

NPDES CAFO Rule Implementation Status -- National Summary, Third Quarter 2010, completed 9/30/10 (as reported by EPA Regions)

State	EPA Region	Total CAFOs: Estimated number of facilities defined as CAFOs under NPDES*	CAFOs with NPDES permits†	State's planned date for completing NPDES program revisions to address all provisions of CAFO NPDES regulations‡
Connecticut	1	6	0	None needed
Maine	1	4	4	None needed
Massachusetts	1	1	0	N/A--State does not have NPDES program authorization
New Hampshire	1	1	0	N/A--State does not have NPDES program authorization
Rhode Island	1	0	0	(no CAFOs)
Vermont	1	17	0	completed
New Jersey	2	5	5	planned 10/10
New York	2	604	604	TBD
Puerto Rico	2	1	0	N/A--PR does not have NPDES program authorization
Virgin Islands	2	0	0	(no CAFOs)
Delaware	3	140	366	planned 9/10
Maryland	3	220	7	completed 1/10
Pennsylvania	3	480	334	planned 11/10
Virginia	3	240	0	TBD--draft changes submitted to R3 1/10
West Virginia	3	100	0	planned 2010
Alabama	4	558	487	permit by rule public noticed in July 2010
Florida	4	100	56	completed 3/10
Georgia	4	828	74	planned 3/11
Kentucky	4	150	67	completed 1/10
Mississippi	4	433	190	completed 1/10
North Carolina	4	1,222	14	pending--statutory revision filed to the Senate 3/09
South Carolina	4	201	0	planned 3/11
Tennessee	4	129	79	pending--revised reg public noticed; plan to meet with Board 12/10
Illinois	5	500	14	pending--draft to EPA planned 12/10
Indiana	5	633	527	planned 4/10
Michigan	5	220	196	None needed (per State assessment)
Minnesota	5	1,224	1,187	None needed (per State assessment)
Ohio	5	175	37	planned 1/11
Wisconsin	5	212	209	planned 5/11
Arkansas	6	2,110	0	TBD
Louisiana	6	250	2	completed 4/09
New Mexico	6	171	1	N/A--State does not have NPDES program authorization
Oklahoma	6	626	163	N/A--State does not have NPDES CAFO program authorization
Texas	6	1,086	618	planned 12/10
Iowa	7	1,616	140	planned 4/10
Kansas	7	446	446	TBD
Missouri	7	558	558	planned 2011
Nebraska	7	862	377	planned for 12/10 (propose by 5/10)
Colorado	8	186	66	planned 8/11
Indian Country (R8)	8	11	4	N/A--tribes do not have NPDES program authorization
Montana	8	117	90	planned 6/10

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North Dakota	8	78	0	TBD
South Dakota	8	402	400	TBD
Utah	8	64	53	planned 1/11
Wyoming	8	51	45	planned 6/10; submitted revision package to EPA for review 12/09
Arizona	9	120	4	Rulemaking moratorium--TBD
California	9	1,000	174	No revision--State adopts prospectively
Hawaii	9	0	0	No CAFOs
Indian Country (R9)	9	1	0	N/A--no NPDES program authorization
Nevada	9	9	6	TBD
Alaska	10	0	0	(no CAFOs)
Idaho	10	365	103	N/A--State does not have NPDES program authorization
Oregon	10	566	566	submission to EPA planned 8/10
Washington	10	159	22	TBD
TOTALS		19,258	8,295	

*All AFOs with numbers of animals above the size thresholds set out for large CAFOs are defined as CAFOs under the NPDES federal regulations. In some cases, such as Arkansas and Louisiana, the numbers have not yet been confirmed by the State.

†Under the NPDES CAFO regulations, CAFOs that "discharge or propose to discharge" are required to seek NPDES permit coverage (40 CFR 122.23(d)(1)). As a consequence, the portion of CAFOs in each State that need NPDES coverage can vary from State to State.

‡Status indicated reflects current plans. In some cases, plans are still under discussion.