

**Missouri Department of Natural Resources**  
**Water Protection Forum**  
**Rulemaking Summary: Rule Amendment**  
**10 CSR 20-6.300 Concentrated Animal Feeding Operations**  
**June 9, 2011**

**What is the purpose of this rulemaking?**

To align state regulation with federal regulation and provide additional clarification to existing state Concentrated Animal Feeding Operation (CAFO) rules.

**Who was involved in the rulemaking?**

The Water Pollution Control Branch staff has facilitated seven stakeholder workgroup meetings across the state in 2008 and 2009 and two workgroup meetings in 2010 to seek public input on the proposed rulemaking.

**What does the rule do?**

1. Revise regulatory definitions along with other clarifications within the state CAFO rule.
2. Revise rule language to mirror the Environmental Protection Agency's (EPA's) procedure of how to "designate" smaller Animal Feeding Operations (AFO) as a CAFO.
3. Clarify and revise the National Pollutant Discharge Elimination System (NPDES) "duty to apply" requirement for permits at CAFOs
4. Revise the permit issuance process which EPA developed for issuing a CAFO NPDES general permit. This will include how a Nutrient Management Plan (NMP) will be reviewed and processed by the Department for a NPDES permit.
5. Revise the Effluent Limitation Guidelines (ELG) for CAFOs.

This rulemaking will continue to require all CAFOs to maintain coverage under a state operating permit. By doing so, the state will maintain a level of oversight that ensures that CAFOs implement improved nutrient management requirements, phosphorus controls and, other best management practices which will provide better animal waste management throughout the state.

**Who is affected?**

This proposed rulemaking will likely affect all permit holders in some manner. Most affected will be those operations that obtain coverage under the NPDES permit. The increased regulatory burden will be associated with maintaining the NPDES permit in accordance with the new EPA rule due to the new provisions for modifying and updating operating permits and nutrient management plan.

**Do you want more information?**

Contact Barbara Li at 573-751-1299 or [Barbara.Li@dnr.mo.gov](mailto:Barbara.Li@dnr.mo.gov) for more information. In addition, the department will be bringing this rule to the Clean Water Commission (CWC) at the July 6 meeting for approval to file as a proposed rule in the Missouri Registry. We anticipate putting the draft rule on public notice for approximately 45 days, starting August 1, 2011. A public hearing on the rule is tentatively scheduled for the CWC meeting on September 7, 2011.