

Pennsylvania CAFOs Stakeholders Meeting
July 10, 2003, Pennsylvania Dept. of Agriculture Bldg., Room 202

Introduction: The fourth Pennsylvania CAFO Stakeholders Workgroup meeting for updating the current Program to meet the new EPA requirements was convened at 9:05 a.m. After an introduction of participants and an open comment period, the summary of the April 15, 2003 meeting was accepted. A brief comment was made by Bill Smedley of the Greenwatch organization that citizens are interested in the regulations being developed for this program. Here is a description of the main items covered for this meeting.

Discharges: Based on the assignment made at the previous stakeholder meeting, discharge subgroup members reported on wording and ideas for the regulatory wording addressing discharges from agricultural operations. Suggested wording was provided before the meeting and additional wording (both relating to section 92.5a) was provided at the meeting. Properly dealing with the 25-year, 24-hour design standard for storage areas and the surrounding potential floodwater elevation were two additional ideas mentioned for discussion. Also, the term “discharges from overland flow” was said to be too broad and “directly” or “concentrated flow” was said to be more appropriate. In addition, for the phrase “treatment by practices designed and maintained according to the Pa. Technical Guide,” it was said that detailed analysis of pasture/barnyard related systems could be focused on problem or priority farms, since there is not enough technical staff to review all farms. Wording to generally address discharges was provided at the meeting (i.e. not relating discharges to just CAFOs). The importance of obtaining resources to address discharges, and covering discharges from manure spills or over-application was mentioned. It was stated that facilitating new and proven technologies would be best handled through permitting or guidance. Program staff will provide redrafted regulatory wording relating to discharges for the next meeting.

Review of Initial Draft of CAFO Related Regulations: DEP reviewed its initial edits for making the Title 25, Chapter 91 and 92 regulatory wording consistent with revised EPA rules. The following issues were identified for additional consideration: more accurately describing requirements for liquid and semi-solid storage facilities (as currently written, some of the requirements are not appropriate for solid manure storage systems); determine appropriate use of the terms “manure storage facility”, “agricultural operations” and “operations”; how to handle or permit operations that expand beyond 1,000 AEUs; assignment of permit application deadlines for poultry operations; the EPA request to keep the animal weights and AEU calculation methods in the Nutrient Management Act regulations. There was not strong support for delegating parts of the program to county conservation districts. It was stated that the current system was balanced and worked well, so wording for delegation will be dropped. DEP offered to redraft regulatory wording for the next meeting.

Setbacks: Time ran out at the meeting to discuss setbacks. An e-mail message was sent to the stakeholder list after the meeting that included using concepts in the EPA rules and not relying solely on the Nutrient Management Act setbacks and supporting practices.

Action Items:

Second Draft of Regulations Wording – DEP will develop revised draft wording for discussion at the next meeting and work towards making it available prior to the meeting.

Revision of the CAFO Strategy – DEP will develop a concepts outline or an initial draft of wording to update the CAFO Strategy to assist the program and regulations.

Next Meeting: Thursday, August 28, 2003 at 9 a.m.; Pennsylvania Dept. of Agriculture, Room 202.

Participants:

Charlie Abdalla, Professor, Penn State University, College of Ag. Science
Bill Achor, Environmental Coordinator, Wenger's Feed, Inc.
Dan Alters, Program Manager, DEP Northcentral Regional Office
Johan Berger, Nutrient Mgmt. Program, Pa. Dept. of Agriculture
Amy Bradford, Penn Ag Swine Council
Alissa Dodd, Ext. Assoc., Penn State University
Martin Ferry, Permits Chief, DEP Southcentral Regional Office
Don Fiesta, Prof. Geologist, DEP Central Office
William Fink, Team Ag Inc.
Chris Frame, Hostetter Management Co.
Barry Frantz, State Resource Conservationist, USDA-NRCS
Bob Gibson, Section Chief, DEP Central Office
Jennifer Grimes, Farmer's Pride Inc.
Virginia Ishler, Dairy and Animal Science Dept., Penn State University
Tom Juengst, Program Specialist, DEP Central Office
Cedric Karper, Division Chief, DEP Central Office
Lori Mohr, DEP Policy Office
Tim Murphy, Conservation Engineer, USDA-NRCS
Leon Oberdick, Water Program Manager, DEP Southcentral Regional Office
Kelly O'Neill, Ag. Policy Analyst, PA CBF
Matt Porter, Penn State University
Marel Raub, Pa. Farm Bureau
William Rogers, AET Consulting Inc.
Tom Schmick, DEP Northcentral Regional Office
Kevin Seibert, Lancaster Conservation District, PACD
Bill Smedley, Exec. Director, Greenwatch
Kim Snell-Zarcone, Staff Attorney, Penn Future
Sue Weaver, DEP Policy Office
Jennifer Weld, USDA-ARS, University Park, Pa.