

Name of Practice: DECOMMISSIONING OF LIQUID WASTE STORAGE
FACILITIES
VACS Program Specification for No. WP-9

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's decommissioning of liquid waste storage facilities best management practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice provides for the decommissioning of facilities where liquid waste has been stored and/or managed.

The purpose of the practice is to decommission liquid waste facilities to protect the quality of surface water and groundwater by eliminating a source of pollution-laden runoff.

B. Policies and Specifications

1. Tax credit is authorized:

- i. For the removal of aerobic or anaerobic lagoons, liquid manure tanks, holding ponds, collection basins, settling basins and similar facilities, as well as diversions, channels, waterways, designed filter strips, outlet structures, piping, land shaping, and similar measures needed as part of a system on the farm to manage animal waste as outlined below:
 - a. To the extent practicable, remove all agricultural waste and associated material that could negatively affect water quality.
 - b. Removal of any existing components that convey waste materials to the system or otherwise render transfer components unable to convey waste.
 - c. Removal of facility components that provide drainage from the waste facility.
 - d. Leveling and filling to facilitate appropriate drainage from the site.
 - e. Vegetative cover (including mulching) needed to protect the site from erosion.
- ii. For disposal of demolished materials in accordance with local and state regulations.
- ii. For engineered plans from a professional engineer (P.E.) if required.
- iii. For demolition (only when necessary) and stabilization of the existing facility.
- iii. Only if the removal of the facilities will contribute significantly to improving the soil or water quality by eliminating a source of pollution-laden runoff.
- iv. For the rehabilitation of soil contaminated by agricultural wastes that have been stored or treated onsite.

2. Tax credit is not authorized:
 - i. For a waste facility that will be expanded or rehabilitated.
 - ii. For the demolition of components not related to waste storage, such as animal feeding areas, animal housing areas, or feedbunks.
 - iii. For sites contaminated by materials that require the issuance of a hazardous waste permit, such as fuel or pesticides.
3. All appropriate local and state permits must be obtained before tax credits is authorized.
4. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all agricultural production acreage contained within the field on which this practice will be implemented. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014); must be prepared and certified by a Virginia certified Nutrient Management Planner; and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).
5. This practice is subject to NRCS Standards, 327 Conservation Cover, 342 Critical Area Planting, 360 Waste Facility Closure, and 633 Waste Utilization.
6. All practice components implemented must be maintained for a minimum of 1 year following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting a state tax credit for this practice, the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost-share and/or tax credits.

C. Rate(s)

1. As set forth by Virginia Code, the Commonwealth currently provides a tax credit for implementation of certain agricultural best management practices as discussed in the Tax Credit Guidelines of the VACS Manual.
2. If a participant receives cost-share, only the percent of the total cost of the project that the participant contributed is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority

(EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

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