



FY 2009

## LEGISLATIVE REPORT ON CFO/CAFO ACTIVITIES

Senate Resolution 2512-2007

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The Indiana Department of Environmental Management's (IDEM) Office of Land Quality administers the animal feeding operation regulatory program in Indiana. This program includes permitting, compliance monitoring and enforcement activities for 1,512 Confined Feeding Operations (CFOs) and 653 Concentrated Animal Feeding Operations (CAFOs) for a total of 2,165 operations subject to permitting and inspection.

### ORGANIZATIONAL IMPROVEMENTS

The 2007 report identified several improvements that had been made or were in the process of being made. Of those, the following have been in place throughout the last 2 fiscal years (FY 2008 and FY 2009):

- **Reassignment of non-CFO/CAFO inspection work from the agriculture and solid waste inspectors**
- **Implementation of compliance assistance inspections to new CFO/CAFOs**
- **Reduction of backlog of staff review of manure management plans**

In addition, the following improvements have been made during the year and are currently in place:

- **Automation of the inspection process**  
The digital inspector tool that allows staff to utilize an electronic tablet in the field to fill in an inspection report and allow downloading into a database has been established. The tablets are currently in use and enhancements to the database are being made to allow more user friendly development of reports based on the inspection information.
- **Implementation of activity-based timekeeping**  
In October of 2007, a code for work related to CFO/CAFO program activities was put into place to more accurately capture the amount of IDEM resources utilized to support the CFO/CAFO program. The information from the coding system supports previous estimates made and actually indicate that the estimates may be a little lower than the actual resources utilized when all agency activity is taken into account.

In accordance with Senate Resolution 2512 the following information is being provided by the Indiana Department of Environmental Management for the time period July 1, 2008 through June 30, 2009.

**CFO Approval and NPDES CAFO Permit Animal Threshold Numbers and  
Number of CFO Approvals and NPDES CAFO Permits\* Issued Between July 1, 2008 and June 30, 2009**

Species/Sector	Threshold Number of Animals			CFO	Number of NPDES Permits* and CFO Approvals Issued			
	Large CAFO	Medium CAFO**	Small CAFO***		Large CAFO	Medium CAFO**	Small CAFO***	CFO
<b>Beef</b>								
Cattle								
Cow/Calf Pairs	≥1,000	300-999	<300	≥300	5	1	0	4
<b>Dairy</b>								
Mature Dairy Cow	≥700	200-699	<200					
Other than Mature Dairy Cows <i>(dairy heifers/dairy calves/veal calves)</i>	≥1,000	300-999	<300		15	2	0	5
<b>Swine</b>								
Growers/Finishers/Sows/Boars <i>(greater than 55 lbs)</i>	≥2,500	750-2,499	<750	≥600	108	6	0	13
Nursery Pigs <i>(less than 55 lbs)</i>	≥10,000	3,000-9,999	<3,000					
<b>Chickens</b>								
Layers/Broilers <i>(liquid manure handling system)</i>	≥30,000	9,000-29,999	<9,000					
Chickens Other than Layers <i>(not in a liquid manure handling system)</i>	≥125,000	37,500-124,999	<37,500		21	0	0	4
Layers <i>(not in a liquid manure handling system)</i>	≥82,000	25,000-81,999	<25,000	≥30,000				
<b>Ducks</b>								
Liquid Manure System	≥5,000	1,500-4,999	<1,500		5	0	0	0
Not a Liquid Manure System	≥30,000	10,000-29,999	<10,000					
<b>Others</b>								
Turkeys	≥55,000	16,500-54,999	<16,500		1	0	0	4
Horses	≥500	150-499	<150	≥500	1	0	0	0
Sheep/Lambs	≥10,000	3,000-9,999	<3,000	≥600	0	0	0	0
<b>Totals</b>					<b>156</b>	<b>9</b>	<b>0</b>	<b>30</b>

\*All NPDES CAFO permit applications included (NPDES CAFO General Construction, NPDES CAFO General Coverage, NPDES CAFO General Renewal, NPDES CAFO Individual Construction, NPDES CAFO Individual Coverage, and NPDES CAFO Individual Renewal).

\*\* In addition to meeting animal threshold numbers, the operation must also discharge or have discharged pollutants into waters of the state. Medium CAFOs which do not discharge may voluntarily participate in NPDES program.

\*\*\* In addition to meeting animal threshold numbers, the operation must also discharge or have discharged pollutants into waters of the state and be designated a CAFO.

**Permitting Activities**  
**CFO and CAFO Application Details from July 1, 2008 to June 30, 2009**

<b>Application Type</b>	<b>Received</b>	<b>Issued</b>	<b>Denied*</b>	<b>Withdrawn</b>
<b>CFO Approval Applications</b>	<b>31</b>	<b>30</b>	<b>2</b>	<b>2</b>
<b>General NPDES CAFO Permit Construction Applications</b>	<b>22</b>	<b>24</b>	<b>3</b>	<b>1</b>
<i>Large CAFOs</i>	22	24	3	1
<i>Medium CAFOs</i>	0	0	0	0
<i>Small CAFOs</i>	0	0	0	0
<b>Individual NPDES CAFO Permit Construction Applications</b>	<b>1</b>	<b>7</b>	<b>0</b>	<b>0</b>
<i>Large CAFOs</i>	1	6	0	0
<i>Medium CAFOs</i>	0	1	0	0
<i>Small CAFOs</i>	0	0	0	0
<b>Construction Applications</b>	<b>54</b>	<b>61</b>	<b>5</b>	<b>3</b>
<b>General NPDES CAFO Permit Coverage Application</b>	<b>34</b>	<b>40</b>	<b>0</b>	<b>0</b>
<i>Large CAFOs</i>	30	36	0	0
<i>Medium CAFOs</i>	4	4	0	0
<i>Small CAFOs</i>	0	0	0	0
<b>General NPDES CAFO Permit Renewal Application</b>	<b>39</b>	<b>93</b>	<b>0</b>	<b>2</b>
<i>Large CAFOs</i>	38	89	0	2
<i>Medium CAFOs</i>	1	4	0	0
<i>Small CAFOs</i>	0	0	0	0
<b>Individual NPDES CAFO Permit Coverage Application</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>1</b>
<i>Large CAFOs</i>	0	1	0	0
<i>Medium CAFOs</i>	1	0	0	1
<i>Small CAFOs</i>	0	0	0	0
<b>Individual NPDES CAFO Permit Renewal Application</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>
<i>Large CAFOs</i>	2	0	0	0
<i>Medium CAFOs</i>	0	0	0	0
<i>Small CAFOs</i>	0	0	0	0
<b>Other NPDES Permit Applications</b>	<b>76</b>	<b>134</b>	<b>0</b>	<b>3</b>
<b>Totals</b>	<b>130</b>	<b>195</b>	<b>5</b>	<b>6</b>

\* CFO Approval Applications were both denied because applicants refused to submit requested additional information. General NPDES CAFO Permit Construction Applications were all three denied and Individual NPDES CAFO permit applications requested due to the complexity of the application construction proposals and the need for additional environmental safeguards, in the form of site specific permit conditions, beyond the operating requirements contained in the General NPDES CAFO rule.

**CFO and CAFO Inspections**  
 Inspection Conducted from July 1, 2008 to June 30, 2009

Permit Type	Reason for Inspection <i>(definitions on following page)</i>	Number of Inspections
<b>CFO</b>	Paperwork (CoC) Follow-Up	0
	Compliance Assistance	42
	Construction	25
	Complaint Inspection	19
	Follow-Up Inspection	73
	Routine Inspection	219
	Spill Response Inspection	2
	Voidance	61
	<b>Total</b>	<b>441</b>
<b>CAFO</b>	Paperwork (CoC) Follow-Up	0
	Compliance Assistance	74
	Construction	73
	Complaint Inspection	16
	Follow-Up Inspection	29
	Routine Inspection	80
	Spill Response Inspection	8
	Voidance	0
	<b>Total</b>	<b>283</b>
<b>CFO/CAFO Totals</b>	<b>Paperwork (CoC) Follow-Up</b>	<b>0</b>
	<b>Compliance Assistance</b>	<b>116</b>
	<b>Construction</b>	<b>98</b>
	<b>Complaint Inspection</b>	<b>35</b>
	<b>Follow-Up Inspection</b>	<b>105</b>
	<b>Routine Inspection</b>	<b>299</b>
	<b>Spill Response Inspection</b>	<b>10</b>
	<b>Voidance</b>	<b>61</b>
	<b>Total</b>	<b>724</b>

**CFO and CAFO Violations**  
 Violations Cited from July 1, 2008 to June 30, 2009

<b>Permit Type</b>	<b>Citation/Violation</b>	<b>Number of Violations</b>
<b>CFO</b>	Approval and Performance Standards	7
	Discharge and Spill Requirements	28
	Land Application Records	167
	Operating Records	110
	Operational Standards	78
	<b>Total</b>	<b>390</b>
<b>CAFO</b>	Approval and Performance Standards	5
	Discharge and Spill Requirements	35
	Land Application Records	77
	Operating Records	157
	Operational Standards	111
	<b>Total</b>	<b>385</b>
<b>CFO/CAFO Totals</b>	<b>Approval and Performance Standards</b>	<b>12</b>
	<b>Discharge and Spill Requirements</b>	<b>63</b>
	<b>Land Application Records</b>	<b>244</b>
	<b>Operating Records</b>	<b>267</b>
	<b>Operational Standards</b>	<b>189</b>
	<b>Total</b>	<b>775</b>

