



# Delaware Nutrient Management CAFO Fact Sheet



## Overview

- The Delaware NPDES CAFO program is implemented and overseen jointly by DNREC and DDA, under USEPA.
- DDA is the primary and initial point of contact with the regulated community responsible for: conducting inspections, collecting necessary documentation, and reviewing Nutrient and Animal Waste Management Plans.
- DNREC is responsible for issuing the final permits, with assistance from DDA.

## Criteria

- These regulations apply to any person who owns or operates a CAFO
- A facility qualifies as a CAFO by the number of animals in the following criteria:

| Animal Type  | Medium CAFO       | Large CAFO |
|--|-------------------|------------|
| Laying hens or broilers, if AFO uses a liquid manure handling system             | 9,000 to 29,999   | >30,000    |
| Chickens except laying hens, if AFO does not use a liquid manure handling system | 37,500 to 124,999 | >125,000   |
| Laying hens, if AFO does not use a liquid manure handling system                 | 25,000 to 81,999  | >82,000    |
| Cattle, other than mature dairy cows or veal calves                              | 300 to 999        | >1,000     |
| Mature dairy cattle, milked or dry   | 200 to 699        | >700       |
| Swine, over 55lbs each   | 750 to 2,499      | >2,500     |
| Horses   | 150 to 499        | >500       |
| Sheep or lambs   | 3,000 to 9,999    | >10,000    |
| Turkeys  | 16,500 to 54,999  | >55,000    |

## Guidelines

- Large CAFO Effluent Limitations:
  - No discharge of manure, litter, or process wastewater pollutants to Waters of the State from the production area except:
    - In the case of a precipitation event exceeding a 25-year, 24-hour, rainfall event; and
    - The production area is maintained and operated in accordance with the measures and records required of the CAFO regulations.

- Medium & Designated CAFO Effluent Limitations
  - All Best Management Practices (BMPs) addressed in the Animal Waste Management Plan (AWMP) and/or the Nutrient Management Plan (NMP) concerning management activities of manure, litter, or process wastewater in accordance with the State Technical Standards.

## Elements

- Notice of Intent (NOI): The NOI is submitted by individual CAFOs for consideration of coverage. It must include a AWMP and/or NMP to be considered complete.
- Topographical Maps: Topographical maps of the CAFO's production area(s) may be reviewed with the NOI. Maps can be accessed through online sources such as: <http://bit.ly/1YxhdNC>
- Plan Requirements: Each permittee must implement their AWMP or NMP in accordance with the permit. The AWMP/NMP must address the following nine minimum requirements:
  1. Storage of manure, litter, and process wastewater, including procedures for operation and maintenance of the storage facilities.
  2. Management of mortalities (dead animals) to ensure they are not disposed of in a liquid manure, storm water, or process wastewater storage or treatment system that is not specifically designed to treat animal mortalities.
  3. Ensure that clean water is diverted, as appropriate, from the production area.
  4. Prevent direct contact of confined animals with Waters of the State.
  5. Ensure that chemicals and other contaminants handled onsite are not disposed of inappropriately.
  6. Appropriate buffers of equivalent practices to control runoff of pollutants to Waters of the State.
  7. Protocols for appropriate testing of manure, litter, process wastewater, and soil following nutrient management practices.
  8. Protocols for land application of manure, litter, process wastewater, and soil following nutrient management practices.
  9. Identify specific records that will be maintained to document the implementation and management of the minimum elements described in the section.

## Permitting Process

- All NOIs that have supplied the above requirements will be public noticed to be covered under the CAFO NPDES General Permit. The public notice will be advertised in two newspapers for one day and available on our website during a 30 day public comment period. Upon completion, without comment, of the 30-day period, you will receive a letter granting your permit coverage. The permit is good for five (5) years unless administratively extended.
  - General Permit 1: Poultry CAFOs without land application
  - General Permit 2: Poultry CAFOs with land application
  - General Permit 3: All Other Species & Diversified CAFOs with or without land application