



Focus on the Concentrated Animal Feeding Operation (CAFO) Permit

from Ecology's Water Quality Program

In 2003, the federal Environmental Protection Agency adopted a revised Clean Water Act rule for Concentrated Animal Feeding Operations, or CAFOs. In February 2005, a court ruling changed the requirements of the CAFO program. The Department of Ecology (Ecology) has drafted a permit for CAFOs that meets the court ruling. If you own or operate a CAFO and discharge to Washington State waters, you must apply for a permit. Large CAFOs who discharge or expect to discharge must apply for a permit. This focus sheet gives general information about the draft permit.

Is my operation a CAFO?

The permit covers all Concentrated Animal Feeding Operations (CAFOs) who discharge or expect to discharge to waters of the state. The permit also covers any Animal Feeding Operations (AFOs) who decide to get a permit. There are three types of CAFOs: Large CAFOs, Medium CAFOs, and Designated CAFOs. Definitions for AFOs and the three types of CAFOs are described below.

Animal Feeding Operations (AFOs)

Any AFO can choose to get a permit. A lot or facility is defined as an AFO if it meets these two conditions:

1. It has animals (other than aquatic animals) that have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period,
2. Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility where animals are confined.

Large CAFOs

Large CAFOs who discharge or expect to discharge to waters of the state must get a permit. A lot or facility is defined as a Large CAFO if it meets the following two conditions:

1. It is an AFO **and**
2. It stables or confines as many as or more than the number of animals specified in any of the following categories:
 - 700 mature dairy cows, whether milked or dry;
 - 1,000 veal calves;
 - 1,000 cattle other than mature dairy cows or veal calves. Cattle includes, but is not limited to heifers, steers, bulls and cow/calf pairs;
 - 2,500 swine each weighing 55 pounds or more;
 - 10,000 swine each weighing less than 55 pounds;
 - 500 horses;
 - 10,000 sheep or lambs;
 - 55,000 turkeys;
 - 30,000 laying hens or broilers, if the operation uses a liquid manure handling system;
 - 125,000 chickens (other than laying hens), if the operation uses other than a liquid manure handling system;



- 82,000 laying hens, if the operation uses other than a liquid manure handling system;
- 30,000 ducks, if the operation uses other than a liquid manure handling system; or
- 5,000 ducks, if the operation uses a liquid manure handling system.

Medium CAFOs

A lot or facility is defined as a Medium CAFO if it is an AFO (see above) **and** also meets the following conditions:

1. It stables or confines the number of animals that falls within any of the following ranges:
 - 200 to 699 mature dairy cows, whether milked or dry;
 - 300 to 999 veal calves;
 - 300 to 999 cattle other than mature dairy cows or veal calves. Cattle includes, but is not limited to heifers, steers, bulls and cow/calf pairs;
 - 750 to 2,499 swine each weighing 55 pounds or more;
 - 3,000 to 9,999 swine each weighing less than 55 pounds;
 - 150 to 499 horses;
 - 3,000 to 9,999 sheep or lambs;
 - 16,500 to 54,999 turkeys;
 - 9,000 to 29,999 laying hens or broilers, if the operation uses a liquid manure handling system;
 - 37,500 to 124,999 chickens (other than laying hens), if the operation uses other than a liquid manure handling system;
 - 25,000 to 81,999 laying hens, if the operation uses other than a liquid manure handling system;
 - 10,000 to 29,999 ducks, if the operation uses other than a liquid manure handling system; or
 - 1,500 to 4,999 ducks, if the operation uses a liquid manure handling system; **and**
2. Either one of the following conditions are met:
 - Pollutants are discharged into waters of the state through a man-made ditch or other similar man-made device; **or**
 - Pollutants are discharged directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation.

Designated CAFOs

Any AFO facility can be designated as a CAFO by Ecology if:

1. Either one of the following conditions are met:
 - Pollutants are discharged into waters of the state through a man-made ditch or other similar man-made device, or
 - Pollutants are discharged directly into waters of the state which originate outside of and pass over, across, or through the facility or otherwise come into direct contact with the animals confined in the operation; **and**
2. Ecology determines that the facility is a significant contributor of pollutants to waters of the state. A "significant contributor of pollution" includes, but is not limited to, a facility directly discharging pollutants that causes or contributes to a violation of state Surface Water Quality Standards (Chapter 173-201A WAC), state Ground Water Quality Standards, (Chapter 173-200 WAC), or RCW 90.48 (Water Pollution Control).

What will my operation's permit require?

Your CAFO permit will require you to meet certain conditions for your production and land application areas. The production area is where you house animals and store manure. The land application area includes all the land under your control where you spread manure.

Requirements for CAFOs that need a permit

Your permit will require you to:

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

Nutrient management plans for CAFOs must include provisions for:

- Assuring adequate manure storage capacity
- Handling dead animals and chemicals properly
- Diverting clean water from the production area
- Keeping animals out of surface water
- Using site-specific conservation practices
- Testing manure and soil
- Assuring appropriate application of nutrients when you spread manure
- Keeping records of your nutrient management practices

Production area requirements:

- Design your production area to contain all of your CAFO's manure plus the runoff from a 25-year, 24-hour rainfall event (large storms). You may have overflows from large storms only if your operation meets these specifications.
- Install depth markers in liquid manure storage structures
- Inspect your production area weekly and all water lines daily
- Correct any problems you find as soon as possible
- Properly handle dead animals

If you transfer manure to other people:

- Retain records for at least 5 years. Include the date, recipient, amount, and nutrient content of the manure you transferred in your records.
- You must give information about the nutrient content of your manure to the recipient

For more information:

Please contact the Department of Ecology at (360) 407-6283 or the Washington State Department of Agriculture at (360) 902-1982. Additional information is available on the Department of Ecology's CAFO website: <http://www.ecy.wa.gov/programs/wq/permits/cafo> and the Department of Agriculture's CAFO website:

<http://agr.wa.gov/FoodAnimal/Livestock-Nutrient/Livestocknutrient.htm>

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