**Section 506.311 Additional Design and Construction Standards for Construction in a Flood Fringe Area**

*No new non-lagoon livestock management facility or livestock waste handling facility may be constructed within the floodway of a 100-year floodplain. A new livestock management facility or livestock waste handling facility may be constructed within the portion of a 100-year floodplain that is within the flood fringe and outside the floodway* if *the facility is designed and constructed to be protected from flooding and meets the requirements set forth in the Rivers, Lakes, and Streams Act* [615 ILCS 5], *Section 5-40001 of the Counties Code* [55 ILCS 5/5-40001], *and executive order number 4 (1979).* [510 ILCS 77/13(b)(1)] Despite the other requirements of this Subpart or 8 Ill. Adm. Code 900, the following criteria must be incorporated into the design of a non-lagoon livestock management facility or livestock waste handling facility proposed for construction in the flood fringe of a 100-year floodplain:

a) The berms and walls must be designed and constructed to withstand the hydrostatic pressures from flood waters that may be exerted on the berms and walls during a flood event;

b) The elevation of the lowest point on the berm top and wall must be at the elevation of the 100-year flood plus a minimum of two feet;

c) For facilities with unequal length and width dimensions, the facility must be oriented with the longest dimension parallel to the expected direction of floodwater flow; and

d) The owner or operator of the livestock waste handling facility may, upon written request and with written approval from the Department, modify or exceed these standards 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 handling facility as the requirements of this Part.

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