



DNR CAFO

Regulations & Permitting

DNR PRESENTER: VICTORIA ZIEGLER, REGIONAL CAFO SPECIALIST

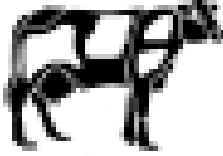





Agenda

- ▶ What is a CAFO?
- ▶ WPDES CAFO Permits – what is it?
- ▶ WPDES CAFO Permit Process
- ▶ WPDES CAFO Permit Requirements



What is a CAFO?

- ▶ Concentrated Animal Feeding Operations (CAFO)
 - ▶ **Large CAFO:** Operation with 1,000 animal units or more require coverage under a WPDES permit
 - ▶ **Small/Medium CAFO:** Operations with less than 1,000 animal units may be required to obtain a WPDES permit based on discharges

Animal Type		Number = 1,000 AU
Milking and Dry Cows		710
Heifers (800–1,200 lbs.)		910
Heifers (400-800 lbs.)		1,670
Calves (up to 400 lbs.)		5,000
Beef Steers/Cows (1,000 lbs. to market)		1,000
Pigs (55 lbs. to market)		2,500
Feeder pigs (up to 55 lbs.)		10,000
Turkeys		55,000
Layers		100,000
Broilers		200,000



Wisconsin Pollutant Discharge Elimination System (WPDES) CAFO Permit Program

CAFO WPDES Permits

- ▶ Water quality protection permits
- ▶ Requirements outlined in ch. NR 243, Wis. Adm. Code
- ▶ Implementation of EPA Clean Water Act
- ▶ Regulates CAFO manure and process wastewater handling, storage, and land application
- ▶ Does not regulate air, odor, animal welfare, noise, or traffic issues
- ▶ **NOT** a siting program
- ▶ Does not implement local (town/county) requirements



NR 243

CAFO Permitting Process

Permitting Process

First Time Issuance

- ▶ Preliminary application typically submitted one year prior to reaching 1,000 animal units
- ▶ Department completes site walkover inspection
- ▶ Final application submitted six months prior to reaching 1,000 animal units

Reissuance

- ▶ The Department schedules a reissuance site inspection one year prior to the current permit expiration date

Issuance & Reissuance Applications

- ▶ Application Forms
- ▶ Animal Unit Calculation Form (current & proposed)
- ▶ Labeled Aerial Maps of the production area
- ▶ Five-year Nutrient Management Plan
- ▶ 180-day liquid manure storage calculations & supporting documentation
- ▶ Engineering evaluations for reviewable structures
- ▶ Engineering plans and specifications for any proposed reviewable facilities

Issuance & Reissuance Review & Permitting Process

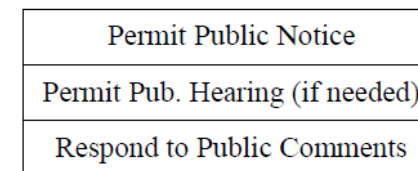
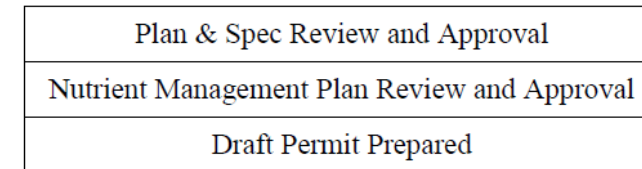
- ▶ All submitted documents are available to public via the Department's ePermitting System: <https://dnr.wi.gov/permits/water/>
- ▶ CAFO Review Engineers review:
 - ▶ 180 day storage calculations
 - ▶ Engineering evaluations (if submitted)
 - ▶ Engineering plans and specifications (if submitted)
- ▶ CAFO NMP Reviewer reviews 5-year NMP
- ▶ Hydrogeologist determines if groundwater monitoring is needed
 - ▶ Groundwater Contamination Susceptibility (water depth, bedrock depth, etc)

Public Noticing Permits

- ▶ Draft permit will be public noticed in local paper
- ▶ Public comment period 30 days
- ▶ Potential for public hearing
 - ▶ Opportunity for public to comment verbally

DNR INTERNAL REVIEW AND PROCESSING

Process takes at least 6months from date complete final application is submitted.



PERMIT ISSUANCE



NR 243

WPDES Permit Requirements

CAFO WPDES Discharge Limitations

- ▶ There may be no legal discharge of manure or process wastewater pollutants to navigable waters from the animal production area, except under limited, precipitation-related circumstances

Engineering

Examples:

- ▶ Runoff control structures
- ▶ Feed storage areas
- ▶ Permanent spray irrigation or other land application systems
- ▶ Manure storage structures
- ▶ Manure treatment or transfer systems



Plans & Specs and Department Approval

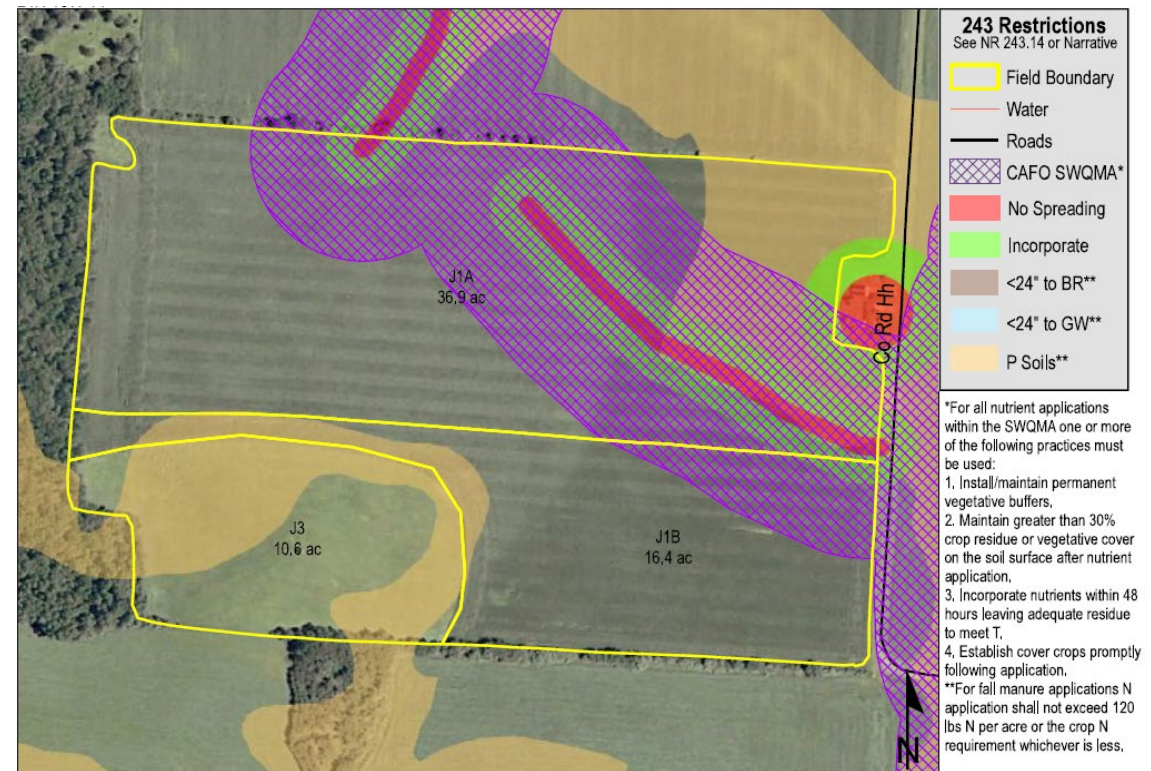
- ▶ Plans and specifications for proposed reviewable facilities must be submitted to the Department for approval prior to construction (available at <https://dnr.wi.gov/permits/water/>)
- ▶ Must be designed and constructed to meet the production area discharge requirements of NR 243.
- ▶ The Department has 90-day review timeline

Evaluations of Reviewable Facilities

- ▶ The Department may require an evaluation of existing reviewable facilities or systems
- ▶ Evaluations submitted shall include an assessment of the ability of the facility/system to meet the production area requirements in NR 243

Nutrient Management

- ▶ Permittees shall submit a complete nutrient management plan (NMP) as part of their permit application
- ▶ NMPs are written to comply with NRCS Standard 590 and NR 243 requirements
- ▶ The NMP shall be reviewed and amended by the permittee on an annual basis to reflect any changes in operation



Manure Application Restrictions

- ▶ Manure or process wastewater may not run off the land application site.
- ▶ Manure or process wastewater may not be applied on areas of a field with a depth to groundwater or bedrock of less than 24 inches.
- ▶ Manure or process wastewater may not be applied to concentrated flow channels (e.g., grassed waterways).
- ▶ Manure or process wastewater may not be applied within 100 feet of a private well or non-community system or within 1000 feet of a community well.
- ▶ Manure or process wastewater may not cause the fecal contamination of a well.
- ▶ And more!



NR 243

Record Keeping, & Reporting

Permittee Monitoring and Reporting

- ▶ CAFO WPDES monitoring and reporting requirements include:
 - ▶ Permittee sampling of manure and soil
 - ▶ Permittee self-inspections to determine permit compliance
 1. Daily visual inspections of water lines
 2. Weekly inspections of waste storage structures & levels of materials in liquid storage facilities
 3. Quarterly inspections of outdoor areas (e.g animal lots & feed storage areas)
 4. Visual inspections of winter applications
- ▶ Annual reports and NMP Updates
<https://dnr.wi.gov/permits/water/>

DNR Compliance Monitoring

- ▶ Review of permittee annual reports summarizing self-monitoring activities and Nutrient Management Plan updates
- ▶ Citizen complaint response
- ▶ Manure applications audits of an operation's land application practices
- ▶ Full production area inspections at least twice during permit term
- ▶ Spill response
- ▶ Documented noncompliance is subject to DNR enforcement measures

DNR CAFO Enforcement



Figure 1. Stepped Enforcement Approach - Levels of Enforcement Action

More Information/Questions?

- ▶ DNR CAFO Homepage

(wi dnr, search "CAFO"):

<https://dnr.wi.gov/topic/agbusiness/CAFO/>

- ▶ DNR CAFO
Applications/Submittals

(wi dnr, search "water permits")

<https://dnr.wi.gov/permits/water/>





Thank you

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