



FACT SHEET

NPDES PERMIT REGULATION AND EFFLUENT LIMITATIONS GUIDELINES FOR CONCENTRATED ANIMAL FEEDING OPERATIONS

EPA has published regulations for the Effluent Limitations Guidelines and the National Pollutant Discharge Elimination System Permit Regulations for Concentrated Animal Feeding Operations (CAFOs). This action will strengthen existing rules, remove ambiguity about who is covered, and ensure the effective management of manure at the largest CAFOs. The rule confirms the Agency's commitment to work with the agricultural community to control pollution from the Nation's largest animal operations while also supporting the vital role of American agriculture in the U.S. economy. EPA and the U.S. Department of Agriculture are partners in cleaning up America's waters, and we stand ready to help CAFOs develop and implement appropriate nutrient management plans that protect water quality.

Why is EPA publishing this rule?

The livestock industry has undergone dramatic changes in the past 20 years. A trend toward fewer but larger operations, coupled with emphasis on more intense production and specialization, is concentrating more manure and other animal wastes in some areas. The runoff of nutrients in the discharges from these facilities contributes to the pollution of our waterways. More and more of the larger livestock facilities are in non-agricultural areas where there is not enough land for these operations to use animal manure for fertilizer. EPA needed to update the regulations to protect water quality and better reflect a changed industry. We were also required to take this action to fulfill a 1992 court-issued consent decree.

What does the final rule do?

This final rule simplifies and clarifies the existing regulations. It focuses on the largest operations and the operations that pose the greatest environmental risk. It maintains the current NPDES permitting structure (Large, Medium, or Small) and the criteria for when EPA or the state defines or designates a Medium or Small Animal Feeding Operation (AFO) as a CAFO. The final rule maintains or strengthens current requirements for reducing pollution discharges from production areas and promotes innovation. Facilities must provide storage that will contain their manure plus the wastewater from a major storm.

The rule also ensures that land application of manure by CAFOs appropriately uses nutrients (nitrogen and phosphorus) for agricultural purposes. Other changes to the existing rule include:

- All CAFOs must apply for an NPDES permit.
- All large chicken operations must apply for a permit.
- Large swine nurseries and heifer operations must apply for a permit.
- Facilities may elect to use innovative technologies and alternative management practices.
- CAFOs must implement nutrient management plans that include appropriate best management practices to protect water quality.
- CAFOs must submit annual reports summarizing key information about their operation.

How will this rule help the environmental and public health?

EPA estimates that every year this rule, when implemented, will remove 166 million pounds of nutrients and 2.2 billion pounds of sediment loads from existing discharges. We also estimate that emissions from large CAFOs of hydrogen sulfide will be reduced by 12% and from methane by 11%. Economic benefits, which we estimate at \$204 to \$355 million, will include

- increased use of waters for recreation (\$166 to \$299 million a year)
- reduced nitrate contamination of private drinking wells (\$31 to \$46 million a year)
- better shellfish harvests (\$0.3 to \$3.4 million a year)
- fewer fish kills (\$100,000 a year)
- cost savings for drinking water treatment (\$1.1 to \$1.7 million a year) and
- reduced loss of livestock to disease (\$5.3 million a year)

Additional benefits for which we can not estimate monetary benefits include reduced eutrophication; reduced fecal contamination; reduced human health and ecological risks from pathogens, metals, and salts; improved soil quality; and reduced use of fertilizers.

How much will this rule cost?

The Agency estimates that CAFOs will spend \$335 million annually to implement this final rule, and governments (both federal and state) will spend \$9 million a year to administer the revised program. We expect that 3% of all large CAFOs may have to close as a result of the regulation.

How can I get more information?

You can find the rule and supporting information on the Internet by visiting <http://www.epa.gov/npdes/caforule>. You can ask for hard copies of these documents by calling the Office of Water Resource Center (202/566-1729). You can also ask questions or request documents by calling the CAFO phone line (202/564-0766). You can find more information on USDA's website at <http://www.nrcs.usda.gov/programs/afo/>.