



**Appendix A**

**INSTRUCTIONS**  
**For Completion of the**

**NOTICE OF INTENT OR TRANSFER**

**GENERAL PERMIT (GP-04-02)**  
**State Pollutant Discharge Elimination System (SPDES)**  
**Concentrated Animal Feeding Operations (CAFOs)**

This Notice of Intent (NOI) must be completed by the owner or operator of any “Concentrated Animal Feeding Operation” (CAFO) in order to discharge into surface waters of the State. An “Animal Feeding Operation” (AFO) is any lot or facility where animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and the animal confinement areas do not sustain crops, vegetation, forage growth, or post-harvest residues in the normal growing season.

**Concentrated Animal Feeding Operation (CAFO)** means an Animal Feeding Operation (AFO) that is defined as a Large CAFO or as a Medium CAFO, or that is designated by the Department or USEPA Regional Administrator as a CAFO. Two or more AFOs under common ownership are considered to be a single AFO for the purposes of determining the number of animals of an operation, if they adjoin each other or if they use a common area or system for the disposal of wastes.

**Large Concentrated Animal Feeding Operation (Large CAFO)** means an Animal Feeding Operation (AFO) that stables or confines as many as or more than the numbers of animals specified in any of the following categories:

- a. 700 Mature Dairy Cows, whether milked or dry
- b. 1,000 Veal Calves
- c. 1,000 Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs)
- d. 2,500 Swine, each weighing 55 pounds or more
- e. 10,000 Swine, each weighing less than 55 pounds
- f. 500 Horses
- g. 10,000 Sheep or Lambs
- h. 55,000 Turkeys
- i. 30,000 Laying Hens or Broilers, if the AFO uses a liquid manure handling system
- j. 125,000 Chickens (other than laying hens), if the AFO uses other than a liquid manure handling system
- k. 82,000 Laying Hens, if the AFO uses other than a liquid manure handling system
- l. 30,000 Ducks, if the AFO uses other than a liquid manure handling system
- m. 5,000 Ducks, if the AFO uses a liquid manure handling system

**Medium Concentrated Animal Feeding Operation (Medium CAFO)** means an Animal Feeding Operation (AFO) that stables or confines the type and number of animals that fall within any of the following ranges:

- a. 200-699 Mature Dairy Cows, whether milked or dry
- b. 300-999 Veal Calves
- c. 300-999 Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs)
- d. 750-2,499 Swine, each weighing 55 pounds or more
- e. 3,000-9,999 Swine each weighing less than 55 pounds
- f. 150-499 Horses
- g. 3,000-9,999 Sheep or Lambs
- h. 16,500-54,999 Turkeys
- i. 9,000-29,999 Laying Hens or Broilers, if the AFO uses a liquid manure handling system

- j. 37,500-124,999 Chickens (other than laying hens), if the AFO uses other than a liquid manure handling system
- k. 25,000-81,999 Laying Hens, if the AFO uses other than liquid manure handling systems
- l. 10,000-29,999 Ducks, if the AFO uses other than a liquid manure handling system
- m. 1,500-4,999 Ducks, if the AFO uses a liquid manure handling system

**and** either one of the following conditions are met:

(a) pollutants are discharged into waters of the State through a man-made ditch, flushing system, or other similar man-made device; or (b) pollutants are discharged directly into waters of the State that originate outside of the facility and pass over, across, or through the facility or otherwise come into direct contact with animals confined in the operation.

**To need a permit as a Medium CAFO, an operation must meet three criteria: (1) it must be an AFO, (2) it must stable or confine enough animals and (3) it must have a discharge. Please refer to CAFO Fact Sheet No. 3.**

Sections I - IV must be completed in their entirety. ***Incomplete information may result in a delay in the processing of this NOI.***

After completion of the NOI, the owner or operator of the CAFO must sign *Section IV* and submit the completed form to the New York State Department of Environmental Conservation (Department) at the above address.

When the Comprehensive Nutrient Management Plan (CNMP) for this operation is complete, the CNMP Certification form (Appendix B) must also be signed by the owner or operator of this facility and the certified Agricultural Environmental Management (AEM) planner who developed or reviewed the plan.

Upon receipt of a complete NOI, the Department will mail a copy of the CAFO General Permit to the permittee with a letter acknowledging receipt of the NOI. This letter will include the *Permit Authorization Number* assigned by the Department. This *Permit Authorization Number* must be referenced in all future documentation and correspondence provided by you to the Department.

For existing facilities, the date of coverage is the date of issuance of this permit. For all other facilities, date of coverage under the General Permit begins thirty (30) calendar days from the date of Department receipt of a complete NOI, unless otherwise notified by the Department. A copy of the NOI, the general permit, and the CNMP (after it is developed), must be retained at the CAFO site in accordance with *Section II.* of the General Permit.

Coverage under this permit is transferable to a new owner or operator. The permittee and the new owner or operator must submit a complete ***Notice of Intent*** (Appendix A). When the ownership or operation is transferred, if the nature of the operation is changed, or the facility is expanded beyond the contingencies specified in the CNMP, the new permittee shall amend the CNMP in accordance with *Section VII.* of the General Permit.

Questions on the completion of this NOI should be directed to the Department at (518) 402-8109 or 402-8121.

# New York State Department of Environmental Conservation

## Division of Water

Bureau of Water Permits, 4<sup>th</sup> Floor

625 Broadway, Albany, New York 12233-3505

Phone: (518) 402-8111 • FAX: (518) 402-9029

Website: www.dec.state.ny.us



### Appendix A

#### Notice Of Intent or Transfer

#### GENERAL PERMIT (GP-04-02) State Pollutant Discharge Elimination System (SPDES) Concentrated Animal Feeding Operations (CAFOs)

DEC AUTHORIZATION No. (DEC Use Only): \_\_\_\_\_

SPDES No. (DEC Use Only): \_\_\_\_\_

#### SECTION I: LOCATION AND CONTACT INFORMATION

##### FACILITY LOCATION INFORMATION

##### OWNER/OPERATOR CONTACT INFORMATION

Facility Name: \_\_\_\_\_

Owner/Operator Name: \_\_\_\_\_

Street or P.O. Box: \_\_\_\_\_

Street or P.O. Box: \_\_\_\_\_

City/Town/Village: \_\_\_\_\_

City/Town/Village: \_\_\_\_\_

State: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Zip Code: \_\_\_\_\_

County: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

E-Mail: \_\_\_\_\_

#### SECTION II: REASON FOR SUBMITTAL - CHECK THE BOX THAT APPLIES TO YOUR OPERATION

- Existing Facility** means a CAFO, Large or Medium, permitted in accordance with SPDES General Permit Number GP-99-01 on June 30, 2004 or facilities that met the definition of CAFO as of July 1, 1999.
- Expanded Facility, AFO to Medium CAFO** means an AFO with less than required animals for a CAFO that, after July 1, 2004, constructs and operates an expansion physically contiguous to the existing AFO that, in conjunction with the existing AFO, meets the definition of a Medium CAFO specified in this Section.
- Expanded Facility, Medium CAFO to Large CAFO** means a Medium CAFO or an AFO with the required animals for a Medium CAFO that, after July 1, 2004, constructs and operates an expansion physically contiguous to the existing Medium CAFO or AFO that, in conjunction with the existing Medium CAFO or AFO, meets the definition of a Large CAFO specified in this Section.

**New Facilities** means those operations that are defined as CAFOs as of July 1, 2004, but were not defined as CAFOs prior to that date.

- New Small CAFOs** means those operations that are designated by the Department as CAFOs after July 1, 2004, but were not defined as CAFOs prior to that date.

- New Medium CAFOs** means those operations that meet the definition of Medium CAFO and are constructed and operated after July 1, 2004. New Medium CAFOs also include those AFOs that meet the animal threshold criteria of a Medium CAFO and, after July 1, 2004, are determined to have a discharge.
- New Large CAFOs** means those operations that are constructed and operated after July 1, 2004. Such operations include Large CAFOs that are constructed on an existing farm site(s) where that site was not defined as a CAFO(s) prior to July 1, 2004.

**SECTION III: GEOGRAPHIC COORDINATES OF CAFO OPERATION**

Please provide the geographic coordinates of your CAFO operation. You may obtain this information from various sources; however data must be entered on the form in New York Transverse Mercator (NYTM as easting/northing). Please note NYTM is defined as UTM, Zone 18, meters, extended east and west to cover all of New York State. You may choose to look up this information from DEC's Stormwater Interactive Map, Global Positioning System (GPS) or Geographical Information System Software.

The Stormwater Interactive Map on DEC's web site provides a tool for locating the coordinates of the site, which returns the data in NYTM format. The data provided in NYTM form must be entered in 6 digits for X (easting) and 7 digits for Y (northing) (example 586130, 4884956). To do this you must go to the Stormwater Interactive Map on the DEC's web site at:

<http://www.dec.state.ny.us/website/imsmaps/stormwater/viewer.htm>

Zoom into your location so that you can accurately click on the centroid of your site. Once you have located your CAFO site, go to the dropdown menu on the left and choose "Get Coordinates". Click on the center of your site and a small window containing the X, Y coordinates in UTM will pop up. For problems with the interactive map use the help function.

If you are using a Global Positioning System (GPS) or Geographical Information System Software, please enter the X and Y coordinate data in the format explained above.

**Site Location: X Coordinates:** \_\_\_\_\_

**Y Coordinates:** \_\_\_\_\_

**SECTION IV: DESCRIPTION OF ANIMALS MANAGED**

Give the maximum number of each type of animal in open confinement or housed under roof (either partially or totally) which are held at your facility for a total of 45 days or more in any 12-month period:

Type	Number in Confinement
Mature Dairy Cattle (milked or dry)	
Dairy Heifers	
Veal Calves	
Other Cattle	
Swine (55 lbs. or more)	
Swine (under 55 lbs.)	
Horses	
Sheep or Lambs	
Turkeys	
Chickens (broilers)	
Chickens (layers)	
Ducks	
Other (specify) _____	

**SECTION V: CAFO FACILITY INFORMATION**

**Note:** "Retention facility" means all collection ditches, conduits and swales for the collection of runoff and wastewater, and all basins, ponds, and lagoons used to store wastes, wastewaters and manures.

Area (specify square feet or acres) in which animals are *confined or fed*. **Do not** include pasture land (areas used for grazing), areas for growing crops, or areas which are used for any purpose other than confinement or feeding: \_\_\_\_\_

Has a Comprehensive Nutrient Management Plan, developed in accordance with "NRCS Conservation Practice Standard No. NY312" been prepared for this facility by a certified Agricultural Environmental Management (AEM) Planner?

\_\_\_\_\_ Yes \_\_\_\_\_ No

Does this facility have a retention facility which is designed to store the volume of runoff from a 25-year, 24-hour storm event?

\_\_\_\_\_ Yes \_\_\_\_\_ No

Are the confinement area(s) and retention facility designed, constructed and operated in accordance with the "NRCS Conservation Practice Standard No. NY312" standards?

\_\_\_\_\_ Yes \_\_\_\_\_ No

Describe the characteristics of this facility's manure (liquid, semi-solid or solid) and its manure handling system:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of waterbody receiving the discharge from the retention facility: \_\_\_\_\_ Groundwater \_\_\_\_\_ Surface water (stream, pond, lake, wetland)

If the possible discharge is to a surface water, give the name of receiving stream or lake to which the facility would discharge during an excessive storm event, and the distance from the storage facility to the surface water:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Description of outlet(s) from the storage structure (pipe, concrete channel, unlined ditch, other):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List any other DEC permit(s) required or issued for this facility, *if any*: NY \_\_\_\_\_ NY \_\_\_\_\_

**SECTION VI: OWNER/OPERATOR CERTIFICATION**

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
Name (please print or type)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date