CAFO PAG-12
Proposed Revisions
Why DEP is proposing revisions
Proposed changes
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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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