; or dust control. Process wastewater also includes any water which comes into contact with or is a constituent of raw materials, products, or byproducts including manure, litter, feed, milk, eggs, or bedding. [40 CFR 412.2(d)]

Production area means that part of an AFO that includes the animal confinement area, the manure storage area, the raw materials storage area, and the waste containment areas. The animal containment area includes but is not limited to open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, milk rooms, milking centers, cow yards, barnyards, medication pens, walkers, animal walkways, and stables. The manure storage area includes but is not limited to lagoons, runoff ponds, storage sheds, stockpiles, under house or pit storages, liquid impoundments, static piles, and composting piles. The raw materials storage area includes but is not limited to feed silos, silage bunkers, and bedding materials. The waste containment area includes but is not limited to settling basins, and areas within berms and diversions which separate uncontaminated storm water. Also included in the definition of production area is any egg washing or egg processing facility, and any area used in the storage, handling, treatment, or disposal of mortalities. [40 CFR 412.2(h)]

Small CAFO means an AFO that is designated as a CAFO and is not a Medium CAFO. [40 CFR 122.23(b)(9)]

Setback means a specified distance from waters of the United States or potential conduits to waters of the United States where manure, litter, and process wastewater may not be land applied. Examples of conduits to surface waters include but are not limited to: Open tile line intake structures, sinkholes, and agricultural well heads. [40 CFR 412.4(c)(5)]

Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage. [40 CFR § 122.26(b)(13)]

Sufficiently Sensitive – An analytical test method is sufficiently sensitive when:

a. The method minimum level (ML) is at or below the level of the effluent limit established in the permit for the measured pollutant or pollutant parameter; or
b. The method has the lowest ML of the analytical methods approved under 40 CFR Part 136 or required under 40 CFR chapter I, subchapter N or O for the measured pollutant or pollutant parameter. [40 CFR § 122.44(i)(1)(iv)(A)]

Vegetated buffer means a narrow, permanent strip of dense perennial vegetation established parallel to the contours of and perpendicular to the dominant slope of the field for the purposes of slowing water runoff, enhancing water infiltration, and minimizing the risk of any potential nutrients or pollutants from leaving the field and reaching waters of the United States. [40 CFR 412.4(b)(2)]

Appendix A – Nutrient Management Plan for Maher Cattle Company, LLC

Appendix B – Industrial Stormwater Monitoring and Sampling Guide, April 2021, Section 3

Appendix C – EPA Region 4's Surface Water Sampling procedures (LSASDPROC-201-R5, December 2021)