



The University of Georgia

Cooperative Extension Service

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BROILER TIP...

EPA PROPOSES NEW CAFO REGULATIONS FOR DRY MANURE OPERATIONS

The U. S. Environmental Protection Agency (EPA) is proposing updated regulations to reduce the amount of water pollution from large confined animal feeding operations (CAFOs). These proposed regulations will update current regulations that are more than 20 years old. The new regulations have significant implications for poultry operators as they would expand the scope of the National Pollutant Discharge Elimination System (NPDES) permitting program under the direction of EPA through their state agencies.

Current CAFO regulations have generally exempted dry litter poultry operations by definition unless those operations were directly contributing to water pollution issues. The new regulations would, however, bring dry manure handling poultry operations under the NPDES permitting program by clearly defining them as CAFOs. EPA is considering two alternative structures for defining a poultry CAFO. These two structures are referred to as 1) the three-tier structure and 2) the two-tier structure. The basics of these two structures are summarized below.

1) Three-Tier Structure - A poultry feeding operation would be defined as a CAFO if it has a capacity of more than 100,000 chickens. Facilities with 30,000 to 100,000 chickens would not be a CAFO unless they met certain conditions for permitting. Any poultry operation can be defined a CAFO if it is operating in such a manner to cause water pollution problems. All facilities with 30,000 to 100,000 chickens must either certify that they do not meet the conditions for being defined as a CAFO or apply for an NPDES. Operations of less than 30,000 chickens would not be required to certify exemption.

2) Two-Tier Structure - With the two-tier structure, a poultry facility is a CAFO if it has a capacity of 50,000 chickens or more. Facilities with fewer than 50,000 chickens would not be defined as CAFOs unless designated so by the permit authority.

The importance of the two-tier versus the three-tier system relates to the number of poultry

PUTTING KNOWLEDGE TO WORK

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operations that would be defined as a CAFO and require NPDES permitting. With the three-tier system it is estimated that about one third of all poultry farms in Georgia would fit this definition, and therefore, be required to meet permitting requirements. With the two-tier system, however, it is likely that over 90 percent of Georgia's poultry farms will meet the definition of a CAFO and require permitting. If the three-tier system is adopted it would allow EPA to focus on regulating the largest operations with the greatest potential for polluting, but still be able to regulate smaller operations that were potential violators of the clean water act. The two-tier system would essentially bring all commercial poultry operations under permitting and require a much larger regulatory effort.

Other important issues of the new regulations for poultry relate to land applications of manures to prohibit over application of nutrients, emphasis on phosphorus-based nutrient management plans, the regulation of recipients of CAFO manure, and the co-permitting of processors that exercise substantial control over contract growers. In addition, the new regulations propose eliminating the 25-year, 24-hour storm permit exemption which allows discharge from facilities as a result of a 24-hour precipitation event with probable occurrence once in 25 years. The elimination of this exemption would result in no exceptions for discharge from confined, animal feeding operations.

All of these proposed new regulations have significance for poultry operators. These new regulations are now under consideration by EPA and are currently open for public comment. The full EPA document can be found at www.epa.gov/owm/afo.htm. You may provide comments to EPA by email CAFOs.comments@epa.gov or by postal service at the following address:

Concentrated Animal Feeding Operations Proposed Rule
USEPA Office of Water
Engineering and Analysis Division (4303)
1200 Pennsylvania Avenue, NW
Washington, DC 20460



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Consult with your poultry company representative before making management changes.

“Your local County Extension Agent is a source of more information on this subject”