

REGION 7 EXISTING CAFO ORDER 01-800	PROPOSED REGION 7 CAFO ORDER
Authorized Production Area Discharges	
<p>Storm flows in excess of a 25-year, 24-hour storm event may be discharged to surface water bodies in accordance with requirements specified in this Order. In addition, stormwater flows resulting from chronic, cumulative and catastrophic storm events may also be discharged to the surface water bodies under the terms of this Board Order.</p>	<p>In general, a discharge from the production area is allowed, or authorized, if:</p> <ul style="list-style-type: none"> (a) the discharge is caused by precipitation; (b) an accepted EWMP is fully implemented (including that the); and (c) the facility is in compliance with the Effluent Limitations of the Order (including that the storage structures are designed, constructed, operated, and maintained to contain all process wastewater plus the direct precipitation and runoff from a 25-year, 24-hour storm).
<p>The Order requires that the facilities be protected from inundation from a 100-year frequency storm (Title 27, California Code of Regulations).</p>	<p>Unchanged</p>
Authorized Land Application Area Discharges	
<p>Discharge of wastewater to disposal lands shall not result in surface runoff from disposal lands and shall be managed to minimize percolation to the groundwater.</p>	<p>Only agricultural stormwater discharges are allowed from the land application area at permitted and unpermitted CAFOs.</p>
Engineered Waste Management Plan	
<p>The Discharger must develop an Engineered Waste Management Plan (EWMP) and have it approved by the Regional Board</p>	<p>Unchanged</p>
<p>Keep a copy of the approved EWMP and be familiar with its contents.</p>	<p>Unchanged</p>

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Production Area Visual Inspections	
The discharger shall design, construct and maintain containment structures to retain all wastewater within its facility, including all process generated wastewater and all precipitation on, and drainage through, manured areas resulting from storms up to and including a 24-hour, with a 25-year return frequency.	The discharger must ensure adequate storage of manure, litter, and process wastewater, including operation and maintenance procedures
The discharger(s) shall inspect the waste holding and disposal areas and note any discharges from the property that is under the control of the discharger. Inspections will be made daily when wastewater is applied to crop land and weekly during other periods.	Unchanged
Visual inspections of all storm water containment structures during each significant storm event.	Unchanged
N/A	Daily visual inspections of all water lines, including drinking water or cooling water lines
N/A	Weekly inspections of the manure, litter, and process wastewater impoundments noting the level as indicated by a depth marker installed in all open surface liquid impoundments. Each depth marker must clearly indicate the minimum capacity necessary to contain the runoff and direct precipitation of the 25-year, 24-hour rainfall event for the location of the permitted CAFO.
Records must include: (a) approximate time of each storm related discharge; (b) approximate duration; (c) specific type and source of discharge, time schedule and a plan to implement actions necessary to prevent the recurrence; and (d) annual report to include inspection logs.	Unchanged, except that annual report need only certify that inspection logs are maintained on site.
N/A	Timely correction of any deficiencies that are identified in daily and weekly inspections.

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Manure Transfers	
Manure removed from the corrals shall be removed from the facility within 180 days. A manifest of the manure hauled away shall be prepared and submitted with the Annual Report.	Unchanged
The discharger(s) shall record each manure-hauling event on a manure tracking manifest form and submit with Annual Report.	Unchanged, except that annual report need only certify that manure tracking manifest forms are maintained on site.
N/A	Large CAFOs must provide the results of the most current nutrient analysis to recipients of any manure, litter, or process wastewater transferred to other persons.

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Additional Best Management Practices	
N/A	The Discharger must ensure proper management of mortalities (i.e., dead animals) to ensure that they are not disposed of in a liquid manure, storm water, or process wastewater storage or treatment system that is not specifically designed to treat animal mortalities. The Discharger must handle and dispose of animal mortalities in a manner that prevents contamination of waters of the United States. Dead animals shall be disposed of in accordance with local laws, regulations, and ordinances.
All surface drainage from outside of the facility shall be diverted away from any manured areas unless such drainage is fully contained.	The Discharger must ensure that clean water is diverted, as appropriate, from the production area. Clean water includes rain falling on roofs of facilities, runoff from adjacent land, and other sources: (a) If clean water is not diverted from coming into contact with manure or process wastewater it must be contained in accordance with permit requirements; (b) ii. All new roofs, buildings, and non-manured areas located on the CAFO shall be constructed or otherwise designed so that clean rainwater is diverted away from the sources of animal manure and waste containment facilities.
N/A	The Discharger must prevent the direct contact of confined animals with waters of the United States. The Discharger must develop and implement appropriate controls to prohibit all animals at the CAFO from entering any surface water within the production area.
N/A	The Discharger must ensure that chemicals and other contaminants handled on-site are not disposed of in any manure, litter, process wastewater, or storm water storage or treatment system unless specifically designed to treat such chemicals or contaminants. The Discharger must develop and implement controls to prevent the inappropriate introduction of chemicals into the manure, wastewater, and storm water storage and handling system. Examples include pesticides, hazardous and toxic chemicals, and petroleum products and by-products.
Manure removed from the corrals shall be removed from the facility within 180 days.	Unchanged
On two (2) designated “clean days” per calendar year, facilities subject to this order shall be free of all stockpiled manure that has been removed from corrals.	N/A

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Nutrient Management Plan	
N/A	All CAFOs that land apply manure must develop and implement nutrient management plans.
<p>Manure applied to cultivated cropland shall not exceed agronomic rates and shall be incorporated into soil soon after application or appropriate containment (based upon the specific crop grown) controls must be provided.</p>	<p>Unchanged, plus: Dischargers who land apply manure, litter, or process wastewater must establish protocols to land apply manure, litter, or process wastewater in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter, or process wastewater. The Discharger must develop and implement protocols to apply manure, litter, and process wastewater in accordance with the Technical Standards for Nutrient Management.</p>
N/A	<p>The Discharger must identify appropriate site specific conservation practices to be implemented, including as appropriate buffers or equivalent practices to control runoff of pollutants to waters of the United States. For land application areas under the control of the CAFO, the Discharger must develop and implement practices that are sufficient to minimize the discharge of pollutants to waters of the United States. These practices may include, but are not limited to residue management, conservation crop rotation, grassed waterways, strip cropping, vegetated buffers, riparian buffers, setbacks, terracing, and diversions.</p>
N/A	<p>The Discharger must identify protocols for appropriate testing of manure, litter, and process wastewater. Dischargers who land apply manure, litter, or process wastewater must identify protocols for appropriate testing of soil. The Discharger must identify and implement specific manure, wastewater, and soil sample collection and analysis protocols to be used in developing and implementing the NMP. At a minimum, the protocol is to specify the collection and analysis of manure, litter, and process wastewater annually for nutrient content, including nitrogen and phosphorus. The protocol is to specify the collection and analysis of soil samples for phosphorus content at least once every 5 years for all fields under the control of the Discharger where manure and wastewater may be applied. In all cases the sampling protocols for manure, litter, process wastewater, and soil are to be consistent with the Technical Standards for Nutrient Management.</p>

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Construction, Operation, and Maintenance	
Operation of CAFOs shall not cause pollution or nuisance as defined in Section 13050 of the California Water Code.	Unchanged
The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code.	Unchanged
Retention ponds and manured areas at CAFOs in operation since November 27, 1984, shall be protected from inundation or washout by overflow from any stream channel during 20-year peak stream flows. Facilities existing before November 27, 1984 that are protected against 100-year peak stream flows must continue to provide such protection. Facilities built after November 27, 1984 shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.	Unchanged
No new containment structures shall be constructed of manure, and manure shall not be used to improve or raise existing containment structures.	Unchanged
Retention ponds shall be lined with or underlain by soil which contains at least ten (10) percent clay and not more than ten (10) percent gravel or artificial materials or materials with equivalent impermeability. These ponds shall also be sited, designed, constructed and operated to ensure that wastes will be a minimum of five feet above the highest anticipated elevation of underlying groundwater.	Unchanged
A minimum freeboard of two (2) feet shall be maintained at all times in the ponds.	Unchanged
Following a storm event, the discharger shall restore the wastewater holding capacity of retention ponds in a timely manner.	Unchanged
Ponds shall be managed to prevent breeding of mosquitoes, In particular, (a) an erosion control program shall ensure that small coves and irregularities are not created around the perimeter of the water surface; (b) ii. Weeds shall be minimized through control of water depth, harvesting, or herbicides; (c) Dead algae, vegetation, and debris shall not accumulate on the water surface.	Unchanged

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WHAT TO DO IF YOU HAVE A DISCHARGE	
<p>If you have an authorized discharge M&R 3. The discharger shall record the time and duration of discharge and report with Annual Report</p>	<p>Unchanged</p>
<p>If you have an unauthorized discharge H. 2. The discharger shall report any noncompliance...to the Regional Board within 24 hours of becoming aware of the occurrence. Submit a written report to the Regional Board within 5 days. The report must include:(a) The approximate date and time of the discharge; (b) a description of the noncompliance and its cause; (c) the volume and duration of the discharge; (d) the period of noncompliance, including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and (e) a time schedule and a plan to implement necessary corrective actions to prevent the recurrence of such discharges.</p>	<p>Unchanged (except the written report shall be submitted within 2 weeks)</p>

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