

DEP Finalizes New CAFO General Permit

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The Pennsylvania Department of Environmental Protection has announced the availability of its new General Permit for Operation of Concentrated Animal Feeding Operations (PAG-12).

The PAG-12 General Permit is intended to provide coverage under the National Pollutant Discharge Elimination System to those operating Concentrated Animal Feeding Operations (CAFOs) where those operations meet the eligibility requirements of the PAG-12 permit, according to a recent [DEP posting in the Pennsylvania Bulletin](#).

The amended PAG-12 permit includes changes intended to correct errors and reduce administrative burdens, including some that became effective in April 2018.

According to the DEP post, the changes include:

- **Coverage expiration date.** All coverage under the amended general permit expires on the same date. CAFOs are expected to submit a timely notice of intent (NOI) for continuation of coverage under a reissued general permit prior to expiration of their existing coverage. The DEP will provide information on what will be expected of CAFOs for future permit coverage at a later date.
- **Annual report serving as NOI:** CAFO annual reports are no longer considered notice of intent for continuation of coverage. However, NOIs must be submitted in a timely fashion each year as of January 1, 2021.
- **Removal of automatic expiration of coverage language:** The amended general permit states that failure to submit the CAFO annual report and the annual NOI installment fee payment may result in enforcement action or revocation of coverage, and the DEP will determine the enforcement action. Previous language said without those timely submissions, coverage would expire.
- **Daily water line inspections:** The permit now has specific requirements for daily water line inspections for certain operations that inadvertently hadn't been included previously. The previous permit only mentioned operations with a certain amount of cattle or cows, but now includes all large CAFO operations except ones with certain animals.

If you have any questions regarding this new CAFO general permit, please [contact me](#) or any member of the [Barley Snyder Environment & Energy Industry Group](#).

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