

NPDES CAFO Rule Implementation Status -- National Summary, First Quarter 2010, completed 3/31/10 (as reported by EPA Regions)

State	EPA Region	Total CAFOs: Estimated number of facilities defined as CAFOs under CWA*	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	6	6	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	0	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	planned 7/10
Florida	4	100	56	completed 3/10
Georgia	4	828	74	planned 6/10
Kentucky	4	150	67	planned 6/10
Mississippi	4	433	190	planned 6/10
North Carolina	4	1,222	14	Statutory revision planned 12/10
South Carolina	4	201	0	planned 6/10
Tennessee	4	129	79	planned 6/10
Illinois	5	500	5	planned 12/10
Indiana	5	644	527	planned 4/10
Michigan	5	220	197	None needed (per State assessment)
Minnesota	5	1,224	1,187	None needed (per State assessment)
Ohio	5	175	39	planned 10/10
Wisconsin	5	210	189	TBD--Identified need for statutory and regulatory changes
Arkansas	6	2,110	0	TBD
Louisiana	6	150	0	completed 4/09
New Mexico	6	171	0	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	1,597	133	planned 4/10
Kansas	7	446	446	TBD
Missouri	7	573	573	planned 2/11
Nebraska	7	862	363	planned for 12/10 (propose by 5/10)
Colorado	8	183	63	planned 3/11
Indian Country (R8)	8	11	4	N/A--tribes do not have NPDES program authorization
Montana	8	117	90	planned 6/10
North Dakota	8	77	0	TBD
South Dakota	8	396	394	TBD

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Utah	8	54	53	planned 6/10
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	1,008	195	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	562	562	TBD
Washington	10	159	24	TBD
TOTALS		19,149	7,906	

*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.