

JOSH STEIN
Governor
D. REID WILSON
Secretary
RICHARD E. ROGERS, JR.
Director



NORTH CAROLINA
Environmental Quality

March 16, 2026

To all interested parties:

The North Carolina Department of Environmental Quality's (Department) Division of Water Resources' General Permits for Animal Feeding Operations (AFO) were most recently issued in 2019 with an expiration date of September 30, 2024. In July 2024, the General Assembly passed Session Law 2024-32, which instructed the Department to extend the expiration of the General Permits and the Certificates of Coverage issued under the General Permits until September 30, 2026. In October 2025, General Assembly passed Session Law 2025-97, extending the expiration date of Certificates of Coverage and General Permits to **September 30, 2028**.

SESSION LAW 2025-97 SENATE BILL 449
AGRICULTURAL AND NATURAL AND ECONOMIC RESOURCES

EXTEND ANIMAL WASTE MANAGEMENT SYSTEM GENERAL PERMITS
THROUGH SEPTEMBER 30, 2028

SECTION 4.1. Section 5.1 of S.L. 2024-32 reads as rewritten: "SECTION 5.1. Notwithstanding 15A NCAC 02T .0111(e), or any other provision of law, the Department of Environmental Quality, pursuant to the powers relative to general permits and to permits for facilities not discharging to the surface waters of the State that are granted to the Environmental Management Commission under Part 1A of Article 21 of Chapter 143 of the General Statutes and delegated by the Commission to the Department, shall extend the expiration of general permits AWG100000 (Swine), AWG200000 (Cattle), AWG300000 (Wet Poultry) Senate Bill 449 Page 6 Session Law 2025-97 AWG400000 (Swine Digester), AWG50000 (Cattle Digester), and AWG600000 (Wet Poultry Digester) until September 30, 2028. The Department of Environmental Quality shall also extend the expiration of certificates of coverage issued under these general permits until September 30, 2028."

<https://www.ncleg.gov/EnactedLegislation/SessionLaws/PDF/2025-2026/SL2025-97.pdf>

Consistent with the above-referenced statutory directive, the Department hereby extends the expiration dates of the general permits AWG100000 (Swine), AWG200000 (Cattle), AWG300000 (Wet Poultry) AWG400000 (Swine Digester), AWG500000 (Cattle Digester), and AWG600000 (Wet Poultry Digester) until September 30, 2028. The Department also hereby extends the expiration of Certificates of Coverage issued under these General Permits until September 30, 2028.



North Carolina Department of Environmental Quality | Division of Water Resources
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AFO General Permits Development Update:

In May 2019, the North Carolina Farm Bureau challenged three conditions in the 2019 AFO General Permits. In October 2025, the North Carolina Supreme Court held that the three challenged conditions in the AFO General Permits are “rules” subject to the NC Administrative Procedures Act’s (APA) rulemaking requirements.

As a result, the Department intends to develop a rulemaking package for the Environmental Management Commission’s consideration which would codify the AFO State General Permit conditions into North Carolina Administrative Code at Chapter 02T. After new rules are adopted, the Department will initiate the re-issuance of the General Permits set to expire on September 30, 2028.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard E. Rogers, Jr.", is positioned above the typed name.

Richard E. Rogers, Jr., Director
Division of Water Resources
Department of Environmental Quality