



Animal Feeding Operations (AFOs) And Concentrated Animal Feeding Operations (CAFOs)

Description: ADEM Admin. Code Ch. 335-6-7, National Pollutant Discharge Elimination System (NPDES) Best Management Practices, Registration Requirements, Technical Standards And Guidelines, Construction And Operation Requirements, Waste/Wastewater And Waste Product Treatment, Storage, Handling, Transport, And Disposal/Land Application, Nutrient Management, And Animal Mortality Management Requirements For Owners And Operators Of Animal Feeding Operations (AFOs) And Concentrated Animal Feeding Operations (CAFOs)

Issuing Divison: Field Operations **Section:** Office of Field Services (OFS)

When is a permit required? “Animal Feeding Operation” (AFO) means a lot or facility (other than an aquatic animal production facility) where animals (does not have to be the same animals) have been, are, or will be stabled, confined, gathered, or concentrated and fed or maintained (watered, cleaned, groomed, medicated, etc.) for a total of 45 days (days do not have to be consecutive) or more in any 12-month period (period does not have to correspond to the calendar year), and the animal confinement areas do not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season as generally described in 40 CFR (Code of Federal Regulations) 122.23(b)(1). Two or more AFOs under common ownership are considered a single AFO and may require Registration as a CAFO if they adjoin, or are in close proximity to each other as determined by the Director or his designee. Unless determined otherwise by the Director or his designee, two or more AFOs under common ownership or under different ownership are considered a single AFO and may require Registration as a CAFO, separately or together, if they are operated as a single operation, if they use a common area or system for the disposal of waste/wastewater, if they significantly share resources, storage or treatments systems, equipment, etc. or otherwise significantly link operations. Each owner/operator of an AFO that adjoins or is in close proximity to another AFO, or shares resources or has links to other operations, can contact the Department for clarification in writing of the status of their facility(s). “Concentrated Animal Feeding Operation” (CAFO) means an animal feeding operation (AFO) as generally described in 40 CFR 122.23 Appendix B, 40 CFR 122.23(c), and defined in Rule 335-6-7-.10. For purposes of this Chapter, an AFO, regardless of size or number of animals, that has experienced a point source discharge after April 1, 1999 is considered to be included in this definition.

Registration is required ☒ **before construction** ☒ **before construction related discharges**
☒ **before operation (discharges from AFO/CAFO operations are not authorized)**

Days from complete application to issuance: 3-7 (minimum) months depending on complexity/controversy (maximum)

Notes on approval timeline: n/a

Local approval required? No

Application procedure: Visit local County Soil & Water Conservation District Office to complete Notice of registration (NOR), comprehensive Waste Management System Plan (WMSP), and supporting information, for electronic submittal to ADEM.

Base permit fee: See Fee Schedule D

Additive fees (explain): See Fee Schedule D

Term of permit: Annual registration

Public notice required? ☐ **Yes** ☒ **No; opportunity for public comment provided**

Public hearing required? ☐ **Yes** ☐ **No** ☒ **Departmental discretion/based on comments**

ADEM Contact Person: Richard Hulcher, OFS **Phone:** 334-394-4311 **Email:** rfh@adem.state.al.us

Additional Information: <http://adem.state.al.us/programs/water/cafo.cnt>

Forms Required

Form #	Form Name	Applicability/Notes
429	NPDES Annual Notice of Registration (NOR)	