



**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
- The effect of the proposed changes
- Timeline

# 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/June 2020 – Consult with WRAC and the Agricultural Advisory Board
  - Draft permit sent to committee members via email following May meeting
- June 2020 – Publish for 30-day public comment
- July – August 2020 – Draft responses to public comment
- August – September 2020 – Consult with WRAC, the Agricultural Advisory Board, and the Nutrient Management Advisory Board
- October 2020 – publish as final



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