

# CAFO Permit Development Listening Session

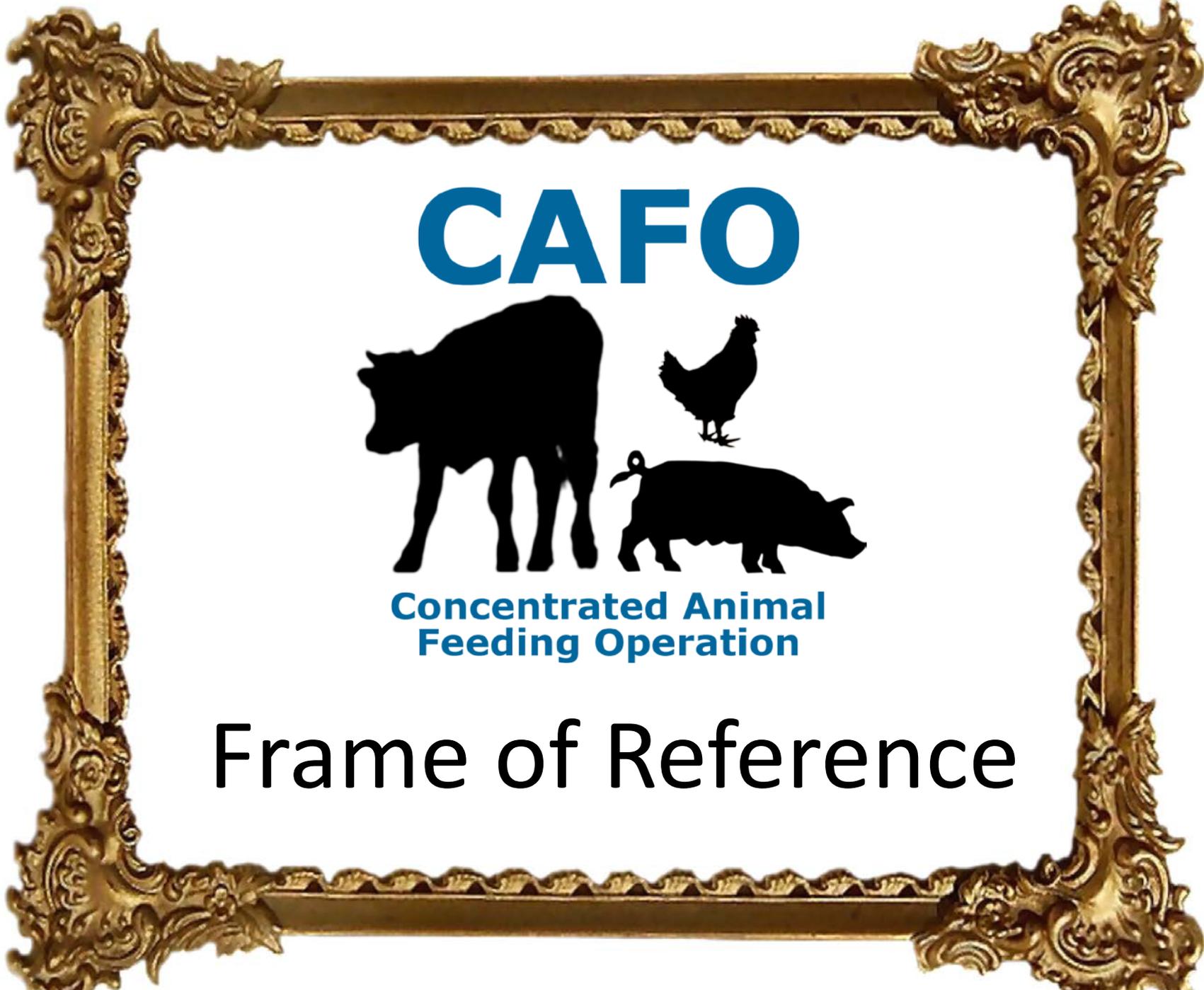
## Water Quality Program



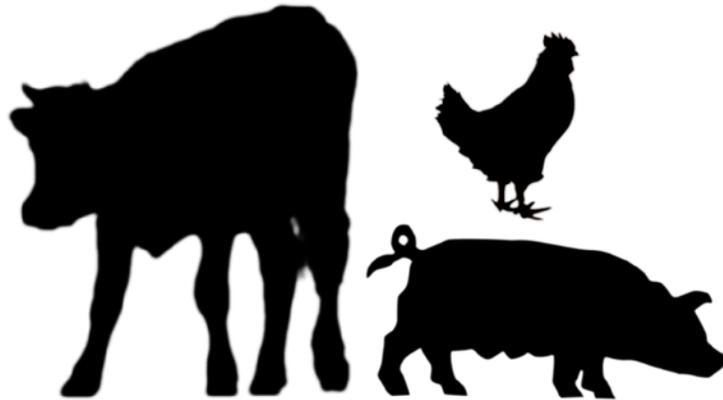
# Agenda

- **6:00 PM – 6:30 PM**
  - Welcome and introductions
  - CAFO frame of reference information
  - Permit process and schedule
  - Outline key issues
- **6:30 PM – 9:00 PM**
  - Hear from attendees
- **9:00 PM**
  - Meeting adjourn





**CAFO**



**Concentrated Animal  
Feeding Operation**

Frame of Reference

# Frame of Reference

- **Background**
  - What are CAFOs?
  - What is a permit?
  - Who the CAFO permit covers
- **The CAFO permit**
  - History of EPA CAFO rule
  - Current structure
- **Development schedule**
- **Key issues**



# What are . . .



# The Short Answer

A CAFO is a facility that:

- Confines animals for 45 days or more in a 12 month period, and
- Confines the animals in a non-pasture or crop land area (e.g. a pen), and
- Has or had a discharge to water (surface or ground)



# What is a Permit?

Permits allow certain limited discharges,

**BUT . . .**

Are designed to reduce the amount discharged through the implementation of permit requirements.



# CAFO Permit: EPA Rule

## 2003 Update

- Potential to discharge (Waterkeeper)

## 2008 Update

- Propose to discharge (NPP v. EPA)

## 2012 Update

- Actual discharge



# The CAFO Permit Covers . . .

CAFOs that have or had a discharge to surface water or groundwater.



# CAFO Permit: Current Structure

- Must have a discharge in order to be required to get a permit
- Nutrient management plans (NMP) must be submitted and approved before Ecology issues permit coverage
- NMP becomes permit conditions
- Does not address groundwater





# Development Schedule

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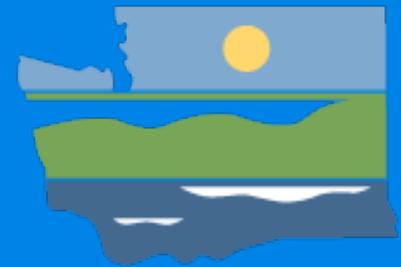
- **January-April 2015** – Hold listening sessions around the State
- **May 2015** – Summarize what we heard at listening sessions, identify what will be addressed in draft CAFO permit
- **May/June/July 2015** – Develop and release preliminary draft CAFO permit for informal public comment



# Development Schedule

- **July/August/September 2015** – Develop formal draft CAFO permit
- **October/November 2015** – Release formal draft CAFO permit for public comment
- **December 2015** – Issue final CAFO general permit





# Key Issues

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- Reactive vs. proactive permit
- Groundwater protection
- NMP review



# Reactive vs. Proactive

The current permit framework is reactive, which is not protective or efficient

- Current framework: a permit is not required unless there is or was a documented discharge to surface waters
- This after-the-fact permitting is inefficient and does not prevent the pollution



# Groundwater

The current permit does not address groundwater

- There are areas in Washington where groundwater is impacted by nitrates
- Manure is one source of the nitrates in groundwater



# NMP Review

**Current NMP review process based on federal CAFO rule**

- Review and updated process is time consuming and frustrating
- Instead of reviewing the NMP, put the requirements by which the NMP is reviewed in the permit



# More Information . . .

## CAFO permit web page:

<http://www.ecy.wa.gov/programs/wq/permits/cafo/index.html>

## CAFO permit ListServ:

<http://listserv.wa.gov/cgi-bin/wa>

## Permit writer:

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Let's hear from  
you . . .