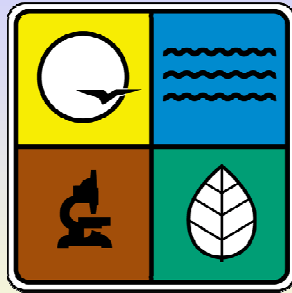


CAFO Workgroup Meeting on Phase II Rulemaking



Missouri Department of Natural Resources

October 26 - 2010

Two CAFO Rulemaking Projects

- **10 CSR 20-6.300 – CAFO Permit Rule**
Rule Coordinator: Darrick Steen
Proposed Rule to CWC March 2, 2011

- **10 CSR 20-8.300 – CAFO Design Standard Rule**
Rule Coordinator: Barbara Li
Proposed Rule to CWC on May 4, 2011

- Both rules to be effective by February 2012 -



“Duty to Apply” for a CAFO Permit

All Class I CAFOs must obtain a permit.

NPDES Permit - CAFOs that “propose to discharge” (see EPA guidance).

- Must comply with NPDES permit issuance process.
- Individual public notice process for each permit.

State No-Discharge Permit – CAFOs that will not discharge

- Permit coverage obtained similarly as to the current general permit
- Provides EPA No-Discharge Certification



CAFO General Permit (proposed)

Applicable to both the State No-Discharge and NPDES Permit.

- CAFOs will submit both construction and operating permit applications (w/ fees) for review and approval. This includes the CAFO’s NMP.
- DNR will conduct a unified review of both construction and operating permit apps and issue (or reject) both permits concurrently.
- Applicant must submit engineering certification (w/ as-built plans) after construction is complete, but no later than the expiration date of the construction permit.



CAFO NPDES Permit (proposed)

Applicable only to a NPDES General Permit.

- DNR will prepare a draft construction and NPDES operating permit. EPA “Terms” of the CAFO’s NMP will be included in the NPDES permit.
- DNR will conduct 15 day public notice of pending NPDES permit prior to issuance. A 15 day extension will be granted when requested.
- Public Notice will allow opportunity for public review and comment on CAFO’s NMP and draft permit terms. NMPs will be made available upon request.



CAFO NPDES Permit (proposed)

Significant changes to NMPs and an NPDES Permit

- New land application areas not previously included in the CAFO’s NMP;
- Changes to the amounts of nitrogen and phosphorus from CAFO sources;
- Addition of any new crop not included in the CAFO’s NMP; and
- Changes to field-specific components of a CAFO’s NMP, where such changes are likely to increase the risk of nitrogen and phosphorus transport from the field to waters of the U.S.



Changes to Animal Thresholds

Proposed Objective: Consistency with Federal Standards

Conformance to EPA animal numbers.

- Distinctions between dry and wet systems for poultry.

Partial Conformance to EPA CAFO classification standard.

- Operating levels of individual animal species (not all animal types) will be summed together on a farm;
- All animal types will be summed to determine if the CAFO is a Class IA, IB, IC.



Missouri Department of Natural Resources

Questions?

For More Information Contact:

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