

# New Requirements for Controlling Manure, Wastewater from Large Animal Feeding Operations

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(Washington, D.C. – Oct. 31, 2008) EPA has finalized a rule helping to protect the nation's water quality by requiring concentrated animal feeding operations (CAFOs) to safely manage manure. EPA estimates CAFO regulations will prevent 56 million pounds of phosphorus, 110 million pounds of nitrogen, and 2 billion pounds of sediment from entering streams, lakes, and other waters annually.

"EPA's new regulation of animal feedlots sets a strong national standard for pollution prevention and environmental protection, while maintaining our country's economic and agricultural competitiveness," said Assistant Administrator for Water Benjamin H. Grumbles. "This clean water rule strengthens environmental safeguards by embracing a zero discharge standard and requiring site-specific management plans to prevent runoff of excess nutrients into our nation's waters."

This is the first time EPA has required a nutrient management plan (NMP) for manure to be submitted as part of a CAFO's Clean Water Act permit application. Manure contains the nutrients nitrogen and phosphorus, which, when not managed properly on agricultural land, can pollute nearby streams, lakes, and other waters.

Previous rules required a CAFO operator to use an NMP for controlling manure, but the regulation builds on that by requiring the NMP to be submitted with the permit application. The plan will be reviewed by the permitting authority and conditions based on it will be incorporated as enforceable terms of the permit. The proposed NMP and permit will be available for public review and comment before going final.

The regulation also requires that an owner or operator of a CAFO that actually discharges to streams, lakes, and other waters must apply for a permit under the Clean Water Act. If a farmer designs, constructs, operates and maintains their facility such that a discharge will occur, a permit is needed. EPA is also providing an opportunity for CAFO operators who do not discharge or propose to discharge to show their commitment to pollution prevention by obtaining certification as zero dischargers.

In addition, the final rule includes technical clarifications regarding water quality-based effluent limitations and use of best management practices to meet zero discharge requirements, as well as affirming the 2003 rule requirement for reducing fecal coliform through the use of best conventional technology.

EPA worked closely with the U.S. Department of Agriculture during the development of the rule and will work closely with states during implementation. The rule deadline for newly defined facilities to apply for permits is February 27, 2009.

EPA has been regulating CAFOs for more than 30 years. The final rule responds to a February 2005 federal court decision that upheld most of the agency's 2003 rule, but directed further action or clarification on some portions.

Information on the concentrated animal feeding operation rule: <http://www.epa.gov/npdes/caforule>

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