



Overview of the Final CAFO Regulations

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NPDES Permits

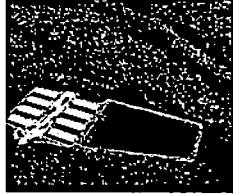
- National Pollutant Discharge Elimination System
- Started with Clean Water Act of 1972
 - Federal permit intended to eliminate or substantially minimize the negative environmental effects of any operation on surface waters

CAFO Rule Guiding Principles

- Simplify and clarify
- Flexibility for States
- Promote manure management practices
- Complement USDA efforts
- Promote new technologies
- Emphasis on large CAFOs
- Foster voluntary efforts for medium and small AFOs

Why Did EPA Revise The CAFO Regulations?

- Address water quality problems
- Update the 25-year old regulations
- Improve CAFO Program Implementation



Major Rule Elements

- All Large Operations Must Apply
 - Permit Exemption Eliminated
 - Dry Poultry Included
 - No potential to discharge determination
- Effluent Limitation Guideline (ELG)
 - No Discharge exc. large rainfall (e.g. 25/24)
 - Land Application Requirements (N and P)
 - Alternative Performance Standards
- Nutrient Management Plan Required
 - Implement by December 2006
- Annual Report Required

Nutrient Management Plan Elements

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|----------------------------|--|
| ■ Adequate storage | ■ Site-specific conservation practices |
| ■ Mortality management | ■ Manure/soil testing |
| ■ Divert clean water | ■ Land application |
| ■ Prevent direct contact | ■ Records and documentation |
| ■ Proper chemical handling | |

Key Definitions

- **Animal Feeding Operation**
 - Confines animals for 45 days in 12 months
 - Sustains no vegetation in confinement area
- **Concentrated Animal Feeding Operation**
 - Large
 - Medium
 - Stream running through confinement area
 - Man-made conveyance to surface water
 - Small (Designation)
 - Same criteria as Medium
 - Significant contributor of pollutants
 - On-site inspection

How Many Operations Will Be Regulated?

- 15,500 CAFOs will require NPDES permits
 - 11,000 Large facilities
 - 4,500 Medium facilities defined as CAFOs
- A limited number of small facilities may be designated
- This captures 60 percent of all AFO manure

Large CAFO Thresholds

INDUSTRY THRESHOLDS	
Animal Type	Large CAFO
Dairy Cows	700
Veal Calves	1,000
Beef Cattle	1,000
Other Cattle (e.g. Heifers)	1,000
Swine	2,500 (55 lbs or more)
	10,000 (under 55 lbs)
Horses	500
Sheep or Lambs	10,000
Turkeys	55,000
Chickens, liquid manure	30,000
Chickens, other than a liquid manure system	125,000 (not laying hens)
	82,000 (laying hens)
Ducks	30,000 (except liquid manure system)
	5,000 (liquid manure system)

Medium CAFOs Thresholds

INDUSTRY THRESHOLDS	
Animal Type	Medium CAFO
Dairy Cows	200 - 699
Veal Calves	300 - 999
Beef Cattle	300-999
Other Cattle (e.g. Heifers)	300 - 999
Swine	750 - 2,499 (55 lbs or more) 3,000 - 9,999 (under 55 lbs)
Horses	150 - 499
Sheep or Lambs	3,000 - 9,999
Turkeys	16,500 - 54,999
Chickens, liquid manure	9,000 - 29,999
Chickens, other than a liquid manure system	37,500 -124,999 (not laying hens) 25,000 - 81,999 (laying hens)
Ducks	10,000 - 29,999 (exc. liq. manure system) 1,500 - 4,999 (liquid manure system)

SMALL CAFOs Thresholds

INDUSTRY THRESHOLDS	
Animal Type	Small CAFO
Dairy Cows	Less than 200
Veal Calves	Less than 300
Beef Cattle	Less than 300
Other Cattle (e.g. Heifers)	Less than 300
Swine	Less than 750 (55 lbs or more) Less than 3,000 (under 55 lbs)
Horses	Less than 150
Sheep or Lambs	Less than 3,000
Turkeys	Less than 16,500
Chickens, liquid manure	Less than 9,000
Chickens, other than a liquid manure system	Less than 37,500 (not laying hens) Less than 25,000 (laying hens)
Ducks	Less than 10,000 (exc. liquid manure) Less than 1,500 (liquid manure system)

Who Will Be Responsible For Administering The NPDES Permits?

Division of Water Quality (DWQ)

Who Will Be Required To Obtain An NPDES Permit?

- All operations in the large threshold category
- Also, any operation with documented water quality violations may be required by DWQ, on a case-by-case basis

Requirements For All Chicken Or Turkey CAFOs

- Implement a nutrient management plan
- Submit annual reports to DWQ
- Keep your permit current until you completely close your operation and remove all manure
- Keep records of NM practices for at least 5 years

Land Application Area

- Apply manure at rates that meet your permitting authority's standards
- Analyze manure for nutrient content at least once per year
- Analyze the soil from your land application fields for P amounts every 5 years

Land Application Area

- Avoid applying manure to any land within 100 feet of surface water
- Inspect your land application equipment for leaks

Transferring Manure To Other Persons

- Keep records for at least 5 years on the date, recipient, amount, and nutrient content of the manure you transferred
- Information about the nutrient content of your manure must be given to the recipient

Annual Report Requirements

- Number/type of animals
- Amount of manure/wastewater generated
- Amount of manure/wastewater transferred
- Land application acres covered by nutrient management plan
- Land application acres used in previous 12 months
- Summary of production area discharges
- Indicate whether NMP was developed by certified planner

What Proposals Were Not Adopted?

- Mandatory co-permitting requirements
- Mandatory ground water requirements
- Required use of certified nutrient management planners
- Certification from persons receiving CAFO manure
- Lowering of CAFO thresholds



Implementation Schedule

Duty to Apply	
TYPE OF OPERATION	APPLICATION TIMES
Existing CAFOs	Ongoing duty to apply prior to and following
Newly regulated operations	As specified by the permitting authority, but no later than 3 years after
New dischargers	Within 90 days after the time the AFO meets the conditions of being defined a CAFO
New sources	180 days prior to the time the CAFO commences operation
Designated CAFOs	90 days after receiving notice of designation
Nutrient Management Plan Implementation	By December 31, 2006

Implementation Next Steps

- Comprehensive National Implementation Plan
- Continue to partner with USDA and State Ag Agencies
- Support state implementation plans
- Update State NPDES Programs
- Issue NPDES Permits
 - Nutrient Management Plans
 - Annual Reports
- Measures of success/assess environmental results

More Information

- CAFO regulations and outreach materials:
www.epa.gov/npdes/caforule
www.epa.gov/ost/guide/CAFO/
- Compliance assistance:
www.epa.gov/agriculture
- USDA programs: www.usda.gov
