



Fact Sheet

Commonwealth of Pennsylvania • Department of Environmental Protection

Understanding CAFOs

What is a CAFO?

CAFO -- or concentrated animal feeding operation -- refers to a farm where large quantities of livestock or poultry are housed inside buildings or in confined feedlots. More traditional pastures and feeding practices are not used.

While operations vary in size, CAFOs in Pennsylvania are defined as operations with either more than 1,000 animal equivalent units (AEUs), or operations with 301 to 1,000 AEUs, which have the potential to discharge to surface waters. An AEU is defined as 1,000 lbs. of live animal weight.

With so many animals concentrated in one area, what happens to the manure?

Typically manure is removed from the livestock buildings or feedlots and stored until it can be spread on farm fields, sold to other farmers or composted.

When CAFOs and storage facilities are properly designed, constructed and managed, manure is an agronomically important and environmentally safe source of nutrients and organic matter necessary for the production of food, fiber and good soil health. When properly applied to land, manure will not cause water quality problems.

How does DEP protect water quality near CAFOs?

To protect water quality, DEP, with the assistance of stakeholders, has developed a strategy that integrates existing nutrient management regulations with new CAFO permitting requirements. The intent of this strategy is to ensure all CAFOs are constructed and managed in an environmentally sound manner, while providing for profitable agricultural production based on sound technology and practical techniques.

This strategy also helps fulfill DEP's obligations under the federal Clean Water Act.

How are CAFOs regulated?

CAFO permitting requirements are derived from two sources: the federal Clean Water Act and DEP's National Pollution Discharge Elimination System (NPDES) Program regulations. To meet this federal statute, DEP has established a CAFO permitting approach which includes both individual and general

NPDES permits. Also, DEP will use the state Water Quality Management Part II Permitting process to assure proper siting, design and construction of manure storage facilities.

What are the permitting requirements?

DEP's existing baseline CAFO requirements are:

1. a Nutrient Management Plan, including a contingency plan for manure spills and related discharges, that has been submitted to and approved by the county conservation district or State Conservation Commission;
2. a Pennsylvania-registered professional engineer's certification that new manure storage facility design and construction are consistent with the *Pennsylvania Technical Guide*;
3. an approved Erosion and Sediment Control Plan for acreage where manure will be applied and available on site at all times during construction of roads, buildings or manure storage facilities; and
4. the appropriate NPDES Permit for Stormwater Discharges Associated with Construction Activities for earth disturbances of five acres or more.

Are permitting requirements the same regardless of CAFO size?

No, large CAFOs with more than 1,000 AEUs must meet more requirements. DEP requires large CAFOs to have:

1. a Pennsylvania-registered professional engineer's certification that existing manure storage facilities are designed and operated in accordance with the *Pennsylvania Technical Guide*;
2. a Water Quality Management Part II CAFO Permit for new or expanded manure storage facilities;
3. a Preparedness, Prevention and Contingency Plan for on-site use of chemicals such as petroleum products and for emergency response ; and
4. importer or broker agreements addressing the land application of exported manure.

What determines whether an individual or a general NPDES permit is needed?

New or expanding farm operations with more than 1,000 AEUs, operations with more than 300 AEUs located in a special protection watershed and operations with direct discharges to surface waters are required to obtain individual NPDES permits.

A simplified individual permit application form and process has been developed for CAFOs with less than 1,001 AEUs within Special Protection waters. The permit application fee is waived for this group of CAFOs.

Outside of special protection watersheds, existing farm operations can apply for NPDES coverage through a general permit by filing a Notice of Intent to Operate (NOI) under the general permit.

What input does the public have?

Public participation is required for **ALL** CAFO permits. For each permit:

1. a general permit was available for public comment before it was adopted;
2. notice of application for an individual permit and notice of receipt of an NOI for coverage under the general permit will be published in the *Pennsylvania Bulletin*;
3. for individual permits, notification will be given to the municipality where the CAFO would be located and be published in a local newspaper;
4. a 30-day public comment period will be provided;
5. DEP will consider and respond to all public comments before taking final action;
6. a public hearing will be held for all proposed CAFO permits in an Exceptional Value watershed;
7. when requested, a public hearing will be held for any proposed CAFO permit in other watersheds;
8. DEP will publish notice of final action on all permits and NOI requests in the *Pennsylvania Bulletin*.

How will DEP ensure compliance?

By 2002, DEP plans to assess the potential for manure discharges from existing large CAFO manure storage facilities. DEP will assess facilities in High Quality and Exceptional Value watershed areas first.

At present, all farming operations with a direct discharge to surface waters under normal operating conditions are required to obtain an individual NPDES permit which includes effluent limitations and other terms and conditions for treatment and discharge facilities.

DEP will give facilities with less than 1,000 AEUs that are not CAFOs an opportunity to eliminate the discharge and avoid the need for an NPDES permit.

All CAFOs are required to be self-monitoring. DEP will inspect all large CAFOs at least once a year and spot-check smaller CAFOs.

For More Information

For more information on this strategy, contact Division of Wastewater Management, Bureau of Water Quality Protection, P.O. Box 8774, Harrisburg, PA 17105-8774, or telephone 717-787-8184, fax: 717-772-5156 or e-mail: Lauch.Milt@dep.state.pa.us.

This fact sheet and related environmental information are available electronically via Internet. For more information, visit us through the Pennsylvania homepage at <http://www.state.pa.us> or visit DEP directly at <http://www.dep.state.pa.us> (choose Subjects/Water Management).



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