

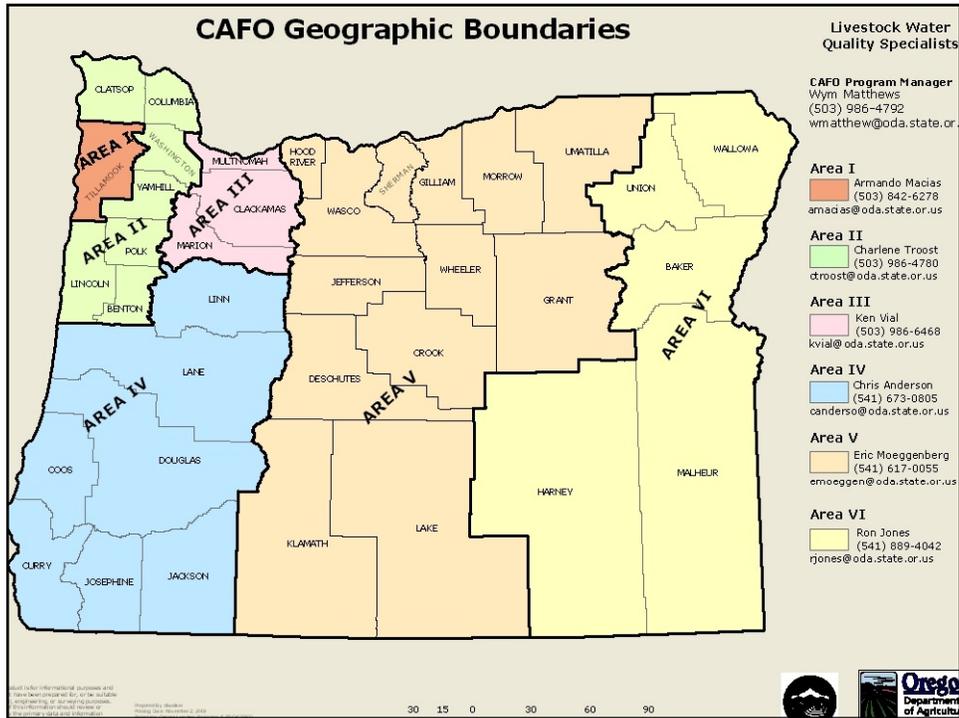
2010 NRCS CNMP Training CAFO Permit News



Compliance Program



- 100% of Staff Time.
- 8.5 FTE.
- Assist Permittees with Compliance.
- Many Tools.
- Performance Based.
- Permit More Than EPA Requires.



2009 Statistics

- 565 Registrations
 - 0 "NEW" Large Fed CAFO.
 - At Least 1 Routine Inspection/Year.
 - \$41,500 Civil Penalties.
 - 114 Large Federal CAFOs.
 - 251 Medium Federal CAFOs.
 - 200 State CAFOs.
 - 4 Individual Permits (All Lg.)



Challenges & Opportunities

- 6-2009 new CAFO NPDES Permit.
- Renewal Permit Notice Req.
- Individual Permits.
- **AWMPs:**
 94% of AWMPs in.



Challenges & Opportunities

- Complete AWMPs for all registrants.
- Implement AWMPs for all registrants, by 2-27-09
- 2 formats for AWMPs
 -Linear
 -Narrative



Additional details – Nutrient Management Plans

- Is the entire NMP required to be publicly noticed?
 - Yes, the permitting authority is required to make the entire NMP and the draft terms of the NMP available to public.
- Is the entire NMP incorporated into the permit?
 - The permitting authority must incorporate the terms of the NMP into the permit, which include the information, protocols, best management practices (BMPs) and other conditions in the NMP necessary to meet the NMP requirements of the 2003 rule.
- What are the two approaches in the final rule for expressing rates of application?
 - The “linear approach” expresses field-specific maximum rates of application in terms of the amount of nitrogen and phosphorus from manure, litter, and process wastewater allowed to be applied.
 - The “narrative rate approach” expresses the field-specific rate of application as a narrative rate prescribing how to calculate the amount of manure, litter, and process wastewater allowed to be applied.

Additional details – Rates of Application

NMP-related requirements, cont.

- Do either of the two approaches in the final rule for identifying terms of the NMP for expressing rates of application address the concern regarding flexibility of the NMP?
 - Yes. The narrative rate approach allows CAFO operators to change their crop rotation and form and source of manure, litter, and process wastewater, as well as the timing and method of application. The narrative rate approach allows the use of “real time” data for determining rates of application and provides the most flexible approach for farmers.
- What are substantial changes to the NMP and that require a permit modification?
 - The final rule includes a list of changes to the NMP that constitute a substantial change that would trigger permit modification. These include addition of new land application areas not previously included in the CAFO’s NMP and addition of any crop not included in the terms of the CAFO’s NMP and corresponding field-specific rates of application.

CAFOs in Oregon

- All currently registered to an NPDES Permit.
- Oregon CAFO NPDES Permit requires AWMP.
- AWMP part of Permit Notice
- AWMP substantial modification = Notice
- AWMP = ELG
- Must work for producers
- Must be dynamic

CAFOs in Oregon

- AWMP = CAFO Permit condition(s) that are regulated by ODA.
- ODA / EPA are reviewing AWMP's at inspections.
- ODA is issuing NON's for failing to follow AWMP.
- Permit registrants don't know what's in their AWMP?

2. f) (ii)

2. f) (ii) Describe limitations to manure, litter and process waste applications. Indicate buffer areas and management to avoid frozen or saturated soils. Justify buffer width and management.



CAFOs in Oregon



CAFOs in Oregon



CAFOs in Oregon

- Permittees don't know what their buffer widths are.
- Buffers are farm/site specific.
- Alternative to 100' non-managed or 35' vegetated buffers may be accepted

2. f) (iii) (iv)

2. f) (iii) Using agronomic rates, application limitations, and scheduled applications, calculate the minimum storage required for liquids and solids.

CAFOs in Oregon



CAFOs in Oregon

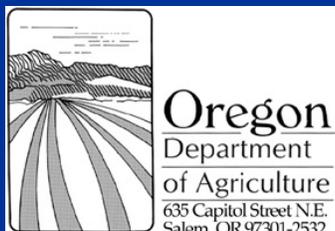
- Permittees struggle with manure applications to saturated soil or make applications that result in saturated soil.
- Manure storage amount and O&M helps with this problem.

CAFOs and AWMPs

- EDUCATION and OUTREACH!!!!>>>>.
- Records can confirm AWMP is real and working, not just theory. ODFW CAFO Calendar and ODARK are tools that help.
- Creative nutrient solutions.
- Increasing scrutiny on CAFOs by EPA, citizen 'watchdog' groups.
- Help with AWMP implementation / understanding.



It's just Gas!
(The next frontier)



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