

NPDES CAFO Rule Implementation Status -- National Summary, Endyear 2013, completed 12/31/13 (as reported by EPA Regions)

State	EPA Region	Total CAFOs <sup>1</sup>	CAFOs with NPDES permits <sup>2</sup>	% CAFOs w/ NPDES permits	State's planned date for completing NPDES program revisions to address all provisions of CAFO NPDES regulations <sup>3</sup>	Expiration date for pre-2008 reg NPDES GP, if any	Date for NPDES GP under 2008 regs	Tech stds submitted by State Director <sup>4</sup>	Tech stds address 2008 regs <sup>5</sup>	Last Updated
Connecticut	1	6	0	0%	None needed	none	GP to be PN in CY 2012	In progress	Will be when reissued CY2013	
Maine	1	6	6	100%	None needed	none	lps only	Y		
Massachusetts	1	1	0	0%	N/A--State does not have NPDES program authorization	none	lps only	N/A		
New Hampshire	1	1	0	0%	N/A--State does not have NPDES program authorization	none	lps only	N/A		
Rhode Island	1	0	0	n/a	(no CAFOs)	none	n/a	N		
Vermont	1	17	0	0%	None needed	none	planned 2011	Y		4Q12
New Jersey	2	5	2	40%	planned 10/10	exp 5/13	issued 6/08	Y		
New York	2	571	247	43%	TBD	exp 6/30/09	TBD	Y		
Puerto Rico	2	1	0	0%	N/A--PR does not have NPDES program authorization	none	lps only	N/A		
Virgin Islands	2	0	0	n/a	(no CAFOs)	none	n/a	N		4Q13
Delaware	3	452	1	0%	Regs approved 1/12	none	lps only	Y	TS reviewed, State's action pending	
Maryland	3	529	336	64%	Regs approved 1/10	none	effective date 12/1/09, expiration date 11/30/14	Y	TS reviewed, State's action pending	
Pennsylvania	3	373	373	100%	TBD/State's revisions under EPA review	exp 9/30/2011	effective date 4/1/13, expiration date 3/31/18	Y	TS reviewed, State's action pending	
Virginia	3	85	0	0%	Regs approved 6/10	none	lps only	Y	TS reviewed, State's action pending	
West Virginia	3	21	2	10%	Regs reviewed 12/11, State's action pending	none	lps only	Y	TS reviewed, State's action pending	4Q13
Alabama	4	558	487	87%	permit by rule effective since August 2011	exp 2/11	planned 7/10	Y		
Florida	4	100	58	58%	completed 3/10	lps only	lps only	Y		
Georgia	4	828	152	18%	completed 6/12	exp 6/07	No GP	Y		
Kentucky	4	150	67	45%	completed 1/10	exp 10/05	No GP	Y		
Mississippi	4	433	190	44%	completed 1/10	poultry exp 1/09; swine exp 8/10	completed 8/10	Y		
North Carolina	4	1,222	14	1%	completed; effective based on revision filed w/ Senate 3/09	exp 6/12	planned 6/12	Y		
South Carolina	4	201	0	0%	TBD	exp 5/09	State operating permits only	Y		
Tennessee	4	129	79	61%	competed 5/11	exp 8/09	lps for large CAFOs	Y		4Q12
Illinois	5	260	38	15%	revisions to IL CAFO rules pending before Illinois Pollution Control Board	exp 9/14	issued 10/09	Y		
Indiana	5	677	8	1%	state rule revisions effective July 2012; tbd if rule revisions incorporate 2008 rule	lps only	lps only	Y		
Michigan	5	249	225	90%	None needed (per State assessment)	exp 4/15	completed 4/10	Y		
Minnesota	5	1,349	1,341	99%	state working on rule revisions which will IBR current federal CAFO rules	exp 1/16	completed 2/10	Y		
Ohio	5	212	37	17%	transfer NPDES CAFO authority to ODA pending	lps only	lps only	Y		
Wisconsin	5	257	256	100%	None needed (per State assessment)	exp 3/16	issued 4/11	Y		4Q13
Arkansas	6	776	1	0%	None needed (per State assessment)	none	issued 10/11	Y	TBD	
Louisiana	6	250	4	2%	State has amended regs to reflect 2012 rule revision	none	lps only	Y	TBD	
New Mexico	6	171	22	13%	N/A--State does not have NPDES program authorization	none	issued 8/09	N/A	N/A	
Oklahoma	6	54	0	0%	newly authorized for NPDES CAFO permitting as of 12/12	none	issued 1/12	N/A	N/A	
Texas	6	1,019	547	54%	TCEQ is set to adopt CAFO NPDES regulations July 2014	exp 7/14	planned 2014	Y	EPA/TCEQ coordinating updates	4Q13
Indian Country (R7)	7	9	4	44%	N/A--tribes do not have NPDES program authorization	lps only	lps only	N/A	N/A	
Iowa	7	3,055	186	6%	planned Fall 2012 (after EPA revises duty to apply rule)	lps only	lps only	Y	updating	
Kansas	7	436	435	100%	need to revise NSPS only - 12/2013 (Permits are issued with NSPS)	lps only	lps only	Y	Y	
Missouri	7	487	50	10%	completed--passed 1/2012; effective 4/2012	exp 2/13	planned 2/13	Y	Y	
Nebraska	7	862	398	46%	completed 6/25/2011	exp 3/13	issued on 7/12, effective 4/13	Y	EPA coordinating updates	4Q13
Colorado	8	202	83	41%	completed 1/12	exp 8/10; admin extended	completed 4/12	Y		
Indian Country (R8)	8	4	4	100%	N/A--tribes do not have NPDES program authorization	lps only	lps only	N/A		
Montana	8	113	103	91%	completed 1/12	exp 10/31/13	Effective date 11/1/2013	Y	yes	
North Dakota	8	76	0	0%	TBD	none	tbd	Y		
South Dakota	8	416	415	100%	TBD	exp 10/19/08	tbd	Y		
Utah	8	64	55	86%	State rule was changed in July 2013 to reflect the NPDES regulations	exp 9/30/05	planned 9/12	Y		
Wyoming	8	64	45	70%	planned 6/10; submitted revision package to EPA for review 12/09	lps only	lps only	Y		4Q13
Arizona	9	100	2	2%	Rulemaking moratorium--TBD	exp 4/09	(State reg moratorium)	Y	EPA coordinating updates	
California	9	970	151	16%	No revision--State adopts prospectively	RB7 - exp 6/2013; RB8 - exp 9/6/2012	RB5 dairy GP issued 12/10; RB1 issued GP 1/2012	Y	see box below	
Hawaii	9	1	0	0%	None needed (per OGC assessment, 12/11)	none	n/a	Y	HI reviewing new draft stds	
Nevada	9	11	6	55%	None needed (per State assessment)	lps only	lps only	Y	EPA coordinating	4Q13
Alaska	10	0	0	n/a	(no CAFOs)	none	n/a	N		
Idaho	10	365	0	0%	N/A--State does not have NPDES program authorization	prior GP was administratively extended	effective 5/12	Y	Y	
Oregon	10	114	114	100%	None needed (per State assessment)	exp 5/31/14	issued 6/09	Y		
Washington	10	150	13	9%	None needed (per State assessment)	exp 7/21/11	planned 4/13	Y		4Q13
TOTALS		18,462	6,557							

<sup>1</sup> 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.

<sup>2</sup> The NPDES CAFO regulations require CAFOs that discharge to have 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.

<sup>3</sup> Status indicated reflects current plans. In some cases, plans are still under discussion.

<sup>4</sup> Technical standards were submitted for each Regional Board with the exception of 2, 4, 6 and 9. These RBs either do not have CAFOs or do not have CAFOs that land apply manure.

<sup>5</sup> EPA is reviewing State technical standards to ensure they address the requirements of the 2008 rule. EPA is in the process of posting State standards that address the 2008 rule on the EPA website.

RB1 - no changes needed  
 RB3 - pending OWM/TT review  
 RB5 - no changes needed?  
 RB7 - submitted evaluation to RB staff  
 RB8 - submitted evaluation to RB staff