



Oklahoma Department of Agriculture, Food, and Forestry

# Swine Feeding Operations

FAQs – Setback Requirements for New Operations

## What are the Setback and Restrictions for New Swine Feeding Operations in Oklahoma?

### Special points of interest:

- Additional information on swine feeding operation is located on the ODAFF AEMS website at:
- <http://ag.ok.gov/aems/swine.htm>
- For additional information or answers to any questions you may have, please contact our office at: (405) 522-5892

One of the most common questions we receive from the public is *“I want to build a new swine farm, what do I need to do?”*

That question is generally answered with a question. How confusing is that? The state statute and rules used to answer this question takes a bit of time to read and patience to understand. The not so simple answer to this simple question is *“Well it depends.”*

Basically it depends on how large of an operation is being considered and where is it going to be located? I ask these questions because there are setback requirements and some locations of the state that new swine feeding operations can not be established.



Swine Feeding Operation



This article is an attempt to help clarify the requirements so producers interested in operating a new swine feeding operation can determine if their operation can be located in a certain location. **To use this guide, you will need to have an idea how large or how many hogs you are wanting to have and a specific location in mind.** Then refer to the following pages for specific information related to size and locations. Please note that any new swine feeding operation established after November 1, 2011, with more than 100 animal units is required to be licensed by the Oklahoma Department of Agriculture, Food, and Forestry - Agricultural Environmental Management Services Division.

Before investing in acreage, please verify there are no restrictions or setbacks that limit your ability to establish a swine feeding operation in Oklahoma.

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For a swine feeding operations license application please contact our office at: 405-522-5892.

## New Swine Feeding Operations

(meeting one of the following criteria)

- Less than 250 Hogs Larger Than 55 lbs.,
- Less than 1,000 Hogs Smaller Than 55 lbs., or
- A Combination of all Sizes Totaling Less Than 100 Animal Units (AU)

Animal unit. "Animal unit" means a unit of measurement for any animal feeding operation. To determine total AUs for swine, multiply the total number of swine over 55 lbs. by 0.4 and the total number of swine under 55 lbs. by 0.1. Add those two numbers together to determine total AUs.

- Number of swine weighing over 55 pounds multiplied by 0.4
- Number of swine weighing under 55 pounds multiplied by 0.1

There are no required setbacks or licensing requirements from the State for new operations proposing to raise swine and are less than 100 Animal Units unless the operation is discharging waste to a water of the State. However, we suggest utilizing good management practices and recommend following the setback requirements found in O.S. 2 § 20-19 A. and B. for liquid waste applications. Those recommendations are as follows:

- No liquid swine waste shall be land applied within five hundred (500) feet of the nearest corner of an occupied residence not owned or leased by the owner of the swine feeding operation.
- No liquid swine waste shall be land applied within three hundred (300) feet of an existing public or private drinking water well.

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*This page covers  
Swine Feeding  
Operations Less Than  
100 AUs*

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*No State Licensing Requirement for  
Operations this Size or Smaller...  
Note Recommendations Above...*



# New Swine Feeding Operations

(meeting one of the following criteria)

- Between 250 and 750 Hogs Larger Than 55 lbs.,
- Between 1,000 and 3,000 Hogs Smaller Than 55 lbs., or
- A Combination of all Sizes Totaling Between 100 and 300 Animal Units (AU)

Animal unit. "Animal unit" means a unit of measurement for any animal feeding operation. To determine total AUs for swine, multiply the total number of swine over 55 lbs. by 0.4 and the total number of swine under 55 lbs. by 0.1. Add those two numbers together to determine total AUs.

- Number of swine weighing over 55 pounds multiplied by 0.4
- Number of swine weighing under 55 pounds multiplied by 0.1

## O.S. 2 § 20-6 - License Requirement

- Any new swine feeding operation established after November 1, 2011, with more than 100 animal units shall be required to be licensed pursuant to the provisions of the Oklahoma Swine Feeding Operations Act and the rules promulgated pursuant to that act.

## O.S. 2 § 20-19 - Setback Requirements for Swine Feeding Operations

- No liquid swine waste shall be land applied within five hundred (500) feet of the nearest corner of an occupied residence not owned or leased by the owner of the swine feeding operation<sup>1</sup>.
- No liquid swine waste shall be land applied within three hundred (300) feet of an existing public or private drinking water well.

## O.S. 2 § 20-21 - Restrictions on Locations of Certain Animal Feeding Operations

- Swine waste management systems and housing swine in roof-covered structures shall not be located within the following applicable distances from an occupied residence:
  - ◊ Less than 300 swine animal units.....no setback
- New swine feeding operations shall not be located within three (3) miles from the outside boundary of any area or facility with an average annual registered attendance of not less than two thousand (2,000) people and owned or operated as a camp or recreational site by a nonprofit organization established prior to application of the swine feeding operation.
- New swine feeding operations shall not be located within one (1) mile from the outside boundary of any area or facility with an average annual registered attendance of less than two thousand (2,000) people and owned or operated as a camp or recreational site by a nonprofit organization established prior to application of the swine feeding operation.
- If new operations are this size or larger, ODAFF requires a state license. For a complete list of requirements and documents needed to complete the application, please see: <http://ag.ok.gov/aems/swine.htm>.

***This page covers Swine Feeding Operations between 100 and 300 AUs***



<sup>1</sup> Not applicable if the property owner(s) executes a written waiver with the owner or operator of the swine feeding operation, under the terms and conditions that the parties negotiate.

# New Swine Feeding Operations

(meeting one of the following criteria)

- Between 750 and 2,500 Hogs Larger Than 55 lbs.,
- Between 3,001 and 10,000 Hogs Smaller Than 55 lbs., or
- A Combination of all Sizes Totaling Between 301 and 1,000 Animal Units (AU)

Animal unit. "Animal unit" means a unit of measurement for any animal feeding operation. To determine total AUs for swine, multiply the total number of swine over 55 lbs. by 0.4 and the total number of swine under 55 lbs. by 0.1. Add those two numbers together to determine total AUs.

- Number of swine weighing over 55 pounds multiplied by 0.4
- Number of swine weighing under 55 pounds multiplied by 0.1

***This page covers Swine Feeding Operations between 301 and 1,000 AUs***

***This Size and Larger are Considered Concentrated Swine Feeding Operations***



## O.S. 2 § 20-19 - Setback Requirements for Swine Feeding Operations

- No liquid swine waste shall be land applied within five hundred (500) feet of the nearest corner of an occupied residence not owned or leased by the owner of the swine feeding operation<sup>1</sup>.
- No concentrated swine feeding operation shall be established within one (1) mile of 10 or more residences that are occupied residences at the time of the establishment of the concentrated swine feeding operation<sup>1</sup>.
- No liquid swine waste shall be land applied within three hundred (300) feet of an existing public or private drinking water well.
- No concentrated swine feeding operation shall be established if located:
  1. Within three (3) miles of a state park or resort;
  2. On land within three (3) miles of the incorporated limits of any municipality; or
  3. Within three (3) miles of the high water mark of a surface public water supply if the concentrated swine feeding operation is located within the drainage basin for the public water supply.

## O.S. 2 § 20-21 - Restrictions on Locations of Certain Animal Feeding Operations

- Swine waste management systems and housing swine in roof-covered structures shall not be located within the following applicable distances from an occupied residence:
  - ◇ 601 to 1,000 swine animal units.....1/2 mile
  - ◇ 300 to 600 swine animal units.....1/4 mile
- New swine feeding operations shall not be located within three (3) miles from the outside boundary of any area or facility with an average annual registered attendance of not less than two thousand (2,000) people and owned or operated as a camp or recreational site by a nonprofit organization established prior to application of the swine feeding operation.
- New swine feeding operations shall not be located within one (1) mile from the outside boundary of any area or facility with an average annual registered attendance of less than two thousand (2,000) people and owned or operated as a camp or recreational site by a nonprofit organization established prior to application of the swine feeding operation.

<sup>1</sup> Not applicable if the property owner(s) executes a written waiver with the owner or operator of the swine feeding operation, under the terms and conditions that the parties negotiate.

# New Swine Feeding Operations (LMFOs)

(meeting one of the following criteria)

- Greater Than 2,500 Hogs Larger Than 55 lbs.,
- Greater Than 10,000 Hogs Smaller Than 55 lbs., or
- Greater Than 1,000 Animal Units (AU)

Animal unit. "Animal unit" means a unit of measurement for any animal feeding operation. To determine total AUs for swine, multiply the total number of swine over 55 lbs. by 0.4 and the total number of swine under 55 lbs. by 0.1. Add those two numbers together to determine total AUs.

- Number of swine weighing over 55 pounds multiplied by 0.4
- Number of swine weighing under 55 pounds multiplied by 0.1

***This page covers Swine Feeding Operations Greater Than 1,000 AUs (LMFOs)***

***Swine Feeding Operations Larger than 1,000 AUs are termed Licensed Managed Feeding Operations (LMFO)***

## O.S. 2 § 20-19 - Setback Requirements for Swine Feeding Operations

- No liquid swine waste shall be land applied within five hundred (500) feet of the nearest corner of an occupied residence not owned or leased by the owner of the swine feeding operation<sup>1</sup>.
- No concentrated swine feeding operation shall be established within one (1) mile of ten or more residences that are occupied residences at the time of the establishment of the concentrated swine feeding operation<sup>1</sup>.
- No liquid swine waste shall be land applied within three hundred (300) feet of an existing public or private drinking water well.
- No concentrated swine feeding operation shall be established if located:
  1. Within three (3) miles of a state park or resort;
  2. On land within three (3) miles of the incorporated limits of any municipality; or
  3. Within three (3) miles of the high water mark of a surface public water supply if the concentrated swine feeding operation is located within the drainage basin for the public water supply.

## O.S. 2 § 20-21 - Restrictions on Locations of Certain Animal Feeding Operations

- Swine waste management systems and housing swine in roof-covered structures shall not be located within the following applicable distances from an occupied residence:
  - ◇ More than 4,000 swine animal units.....2 miles
  - ◇ 2001 to 4,000 swine animal units.....1 1/4 miles
  - ◇ 1001 to 2,000 swine animal units.....3/4 mile
- New swine feeding operations shall not be located within three (3) miles from the outside boundary of any area or facility with an average annual registered attendance of not less than two thousand (2,000) people and owned or operated as a camp or recreational site by a nonprofit organization established prior to application of the swine feeding operation.
- New swine feeding operations shall not be located within one (1) mile from the outside boundary of any area or facility with an average annual registered attendance of less than two thousand (2,000) people and owned or operated as a camp or recreational site by a nonprofit organization established prior to application of the swine feeding operation.

[Additional requirements on the following page>>>](#)



<sup>1</sup> Not applicable if the property owner(s) executes a written waiver with the owner or operator of the swine feeding operation, under the terms and conditions that the parties negotiate.

## New Swine Feeding Operations (LMFOs)

(meeting one of the following criteria)

- Greater Than 2,500 Hogs Larger Than 55 lbs.,
- Greater Than 10,000 Hogs Smaller Than 55 lbs., or
- Greater Than 1,000 Animal Units (AU)

Animal unit. "Animal unit" means a unit of measurement for any animal feeding operation. To determine total AUs for swine, multiply the total number of swine over 55 lbs. by 0.4 and the total number of swine under 55 lbs. by 0.1. Add those two numbers together to determine total AUs.

- Number of swine weighing over 55 pounds multiplied by 0.4
- Number of swine weighing under 55 pounds multiplied by 0.1

### Continued:

#### O.S. 2 § 20-21 - Restrictions on Locations of Certain Animal Feeding Operations

- No licensed managed feeding operation established after June 10, 1998 which applies for a new or expanding license shall be located:
  - ◇ Within three (3) miles of any designated scenic river area as specified by the Scenic Rivers Act;
  - ◇ Within three (3) miles of the outside boundary of any historic property or museum owned by the State of Oklahoma;
  - ◇ Within three (3) miles of a public drinking water well;
  - ◇ Within one (1) mile of a water body specified as Outstanding Resource Waters that has recreational or ecological significance as outlined by the most current Water Quality Standards promulgated by the Oklahoma Water Resources Board; or
  - ◇ Within three (3) miles of a national park designated by the United States Department of the Interior National Park Service.

#### O.S. 2 § 20-22 - Prohibition Against Accepting Certain Applications

The Oklahoma Department of Agriculture, Food, and Forestry shall not accept or approve any pending applications requesting permits for construction or expansion of any concentrated swine feeding operation to be located within one (1) mile upstream of the Pensacola Project boundary as described in the records of the Grand River Dam Authority and the Federal Emergency Management Agency.

**This page covers Swine Feeding Operations Greater Than 1,000 AUs (LMFOs)**

**Swine Feeding Operations Larger than 1,000 AUs are termed Licensed Managed Feeding Operations (LMFO)**

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*The Agricultural Environmental Management Services (AEMS) Division is dedicated to working with producers and citizens in protecting the state's natural resources. The AEMS Division was created by the Oklahoma legislature in 1997 to help develop, coordinate and oversee environmental policies and programs primarily related to poultry, cattle and swine industries.*

*Responsibilities include the licensing, registration and inspection of these licensed operations in Oklahoma.*

*The AEMS Division has ten field inspectors stationed across the state of Oklahoma.*

*For more information about the Oklahoma Swine Feeding Operations Act, please contact our office at (405) 522-5892.*

