2027 North Carolina NPDES CAFO General Permits Reissuance

Summary of Proposed Changes

This document outlines the proposed changes to the NPDES CAFO General Permits. These permits were last reissued in 2022. This document highlights edits to the 2022 permit conditions that are proposed for the 2027 permits. This is not a complete list of all modifications to the NPDES CAFO General Permits. This list only highlights some key changes to assist permittees in complying with the new requirements.

Permit condition numbers shown are based on the 2027 Swine NPDES CAFO General Permit and may not always align with the condition numbers in the Cattle or Wet Poultry NPDES CAFO General Permits.

Condition II.3: Add Closure Plan to the list of items that require public notice.
Closure activities are distinct from typical nutrient management activities. This Condition already requires public notice for sludge removal and land application plans, which is a significant portion of any closure plan. The addition of Closure Plan to the list is a clarification.

Condition III.6: Add language to clarify that land application rates must be based on contribution from ***all*** sources.
Language added for clarification. Not a new requirement.

Condition III.11: Included additional examples of items that are prohibited from being disposed of in the animal waste management system. Cattle systems retain ability to dispose of waste milk and sileage leachate as allowed in the facility's CAWMP.
Language added for clarification. Not new requirements.

Condition III.13: Add language to clarify that burial of mortality is not allowed in 100-year floodplain. Also language was added to communicate that land application of mortality compost must be applied at no greater than agronomic rates and must be included in land application records as an alternative source.
Language added for clarification. Not new requirements.

Condition III.26: Add language to clarify existing setback requirements with respect to wells and to dwellings not owned by the Permittee.
Language added to be consistent with 15A NCAC 02T .1305. Not new requirements.

Condition III.35: Add language permitting the temporary lowing of lagoon levels to provide for additional storage during hurricane season, for additional irrigation water during extended dry periods, and to prepare for winter months. This is limited to lagoons that meet specific sludge requirements.
This provision aligns with the State General Permits and has historically been included in the NC NRCS Lagoon Standard.

Condition IV.18: Update language regarding EPA E-reporting requirements to reflect the current status of EPA's rule and the EPA portal development.
Updated to reflect EPA reporting portal status. Not new requirements.

Condition IV.28: Added condition that clarifies that all waste, soil, and nutrient analyses shall be conducted by a Division-certified laboratory.
Language added for consistency with other regulatory programs.

Condition V.1: Edited language regarding inspection to clarify that the permitted operations are subject to inspection.
Language added for clarification. Not a new requirement.

Condition VI.3: Add language stating that Closure Plans are subject to public notice, consistent with II.3 above. Also added language regarding agency notification for closure activities.
Language for public notice added for clarification as described above. Language for agency notification of closure activities added for consistency with State General Permits.

Condition VI.8: Any proposed modification to a treatment system shall require approval prior to construction. In the Swine and Wet Poultry General Permits, this condition was part of Condition VI.7; it has been made a separate condition. This condition was already separate from Condition VI.7 in the Cattle General Permit.
Corrected formatting of the two of the general permits. Not a new requirement.

Condition VI.14: Added condition which specifies the requirements of a permittee when an animal operation has been depopulated for five years or more.
Language added to be consistent with 15A NCAC 02T .1302(5). Not a new requirement.

Definitions: Updated several definitions to be consistent with current statutes, rules, standards, etc.
Language added for clarification. Not new requirements.