

Highlights of the new 2017 CWA and ECL CAFO Permits

ACS Senior Environmental Consultant Brad Schwab

A new CWA Permit and ECL Permit have been issued and become effective July 24th 2017. Below are just a few highlights of the new plans. Please read through the permits and talk with your planner to fully understand them.

- A farm currently covered in a permit must re-apply to be covered under one of the new permits.
- Current permit coverage ends on the day that the new permits become effective.
- To be covered in one of the new permits a farm must be “fully implemented”. This goes for new CAFO’s too (such as small farms expanding into a CAFO sized herd).
- Existing CAFO’s that are fully implemented can acquire a new facility that is not “fully implemented” and they must submit a “Change of Status” form within 30 days of acquisition, all non-structural BMP’s implemented within 6 months, and structural BMP’s implemented within 24 months.
- Manure applications may not be made on saturated soils (fluid or frozen) and manure application rates cannot cause soil to become fully saturated at time of application.
- 2015 Cornell Guide ‘Revised winter and wet weather manure spreading guidelines to reduce water contamination risk’ must be adhered to.
<http://nmsp.cals.cornell.edu/publications/files/WinterSpreadingGuidelines2015.pdf>
- Applications of manure cannot exceed 20,000 gallons per acre on any field in a 7 day period. Application of waste water cannot exceed 27,000 gallons per acre on any field in a 7-day period.
- Pressurized manure handling systems extending beyond the production area that do not have a certification from a qualified professional as meeting 3/2006-9/2009 NRCS standards must be evaluated and any needed structural modifications completed within 12 months of filing NOI.
- Waste transfer systems that extend beyond the production area and have a mechanical component shall not be left unattended while transfer is taking place.

- Custom applicators must sign a certification statement prior to the initial application of nutrients on the date of service.
- Manure records are required to keep a running tally of total gallons spread for the crop year.
- Manure spreading equipment calibration records must be kept.
- Waste storage periods must be evaluated before herd expansion can take place.