



pennsylvania
DEPARTMENT OF ENVIRONMENTAL
PROTECTION



Bureau of Clean Water

CAFO PAG-12 Proposed Revisions

Tom Wolf, Governor

Patrick McDonnell, Secretary

Agenda

- Why DEP is proposing revisions
- Proposed changes
- What the proposed changes mean
- Timeline
- Support requested

Why DEP Is Proposing Revisions

- DEP administrative and Ag Industry burden
 - Annual Reports serving as annual Notices of Intent (NOI) increased DEP administrative burden and created a possibility of increased appeals
 - Late Annual Reports resulted in expiration of permit coverage
 - Late Annual Fees resulted in expiration of permit coverage
- Fixing an error identified by Ag Industry representative after finalization
 - Certain CAFOs were omitted in error from water line inspection

Proposed Changes

- Remove language indicating that the submission of a CAFO Annual Report will be considered a NOI
- Remove language stating that failure to submit a timely CAFO Annual Report and/or NOI fee will constitute expiration of coverage
- Clarify that the annual fee associated with PAG-12 General Permit coverage is an installment payment of the NOI fee.
 - This clarification will not result in additional fees or required payments.
- Clarify that DEP will provide further instruction as to the form of the NOI and the manner of submission for renewal of coverage at the end of the five-year permit term.
- Correct an error in Part A, clarifying that all Large CAFOs must perform daily water line inspections to be consistent with federal requirements

Timeline

- April 2020 – Reviewed proposed changes with EPA
- May 2020 – Consult with the Agricultural Advisory Board and WRAC
 - Draft permit sent to board members via email following May meeting
- June 2020 – Special meeting of Agricultural Advisory Board
 - Draft permit published immediately following special meeting with 30 day comment period
- July – August 2020 – Draft responses to public comment
- August – September 2020 – Consult with the Agricultural Advisory Board, Nutrient Management Advisory Board, and WRAC
- October 2020 – Final general permit published
- January 1, 2021 – NOI for PAG-12 coverage due

Support requested

Agricultural Advisory Board support requested:

1. Support to move forward with proposed timeline for publishing the revised draft PAG-12 for public comment following discussion of the revised draft permit with AAB in June
2. Support for AAB consultation with DEP during and/or between public comment period and final publication



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