**Section 506.210 Secondary Containment**

Despite *any other requirement of this subpart or 8 Ill. Adm. Code 900, every earthen livestock waste lagoon constructed* under *this subpart* must *include the construction of a secondary berm, filter strip, grass waterway, or terrace, or any combination of those, outside the perimeter of the primary berm if an engineer licensed under the Professional Engineering Practice Act of 1989 and retained by the registrant determines, with the concurrence of the department, that construction of such a secondary berm or other feature or features is necessary in order to ensure against a release of livestock waste from the lagoon that encroaches or is reasonably expected to encroach upon land other than the land occupied by the livestock waste handling facility of which the lagoon is a part; or that enters or is reasonably expected to enter the waters of this state*; or that enters or may reasonably be expected to enter a natural depression in a karst area and must be so designed. [510 ILCS 77/15(a)] The following criteria must be incorporated into the design of a system used for secondary containment:

a) A grass waterway constructed, installed, or used for this Section must meet or exceed the following:

1) A grass waterway must be designed and constructed to transfer the maximum expected flow rate of livestock waste that may reasonably be expected to be released from the lagoon;

2) A grass waterway must direct the flow of livestock waste away from the lagoon berm to a filter strip, secondary berm, terrace, or combination of these; and

3) Vegetation must be established and maintained to provide adequate ground cover.

b) A filter strip constructed, installed, or used for this Section must meet or exceed the following:

1) A filter strip must be designed and constructed to function at the maximum expected hydraulic loadings that may reasonably be expected to come from the lagoon; and

2) Vegetation must be established and maintained to provide adequate ground cover.

c) A secondary berm constructed, installed, or used for this Section must meet or exceed the following:

1) The storage volume created due to the construction of a secondary berm must be of sufficient capacity to contain the portion of the lagoon liquid that may reasonably be expected to be released from the lagoon plus any accumulated precipitation; and

2) A vegetative cover must be established. The area must be maintained by periodic mowing, the removal of woody plant species, or other measures to prevent erosion and berm deterioration.

d) A terrace constructed, installed, or used for this Section must meet or exceed the following:

1) The terrace must direct the livestock waste to a filter strip or grass waterway constructed or installed under this Section; and

2) Vegetation must be established and maintained to provide adequate ground cover on those portions of the terrace where crops are not grown.

e) The owner or operator of the earthen livestock lagoon may, upon written request and with written approval from the Department, modify or exceed the standards of this Section to meet site specific objectives. The owner or operator must demonstrate that such modification will be at least as protective of the groundwater, the surface water, and the structural integrity of the livestock waste management facility as the requirements of this Part.

(Source: Amended at 48 Ill. Reg. 3274, effective February 15, 2024)