



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION



Bureau of Clean Water

# **PAG-12 General Permit Renewal**

## **Agricultural Advisory Board**

Harrisburg, PA

December 21, 2017

Tom Wolf, Governor

Patrick McDonnell, Secretary

# CAFO Annual Reports

- CAFO Annual Reports are required by federal regulations
- Reporting period is currently the calendar year, and report is due by Feb 15
- Proposed change would make the reporting period the crop year (Oct 1 – Sep 30), due by Dec 1 (an increase in 15 days)

# eReporting Rule

- The NOI and Annual Report must be updated to collect information required by EPA's NPDES Electronic Reporting Rule (“eReporting Rule”)
- Under the rule, CAFO Annual Reports must be submitted electronically by December 21, 2020; consultants may be able to submit reports on behalf of permittees where computer use is an issue

# General Information Form

- The General Information Form (GIF) is a DEP-wide form that collects basic applicant and project information as well as land use data
- GIF is currently required for all NOIs (including renewals)
- DEP proposes to eliminate the GIF for renewals

# Leak Detection Systems

- Current PAG-12 requires the collection of samples from leak detection systems and perimeter drains when drainage is cloudy, discolored, odiferous or unusual
- DEP proposes to require the collection of an annual sample from leak detection systems for  $\text{NH}_3\text{-N}$  analysis, and develop a plan to investigate and correct leakage if a threshold concentration is exceeded

# AEU Exceedances

- PAG-12 currently states that it is a violation to exceed the Animal Equivalent Units (AEUs) in the NMP
- DEP is seeking to eliminate this provision; permit coverage would need to be amended prior to an increase in AEUs > 10%, and when AEUs/acre will increase > 10%

# ▶ Earthen Manure Storage Inspections

- DEP proposes to include a requirement in PAG-12 for an annual inspection of earthen manure storage facilities
- The permittee/operator may complete the inspection
- The inspection report would be attached to the CAFO Annual Report
- DEP may require a professional engineer to evaluate facilities

# Depth Markers

- PAG-12 currently requires depth markers in manure storage facilities, consistent with federal regulations
- DEP is proposing to clarify that depth markers are not necessary for shallow pits and other facilities that only store manure temporarily; DEP may also waive depth markers in other cases where such markers aren't practical



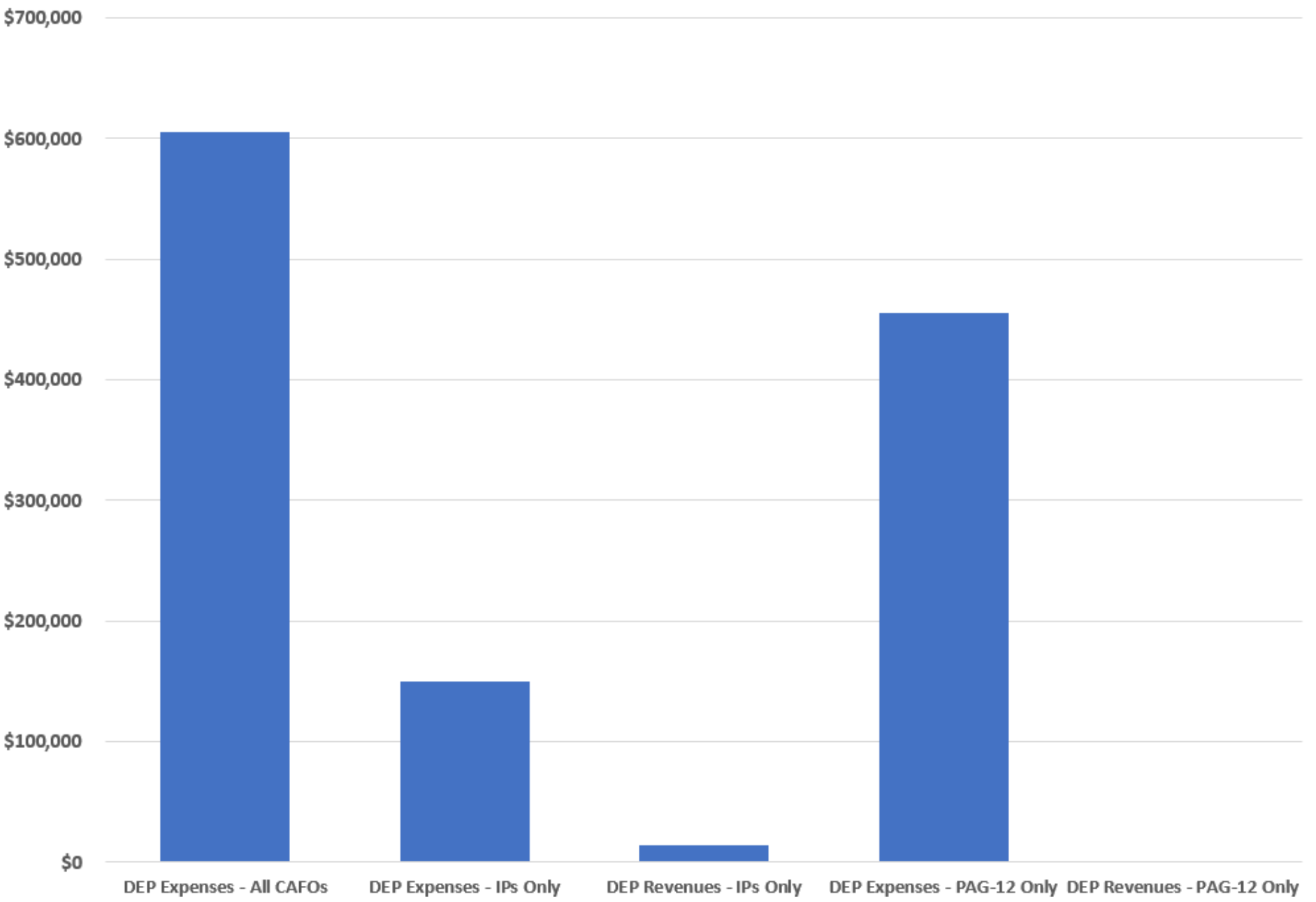
# Fees

- DEP proposes a \$500/year annual NOI fee to operate under PAG-12 to help cover DEP's costs for the program
- PAG-12-covered CAFOs have never previously paid any fees
- The \$500/year annual NOI fee would be less than the annual fees assessed for CAFOs under individual permits (proposed Chapter 92a regulations)

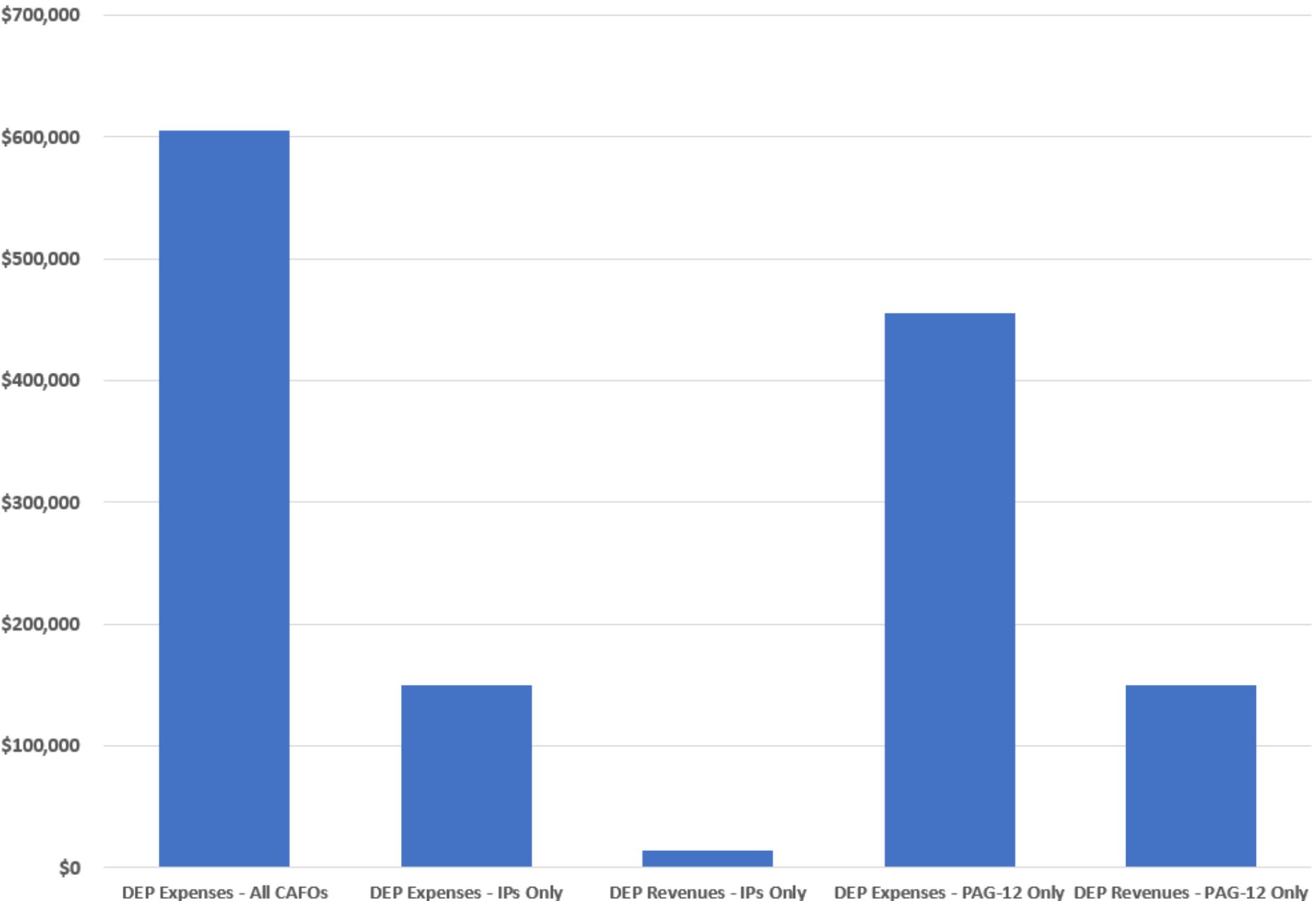
# Fees – Covering DEP's Costs

- Since the NPDES CAFO program began in Pennsylvania (1999), CAFOs have spent \$230,000 in permit fees
- DEP has spent approximately \$8 million in staff time alone

# Annual Expenses and Revenues for CAFOs



# Annual Expenses and Revenues for CAFOs



# What Hasn't Changed?

- There has been a general reorganization of PAG-12, but most of its terms and conditions remain the same
- No changes to winter application of manure conditions



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION



Bureau of Clean Water

# Thank you.

Lee A. McDonnell, P.E.  
Director  
Bureau of Clean Water