

Pennsylvania's CAFO Program

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Pennsylvania's Manure Management and CAFO Regulations

Highlights of October 2005
Revisions to Chapters 91 & 92
and Interim Implementation
Guidance



Application deadlines for new CAFOs:

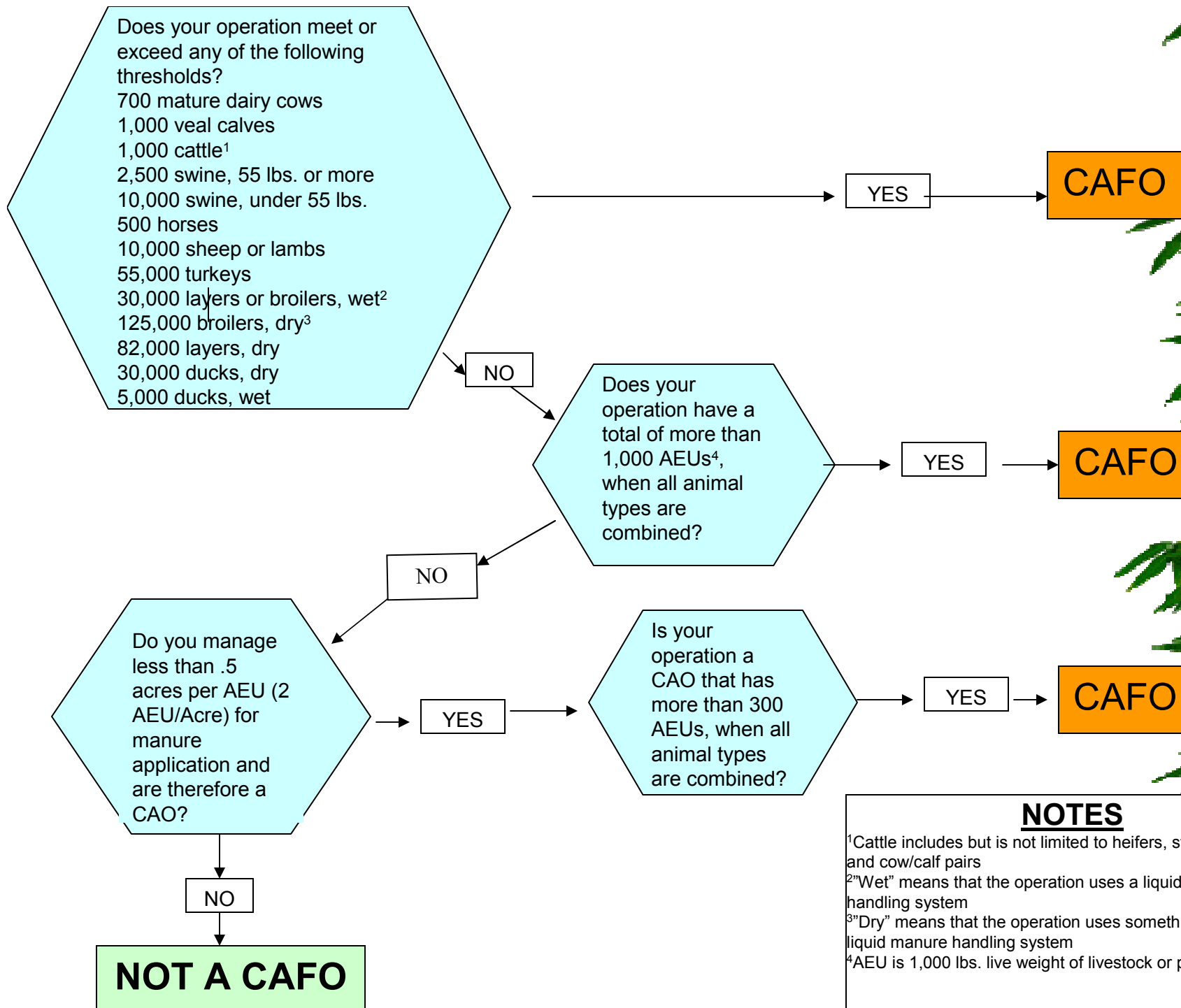
- Existing CAFOs that meet EPA's Large CAFO threshold and dry poultry operations with > 500 AEUs – April 24, 2006;
- Existing dry poultry operations which meet the preceding CAFO definitions with < 500 AEUs – January 22, 2007;
- New operations or existing operations that will become CAFOs due to increased animals or loss of land – 180 days prior to commencing operation (must receive permit prior to commencing operation).



New definition of a CAFO:

- Any operation with > 1,000 AEUs;
- CAO with > 300 AEUs;
- Any operation defined as a Large CAFO in 40 CFR 122.23:
 - ✓ 700 mature dairy cows (milking or dry) or 1,000 veal calves
 - ✓ 1,000 cattle other than above (heifers, steers, bulls, cow/calf pairs)
 - ✓ 2,500 swine weighing more than 55 lbs
 - ✓ 10,000 swine weighing less than 55 lbs
 - ✓ 500 horses
 - ✓ 10,000 sheep or lambs
 - ✓ 55,000 turkeys
 - ✓ 30,000 chickens or 5,000 ducks with liquid manure systems
 - ✓ 82,000 laying hens with dry manure systems
 - ✓ 125,000 pullets or broilers with dry manure systems





NOTES

¹Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs

²"Wet" means that the operation uses a liquid manure handling system

³"Dry" means that the operation uses something other than a liquid manure handling system

⁴AEU is 1,000 lbs. live weight of livestock or poultry animals

Important dates

- ★ **October 22, 2005** - effective date for CAFO & manure management revisions to Chapters 91 and 92.
- ★ **January 1, 2006** - effective date for ACRE legislation, setbacks for CAFOs, CAOs and CAFO/CAO Importers must be implemented.
- ★ **October 1, 2006** - effective date for State Conservation Commission Chapter 83 regulations.



CAFO NPDES permit applications must include:

- An approved NMP that addresses phosphorus, contains setbacks, includes language that manure stockpiles are to be covered after 15 days, and meets the new Chapter 83 regulations. By policy, DEP will allow newly regulated operations and existing operations seeking permit renewals a period of time to submit revised NMPs.
- An E&S Plan meeting Chapter 102.4.
- A Preparedness, Prevention and Contingency (PPC) Plan.
- Plans that address storage of raw materials such as feed, e.g., silage leachate management systems.
- Engineer certifications of newly constructed or existing manure storage facilities, as applicable.
- Other information as appropriate.



Manure storage

- ★ All new or expanded manure storage facilities must be designed and certified by a P.E. and must conform to NRCS Technical Standards and Manure Management Manual unless a WQM permit is issued by DEP.
- ★ New or expanded swine, veal or poultry operations after April 14, 2003 must size liquid and semi-solid manure storage facilities (when exposed to precipitation) for the 100-year, 24-hour storm event.
- ★ New definition for agricultural process wastewater (cleaning wastewater, milkhouse wastes, egg washwater) – now treated as manure for purpose of manure storage.



WQM Permits and Freeboard Requirements

- ★ A WQM permit is required for new or expanded liquid or semi-solid manure storage facilities if:
 - The facility is at a CAFO > 1,000 AEUs;
 - The facility has a capacity of at least 2.5 million gallons;
 - The facility has a capacity of between 1 and 2.5 million gallons and is in a Special Protection or Ag-impaired watershed due to nutrients (contact for DEP for an official determination)

- ★ Manure storage facility freeboard requirements:
 - 24 inches for CAFOs > 1,000 AEUs constructed after Jan 2000 that are exposed to precipitation;
 - 12 inches for all other manure storage facilities at CAFOs that are exposed to precipitation;
 - 6 inches for all manure storage structures at CAFOs that are not exposed to precipitation.



Set backs and buffers

- ★ All CAOs and CAO/CAFO importers must comply with 100' setbacks or 35' buffers from surface waters (a perennial or intermittent stream, a lake, or a pond).
- ★ CAFOs must comply with 100' setbacks or 35' buffers from surface waters or potential conduits to surface waters, including open tile line intake structures, sinkholes, and agricultural wellheads.



Manure application considerations

- ★ Land application of manure on any farm must be done according to a plan that includes calculation of N and P application rates for crop needs and soil and manure testing, or otherwise a permit is required.
- ★ Winter application is not recommended. NMPs should identify fields available for safe, limited application that will not result in pollution. Freeboard by the beginning of winter should be sufficient to carry the operation through the winter without relying on winter application if possible.



CAFO Implementation Guidance

- ★ DEP will participate in reviews of CAFO NMPs with SCC and Districts. DEP's review of NMPs will focus on ensuring consistency and issues that may affect water quality.
- ★ Engineer certifications for existing manure storage facilities:
 - Required by policy for all manure storage facilities at CAFOs > 1,000 AEUs, constructed prior to Jan 2000, as part of permit application.
 - Engineer certifications for existing manure storage at CAFOs < 1,000 AEUs not necessary unless specifically required by DEP during permit application review.
 - A corrective action plan will be necessary in the event that DEP identifies a concern with a manure storage facility.
- ★ New manure storage facilities built after January 2000 must have a post-construction PE Certification



CAFO Implementation Guidance

- ★ E&S Plans for importing farms located in Special Protection or Ag-impaired watersheds should be submitted with the CAFO permit application.
- ★ NMPs should consider manure storage levels (freeboard) that are necessary for the operation for implementation.
- ★ It is recommended that DEP be contacted for guidance anytime changes are planned for an operation that may require amendments to the NMP and/or CAFO permit.
- ★ Pre-application meetings are recommended for all new operations.
- ★ If the CAFO has satellite operations, the satellite operations may or may not be included as part of a CAFO permit depending on issues such as integrated manure management and location.



CAFO Implementation Guidance

CAFO Individual and General Permit Renewal Application NMPs

- ★ Prior to 10/1/06 NMPs meet current regulations
- ★ After 10/1/06 existing current NMPs acceptable until the earliest of the following
 - Current permit coverage period expires
 - NMP 3-year renewal
 - Significant change to operation that requires a revision to the NMP
 - Another date specified in the CAFO Permit



Inspection and Recording Keeping

- ★ DEP does yearly inspection
- ★ Operator does weekly inspection
 - Storage
 - Impoundments
 - Silage
 - Leak detection
- ★ Written reports are kept on site
- ★ IPs must submit quarterly



Issued Permits

- ★ SCRO 211
 - 112 Individual
 - 99 General
- ★ NCRO
 - 40 Permits
- ★ Other 4 Regions
 - 1 to 4 each



CAFO Implementation Guidance

- ★ September 1, 2007
- ★ www.dep.state.pa.us
- ★ Keyword
- ★ CAFOs



watershedmgmt: Nutrient Management CAFO Default - Microsoft Internet Explorer provided by DEP

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- Nutrient Management Home
- Watershed Management Home
- PA DEP Home
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Nutrient Management Program

Concentrated Animal Feeding Operations (CAFOs)

- General Information
 - [Understanding CAFOs](#)
- Farm-Specific Information
 - [Is my operation a CAFO? \(word\)](#)
 - [Which CAFO permit do I need? \(word\)](#)
- CAFO Regulations
 - [Definitions](#)
 - [Text of Regulations](#)
- CAFO Guidance
 - [Implementation Guidance for NPDES CAFO Permits and Water Quality Management Permits for Manure Storage Facilities \(pdf\)](#)
- Permit Application Packages
 - [Individual Permit](#)
 - [General Permit PAG-12](#)
 - [Sample General Permit](#)
 - [General Information Form](#)

Done Local intranet

Easy Questions?

Thank you

