

567—65.106(459A) Construction. For purposes of these rules:

65.106(1) Construction of an animal feeding operation structure begins or an animal feeding operation structure is constructed when any of the following occurs:

- a.* Excavation commences for a proposed open feedlot operation structure or proposed expansion of an existing open feedlot operation structure.
- b.* Installation of forms for concrete for a proposed open feedlot operation structure or the proposed expansion of an existing open feedlot operation structure.
- c.* Installation of piping for movement of settled open feedlot effluent or open feedlot effluent within or between open feedlot operation structures as proposed or proposed to be expanded.

65.106(2) Construction does not begin upon occurrence of any of the following:

- a.* Removal of trees, brush, or other vegetative growth.
- b.* Construction of driveways or roads.
- c.* General earth moving for leveling or compacting at the site.
- d.* Installation of temporary utility services.