

NPDES CAFO Rule Implementation Status -- National Summary, Endyear 2013, completed 12/31/13 (as reported by EPA Regions)

| State | EPA Region | Total CAFOs ¹ | CAFOs with NPDES permits ² | % CAFOs w/ NPDES permits | State's planned date for completing NPDES program revisions to address all provisions of CAFO NPDES regulations ³ | Expiration date for pre-2008 reg NPDES GP, if any | Date for NPDES GP under 2008 regs | Tech stds submitted by State Director ⁴ | Tech stds address 2008 regs ⁵ | Last Updated |
|---------------------|------------|--------------------------|---------------------------------------|--------------------------|--|---|--|--|--|--------------|
| Connecticut | 1 | 6 | 0 | 0% | None needed | none | GP to be PN in CY 2012 | In progress | Will be when reissued CY2013 | |
| Maine | 1 | 6 | 6 | 100% | None needed | none | lps only | Y | | |
| Massachusetts | 1 | 1 | 0 | 0% | N/A--State does not have NPDES program authorization | none | lps only | N/A | | |
| New Hampshire | 1 | 1 | 0 | 0% | N/A--State does not have NPDES program authorization | none | lps only | N/A | | |
| Rhode Island | 1 | 0 | 0 | n/a | (no CAFOs) | none | n/a | N | | |
| Vermont | 1 | 17 | 0 | 0% | None needed | none | planned 2011 | Y | | 4Q12 |
| New Jersey | 2 | 5 | 2 | 40% | planned 10/10 | exp 5/13 | issued 6/08 | Y | | |
| New York | 2 | 571 | 247 | 43% | TBD | exp 6/30/09 | TBD | Y | | |
| Puerto Rico | 2 | 1 | 0 | 0% | N/A--PR does not have NPDES program authorization | none | lps only | N/A | | |
| Virgin Islands | 2 | 0 | 0 | n/a | (no CAFOs) | none | n/a | N | | 4Q13 |
| Delaware | 3 | 452 | 1 | 0% | Regs approved 1/12 | none | lps only | Y | TS reviewed, State's action pending | |
| Maryland | 3 | 529 | 336 | 64% | Regs approved 1/10 | none | effective date 12/1/09, expiration date 11/30/14 | Y | TS reviewed, State's action pending | |
| Pennsylvania | 3 | 373 | 373 | 100% | TBD/State's revisions under EPA review | exp 9/30/2011 | effective date 4/1/13, expiration date 3/31/18 | Y | TS reviewed, State's action pending | |
| Virginia | 3 | 85 | 0 | 0% | Regs approved 6/10 | none | lps only | Y | TS reviewed, State's action pending | |
| West Virginia | 3 | 21 | 2 | 10% | Regs reviewed 12/11, State's action pending | none | lps only | Y | TS reviewed, State's action pending | 4Q13 |
| Alabama | 4 | 558 | 487 | 87% | permit by rule effective since August 2011 | exp 2/11 | planned 7/10 | Y | | |
| Florida | 4 | 100 | 58 | 58% | completed 3/10 | lps only | lps only | Y | | |
| Georgia | 4 | 828 | 152 | 18% | completed 6/12 | exp 6/07 | No GP | Y | | |
| Kentucky | 4 | 150 | 67 | 45% | completed 1/10 | exp 10/05 | No GP | Y | | |
| Mississippi | 4 | 433 | 190 | 44% | completed 1/10 | poultry exp 1/09; swine exp 8/10 | completed 8/10 | Y | | |
| North Carolina | 4 | 1,222 | 14 | 1% | completed; effective based on revision filed w/ Senate 3/09 | exp 6/12 | planned 6/12 | Y | | |
| South Carolina | 4 | 201 | 0 | 0% | TBD | exp 5/09 | State operating permits only | Y | | |
| Tennessee | 4 | 129 | 79 | 61% | competed 5/11 | exp 8/09 | lps for large CAFOs | Y | | 4Q12 |
| Illinois | 5 | 260 | 38 | 15% | revisions to IL CAFO rules pending before Illinois Pollution Control Board | exp 9/14 | issued 10/09 | Y | | |
| Indiana | 5 | 677 | 8 | 1% | state rule revisions effective July 2012; tbd if rule revisions incorporate 2008 rule | lps only | lps only | Y | | |
| Michigan | 5 | 249 | 225 | 90% | None needed (per State assessment) | exp 4/15 | completed 4/10 | Y | | |
| Minnesota | 5 | 1,349 | 1,341 | 99% | state working on rule revisions which will IBR current federal CAFO rules | exp 1/16 | completed 2/10 | Y | | |
| Ohio | 5 | 212 | 37 | 17% | transfer NPDES CAFO authority to ODA pending | lps only | lps only | Y | | |
| Wisconsin | 5 | 257 | 256 | 100% | None needed (per State assessment) | exp 3/16 | issued 4/11 | Y | | 4Q13 |
| Arkansas | 6 | 776 | 1 | 0% | None needed (per State assessment) | none | issued 10/11 | Y | TBD | |
| Louisiana | 6 | 250 | 4 | 2% | State has amended regs to reflect 2012 rule revision | none | lps only | Y | TBD | |
| New Mexico | 6 | 171 | 22 | 13% | N/A--State does not have NPDES program authorization | none | issued 8/09 | N/A | N/A | |
| Oklahoma | 6 | 54 | 0 | 0% | newly authorized for NPDES CAFO permitting as of 12/12 | none | issued 1/12 | N/A | N/A | |
| Texas | 6 | 1,019 | 547 | 54% | TCEQ is set to adopt CAFO NPDES regulations July 2014 | exp 7/14 | planned 2014 | Y | EPA/TCEQ coordinating updates | 4Q13 |
| Indian Country (R7) | 7 | 9 | 4 | 44% | N/A--tribes do not have NPDES program authorization | lps only | lps only | N/A | N/A | |
| Iowa | 7 | 3,055 | 186 | 6% | planned Fall 2012 (after EPA revises duty to apply rule) | lps only | lps only | Y | updating | |
| Kansas | 7 | 436 | 435 | 100% | need to revise NSPS only - 12/2013 (Permits are issued with NSPS) | lps only | lps only | Y | Y | |
| Missouri | 7 | 487 | 50 | 10% | completed--passed 1/2012; effective 4/2012 | exp 2/13 | planned 2/13 | Y | Y | |
| Nebraska | 7 | 862 | 398 | 46% | completed 6/25/2011 | exp 3/13 | issued on 7/12, effective 4/13 | Y | EPA coordinating updates | 4Q13 |
| Colorado | 8 | 202 | 83 | 41% | completed 1/12 | exp 8/10; admin extended | completed 4/12 | Y | | |
| Indian Country (R8) | 8 | 4 | 4 | 100% | N/A--tribes do not have NPDES program authorization | lps only | lps only | N/A | | |
| Montana | 8 | 113 | 103 | 91% | completed 1/12 | exp 10/31/13 | Effective date 11/1/2013 | Y | yes | |
| North Dakota | 8 | 76 | 0 | 0% | TBD | none | tbd | Y | | |
| South Dakota | 8 | 416 | 415 | 100% | TBD | exp 10/19/08 | tbd | Y | | |
| Utah | 8 | 64 | 55 | 86% | State rule was changed in July 2013 to reflect the NPDES regulations | exp 9/30/05 | planned 9/12 | Y | | |
| Wyoming | 8 | 64 | 45 | 70% | planned 6/10; submitted revision package to EPA for review 12/09 | lps only | lps only | Y | | 4Q13 |
| Arizona | 9 | 100 | 2 | 2% | Rulemaking moratorium--TBD | exp 4/09 | (State reg moratorium) | Y | EPA coordinating updates | |
| California | 9 | 970 | 151 | 16% | No revision--State adopts prospectively | RB7 - exp 6/2013; RB8 - exp 9/6/2012 | RB5 dairy GP issued 12/10; RB1 issued GP 1/2012 | Y | see box below | |
| Hawaii | 9 | 1 | 0 | 0% | None needed (per OGC assessment, 12/11) | none | n/a | Y | HI reviewing new draft stds | |
| Nevada | 9 | 11 | 6 | 55% | None needed (per State assessment) | lps only | lps only | Y | EPA coordinating | 4Q13 |
| Alaska | 10 | 0 | 0 | n/a | (no CAFOs) | none | n/a | N | | |
| Idaho | 10 | 365 | 0 | 0% | N/A--State does not have NPDES program authorization | prior GP was administratively extended | effective 5/12 | Y | Y | |
| Oregon | 10 | 114 | 114 | 100% | None needed (per State assessment) | exp 5/31/14 | issued 6/09 | Y | | |
| Washington | 10 | 150 | 13 | 9% | None needed (per State assessment) | exp 7/21/11 | planned 4/13 | Y | | 4Q13 |
| TOTALS | | 18,462 | 6,557 | | | | | | | |

¹ All AFOS with numbers of animals above the size thresholds set out for large CAFOs are defined as CAFOs under the NPDES federal regulations. In some cases, such as Arkansas and Louisiana, the numbers have not yet been confirmed by the State.

² The NPDES CAFO regulations require CAFOs that discharge to have NPDES permit coverage (40 CFR 122.23(d)(1)). As a consequence, the portion of CAFOs in each State that need NPDES coverage can vary from State to State.

³ Status indicated reflects current plans. In some cases, plans are still under discussion.

⁴ Technical standards were submitted for each Regional Board with the exception of 2, 4, 6 and 9. These RBs either do not have CAFOs or do not have CAFOs that land apply manure.

⁵ EPA is reviewing State technical standards to ensure they address the requirements of the 2008 rule. EPA is in the process of posting State standards that address the 2008 rule on the EPA website.

RB1 - no changes needed
 RB3 - pending OWM/TT review
 RB5 - no changes needed?
 RB7 - submitted evaluation to RB staff
 RB8 - submitted evaluation to RB staff