



# Are ALL Animal Operations Regulated? – YES!

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Trying to sort through the environmental laws, policies and programs for livestock and poultry operations could be a fulltime job in itself. With the volume of information to absorb, it is sometimes difficult to know who is required to do what. There appears to be a misconception in the industry that an operation is regulated only if the herd contains a certain number of animals or animal units. This is not the case. All Pennsylvania operations that produce, store or apply manure are regulated under the state's Clean Streams Law. The following are a description of practices that livestock operations should adhere to and that are enforceable.

## **All Operations (AO)**

Since 1977, all farmers handling animal waste have been required to follow the Pennsylvania Department of Environmental Protection's (DEP) "Manure Management for Environmental Protection" and "Field Application of Manure" manuals. Farmers not following the manure management requirements and practices are required to obtain DEP approval or a water quality permit. The manure management manual describes practices which provide environmental protection. Some of the areas covered include:

1. Safety and emergency response for manure management systems
2. Planning, design, and construction of manure management systems
3. Operation and maintenance of manure management systems
4. Manure management strategies to control flies
5. Manure application methods, timing and rates
6. Manure management on environmentally sensitive areas
7. Managing excess manure

These publications can be obtained by contacting your conservation district, certified nutrient management specialist, cooperative extension office or the Natural Resources Conservation Service (NRCS). They are also available on the web at: <http://panutrientmgmt.cas.psu.edu/> (Click on "Technical Resources").

All Pennsylvania farmers plowing or tilling are required to control erosion from their fields with either an implemented conservation plan or an erosion and sedimentation control plan meeting Pennsylvania Chapter 102 Erosion and Sediment Control Regulations.

The plan should include plan maps, soils maps, drainage patterns and a description of best management practices (BMPs) including tillage systems, schedules, and cost effective and technically practical conservation measures. The advantage of updating a farm's plan is that it provides an indirect way to reduce nitrogen and phosphorus losses to water resources by controlling erosion and sediment.

### **Concentrated Animal Operation (CAO) and Concentrated Animal Feeding Operations (CAFOs)**

Farmers with operations that are defined as Concentrated Animal Operations (CAOs) under the Pennsylvania Nutrient Management Act or Concentrated Animal Feeding Operations (CAFOs) under the federal Clean Water Act must meet additional requirements.

Under state regulations, a CAO, is defined as an agricultural operation where the animal density exceeds 2 animal equivalent units (2000 pounds of live animal weight) per acre of land suitable for spreading manure. In addition to the requirements described above, CAOs must develop and implement a nitrogen-based nutrient management plan. Manure is managed based on the crops nitrogen needs. However, it is important to note Pennsylvania's Nutrient Management Act regulations are currently under review. Discussions suggest Pennsylvania will likely incorporate a phosphorus component into the current N-based nutrient management plan.

### **Concentrated Animal Feeding Operation (CAFO)**

Under federal regulations, a CAFO is defined as an operation with greater than 1,000 animal equivalent units, or a CAO with 301-1,000 animal equivalent units, or any operation that directly discharges to surface waters. CAFOs must comply with the CAO requirements outlined above plus meet additional requirements. Because CAFOs are considered to have a greater potential for water pollution these operations must obtain a permit from the PA Department of Environmental Protection, are subject to annual agency reviews, and must meet additional record keeping requirements. Large CAFOs (over 1,000 animal equivalent units) must meet extra requirements.

There are many changes coming in the next several months regarding regulations. The U.S. Environmental Protection Agency is releasing new requirements for CAFOs in December 2002. One of the biggest changes will likely be the definition of a CAFO. Keep up with the changes and find timely information by visiting Penn State's new nutrient management website:

<http://nutrient.psu.edu>

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This publication is available in alternative media upon request.

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