

# Public Workshop on Update of Board Order No. 01-800

## NPDES Permit and Waste Discharge Requirements for Concentrated Animal Feeding Operations (CAFOs)

January 31, 2008



# Common Questions

- Who should apply for a Permit? (Handout #1)
- Which CAFOS will be covered?
- Why is the Permit being updated now?
- What requirements are being updated? (Handout #2)
- What are the recordkeeping requirements for my operation? (Handout #3, #4 & #5)
- What must be included in a NMP? (Handout #6)
- What is in the Annual Report? (Handout #7)
- What reports must be submitted? (Handout #8)



# Who should apply for a Permit? (Handout #1)

- CAFOs that may discharge when:
  - Precipitation causes an overflow, and
  - The overflow is from a structure that is properly designed, constructed, operated, and maintained.
- Permit provides upset provisions that can protect enrollees from legal liability for discharges caused by emergencies or natural disasters.
- Unpermitted CAFOs are liable for any discharge

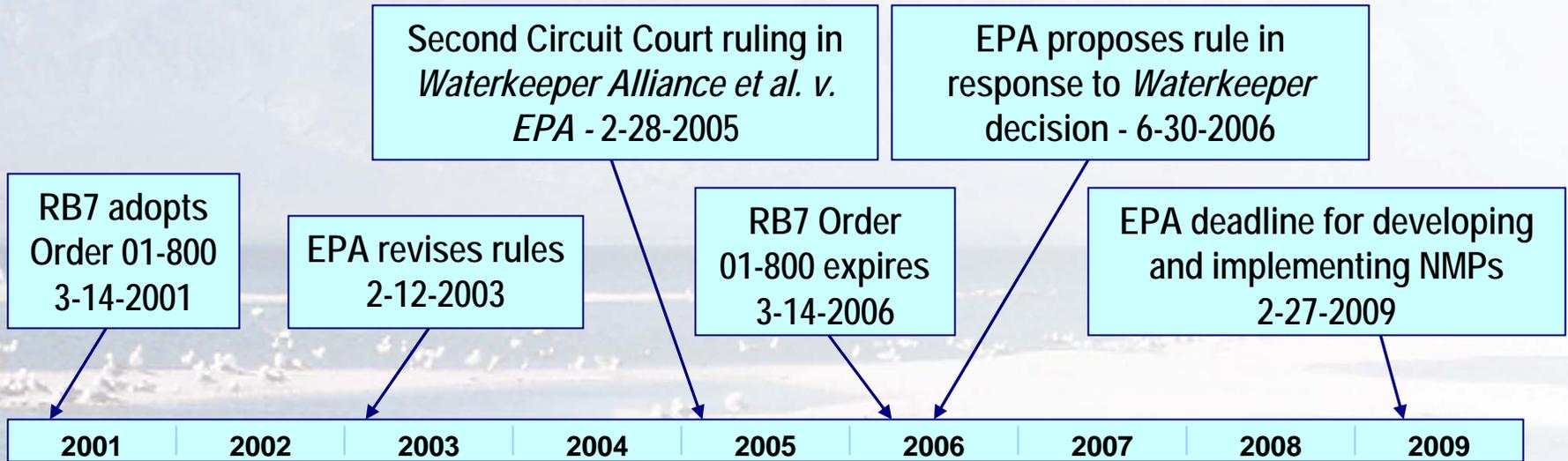


# Which CAFOs will be covered?

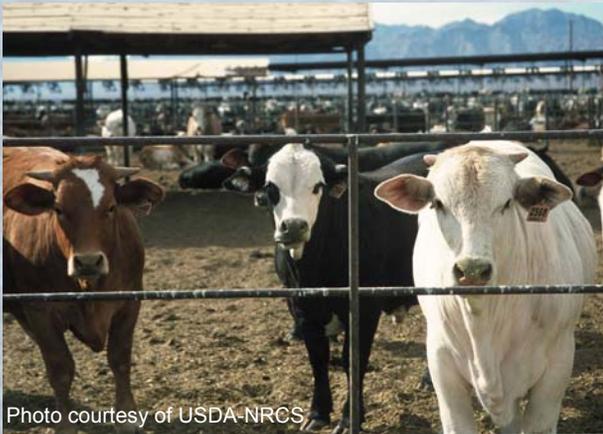
- Existing Order covers all CAFOs
  - Feedlots, dairies  $\geq 20$  head
  - Heifer ranches, calf nurseries  $\geq 50$  head
- Revised Order – CAFOs that “discharge or propose to discharge”
  - Includes discharges from land application areas, except agricultural stormwater
- Includes feedlots and dairies as well as other CAFO types



# Why is the Permit being updated now?



RB7 renewing Order to provide CAFOs time to develop and implement NMPs before federal deadline



# New Changes to Record Keeping, Annual Report, Closure Requirements

- Federal regulations require records for production and land application areas
  - Permit will include Recordkeeping forms
- Annual report
  - Permit will include a new Annual Report Form
- Facility closure – Permit no longer required if no remaining potential for discharge of manure or process wastewater

# What requirements are being updated? (Handout #2)

- Production Area Visual Inspections
- Manure Nutrient Analyses for Large CAFOs
- Additional Best Management Practices
- Nutrient Management Plan (NMP)

# What are the recordkeeping requirements for my operation? (Handout #3)

- Case 1 – No manure is applied on-site, manure is transferred to third party
- Case 2 – Permittee composts manure on-site
- Case 3 – Permittee spreads any amount of raw manure on land under their control

# What are the recordkeeping requirements? (Handout #4)

- Engineered Waste Management Plan (EWMP)
- Storm Water Management Structure Inspections Log
- Water Line Inspections Log
- Implementation Recordkeeping Log
- Manure Tracking Manifest
- Manure Nutrient Analyses for Large CAFOs
- Nutrient Management Plan - if applicable
- Compost Reporting - if applicable



# What are some examples of required logs? (Handout #5)

- Storm Water Management Structure Inspections Log
- Manure Tracking Manifest
- Water Line Inspections Log
- Compost Reporting (if applicable)

# What must be included in a NMP? (Handout #6)

- Permitted CAFOs must develop and implement NMP for land application of manure
- Minimum elements
  - Conservation practices
  - Manure/soil testing
  - Protocols for proper land application\*
  - Implementation records
- Technical standards for NMP

*\*Existing Order includes same or similar requirement*

# NMP (cont.)

- Deadline to develop NMP - Dec. 2008
  - Anyone can develop
  - Technical assistance
    - NRCS?
    - Farm Bureau?
    - Software – Purdue University “Manure Management Planner”?
- Regional Board need to provide NMP for public review
- NMP needs to be implemented by 2/27/2009



# What is in the Annual Report? (Handout #7)

- Part A – General Information Reporting
- Part B – Composting Reporting
- Part C – NMP Reporting
- Certification Statement

# What is required to be filled out in the Annual Report?

Permittee to submit Annual Report and Certify the following Parts:

- Case 1 – No manure is applied on-site, manure is transferred to third party
  - **Part A**
- Case 2 – Permittee composts manure on-site
  - **Part A and B**
- Case 3 – Permittee spreads any amount of raw manure on land under their control
  - **Part A and C**



# What reports must be submitted? (Handout #8)

- Notice of Intent
  - Within 60 days of Permit adoption
  
- EWMP
  - Within 60 days of Permit adoption
  
- NMP
  - Report due Dec 1, 2008
  - Federal Implementation Deadline Feb 27, 2009
  
- Annual Report
  - Jan 15 of each year

# Next Steps

## Tentative Dates for Permit Actions

- Draft Permit to be Noticed for Public Review (30 day comment period to begin) - **April 9, 2008**
- Public Notice Period ends – **May 12, 2008**
- Draft Permit to be considered for adoption by the Board at a Public Hearing – **June 25, 2008**



# Provisions Subject to Change

- EPA is finalizing regulations to respond to court decisions on “*Waterkeeper*” Court Case
- Provisions of RB7 Order may need to be revised
  - NMP submittal, review, and modification procedures
  - Annual report information

# Questions? (Handout #9)

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