

2.23 GENERAL DISCHARGE PERMITS for WASTEWATER DISCHARGES FROM Concentrated Animal Feeding Operations (CAFOs) and Maryland Animal Feeding Operations (MAFOs)

- ❑ *Question: Do I own or operate an animal feeding operation?*
- ❑ *Question: Will I discharge any manure, litter, or process wastewater to any place other than the sanitary sewer? AND*

Why do I need this approval?

Animal Feeding Operation (AFO) means a feedlot or facility where: (a) Non-aquatic animals are confined, fed, and maintained for at least 45 days in any 12-month period; and (b) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. AFOs have the potential to discharge pollutants including but not limited to manure, poultry litter, or process wastewater from production areas. These discharges contain nutrients, which can enter the waters of the State causing algae blooms which deplete dissolved oxygen thereby reducing the beneficial uses of the water body. AFOs may be required to apply for the General Discharge (GD) Permit for AFO. The classification as a Concentrated Animal Feeding Operation (CAFO) or Maryland Feeding Operation (MAFO) is determined by a combination of factors including the number and type of animals, and whether the operation will discharge to waters of the State. Any chicken (other than laying hens) AFO with dry manure handling and between 75,000 and 99,999 square feet total house capacity is considered a MAFO unless the owner/operator submits to MDE a Certificate of Conformance. (See COMAR 26.08.01.01B(11-1))

What laws or regulations give MDE the legal authority to issue this approval?

FEDERAL: Federal Clean Water Act
STATE: Environment Article, Title 9, Subtitle 3;
COMAR 26.08.01 through 26.08.04.

What is the process to get this approval?

For CAFOs:

1) Complete and submit: a Notice of Intent (NOI) form, a Comprehensive Nutrient Management Plan (CNMP) and submit the appropriate permit fee. (See the “How much will this approval cost?” question and the Fee Table)

For MAFOs:

1) Complete and submit: a NOI form, a Nutrient Management Plan, and a Conservation Plan (CP) or a CNMP in lieu of the NMP and CP.

To request a NOI Form, call (410) 537-3314 or [download the form from our Web site](#).

2) Mail the completed forms and payment to:
MDE

Land and Materials Administration
P.O. Box 2057
Baltimore MD 21203-2057

3) MDE reviews the submitted NOI to ensure that the operation can be covered by the GD Permit. This process may include a site visit.

4) If the NOI and the required plans are complete and acceptable (meet the minimum requirements), MDE will publish a public notice on MDE’s AFO website. All applications for AFOs are subject to public notification requirements.

4A) **For CAFOs:** MDE may schedule a public hearing at its discretion regarding MDE’s preliminary approval of the required CNMP if a written request is received within 20 calendar days after the date of publication on MDE’s website. Interested parties may also submit written comments whether or not a hearing is requested. Any written comments concerning the preliminary approval must be received by MDE by the close of business within 30 calendar days of the publication of the notice on MDE’s website. **Registration of a CAFO will depend on the outcome of the public hearing.**

4B) **For MAFOs:** MAFOs are not subject to a public hearing. However, interested parties may submit written comments. Any written comments concerning the preliminary approval must be received by MDE by the close of business within 30 calendar days of the publication of the notice on MDE’s website. **Registration of a MAFO will depend on the comments received.**

5) MDE will notify the applicant in writing of coverage under the GD Permit.

Are there any other requirements?

To obtain coverage under the GD Permit, all requirements in the GD Permit must be met.

How long should I expect it to take to get this approval once I submit a complete application?

Type of Approval	Turnaround Time
AFOs	180 days

Once I get this approval, how long will it last?

The approval coverage lasts until the established expiration date of the GD Permit or a maximum of 5 years.

How much will this approval cost?

A **CAFO** shall pay an annual permit fee. The first annual permit fee shall be submitted to MDE with the NOI Form.

Size Category	Large	Medium	Small
Annual Permit Fee	\$1200	\$600	\$120

The annual permit fee for CAFOs is currently waived by the Secretary of the Environment.

No Fees for MAFO.

Who do I contact with additional questions?

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