



Chesapeake Bay Program Office

# **2023 PAG-12 Update**

## **NPDES General Permit for Operation of Concentrated Animal Feeding Operations**

Water Resources Advisory Committee

May 19, 2022

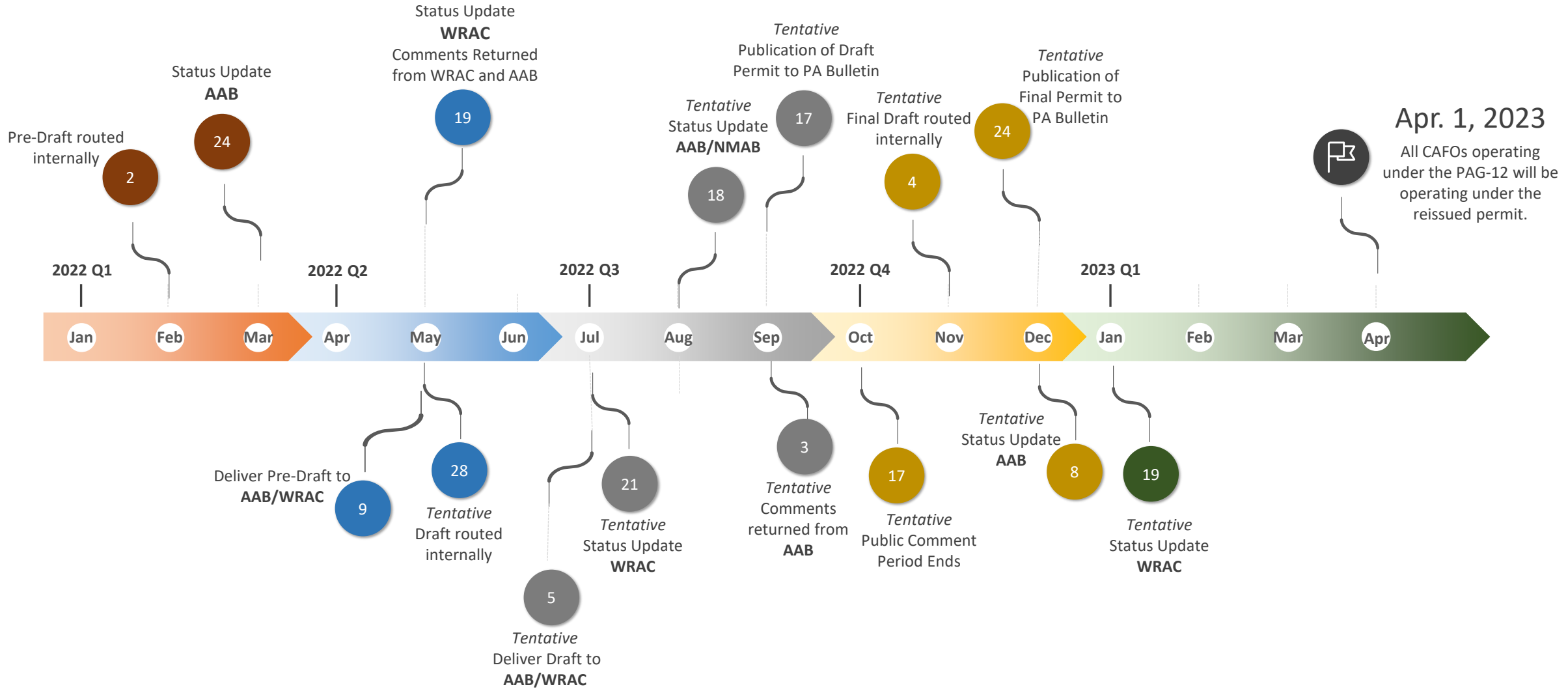
# PAG-12 Update Agenda

- Accomplishments to date
- Project timeline
- Summary of comments received
  - Proposed actions
- Proposed changes in the pre-draft of the PAG-12

# Accomplishments to Date

- AAB PAG-12 Subcommittee Meetings
  - July 27, 2021 (EPA attending)
  - October 28, 2021 (EPA and DEP attending)
- AAB PAG-12 Subcommittee comments delivered to DEP
  - October 12, 2021
- DEP Central Office solicited comments from DEP Regional Offices
  - October 25, 2021
- AAB PAG-12 Subcommittee continuing outreach to PA Agriculture
- DEP currently routing pre-draft of the permit
  - Any changes were informed by comments received from the AAB PAG-12 Subcommittee

# Proposed Timeline



# Summary of Comments Received and Proposed Actions

CONTEXT	DISCUSSION	PROPOSED ACTION
Changes to Permit	Identify solutions <i>Will be addressed within the timeline outlined on the next slide.</i>	Add or remove permit language where feasible and does not conflict with regulatory or statutory requirements.
Additional or Clarified Guidance	Identify solutions <i>Long, medium and short-term timelines outside the scope of the timeline proposed for permit approval.</i>	<ol style="list-style-type: none"> <li>1. Provide resources such as a model NOI, compliance checklist, and alternative digital format(s) of existing forms for use by the Ag. community.</li> <li>2. Provide guidance and clarification to DEP staff in internal inspection SOPs</li> </ol>
Procedural Efficiencies	Identify solutions <i>Long, medium and short-term timelines outside the scope of the timeline proposed for permit approval.</i>	<ol style="list-style-type: none"> <li>1. Provide centralized guidance and resources to DEP staff for electronic inspections</li> <li>2. Provide centralized guidance for electronic submission of permit documents</li> </ol>
Regulatory/Statutory	Beyond the scope of this project	No changes
No Change Requested	No change requested	No changes

# PAG-12 Pre-Draft Proposed Changes

**In addition to retaining the changes made through the October 31, 2020 amendment to the 2018 General Permit, DEP is proposing the following additional (minor) changes for the 2023 General Permit:**

- Remove the requirement for existing operations that will become CAFOs as a result of new standard animal weights to apply for NPDES permit coverage no later than April 1, 2019, as this requirement is no longer applicable.
- Remove language in the General Permit concerning possible revocation of coverage or enforcement action in the event a CAFO fails to submit an annual report or pay an annual NOI installment fee because the language is unnecessary (i.e., DEP may take appropriate action for any non-compliance, not just failure to submit reports and fees).
- Clarify that the payment of an annual NOI installment fee is not required if DEP approves a Notice of Termination (NOT) prior to the due date. This is consistent with other general permits.
- Since issuance of the 2018 General Permit, DEP has developed a standardized Notice of Termination (NOT) form. DEP proposes to require use of this form to notify DEP that permit coverage is no longer needed.

# Summary

- Accomplishments to date
- Proposed changes in the pre-draft of the PAG-12
- Separate Initiatives
  - Supplemental reports
  - Guidance and technical resources for DEP Staff
- Project timeline

# Contact Information

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