

NPDES CAFO Rule Implementation Status -- National Summary, Endyear 2012, completed 12/31/12 (as reported by EPA Regions)

State	EPA Region	Total CAFOs: Estimated number of facilities defined as CAFOs under NPDES <sup>1</sup>	CAFOs with NPDES permits <sup>2</sup>	Date by which State was to have updated regulations/statutes to reflect 2008 CAFO regulation <sup>3</sup>	State's planned date for completing NPDES program revisions to address all provisions of CAFO NPDES regulations <sup>4</sup>	Expiration date for pre-2008 reg NPDES GP, if any	Date for NPDES GP under 2008 regs	Tech stds submitted by State Director <sup>5</sup>	Tech stds address 2008 regs <sup>6</sup>
Connecticut	1	6	0	None needed	None needed	none	GP to be PN in CY 2012	In progress	Will be when reissued CY2013
Maine	1	6	6	None needed	None needed	none	lps only	Y	
Massachusetts	1	1	0	not auth	N/A--State does not have NPDES program authorization	none	lps only	N/A	
New Hampshire	1	1	0	not auth	N/A--State does not have NPDES program authorization	none	lps only	N/A	
Rhode Island	1	0	0	no CAFOs	(no CAFOs)	none	n/a	N	
Vermont	1	17	0	None needed	None needed	none	planned 2011	Y	
New Jersey	2	5	5	2010	planned 10/10	exp 5/13	issued 6/08	Y	
New York	2	571	571	2010	TBD	exp 6/30/09	TBD	Y	
Puerto Rico	2	1	0	not auth	N/A--PR does not have NPDES program authorization	none	lps only	N/A	
Virgin Islands	2	0	0	no CAFOs	(no CAFOs)	none	n/a	N	
Delaware	3	73	2	2009	Regs approved 1/12	none	lps only	Y	TS reviewed, State's action pending
Maryland	3	403	185	2009	Regs approved 1/10	none	expected 11/2014	Y	TS reviewed, State's action pending
Pennsylvania	3	362	362	2009	TBD/State's revisions under EPA review	exp 9/30/2011	GP reviewed 11/21/2012, State's action pending	Y	TS reviewed, State's action pending
Virginia	3	91	0	2009	Regs approved 6/10	none	lps only	Y	TS reviewed, State's action pending
West Virginia	3	18	0	2010	Regs reviewed 12/11, State's action pending	none	lps only	Y	TS reviewed, State's action pending
Alabama	4	558	487	2/11 (permit)	permit by rule effective since August 2011	exp 2/11	planned 7/10	Y	
Florida	4	100	53	2009	completed 3/10	lps only	lps only	Y	
Georgia	4	828	152	2009	completed 6/12	exp 6/07	No GP	Y	
Kentucky	4	150	67	2009	completed 1/10	exp 10/05	No GP	Y	
Mississippi	4	433	190	2009	completed 1/10	poultry exp 1/09; swine exp 8/10	completed 8/10	Y	
North Carolina	4	1,222	14	2009	completed; effective based on revision filed w/ Senate 3/09	exp 6/12	planned 6/12	Y	
South Carolina	4	201	0	2009	TBD	exp 5/09	State operating permits only	Y	
Tennessee	4	129	79	2009	competed 5/11	exp 8/09	lps for large CAFOs	Y	
Illinois	5	500	33	2009	March 2012 rulemaking package submitted to IPCB; public hearings Aug-Nov 2012	exp 9/14	issued 10/09	Y	
Indiana	5	633	19	2009	state rule revisions effective July 2012; tbd if rule revisions incorporate 2008 rule	lps only	lps only	Y	
Michigan	5	223	201	2009	None needed (per State assessment)	exp 4/15	completed 4/10	Y	
Minnesota	5	1,306	1,302	2009	state working on rule revisions which will IBR current federal CAFO rules	exp 1/16	completed 2/10	Y	
Ohio	5	192	36	2009	transfer NPDES CAFO authority to ODA pending	lps only	lps only	Y	
Wisconsin	5	233	233	2010	TBD	exp 3/16	issued 4/11	Y	
Arkansas	6	776	1	2009	None needed (per State assessment)	none	issued 10/11	Y	TBD
Louisiana	6	250	5	2009	State amending regs to reflect 2012 rule revision	none	lps only	Y	TBD
New Mexico	6	171	21	not auth	N/A--State does not have NPDES program authorization	none	issued 8/09	N/A	N/A
Oklahoma	6	626	0	authorized 12/12	None needed (per State assessment)	none	issued 1/12	N/A	N/A
Texas	6	1,037	555	2009	EPA/TCEQ coordinating updates	exp 7/14	planned 2014	Y	EPA/TCEQ coordinating updates
Iowa	7	3,055	156	2009	planned Fall 2012 (after EPA revises duty to apply rule)	lps only	lps only	Y	updating
Kansas	7	436	436	2009	need to revise NSPS only - 12/2013 (Permits are issued with NSPS)	lps only	lps only	Y	Y
Missouri	7	471	27	2009	completed--passed 1/2012; effective 4/2012	exp 2/13	planned 2/13	Y	Y
Nebraska	7	862	397	2009	completed 6/25/2011	exp 3/13	issued on 7/12, effective 4/13	Y	EPA coordinating updates
Indian Country (R7)	7	8	4	not auth	N/A--tribes do not have NPDES program authorization	lps only	lps only	N/A	N/A
Colorado	8	187	71	2009	completed 1/12	exp 8/10; admin extended	completed 4/12	Y	
Indian Country (R8)	8	4	4	not auth	N/A--tribes do not have NPDES program authorization	lps only	lps only	N/A	
Montana	8	117	90	2009	planned 6/13	exp 10/31/13	planned 10/13	Y	
North Dakota	8	76	0	2009	TBD	none	tbd	Y	
South Dakota	8	408	408	2009	TBD	exp 10/19/08	tbd	Y	
Utah	8	64	55	2009	planned 6/13	exp 9/30/05	planned 9/12	Y	
Wyoming	8	64	45	2009	planned 6/10; submitted revision package to EPA for review 12/09	lps only	lps only	Y	
Arizona	9	100	2	2009	Rulemaking moratorium--TBD	exp 4/09	(State reg moratorium)	Y	EPA coordinating updates
California	9	1,007	164	None needed	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	None needed	None needed (per OGC assessment, 12/11)	none	n/a	Y	HI reviewing new draft stds
Indian Country (R9)	9	1	0	not auth	N/A--no NPDES program authorization	none	n/a	N/A	
Nevada	9	9	6	2009	None needed (per State assessment)	lps only	lps only	Y	EPA coordinating
Alaska	10	0	0	no CAFOs	(no CAFOs)	none	n/a	N	
Idaho	10	365	1	not auth	N/A--State does not have NPDES program authorization	prior GP was administratively extended	effective 5/12	Y	Y
Oregon	10	114	114	TBD	None needed (per State assessment)	exp 5/31/14	issued 6/09	Y	
Washington	10	150	13	TBD	None needed (per State assessment)	exp 7/21/11	planned 4/13	Y	
TOTALS		18,622	6,572						

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> Under the terms of federal NPDES regulations at 40 CFR 123.62(e), authorized States that need to revise their regulations to conform to updated federal regulations are allocated 1 year to complete the revisions; states that need statutory revisions to conform to amended federal regulations are allocated 2 years to complete the necessary revisions.

<sup>4</sup> Status indicated reflects current plans. In some cases, plans are still under discussion.

<sup>5</sup> 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.

<sup>6</sup> 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