

# MANURE QUICK REFERENCE SHEET



## Pima County Board of Supervisors

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The Pima County Department of Environmental Quality (PDEQ) receives multiple manure complaints throughout the year. PDEQ has regulatory authority for the proper storage and disposal of manure and will issue a Notice of Violation (NOV) when we receive a complaint and a violation is verified by a physical site inspection. PDEQ utilizes its authority granted under Title 7 of the Pima County Code to enforce the solid waste rules within Pima County. The Arizona Department of Environmental Quality (ADEQ) through the current delegation agreement, also delegates the authority for the regulation of solid waste in Pima County under Title 18 of the Arizona Administrative Code to PDEQ. The following guidance document is a brief explanation of the applicable laws, rules and includes points to consider when dealing with the management, storage and disposal of manure from livestock.

The first issue to address is whether or not “manure” is a solid waste? The definition of **Solid Waste** is found in:

**DEFINITION:** Arizona Revised Statutes, A.R.S. § 49-701.01.(A) *“any garbage, trash, waste tire, refuse, sludge from a wastewater treatment plant, water supply treatment plant or pollution control facility and other discarded material, including solid, liquid, semisolid or contained gaseous material.”*

- Manure is **not** exempted under this statute and is not referenced under any other definition. It is clearly defined in Title 18 of the Arizona Administrative Code (A.A.C.), Chapter 13:

**DEFINITION:** A.A.C. R18-13-302.(E) *“animal excreta, including cleanings from barns, stables, corrals, pens, or conveyances used for stabling, transporting, or penning of animals or fowls.”*

- It is the A.A.C. where the rules and responsibilities for the legal storage and disposal of manure are specifically addressed.

**STORAGE:** A.A.C. R18-13-307(A,D&E) [Only sections applicable to manure storage are listed for reference.]

*A. All refuse shall be stored in accordance with the requirements of this Section. The owner, agent, or occupant of every dwelling, business establishment, or other premises where refuse accumulates shall provide a sufficient number of suitable and approved containers for receiving and storing of refuse, and shall keep all refuse therein, except as otherwise provided by this Chapter.*

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*D. Containers for the storage of refuse shall be maintained in such a manner as to prevent the creation of a nuisance or a menace to public health. Containers that are broken or otherwise fail to meet the requirements of the rules shall be replaced, by the owner of said containers, with approved containers.*

*E. Manure and droppings shall be removed from pens, stables, yards, cages, conveyances, and other enclosures as often as necessary to prevent a health hazard or the creation of a nuisance. All material removed shall be handled and stored in a manner that will maintain the premises nuisance free.*

**DISPOSAL:** A.A.C. R18-13-311.(D) *“manure shall be disposed of by sanitary landfill, incineration, or used as fertilizer in such a manner as not to create insect breeding or a nuisance.”*

Although manure is listed as an unacceptable waste for collection services in **Title 7 of the Pima County Code (P.C.C.)**, it clearly states in **P.C.C. 7.25.040(B)(2)** that it may be collected **at the discretion of the waste hauler**. Most waste haulers do not object to the manure from a few head of livestock being placed in approved waste receptacles for disposal and will provide an additional dumpster for a nominal fee upon request to single family residences. Large stables must have a covered containment area, covered dumpster or large covered trailer to store the waste prior to disposal.

An Environmental Nuisance is defined in **A.R.S. § 49-141** and the language is adopted by rule in Title 7 of the Pima County Code.

**DEFINITION:** **P.C.C 7.45.020 – Environmental Nuisances** [Only the sections applicable to manure related nuisances are listed for reference.]

- 1. A condition or place in populous areas which constitutes a breeding place for flies, rodents, mosquitoes and other insects which are capable of carrying and transmitting disease-causing organisms to any person;*
- 3. Sewage, human excreta, wastewater, garbage or other organic wastes deposited, stored, discharged or exposed so as to be a potential instrument or medium in the transmission of disease to or between any person or persons;*

### **Key points to understand:**

- 1. Manure is a solid waste.**
  - As defined by state law.
- 2. It may be used as a soil amender if spread out thin enough to dry quickly and then worked into the soil as soon as it dries.**
  - It must be worked into the soil because dried manure sitting on the soil surface will wash off your property during a rain storm!

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- You must have enough property to allow for this type of practice.
  - Never incorporate manure into an area in such quantities that there is more manure than dirt!
  - Dragging an implement over the manure does not incorporate it into the soil and does not constitute compliance with regulatory requirements.
  - Whenever you are conducting earthmoving operation to incorporate manure into the soil (i.e. disking, plowing or harrowing), dust control measures (usually water application) must be taken prior to tilling to avoid impacting your neighbors and to prevent a dust violation.
3. It **may** be spread (**not piled**) and worked into arenas & pens **as soon as it dries out** for dust control and to improve the riding surface while providing greater comfort for your animals.
- The idea is to get the manure to dry out and break down rapidly to minimize odor and flies!
  - If you are piling it or just spreading it thick on the surface and not working it in, you are in violation.
4. It **must not** be allowed to cross property lines and should **never** be deposited in a wash, riverbed or along the banks of a riverbed or wash.
- Never store manure near an adjacent property line or near a wash or stormwater runoff area.
  - It is a criminal offense to dispose of **anything** in a wash or riverbed! (Clean Water Act)
5. It **must** be stored in a manner where the waste **does not create** a nuisance. (flies & odor)
- A containment receptacle is required by the regulations. (**Containment means covered at all times except when immediately adding or removing waste!**)
  - Garbage cans with lids, dumpsters with tarps, enclosed trailers or a three sided enclosure where the waste is completely covered with a tarp at all times represent acceptable containment receptacles.
  - Lids and tarps will help prevent excessive flies & odor and prevent the introduction of moisture during periods of rain.
6. It **may** be actively composted if the composting methods are such that the pile **does not generate** a nuisance.
- Active composting requires the addition of water, material and mixing at least every other day.
  - Static composting requires the pile to be covered with a tarp to generate heat.

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7. It **must** be disposed of properly.

- **Regular** cleaning of pens, corrals and stalls is **responsible management** of the waste and contributes to the health of the animals and the prevention of excessive flies and odor.
- Be a good neighbor! Manage your waste responsibly and avoid **excessive accumulation** by hauling your waste on a **regular basis** to a landfill, recycling facility or adhering to the environmentally friendly soil amendment methods described above.

PDEQ is providing this guidance in an effort to provide livestock owners with a reasonable approach to complying with the law and subsequent rules that apply to the storage and disposal of manure. Be a good neighbor and make every effort to follow this guidance while enjoying your animals. If you still have questions regarding the proper storage and disposal of manure, please contact the Pima County Department of Environmental Quality at 740-3340.