



New Jersey Department of Environmental Protection

Statewide Stormwater Permitting Program for Concentrated Animal Feeding Operations

In its continuing effort to improve and protect water quality in our lakes, rivers and streams, the New Jersey Department of Environmental Protection (DEP) prepared a statewide stormwater permitting program for concentrated animal feeding operations (CAFOs) and designated animal feeding operations (AFOs), as required by the U.S. Environmental Protection Agency.

To implement this program, the DEP's Bureau of Nonpoint Pollution Control developed a New Jersey Pollutant Discharge Elimination System (NJPDES) general permit (NJ0138631) according to NJPDES Rules (*N.J.A.C. 7:14A-2.13*). The DEP administers the program with assistance from the New Jersey Department of Agriculture, the State Soil Conservation Committee, the Natural Resources Conservation Service (NRCS) and the New Jersey Soil Conservation Districts.

Who is eligible?

The permit authorizes new and existing discharges from CAFOs and designated AFOs. It also is available to any AFO that voluntarily submits a request for authorization. Facilities with discharges already authorized under another general or individual NJPDES-Discharge to Surface Water permit (including an expired permit) are not eligible for authorization under the CAFO permit except through a revoke and reissue permit action by DEP.

This permit applies to all areas of New Jersey except for new discharges to surface waters classified as the highest quality such as Category One (C1) waters, Pinelands Waters (PL), or Fresh Water One (FW1.) New facilities discharging to ground water in areas classified as Class 1-A and Class 1-PL, or discharging to ground water that contributes to surface waters classified as C1 or FW1, are also not eligible for authorization under this general permit. Facilities in these locations should seek coverage under an individual permit.

Does this affect you?

A facility **is** a concentrated animal feeding operation if it confines more than the numbers of animals specified as follows:

- 1,000 slaughter and feeder cattle
- 700 mature dairy cattle (milked or dry cows)
- 2,500 swine, each about 55 pounds or more
- 500 horses
- 10,000 sheep or lambs
- 55,000 turkeys
- 100,000 laying hens or broilers (if facility has continuous overflow watering)
- 30,000 laying hens or broilers (if facility has a liquid manure handling system)
- 5,000 ducks; or
- 1,000 animal units (One animal unit equals 1,000 pounds of body weight.)

Also, a facility is a concentrated animal feeding operation if it confines more than the number of animals specified below and directly discharges pollutants into state waterways 1) through a manmade ditch, flushing system or other similar manmade device; or 2) as a result of water passing over, across or through the facility or having direct contact with confined animals:

- 300 slaughter or feeder cattle
- 200 mature dairy cattle (either milked or dry cows)
- 750 swine, each about 55 pounds or more
- 150 horses
- 3,000 sheep or lambs
- 16,500 turkeys
- 30,000 laying hens or broilers (if facility has continuous overflow watering)
- 9,000 laying hens or broilers (if facility has a liquid manure handling system)
- 1,500 ducks; or
- 300 animal units. (One animal unit equals 1,000 pounds of body weight.)

Any animal feeding operation **is not** considered concentrated if it discharges only in the event of a 25-year, 24-hour storm event.

The DEP will require on a case-by-case basis any animal feeding operation to obtain a permit if it:

- Is a significant contributor of pollution to the state's waterways.
- Discharges pollutants into state waters via a manmade ditch, flushing system, or other similar manmade device; or
- Discharges pollutants directly into state waters as a result of water passing over, across or through the facility or having direct contact with confined animals.

How do you apply?

If you are eligible for a general permit, you must submit a request for authorization and a CAFO Supplemental Form.

All forms can be obtained either by calling the bureau at (609) 633-7021 or by downloading them at www.state.nj.us/dep/dwq/gps.htm#stormwater.

What are the requirements of the CAFO general permit?

The permit requires CAFOs to comply with the federal effluent limitation guideline that prohibits discharge to state waters, except when chronic or catastrophic storm events cause an overflow from a facility designed, constructed and operated to hold process wastewater, process generated wastewater plus stormwater runoff from a 25-year, 24-hour storm event.

To meet this guideline, CAFOs are required to prepare and implement a Comprehensive Waste Management Plan in accordance with NRCS standards. The plan is designed to attain compliance with the effluent limitation, and implement conservation practices and management measures for waste handling.

The general permit contains specifications for construction of a lined waste retention structure designed to comply with the effluent limitation and prevent the discharge of nutrients and other pollutants to ground water. Options for compliance

with the effluent limitation are not solely limited to a waste retention structure.

The general permit also contains special conditions for swine/hog livestock operations. These special conditions include:

- Feedstock handling practices including temporary storage of newly separated solid waste.
- Remediation of existing solid waste stockpiles by March 1, 2006. The Comprehensive Waste Management Plan must be prepared by the permittee in accordance with U.S. Department of Agriculture's NRCS and submitted to the appropriate soil conservation district for review. The DEP will approve or deny the Comprehensive Waste Management Plan based on soil conservation district recommendations or require revisions.

What is the duration of your permit?

It is a five-year permit.

What are the deadlines?

The general permit requires that the Comprehensive Waste Management Plan be prepared by March 1, 2004, and fully implemented by March 1, 2006. The Comprehensive Waste Management Plan requires that the following interim measures be implemented:

- Best management practices such as good housekeeping, proper disposal of dead animals, crop rotation, vector control, soil stabilization, and feed management, by March 1, 2004.
- Diversion of clean stormwater away from animal confinement, maintenance and feeding areas, by March 1, 2005.

What happens if you fail to comply with your CAFO General Permit?

Noncompliance with the permit will result in enforcement action and penalties.

What happens if you do not obtain an authorization?

Failure to obtain a stormwater discharge permit is a violation of the Water Pollution Control Act and may result in enforcement action and penalties.

For more information about the CAFO General Permit, contact the Bureau of Nonpoint Pollution Control at (609) 633-7021. Or visit our Web site: www.state.nj.us/dep/dwq/gps.htm#stormwater.