Ohio | Environmental Protection Agency

CAFO NPDES Permit –
What is it and How to Get One

In December 2008, U.S. EPA revised portions of the Clean Water Act (CWA) regulations that pertain to National Pollutant Discharge Elimination System (NPDES) permits for Concentrated Animal Feeding Operations (CAFOs). The new regulations require all CAFOs that discharge or propose to discharge to be regulated under an NPDES permit.

In the State of Ohio, U.S. EPA has designated Ohio EPA authority to implement the NPDES permit program. This fact sheet explains the NPDES permit and outlines the permitting process.

What is an NPDES permit?

An NPDES permit is a federal permit issued by Ohio EPA. NPDES permits are issued to all facilities defined as point sources in the federal regulations and that discharge into waters of the State (for example, wastewater treatment plants, industrial storm water). CAFOs are defined as point sources in the CWA, and therefore are required to operate under an NPDES permit if they are designed, constructed, operated or maintained such that a discharge will occur.

Since manure management plans must now be submitted and reviewed as well as incorporated into the NPDES permit, Ohio EPA is now issuing individual permits to all CAFOs. Many of the requirements are standard, and will be the same in every individual permit.

When should a CAFO apply?

Generally, CAFOs must apply for the NPDES permit prior to discharging to waters of the state.

Newly constructed operations subject to NPDES requirements must apply for a permit at least *180 days* prior to the time the CAFO commences operation.

How do I get a permit application?

For the individual CAFO NPDES permit, three forms must be completed by the owner/operator and submitted with a complete manure management plan. These forms include NPDES Form 1, NPDES Form 2B and the Antidegradation Addendum. The forms are available on the web at www.epa.ohio.gov/dsw/cafo/application.aspx. For paper copies of the permit application forms, contact Ohio EPA.

Where should I send the completed permit applications?

The completed NPDES permit applications should include two original copies of Form 1, 2B, Antidegradation Addendum and Manure Management Plan along with a check for $200.00 made payable to *Treasurer, State of Ohio*. Mail the application package to:

Ohio EPA
Division of Surface Water
P.O. Box 1049
Columbus, Ohio 43216-1049

What steps are included in the individual NPDES permit process?

Once a completed individual NPDES permit application is submitted to Ohio EPA, the receipt of the permit application will be public noticed in the local newspaper.

An Ohio EPA inspector may visit the CAFO to evaluate permit applicability and discuss permit requirements with the owner/operator. An Ohio EPA permit writer will then draft an NPDES permit.

Once the draft permit is complete, it will be public noticed in the local newspaper. Ohio EPA may hold a public hearing if it receives a significant number of public comments or requests. After evaluating all comments on the draft permit, Ohio EPA will make a final decision about whether or not to issue the permit. If it is issued, the final NPDES permit will be public noticed.

What happens after I obtain an NPDES permit?

The owner/operator will be responsible for carrying out all requirements specified in the NPDES permit. The main requirements of the CAFO NPDES permit include discharge prohibitions; land application restrictions; inspections of equipment and structures by owner/operator; record-keeping; submission of an annual report; and potentially water quality sampling.

Ohio EPA, Division of Surface Water
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The individual NPDES permits typically have an effective period of five years. The owner/operator must submit a permit renewal application to Ohio EPA 180 days prior to the expiration date of the permit.

For More Information

For more information, refer to Ohio EPA's *CAFO NPDES Permit - General Overview of Federal Regulations* fact sheet, or contact Ohio EPA directly at:

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