



Decision Summary RA23015

This document summarizes my reasons for issuing Approval RA23015 under the *Agricultural Operation Practices Act* (AOPA). Additional reasons are in Technical Document RA23015. All decision documents and the full application are available on the Natural Resources Conservation Board (NRCB) website at www.nrcb.ca under Confined Feeding Operations (CFO)/CFO Search. My decision is based on the Act and its regulations, the policies of the NRCB, the information contained in the application, and all other materials in the application file.

Under AOPA this type of application requires an approval. For additional information on NRCB permits please refer to www.nrcb.ca.

1. Background

On May 8, 2023, Damian Stamm on behalf of Stamm Dairy Ltd. (Stamm Dairy) submitted a Part 1 application to the NRCB to construct a new dairy CFO.

The Part 2 application was submitted on October 24, 2023. On November 8, 2023, I deemed the application complete.

The proposed CFO involves:

- Permitting 250 milking cows (plus associated dries and replacements)
- Constructing a new dairy barn – 134 m x 100 m
- Constructing a new earthen manure storage (EMS) – 81 m x 53 m x 4.5 m deep

a. Location

The proposed CFO is located at NE 9-43-27 W4M in Ponoka County, roughly 4.5 kilometers northeast of the community of Crestomere. The terrain is generally flat cropland, and slopes slightly to the west. The nearest surface water body is a dugout approximately 350 m east of the EMS.

2. Notices to affected parties

Under section 19 of AOPA, the NRCB notifies (or directs the applicant to notify) all parties that are “affected” by an approval application. Section 5 of AOPA’s Part 2 Matters Regulation defines “affected parties” as:

- In the case where part of a CFO is located, or is to be located, within 100 m of a bank of a river, stream or canal, a person or municipality entitled to divert water from that body within 10 miles downstream;
- the municipality where the CFO is located or is to be located;
- any other municipality whose boundary is within a specified distance from the CFO, depending on the size of the CFO;
- all persons who own or reside on land within a specified distance from the CFO, depending on the size of the CFO.

For the size of this CFO the specified distance is ½ mile. (The NRCB refers to this distance as the “notification distance”.)

None of the CFO facilities are located within 100 m of a bank of a river, stream, or canal.

A copy of the application was sent to Ponoka County, which is the municipality where the CFO is to be located.

The NRCB gave notice of the application by:

- posting it on the NRCB website,
- public advertisement in Ponoka News newspaper in circulation in the community affected by the application on November 8, 2023, and
- sending 5 notification letters to people identified by Ponoka County as owning or residing on land within the notification distance.

The full application was also made available for viewing at the NRCB's Red Deer office during regular business hours.

3. Notice to other persons or organizations

Under section 19 of AOPA, the NRCB may also notify persons and organizations the approval officer considers appropriate. This includes sending applications to referral agencies which have a potential regulatory interest under their respective legislation.

Referral letters and a copy of the complete application were emailed to Alberta Health Services (AHS), Alberta Environment and Protected Areas (EPA), Alberta Agriculture and Irrigation (AGI), and Alberta Transportation & Economic Corridors (TEC).

I also sent a copy of the application to Gull Lake Deer Creek (GLDC) Gas Co-op Ltd., Land Petroleum International Inc., and Orlen Upstream Canada Ltd. as right of way holders.

A response was received from administration at AGI indicating the inspector that will be assigned to the application.

Mr. Gordon Watt, a public health inspector with AHS, responded to the application with general guidelines relating to water well protection, waste management and nuisance mitigation, and stated he has no objections to the application.

Ms. Laura Partridge, a senior water administration officer with EPA, responded directly to the applicant regarding the status of their existing water well, and the need for additional licensing to ensure their water requirements will be met.

A letter was received from Mr. Darren Weening from GLDC Gas Co-op stating their permission for relocation of the existing gas line which lies beneath the proposed dairy barn (see Technical Document RA23015, page 6).

No responses were received from the other organizations.

4. Alberta Land Stewardship Act (ALSA) regional plan

Section 20(10) of AOPA requires that an approval officer must ensure the application complies with any applicable ALSA regional plan.

There is no ALSA regional plan for the area where the proposed CFO is to be located.

5. Municipal Development Plan (MDP) consistency

I have determined that the proposed CFO is consistent with the land use provisions of Ponoka County's municipal development plan. (See Appendix A for a more detailed discussion of the county's planning requirements.)

6. AOPA requirements

With respect to the technical requirements set out in the regulations, the proposed CFO:

- Meets the required AOPA setbacks from nearby residences, with one exception (AOPA setbacks are known as the "minimum distance separation" requirements, or MDS). The owner of that residence has signed a written waiver of the MDS requirement to their residence
- Meets the required AOPA setbacks from water wells, springs, and common bodies of water
- Has sufficient means to control surface runoff of manure
- Meets AOPA's nutrient management requirements regarding the land application of manure
- Meets AOPA groundwater protection requirements for the design of floors and liners/protective layers of manure storage facilities and manure collection areas

With the terms and conditions summarized in part 10 and in Appendix D, the application meets all relevant AOPA requirements.

7. Responses from the municipality and other directly affected parties

Directly affected parties are entitled to a reasonable opportunity to provide evidence and written submissions relevant to the application and are entitled to request an NRCB Board review of the approval officer's decision. Not all affected parties are "directly affected" under AOPA.

Municipalities that are affected parties are identified by the Act as "directly affected." Ponoka County is an affected party (and directly affected) because the proposed CFO is located within its boundaries.

Ms. Robin Dubitz, a development officer with Ponoka County's development department, provided a written response on behalf of Ponoka County. Ms. Dubitz stated the application is consistent with Ponoka County's MDP but does not meet a road setback requirement stated in the County's land use bylaw. Compliance with this setback requirement will be further discussed in section 9. The application's consistency with the land use provisions of Ponoka County's municipal development plan is addressed in Appendix A, attached.

Apart from municipalities, any member of the public may request to be considered "directly affected." The NRCB received responses from 2 parties, who are listed in Appendix B.

The NRCB considers a person who owns a residence within the MDS of the CFO, and who waives the MDS requirements in writing to be automatically considered directly affected (see NRCB Operational Policy 2016-7: Approvals, part 7.2.1). Beatrix Stamm (appointed as power of attorney for Irene Godard) provided an MDS waiver on behalf of herself and Irene Godard and are directly affected parties.

All of the people who submitted responses own or reside on land within the ½ mile notification distance for affected persons. Because of their location within this distance, and because they submitted a response, they are automatically presumed to be directly affected parties. (See NRCB Operational Policy 2016-7: Approvals, part 7.2.1)

The directly affected parties raised concerns regarding water requirements, proximity to neighbors, runoff control, contamination of aquifers and neighboring land, increased road traffic and general nuisance. These concerns are addressed in Appendix C.

8. Environmental risk of CFO facilities

New CFO facilities which clearly meet or exceed AOPA requirements are automatically assumed to pose a low risk to surface and groundwater. However, there may be circumstances where, because of the proximity of a shallow aquifer or porous subsurface materials, an approval officer may require groundwater monitoring for a facility. In this case a determination was made that groundwater monitoring is not necessary. However, due to concerns raised by directly affected parties, and to exercise caution, I carried out a risk screening for this site.

As part of my review of this application, I assessed the risk to the environment posed by the CFO's proposed manure storage facilities and manure collection areas. I used the NRCB's environmental risk screening tool (ERST) to assist in my assessment of risk to surface water and groundwater (see NRCB Operational Policy 2016-7: Approvals, part 9.17). The tool provides for a numeric scoring of risks, which can fall within a low, moderate, or high-risk range. (A complete description of this tool is available under CFO/Groundwater and Surface Water Protection on the NRCB website at www.nrcb.ca.)

For the sake of efficiency, I assessed the CFO's proposed EMS using the ERST. This appears to be the CFO's highest risk facility because it is intended to store the largest volume of liquid manure. The assessment found that this facility poses a low potential risk to groundwater and surface water. Because this is the CFO's highest risk facility, I presume that the CFO's other proposed facility also poses a low potential risk to both groundwater and surface water. From a review of other information gathered during this application, I am satisfied that the screening provided by the ERST is adequate and that the presumption is not rebutted. A further assessment of the risks posed by these other facilities, using the ERST, is not necessary.

9. Other factors

Because the approval application is consistent with the MDP land use provisions, and meets the requirements of AOPA and its regulations, I also considered other factors.

AOPA requires me to consider matters that would normally be considered if a development permit were being issued. The NRCB interprets this to include aspects such as property line and road setbacks related to the site of the CFO. (Grow North, RFR 2011-01 at page 2). Approval officers are limited to what matters they can consider though as their regulatory authority is limited.

Ms. Robin Dubitz also listed the setbacks required by Ponoka County's land use bylaw (LUB) and noted that the positioning of the EMS on the application does not meet these setbacks. However, she stated that a site visit was performed with the applicants to discuss planning and mitigation, and ultimately, a relaxation of the 40 m road setback was granted by Ponoka County.

I have considered the effects the proposed CFO may have on natural resources administered by provincial departments. EPA has not made me aware of statements of concern submitted under section 73 of the *Environmental Protection and Enhancement Act* or section 109 of the *Water Act* in respect of the subject of this application. Furthermore, the application meets AOPAs technical requirements, and the applicant has been reminded that it is their responsibility to ensure they have received the appropriate water licensing for the proposed CFO.

I am not aware of any written decision of the Environmental Appeals Board for this location (<http://eab.gov.ab.ca/status.htm>), accessed December 15, 2023.

Finally, I considered the effects of the proposed CFO on the environment, the economy, and the community, and the appropriate use of land. In doing so, I had before me information in the application, views from Ponoka County, and my own observations from a site visit.

Consistent with NRCB Operational Policy 2016-7: Approvals, part 9.10.9, I presumed that the effects in the environment are acceptable because the application meets all of AOPA's technical requirements. In my view, this presumption is not rebutted and the directly affected parties' concerns have been addressed.

Consistent with NRCB Operational Policy 2016-7: Approvals, part 9.10.9, if the application is consistent with the MDP then the proposed development is presumed to have an acceptable effect on the economy and community. In my view, this presumption is not rebutted and the directly affected parties' concerns have been addressed.

I also presumed that the proposed CFO is an appropriate use of land because the application is consistent with the land use provisions of the municipal development plan (See NRCB Operational Policy 2016-7: Approvals, part 9.10.9). In my view, this presumption is not rebutted.

10. Terms and conditions

Approval RA23015 specifies the cumulative permitted livestock capacity as 250 milking cows (plus associated dries and replacements) and permits the construction of the dairy barn and EMS.

Approval RA23015 contains terms that the NRCB generally includes in all AOPA approvals, including terms stating that the applicant must follow AOPA requirements and must adhere to the project descriptions in their application and accompanying materials.

In addition to the terms described above, Approval RA23015 includes conditions that generally address construction deadlines, document submission and construction inspection. For an explanation of the reasons for these conditions, see Appendix D.

11. Conclusion

Approval RA23015 is issued for the reasons provided above, in the attached appendices, and in Technical Document RA23015.

February 5, 2024

(Original signed)
Sarah Neff
Approval Officer

Appendices:

- A. Consistency with the municipal development plan
- B. Determining directly affected party status
- C. Concerns raised by directly affected parties
- D. Explanation of conditions in Approval RA23015

APPENDIX A: Consistency with the municipal development plan

Under section 20 of AOPA, an approval officer may only approve an application for an approval or amendment of an approval if the approval officer holds the opinion that the application is consistent with the “land use provisions” of the applicable municipal development plan (MDP).

This does not mean consistency with the entire MDP. In general, “land use provisions” cover MDP policies that provide generic directions about the acceptability of various land uses in specific areas.

“Land use provisions” do not call for discretionary judgements relating to the acceptability of a given confined feeding operation (CFO) development. Similarly, section 20(1.1) of the Act precludes approval officers from considering MDP provisions “respecting tests or conditions related to the construction of or the site” of a CFO or manure storage facility, or regarding the land application of manure. (These types of MDP provisions are commonly referred to as MDP “tests or conditions.”) “Land use provisions” also do not impose procedural requirements on the NRCB. (See NRCB Operational Policy 2016-7: Approvals, part 9.2.7.)

Stamm Dairy’s CFO is located in Ponoka County and is therefore subject to that county’s MDP. Ponoka County adopted the latest revision to this plan in October 2018, under Bylaw #6-08 MDP.

Section 2 of the MDP contains eight numbered policies that relate to applications for new CFOs under AOPA. These eight policies are discussed below. (Three other MDP policies relate to CFOs below the AOPA permit threshold or to proposed residential developments near existing CFOs.)

Under policy 2.1, the county “encourages” the development of CFOs to add value to crop production and provide “more employment and income per acre of land.” However, policy 2.1 also states that the environment and neighbours’ rights “must be protected.” This policy likely isn’t a “land use provision,” but it provides a general context for interpreting and applying the other policies in section 2.

Policy 2.2 states the county’s “belie[f] that very large CFOs are inappropriate in this part of Alberta and requests the NRCB not to allow them here.” This policy defines “very large” as “more than ten times” the threshold for approvals in the Part 2 Matters Regulation under AOPA. In this case, a “very large” dairy CFO would have over 2000 milking cows. Stamm Dairy’s proposed CFO is for only 250 milking cows, so the proposed CFO is consistent with this policy.

Policy 2.3 has two parts. The first part lists three setbacks and two exclusion zones for new CFOs. Stamm Dairy’s CFO is not within any of these restricted areas.

The second part of policy 2.3 calls for “very strict conditions on manure handling and storage in the Chain Lakes and Maskwa Creek watersheds. This policy likely isn’t a “land use provision” because it calls for discretionary judgements about what conditions are “very strict.”

In addition, this policy may well be precluded from my consideration under section 20(1.1) of AOPA, which precludes an approval officer from considering MDP provisions “respecting tests or conditions related to the construction of or the site for a confined feeding operation or manure storage facility” and regarding the land application of manure. Regardless, the proposed CFO

meets AOPA's technical requirements for manure handling and storage and those requirements are arguably "very strict." In addition, the CFO is not within either of these watersheds. Therefore, the existing CFO would be consistent with this section if the section applied.

Policy 2.4 calls for the NRCB to "set strict rules for the timely incorporation of manure within a mile of any urban municipality or rural residence." This is a "test or condition" under section 20(1.1) of AOPA, so I am precluded from considering this policy. At any rate, Stamm Dairy's CFO will be subject to the Standards and Administration Regulation under AOPA. This regulation arguably provides rules for the land application of manure, including timely incorporation in specified circumstances. These rules are arguably "strict," which is consistent with this MDP policy.

Policy 2.5 precludes the siting of CFOs within two miles of "any lake" unless the "regulators" are "convinced" that the CFO's manure management system is "fail-safe" and the CFO poses "no reasonable risk of contamination of the lake." Policy 2.5 is likely not a "land use provision" because its "fail-safe" and "reasonable risk" tests call for discretionary, CFO-specific judgements. The provision may also be a "test or condition," which I am precluded from considering by AOPA section 20(1.1). Irrespective, there are no lakes within 2 miles of the proposed CFO.

Policy 2.6 precludes new or expanded CFOs where there is "any risk that runoff will contaminate domestic water supplies." Policy 2.6 likely is not a "land use provision" because it calls for discretionary judgements about acceptable risks. (On its face, "any risk" is a low-risk threshold, but the threshold is presumably more than "minor" or "insignificant.") At any rate, the proposed CFO meets AOPA's operational and construction requirements, which are designed to minimize the risks to surface water and groundwater.

Policy 2.8 states that "where a new CFO is proposed, the minimum distance separation (MDS) should be contained entirely within land owned by the operator of the CFO." Policy 2.8 goes on to state that this requirement may be waived if the other party (neighbour) agrees to the MDS encroachment in writing.

Policy 2.8 uses, but essentially modifies, AOPA's MDS requirements by measuring the AOPA-derived minimum distance of separation to the edge of an adjacent landowner's property. In AOPA, the MDS is measured to the residential building located on that property rather than to the property line.

The NRCB's board (see Wyntjes, Board Decision 2007-11 at 6 et seq.) and approvals policy (see NRCB Operational Policy 2016-7: Approvals, part 9.2.7) have made it clear that approval officers should not consider MDP provisions that are based on, but modify and render more stringent, AOPA's MDS requirements. Thus, this policy cannot be considered for purposes of my MDS consistency determination.

Lastly, 2.11 states that the county "may develop policies to reduce the nuisance caused by the spreading of manure near residences," including ones that require the immediate incorporation of manure and limits on the timing or rate of manure application. I am unaware of any manure application policies that the county has developed under policy 2.11. At any rate, section 20(1.1) of AOPA precludes me from considering policy 2.11 because it relates to manure application.

For these reasons, I conclude that the application is consistent with the land use provisions of Ponoka County's MDP that I may consider. As noted above, Ponoka County's response supports my conclusion.

APPENDIX B: Determining directly affected party status

The following individuals qualify for directly affected party status because they own a residence within the minimum distance separation (MDS) and waived the MDS requirement in writing (see NRCB Operational Policy 2016-7: Approvals, part 7.2.1.):

- Irene Godard and Beatrix Stamm

The following individuals qualify for directly affected party status because they submitted a response to the application and they own or reside on land within the “affected party radius,” as specified in section 5(c) of the Agricultural Operation, Part 2 Matters Regulation (see NRCB Operational Policy 2016-7: Approvals, part 7.2.1.):

- Gerald and Arlene Hoar
- Gabrielle Anderson and Darlene Gauthier

A person who is not specified in section 5 of the Part 2 Matters Regulation as an affected party can also qualify for directly affected party status. However, they have the burden to demonstrate they are directly affected by the application. No responses were submitted for the application by individuals that may fall under this category.

APPENDIX C: Concerns raised by directly affected parties

Submitted responses:

- Gerald and Arlene Hoar
- Gabrielle Anderson and Darlene Gauthier

The directly affected parties raised the following concerns:

1. **Water well supply** –The respondents expressed concern regarding access to sufficient water for the proposed CFO.

Approval officer's conclusion:

Alberta Environment and Protected Areas (EPA) is responsible for licensing the use of groundwater and surface water in the province. The water licensing process includes an opportunity for neighbours to provide input. Therefore, for efficiency and to avoid inconsistent regulation, NRCB approval officers generally do not consider water supply concerns when reviewing AOPA permit applications, other than ensuring that applicants sign one of the water licensing declarations listed in the Part 2 application form. (This declaration is on page 4 of the technical document).

The monitoring of groundwater and surface water levels and usage is regulated by EPA under the *Water Act*. It is the responsibility of the applicant to ensure they have access to sufficient licensed water.

Ms. Partridge, a senior water administration officer with the EPA, has been in contact with the Stamm's and has indicated that there is an existing Registration under the *Water Act*, however additional licensing will be required to fulfill the CFO requirements. The Stamm's have been reminded that they are responsible for ensuring they have proper licensing under the *Water Act* for the proposed CFO.

A copy of this decision will also be forwarded to EPA for its information.

2. **Proximity to neighbours** – The respondents expressed concern over CFO proximity to neighbours, particularly the property directly to the north of the proposed CFO, as well as the property directly west of the proposed CFO.

Approval officer's conclusion

In Technical Document RA23015, I evaluated the minimum distance separation of the site to neighbouring residences. AOPA specifies a minimum distance separation to neighbouring residences, including residences on hamlets, towns, or cities (category 4). The proposed site meets all MDS requirements except for one residence directly north of the CFO, in which an MDS waiver has been signed by the registered landowners.

3. **Runoff control and contamination of aquifers** – One respondent was concerned with runoff control to the west of the proposed CFO, and the potential contamination of land used for growing produce, as well as the aquifers in which they draw water from.

Applicant's response

The applicant indicated that the proposed site location was strategically chosen as to best control CFO runoff. They also noted the natural runoff patterns of the proposed site, indicating that the majority of runoff would be diverted north of the CFO through an existing culvert. Additionally, the applicant stated that they have proposed a compacted clay liner for the lagoon which meets AOPA requirements and follows the recommendations of a third-party engineer.

Approval officer's conclusion

As noted previously, the proposed facilities meet all AOPA technical requirements. Several of these requirements are designed to prevent or minimize manure leakage from CFO facilities and thus to prevent manure from reaching and contaminating groundwater. Because the proposed CFO facilities meet or exceed these requirements, I conclude that the level of groundwater risk posed by these facilities is acceptable. As noted in the decision summary, I assessed the CFO's proposed facilities using the NRCB's environmental risk screening tool (ERST). The assessment found that the proposed facilities pose a low potential risk to groundwater and surface water.

- 4. Property Values** – One respondent expressed concern over the potential impact the application may have on property values of neighboring properties.

Approval officer's conclusion

The NRCB's board has consistently stated that concerns regarding effects on property values are "not a subject for [the Board's] review under AOPA" or for approval officers' consideration of permit applications. According to the Board, impacts on property values are a land use issue which is a "planning matter dealt with by municipalities in municipal development plans..." Zealand Farms, RFR 2011-02, p.5; see also, e.g. Pigs R Us Inc., RFR 2017-11, p. 6 (stating that effects on land values are "not a relevant Board consideration when the development is consistent with the MDP's land use provisions.")

The respondent has not provided evidence showing that any effect would probably occur, that it would be more than minor, or that the effect on property values could reasonably be expected to impact them specifically. Therefore, there is no evidence to show that the parties are directly affected in relation to their property values.

- 5. General nuisance** – The respondents expressed concern over nuisances such as dust, odour and noise that could potentially increase due to the proposed CFO.

Applicant's response

The applicant indicated that trees will be planted along the north and east sides of the EMS to provide a wind barrier, thus lessening the impact of smell. The applicant also indicated that manure spreading will be in accordance with NRCB requirements, and that the proposed CFO will include updated technology that will aid in reducing nuisances such as noise.

Approval officer's conclusion

AOPA's minimum distance separation (MDS) is a means for mitigating odour and other nuisance impacts from CFOs. As previously mentioned, Stamm Dairy's proposed CFO will be located well outside of the required MDS from other existing residences aside from the residence directly to the north of the proposed CFO, in which a MDS waiver has been signed by the registered landowners.

Notwithstanding the CFO's distance to its nearest neighbours, it is reasonable to expect that there will be some odour emissions, as well as other potential nuisance impacts from the CFO.

Often, issues that arise relating to the operation of a CFO, and other disagreements, can be resolved through good communication between neighbours and the CFO operator. However, if a member of the public has concerns regarding a CFO, including whether the operation is complying with AOPA, they may contact the NRCB through its toll-free reporting line (1-866-383-6722). An NRCB inspector will follow up on the concern.

- 6. Road usage** – One respondent expressed concern over potential increase in road usage throughout the community because of the application.

Applicant's response

The applicant addressed concerns particularly referring to the Dakota Road which provides access to Highway 53. They stated that the new location would allow the opportunity to drag hose their liquid manure, reducing both smell and road use. Additionally, they stated that silage hauling distances will be greatly reduced at the proposed site and thus, moving the dairy to the proposed location would significantly reduce all associated traffic. It was also added that recent conversations involving staff of Ponoka County regarding road use have been very supportive of the proposal to reduce farm traffic on Dakota Road and Highway 53.

Approval officer's conclusion

Traffic on the county roads may increase as a result of the development of this CFO. The county controls local roads and did not raise concerns regarding a potential increase in traffic due to this development. Furthermore, the directly affected parties did not provide evidence showing how the alleged effect would impact them, and how it would be more than a minimal effect.

APPENDIX D: Explanation of conditions in Approval RA23015

Approval RA23015 includes several conditions, discussed below:

a. Construction above the water table

Section 9(3) of the *Standards and Administration Regulation* under the *Agricultural Operation Practices Act* (AOPA) requires the bottom of the liner of a manure storage facility or manure collection area to be not less than one metre above the water table of the site “at the time of construction.”

Based on this information, the proposed EMS meets the one metre requirement of section 9(3). However, because the height of the water table can vary over time, a condition is included requiring Stamm Dairy to cease construction and notify the NRCB immediately if the water table is encountered during construction.

b. Construction Deadline

Stamm Dairy proposes to complete construction of the proposed new facilities by September 1, 2025. It is my opinion that a longer construction deadline is more reasonable for the proposed scope of work; allowing for three full construction seasons allows for unexpected contractor or supply delays. Therefore, the deadline of November 30, 2026, is included as a condition in Approval RA23015.

c. Post-construction inspection and review

The NRCB’s general practice is to include conditions in new or amended permits to ensure that the new or expanded facilities are constructed according to the required design specifications. Accordingly, Approval RA23015 includes conditions requiring:

- a. Stamm Dairy to provide an engineer’s completion report certifying that the EMS was constructed with the same liner material as that used for hydraulic conductivity testing and that the EMS was constructed according to the proposed procedures and design specifications including size, side slopes, depth, and location.
- b. The concrete used to construct the liner of the manure collection and storage portion of the dairy barn to meet the specifications for category B (liquid manure shallow pits) and category C (solid manure – wet) in Technical Guideline Agdex 096-93 “Non-Engineered Concrete Liners for Manure Collection and Storage Areas.”
- c. Stamm to provide documentation to confirm the specifications of the concrete used to construct the manure storage and collection portions of the dairy barn.

The NRCB routinely inspects newly constructed facilities to assess whether the facilities were constructed in accordance with the permit requirements. To be effective, these inspections must occur before livestock or manure are placed in the newly constructed facilities. Approval RA23015 includes a condition stating that Stamm Dairy shall not place livestock or manure in the manure storage or collection portions of the new dairy barn or EMS until NRCB personnel have inspected the dairy barn and EMS, and confirmed in writing that it meets the approval requirements.