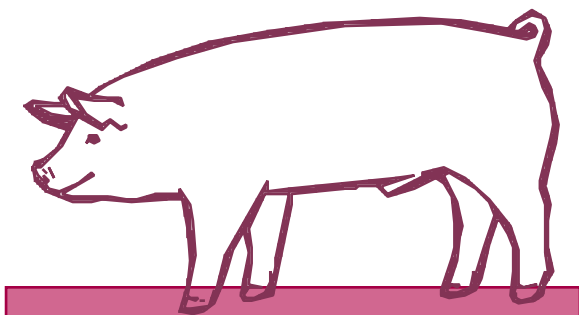
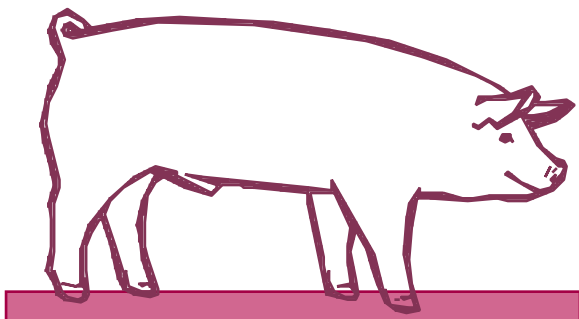


Tennessee Class II CAFO General Permit Requirements for the Swine Industry



Tennessee Class II CAFO General Permit Requirements for the Swine Industry

*Glenn E. Conatser, Professor and Leader
Animal Science — Swine*

Tennessee has developed a General Permit Requirement for Concentrated Animal Feeding Operations (CAFO). The Class II CAFO General Permit is implemented under the authority of the Tennessee Water Quality Control Act of 1977. The Tennessee Department of Environment and conservation (TDED) is the state agency in charge of the permit, with review assistance provided by the Tennessee Department of Agriculture (TDA). The General Permit requirement became effective May 1, 1999 and will be in effect for five years. There is no fee for a class II CAFO General Permit.

Existing Operations

A Class II CAFO swine operation is one that houses or confines 751 — 2500 head of swine weighing more than 55 pounds each and feeds or maintains these animals for a total of 45 days or more in any 12-month period. The operation does not sustain crops, vegetation, forage growth or post-harvest residues in the normal growing season over any portion of the facility. An existing operation is one that was feeding hogs on or before May 1, 1999. Any existing hog operation that is a CAFO by the above-mentioned description and that is located in an impacted watershed area **must** obtain a Class II CAFO permit. Check with your county Extension agent, a representative of TDEC or the NRCS office for maps of impacted watersheds. Maps will be updated annually. A farm

with less than 750 hogs over 55 pounds might be required to have a permit if other species of animals on the farm add up to 300 animal units.

- A. Complete a Notice of Intent (NOI) form, which can be obtained from any of TDEC's Environmental Assistance Centers (1-888-891-TDEC), your county Agricultural Extension office or from the TDA. A map of the property showing the acreage of the operation and the name of the water body nearest the operation must be submitted with the NOI.
- B. Submit the NOI to the Tennessee Department of Agriculture (TDA) by August 1, 1999. The producer will then receive a letter of coverage from TDEC that will include a schedule of compliance. This schedule will include the following requirements:
 1. The producer (operator) shall submit a Nutrient Management Plan to TDA on or before May 1, 2001. The purpose of the Nutrient Management Plan is to demonstrate that the farm has enough land to use the manure based on the crop nitrogen needs. If there is not enough land, the producer needs to demonstrate other off-farm uses for it.
 2. If you have a liquid (lagoon) waste-handling system:
 - a. Either submit one set of design drawings for any necessary modifications to the system, or
 - b. Submit a report to the TDA that documents a history of system performance and demonstrates compliance with the provisions of the general permit. The operator should consult with the TDA to obtain a copy of the report format. (An

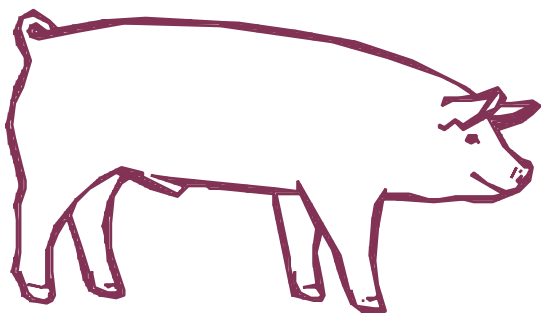
approved waste-handling system is one designed by a professional engineer or by someone approved by the NRCS.)

3. If construction is necessary to meet the provisions of the permit, the operator should complete the work within one year of the plan's approval date by TDA.
- C. In all cases, existing CAFOs must meet the provisions of the permit no later than May 1, 2001, except for completion of construction as noted above.

New Operations

A "new" operation is one that has 750 to 2500 head and began feeding animals after May 1, 1999 regardless of its location in the state.

- A. Complete Notice of Intent (NOI) form.
Attached to this form should be:
1. One copy of Nutrient Management Plan
 2. If a liquid system, attach one copy of a waste-handling system plan
- B. Submit NOI to the TDA. Operator will receive letter of coverage.
- C. In all cases, new CAFOs must meet the provisions of the General Permit at least 30 days before the date animal feeding begins.



Expanding Operations

- A. CAFOs that are already permitted and that intend to increase the number of animals to a level above the design basis previously approved by the TDA must have an approved, updated system design before the CAFO begins feeding the additional animals.
- B. Existing operations that want to expand prior to receiving approval for their current operation must have an approved system to accommodate the increased number of animals by May 1, 2001. Facilities that choose to expand after May 1, 2001 will be given one year to have an approved system to accommodate the increased number of animals.

Case-by-Case Designation of CAFOs

The Tennessee Division of Environment and Conservation (TDEC) may designate any Animal Feeding Operation (AFO) with fewer than 750 head of swine 55 lbs. and over as a Class II CAFO upon determining that it is a contributor of pollution to the waters of the state.

Operator Requested Designation

Upon request by the operator, TDEC may designate any hog operation with fewer than 751 head of swine as a Class II CAFO to be covered under the General Permit. Such operations may also request to have the designation terminated.

Larger Operations

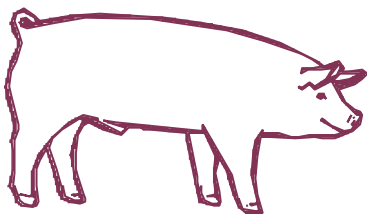
Larger swine operations with more than 2500 head of hogs over 55 lbs. with a liquid-manure system are considered Class I CAFOs and must be permitted individually under NPDES (National Pollutant Discharge Elimination System).

Dates to Remember

- Submit Notice of Intent by August 1, 1999
- New operations must submit NOI at least 30 days prior to feeding animals at the facility
- Submit Notice of Intent to:

**CAFO Notice of Intent
Tennessee Department of Agriculture
Ellington Agriculture Center
Nashville, TN 37204**

- Existing CAFO's must meet the provisions of the general permit no later than May 1, 2001
- General Permit expires April 30, 2004



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