

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

FACT SHEET
APPLICATION FOR
GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT
AND
GENERAL WASTE DISCHARGE REQUIREMENTS
FOR
CONFINED ANIMAL FEEDING OPERATIONS (CAFO)

	Public Notice No.:	7-01-04
NPDES Permit Number: CAG017001	Board Order No.:	01-800

I. Status of Permit

On September 27, 1995, the Board adopted Order No. 95-700, General Waste Discharge Requirements For Confined Animal Feeding Operations, Including Dairies, within the Colorado River Basin Region (NPDES CAG017001). Board Order No. 95-700 expired on October 1, 2000. The CAFO's currently enrolled or in the process of enrolling under Board Order No. 95-700 want to continue to discharge wastes. Therefore, it is necessary to renew the waste discharge requirements contained in Board Order No. 95-700. Currently the general NPDES permit for CAFOs, Board Order 95-700, focuses on the regulation of feedlots. Considering the fact that it is expected for many dairies to relocate to the Imperial Valley in the near future, the updated version of this permit incorporates the regulating of dairies in the same manner.

II. Definition of CAFOs

CAFOs are those facilities which stable, confine, and feed or maintain animals for a total of 45 days or more in any 12-month period. As defined in 40 CFR 122 Appendix B, the United States Environmental Protection Agency designates a CAFO if more than 1,000 "animal units"¹ are confined at the facility or if the facility contains 301-1,000 animal units and it also meets one of the following specific criteria addressing the method of discharge; pollutants are discharged into waters of the United States through a man made ditch, flushing system, or other similar man made device and/or pollutants are discharged directly into waters of the United States that originate outside of the facility and pass over, across, or through the facility or otherwise come into contact with the confined animals. At present, Colorado River Basin Region has 24 CAFOs within the region. Most of these facilities are feedlots, with the exception of two dairies.

"An animal feeding operation is a concentrated animal feeding operation for purposes of § 122.23...

a. More than the numbers of animals specified in any of the following categories are confined:

1. 1,000 slaughter and feeder cattle,
2. 700 mature dairy cattle (whether milked or dry cows),
3. 2,500 swine each weighing over 25 kilograms (approximately 55 pounds),
4. 500 horses,
5. 10,000 sheep or lambs,
6. 55,000 turkeys,
7. 100,000 laying hens or broilers (if the facility has continuous overflow watering),
8. 30,000 laying hens or broilers (if the facility has a liquid manure system),

¹ Common denominator for measuring animal feed requirements where one animal unit is equivalent to the feed requirement for a 1,000 lb. mature beef cow.

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9. 5,000 ducks, or
10. 1,000 animal units; or

b. More than the following number and types of animals are confined:

1. 300 slaughter or feeder cattle,
2. 200 mature dairy cattle (whether milked or dry cows),
3. 750 swine each weighing over 25 kilograms (approximately 55 pounds),
4. 150 horses,
5. 3,000 sheep or lambs,
6. 16,500 turkeys,
7. 30,000 laying hens or broilers (if the facility has continuous overflow watering),
8. 9,000 laying hens or broilers (if the facility has a liquid manure system),
9. 1,500 ducks, or
10. 300 animal units..."

III. Description of Discharge

Dairies and feedlots are high profile operations that generate large volumes of wastes that can impact both ground and surface water if not managed properly. CAFO wastes (including manure, washwater² containing manure, and stormwater runoff from manured area) are typically high in ammonia, bacteria and organic matters. Stormwater runoff from manured areas also contain high concentration of organic materials, salt and nitrates. In surface waters the ammonia and nitrate are highly toxic to aquatic organisms, decay of the organic matter reduces the oxygen content of the water, and the bacteria poses a threat to the beneficial uses of the water. Proper management is essential to protect the ground and the surface water resources of the region. Section 402(p) of the CWA, as amended by the Water Quality Act of 1987 and the related regulations published by the United States Environmental Protection Agency on November 16, 1990 (40 CFR Parts 122, 123 and 124), requires an NPDES permit for pollutant discharges from CAFOs. The USEPA's Effluent Guidelines and Standards for Feedlots are contained in Title 40 CFR 412 (revised July 1, 1993).

IV. Receiving Water

The Board adopted the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) on November 17, 1993. The Basin Plan designates the beneficial uses of groundwater and surface waters of the Region and water quality objectives to protect those uses. This Board Order specifies requirements necessary to meet the water quality objectives and protect beneficial uses specified in the Basin Plan.

V. Proposed Water Quality-Based Effluent Limitations

To address potential surface water impacts, this Order requires that all water discharged from the feedlots, dairy washwater, and all precipitation on and drainage through manured areas resulting from storms up to and including a 25-year 24-hour storm, be maintained within each facility (as defined in Title 27 of the California Code of Regulations and 40 CFR Part 412).

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. Further, the Order requires that the facilities be protected from inundation from a 100-year frequency storm (Title 27, California Code of Regulations). To insure that compliance with this order is achieved, each discharger has been required to develop and implement an Engineered Waste Management Plan (EWMP). The requirements of the EWMP are included in Attachment "B" of the proposed order. At this time, most of the facilities have submitted

² Water used to wash cows prior to milking, milking equipment and the milk barn.

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their request for an EWMP to the Natural Resources Conservation Service (NRCS). Those who have not yet done so will have 90 days from the adoption of this Order to submit their request.

A second element of the dairy regulatory strategy is the development of a manifest system for tracking manure disposal. This order requires the implementation of this manifest system by all confined animal facilities in operation within the region. Dairy manure contains much more salt per unit of nitrogen than other kind of fertilizers. For this reason, the use of manure to meet the nutrient needs of crops results in excessive application of salts which are not utilized by plants and which can, migrate to groundwater.

The groundwater salinity within Imperial Valley is naturally high. For that reason the application of manure is not expected to impact the quality of the groundwater. However, a study is highly recommended to determine the acceptable salt loading rate in this area. At present outside the limits of Imperial Valley, this order limits the amount of manure disposal to 3 tons(dry) per year per acre. Studies conducted at Region 8 (Santa Ana Region) determines the rate to be acceptable.

Dairies are known to be a major contributor of groundwater contamination in other areas of the state, namely Chino Basin. Upon the submittal of the EWMP, the Executive Officer shall determine the need to develop groundwater monitoring program on a case by case basis.

This Order also includes the requirement that dairy operations and other confined animal facilities comply with the Water Quality Control Plan and Title 27 of the California Code of Regulations.

In conclusion, the overall CAFOs management strategy includes permitting, manure disposal tracking, groundwater monitoring, salt offset program implementation and storm water management and enforcement.

VI. Monitoring Requirements

Upon the submittal of the EWMP, the Executive Officer shall determine the need to develop a groundwater monitoring program on a case by case basis.

VII. Information Sources

While developing effluent limitations and receiving water limitations, monitoring requirements, and special conditions for the draft permit, the following information sources were used:

- (1) EPA NPDES Application Forms 1 and 2D dated July 24, 2000.
- (2) 40 CFR Parts 117,122, 123, 124, 136, 302, and 403
- (3) Water Quality Control Plan (Colorado River Basin – Region 7) dated 1994
- (4) Porter-Cologne Water Quality Control Act with additions and amendments effective January 1, 2000
- (5) Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, adopted March 2, 2000.
- (6) California Toxics Rule, published by May 18, 2000 by U.S. EPA.
- (7) National Toxics Rule (NTR) adopted by U.S. EPA on February 5, 1993.

Written Comments

Interested parties and agencies are invited to submit written comments on the proposed waste discharge requirements and the Regional Board's Executive Officer's proposed determinations. Comments should be submitted in writing not later than January 30, 2000 to:

Executive Officer
California Regional Water Quality Control Board

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Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

The application number shall appear on the first page of any submitted comments. All comments received by the above date will be considered in the formulation of the final determinations.

Public Hearing

The Waste Discharge Requirements will be considered by the Regional Board at a public hearing to be held at the City of La Quinta City Council Chambers, 78-495 Calle Tampico, La Quinta on March 14, 2000.

Waste Discharge Requirements Appeals

Any person may petition the State Board to review the decision of the Regional Board regarding waste discharge requirements. A petition must be made within 30 days of the Regional Board's hearing.

Additional Information

Persons wishing further information may write to the following address:

California Regional Water Quality Control Board
Colorado River Basin Region
73-720 Fred Waring Drive, Suite 100
Palm Desert, CA 92260

or call the Regional Board at (760) 346-7491