CAFO General Permit Program
Coordination & Event Response

Jacqueline Lendrum
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New York State Agriculture

37,000 Farms in New York State

12,000 Farms in AEM

571 CAFO Farms

414 Mediums

157 Larges
Permitted CAFOs

Large CAFOs (>700 Cows)

157 permitted
Median ~1,370 mature dairy cows
Range: 700 to 5,500 mature
(plus additional 4,346 heifers)

Medium CAFOs (200-699 Cows)

414 permitted
Median ~420 mature dairy cows
Range <200 to 699 mature
(plus additional 654 heifers)
CAFOs in New York

CAFOs

- LARGE
- MEDIUM
The CAFO Program

- Comprehensive Nutrient Management Plans (CNMPs)
- Certified Planners
- Quality Assurance Program
- NRCS Standards
  - NY 590
- Outreach to Farmers
- Inspections and Compliance
Agriculture and the Environment

- Agricultural Environmental Management
  - Voluntary
  - Nationally recognized
  - Education
  - Technical resources
  - Risk Evaluation
  -Works to reduce NPS pollution, conserve natural resources and enhance farm viability

- CAFOs and AFOs Participate
Waste Application Requirements

Land application rates shall be in accordance with the CNMP and NRCS NY590. In no case shall land application rates or timing result in any runoff during any given application event that causes or contributes to a violation of water quality standards. Applications may not be made on saturated soils or at a rate that meets or exceeds the saturation capacity of that field at that time. In addition, all waste applications must be made in consideration with the following requirements:

- Adverse Weather Emergency Applications
- Protection of Groundwater and Artificial Drainage Flows
- Food Processing Waste
- Food Processing Waste Containing Salt
- Waste Without Benefits
Groundwater Related Concerns

- For CAFOs, there shall be no water quality impairment to public or neighboring private drinking water wells due to waste handling at the permitted facility. Maintain 100’ separation distance unless otherwise specified.

- Know the area geology. Is there: shallow or fractured bedrock, confining shale layer, karst limestone deposits or gravel valley aquifers? These are all areas for potential groundwater contamination. Ask?
  - Example: Cortland - Preble sole source aquifer

- Farm specific guidance in the CNMP and general guidance
§ 17-0501. General prohibition against pollution. It shall be unlawful for any person, directly or indirectly, to throw, drain, run or otherwise discharge into such waters organic or inorganic matter that shall cause or contribute to a condition in contravention of the standards adopted by the department pursuant to section 17-0301.
Spreading Violations

• It shall be a violation of this General CAFO Permit and the Environmental Conservation Law (ECL) for any discharge to either cause or contribute to a violation of water quality standards as contained in ECL Section 17-0501 and Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR).

• Contravention of Water Quality Standards - Violation of Part 703.2 for Turbidity is a discharge/runoff that will cause a substantial visual contrast to natural conditions. Typically, result in enforcement actions
Spreading Issues
Resulted Water Quality Violations
Suspected Groundwater Contamination Issues

• DEC coordinates with the Department of Health (DOH)
  – County DOH; DOH District Office; State DOHW

• Generally coordinate with SWCDs

• Technical Experts
  – USGS & DEC staff geologists
  – Ag&Mkts
  – Cornell
  – NRCS
“This document outlines opportunities for collaboration and cooperation between NYSDEC and the Health Department (State, District and County) in response to suspected manure contamination of private wells. It provides background on regulatory programs and protocols on microbial source tracking sampling. This document is intended to promote collaboration between agencies as they proceed with their normal responses as we collectively deal with potable water sampling and other field activities during these situations. A commitment to communication between agencies will reduce redundancy and result in a better response and service to the local community.”
Suspected Groundwater Contamination Issues

- **DOH** determines the public health threat
  - Determines what testing is appropriate
  - Interprets and communicates sample results
  - If a water supply is deemed unsafe, DOH & DEC work together to find an alternative water supply

- **DEC** leads any necessary enforcement activities
  - Determines when enforcement is appropriate
  - CAFO permit violations
  - Water quality violations
  - Manure in a well, regardless of permit compliance, is a violation
Suspected Groundwater Contamination Issues

• Opportunities for collaboration
  – Establishing a perimeter of contamination
  – Source identification / mitigation / prevention
  – Education and outreach

• When to collect Microbial Source Tracking (MST) samples? *(Must act quickly!)*
  – Illness?
  – Unexpected *E. coli* contamination?
  – Opportunities to extend public water supplies?
Suspected Groundwater Contamination Issues

- Homeowner complaints of odor & discoloration
- Well tests positive for *E. coli*
- Are previous well test results available - rarely
- Other potential sources?
- Microbial source tracking methods available
  - not always appropriate or conclusive
- Open or direct surface connections identified in fields?
- At-risk soil types and exposed bedrock?
- Spring melt hydraulic conditions?
- First year of manure applications for these fields?
- Manure applications meet CNMP recommendations?
CAFO General Permit Revisions

- Permit revisions under development
  - Many opportunities for input – today; public comment period
  - Drafts expected in Fall, 2015
  - Finalized early in 2016

- Addressing changing weather patterns
  - More extremes
  - Winter spreading is going to be harder
  - Better tools + more information = better decisions

- Continue to strive for transparency in the permits

- Looking to continue to achieve high levels of compliance
Progress...
Stream Buffers
Questions and Answers

Contact Information

Sara Dorman
CAFO Program
NYSDEC – Albany
(518) 402 – 8279
Sara.Dorman@dec.ny.gov

Jacqueline Lendrum
NYSDEC - Albany
(518) 402 – 8165
Jacqueline.Lendrum@dec.ny.gov

http://www.dec.ny.gov/permits/6285.html