

Confined Feeding Operations

CFO rules provide the Indiana Department of Environmental Management (IDEM) the authority to prevent regulated farms from polluting surface and ground water by regulating manure storage, land application, storm water runoff and soil erosion. Concerns relative to property values traffic, and other quality of life issues are outside of the agency's authority to address through the permitting process and will NOT be addressed by IDEM. These concerns should be addressed by local planning and zoning officials.

Confined Feeding Operations

Confined feeding is the raising of animals for food, fur or recreation in lots, pens, ponds, sheds or buildings, where they are:

- confined, fed and maintained for at least 45 days during any year.
- no ground cover or vegetation present over at least half of the animals' confinement area.

The terms Confined Feeding Operation (CFO) and Concentrated Animal Feeding Operation (CAFO) relate to the size of the combined feeding operation. Indiana law defines a CFO as any animal feeding operation engaged in the confined feeding of at least:

- 300 cattle
- 500 horses
- 600 swine or sheep
- 30,000 fowl, such as chickens, turkeys or other poultry

CAFO threshold numbers include:

- 1,000 cattle other than mature dairy cows
- 2,500 swine above 55 pounds
- 10,000 swine less than 55 pounds
- 500 horses
- 10,000 sheep or lambs
- 55,000 turkeys
- 30,000 laying hens or broilers with a liquid manure handling system
- 125,000 broilers with a solid manure handling system
- 82,000 laying hens with a solid manure handling system
- 30,000 ducks with a solid manure handling system
- 5,000 ducks with a liquid manure handling system

IDEM regulates these confined feeding operations, as well as smaller operations which have violated water pollution rules or laws, under IC 13-18-10, the Confined Feeding Control Law. IDEM's Office of Land Quality administers the regulatory program which includes permitting, compliance monitoring and enforcement activities.

Recent Changes to Rules

NPDES Discharge

- Only farms with actual discharges will need a National Pollutant Discharge Elimination System (NPDES) permit. CAFOs that are not discharging may choose to enter the CFO program instead.
- General NPDES permits will not be available.
- Individual NPDES permits will require a Nutrient Management Plan.
- No surface application of manure to frozen or snow covered ground unless authorized in the permit.

Nutrient Management

- Manure application rates are limited by nitrogen and phosphorus (P) for new CFOs and CAFOs (200 ppm soil P is limit).
- CFOs and CAFOs constructed prior to February 12, 2003 have seven years to phase in adjusted rates for soil test phosphorus levels.
- Farms must implement storm water management practices to address the potential for storm water pollution.

Frozen and Snow-Covered Ground

- Manure application to frozen or snow-covered ground is restricted.
- Large CAFOs may not surface apply manure to snow covered or frozen ground (injection and incorporation still allowed).
- The rule provides emergency allowance for CFOs.
- CFOs with 120 days or less manure storage capacity can seek ongoing approval to apply to frozen or snow-covered ground.

Storage Structures

- The rule establishes a residential and public building setback of 400 feet for [new](#) manure storage structures
- Upon completion of construction, all [new](#) liquid manure storage structures must be certified by a registered professional engineer.
- Ground water monitoring is required in limited cases where site conditions warrant monitoring



New Construction Rule Changes

The following are some of the rule changes for new construction. For a detailed list of all new construction changes, please refer to the full rule (see link below).

- A liner must be used for earthen liquid manure storage
- Liquid manure storage must meet NRCS Standard 313-Waste Storage Facility, and construction must be certified by a PE
- Concrete structures must be constructed to meet NRCS concrete construction specifications
- 400 foot setback between waste management system and existing off-site residential or public buildings
- No construction over mines
- Drainage systems must be identified

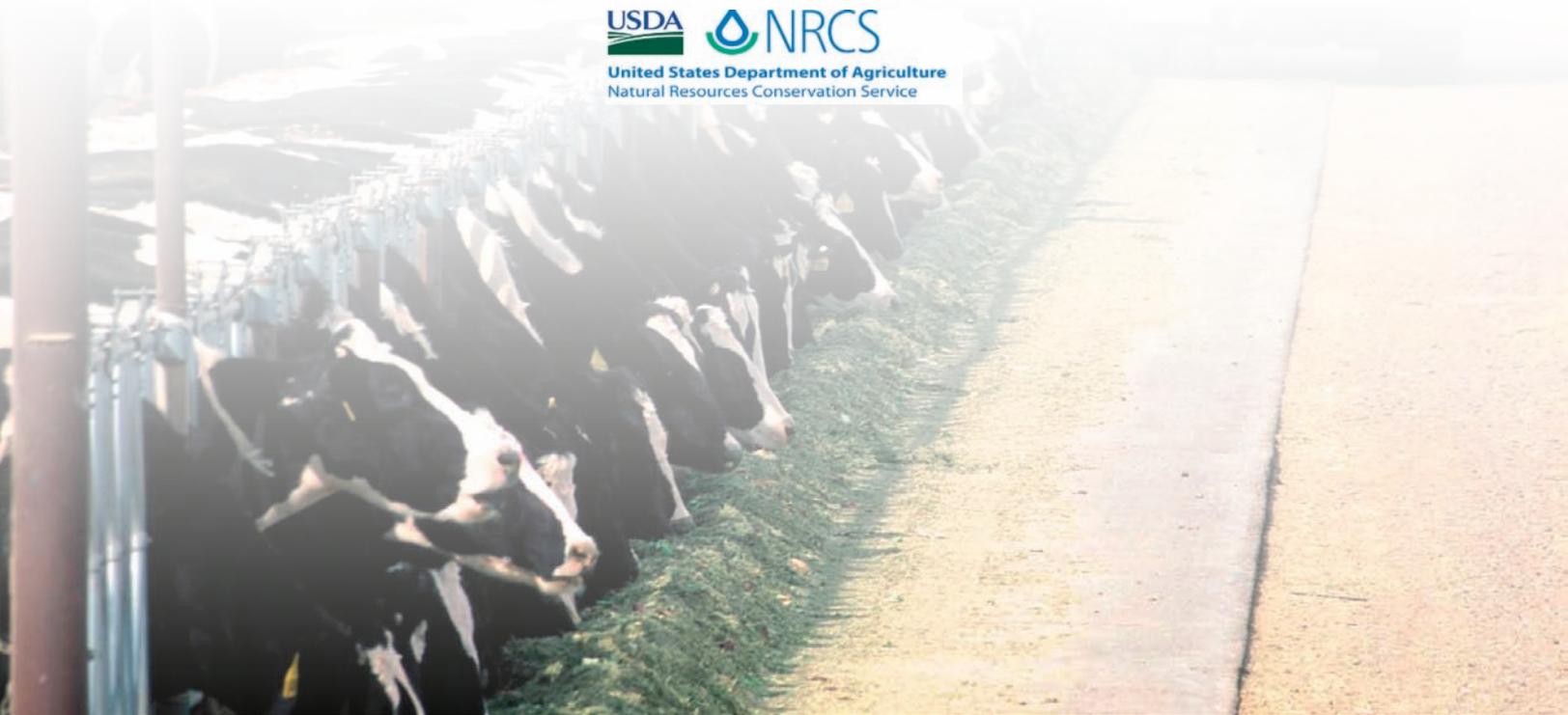
Implementation of New Rules

- A guidance manual has been developed and will be available at: <http://www.in.gov/idem/files/cfomanual.pdf>
- Farmers with CFOs and CAFOs were mailed information about the new rule.
- A final postcard will be mailed to all farms about the transition to the new rule.

**Information in this document came from IDEM's "CFO/CAFO Revised Rule Regulation Outreach" presentation*

For More Information

- IDEM Website: <http://www.in.gov/idem/4994.htm>
- IDEM's CFO Rule: <http://www.in.gov/legislative/iac/T03270/A00160.PDF>



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