

Nutrient Management

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NYS Concentrated Animal Feeding Operation (CAFO) permit: Important information for manure applicators

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CAFO permit basics

A Concentrated Animal Feeding Operation (CAFO) is an animal feeding operation (livestock farm) that meets certain animal size thresholds and that also confines those animals for 45 days or more in any 12-month period in an area that does not produce vegetation. New York state has roughly 500 CAFOs, the majority of which are dairy farms with 300 or more cows. The permit was first issued in 1999 and is designed to protect surface and groundwater from discharges of agricultural pollution (manure, litter, process wastewater, food processing waste, digestate, or releases from feed storage areas) to waters of the state. The current permit (GP-0-22-01)¹ went into effect on January 23, 2023 and has a term of 10 years. This is a non-discharge permit and sets forth the requirements necessary to ensure livestock operations are designed, constructed, operated and maintained to not discharge.

Tips to ensure compliance with permit requirements

As the manager or farm staff responsible for manure and nutrient applications and maintenance and operation of livestock facilities, you are the first line of defense to ensure the farm complies with the CAFO permit and protects water quality. Here are some of the things you should know as someone who is responsible for daily operations of the farm:

- Manure applicator staff (two per farm) are required to attend a DEC endorsed manure applicator training once every five years.
- Manure and other nutrient applications must be made in accordance with the farm's Comprehensive Nutrient Management Plan (CNMP). Each field has a planned application rate of manure/nutrients along with associated management practices (setbacks, cover crops, timing, etc.). Field staff and custom operators are expected to follow that plan.
- Farm personnel shall manage nutrient application rates and timing to prevent runoff from leaving crop fields during any application event, including making daily (sometimes hourly) decisions to ensure manure will remain on fields based on field conditions, weather forecasts and observations.
- Do not apply manure on saturated soils (fluid or frozen saturated) or apply at a rate that causes the soil to become fully saturated at the time of application.
- Contact your planner for updated application recommendations if changes are needed based on crop rotation, rate, timing, method, conditions, etc.
- If a contractor applies manure, process wastewater, or digestate, they must sign the Contractor Certification Statement prior to the initial application of nutrients each day of service.
- Any of the following overflows or discharges of manure, litter, food processing waste, digestate, or process wastewater must be reported to DEC within 24 hours and a CAFO incident report must be completed within 5 days of the incident: discharge to waters of the state; overflow of a waste storage structure; unintended release; applications above the annual rates provided in the CNMP; or inability to meet conditions related to discharges of non-contact cooling water.
- The CNMP uses guidance from Cornell University's [Revised Winter & Wet Weather Manure Spreading Guidelines](#)² and [Groundwater Protection Guidelines for Agriculture](#)³. Review both

resources to enhance your efforts to evaluate the landscape and conditions more carefully for potential contamination risks and manage accordingly.

- Locations of temporary manure stacking areas (for solid manure) shall be located where they will not create a runoff/discharge into surface or ground water per the recommendations in your CNMP. They must be removed and land applied within 12-months and be limited smaller volumes that make it conducive to field by field spreading.
- The farm shall have an emergency action plan as a part of their CNMP, and staff must be trained to follow it in the event of an emergency (full storages, tank rollovers, broken pipes, etc.).
- Field staff or contractors responsible for spreading manure/nutrients must be familiar with the CNMP maps and be able to identify potential environmental risks in each field (well locations, surface water, shallow bedrock, sinkholes/springs, etc.) before engaging in field operations.
- Follow identified setbacks from surface water, wells and sinkholes as designated on your CNMP spreading maps.
- Keep and maintain spreading records that include: date, field location, manure source, rate applied, field conditions during spreading; weather (before, during, after); annual manure spreader calibrations.
- Perform and record weekly inspections of all storm water diversion devices, runoff diversion structures, manure storage structures, and devices channeling contaminated storm water to manure storages and containment structures; including depth marker readings for manure and process wastewater in any open liquid storage structures.
- Identify potential problems ahead of time, have a plan, and follow the plan – both to avoid issues and to respond appropriately when an accident or emergency occurs. Communication is key.

For more information

For general questions or training requests contact:

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For questions about the CAFO Permit contact:

Sara Latessa, NYS Department of Environmental Conservation

sara.latessa@dec.ny.gov | (518) 402-8279 | www.dec.ny.gov/permits/6285.html

For specific questions related to your farm operation regarding manure applications, following a CNMP, or permit compliance, contact the following people:

- Your farm's CNMP Planner
- Your regional DEC Inspector (www.dec.ny.gov/about/76070.html)

To report a manure, litter, food processing waste, digestate, or process wastewater discharge, spill, or overapplication call:

Department Regional Office or DEC Spill Hotline (1-800-457-7362) within 24 hours

References

¹NYS DEC ECL SPDES General Permit for Concentrated Animal Feeding Operations (CAFOs) (GP-0-22-001: www.dec.ny.gov/docs/water_pdf/cafopermitgp022001.pdf)

²Cornell University's Revised winter and wet weather manure spreading guidelines to reduce water contamination risk (2015). nmsp.cals.cornell.edu/publications/files/WinterSpreadingGuidelines2015.pdf

³Cornell University's Groundwater Protection Guidelines for Agriculture (2021). nmsp.cals.cornell.edu/publications/files/GroundwaterGuidelines2021.pdf