



Large Animal Feed Operation Audits Summer 2006

INTRODUCTION

During the summer of 2006, staff from the Delaware Nutrient Management Program conducted a series of site evaluations on 33 of the largest poultry farms in Delaware. These large Animal Feeding Operations (AFO) were visited between late May and early October, and the evaluations serve as good examples of the implementation of State and Federal nutrient management rules.

The purpose of these site evaluations was to inform farmers about the goals and expectations of the Nutrient Management Program as well as to assess any discharge occurring from the farm. A discharge activates the mandate of a Federal permit program for Concentrated Animal Feeding Operations (CAFO). The 2004 ruling by the 2nd Circuit Court (*Waterkeeper vs. EPA*) requires CAFOs to obtain a permit if a discharge is evident. The rule no longer requires a permit purely based on size of the operation or the potential to discharge.

The Nutrient Management Program regulates all farms that apply nutrients to more than 10 acres or have more than 8,000 lbs. of livestock present. The CAFO permitting program serves as a component of the overall Delaware nutrient management strategy. At present, there are eight permitted CAFOs in Delaware, and in some cases they volunteered for coverage. *The permit information can be found on the Program website identified on the back page of this newsletter.*

BACKGROUND

While the Department of Natural Resources and Environmental Control, the Department of Agriculture, and the Nutrient Management Commission jointly administer environmental regulation relating to CAFOs, the Nutrient Management Program is the lead program in field assessment and enforcement.

The Delaware CAFO regulations were developed over the past five years, in conjunction with the EPA CAFO Rule and the 2nd Circuit Court ruling. The Delaware CAFO Rule became effective on September 10, 2005. The EPA continues to modify the Federal CAFO regulations in order to comply with the 2nd Circuit Court rulings.

EVALUATION PROCESS

The evaluation process produced several key indicators for the implementation of State and Federal

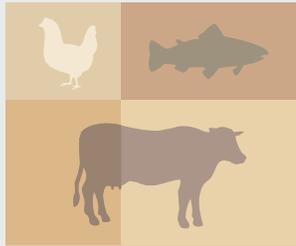
Contents:

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Introduction	1
Background	1
Evaluation Process	1
Findings and Results	2
Discharge Status	3
Conclusion	3



33 large farms were visited and evaluated by Program staff during the summer of 2006



Mark
Your
Calendar

Upcoming
Full
Commission
Meetings

Meetings begin 7:00 pm

2006

November 14

December 12

2007

January 9

February 13

March 13

April 10

May 8

June 12

July 10

August 14

September 11

October 9

November 13

Requirements. These evaluation categories follow:

- ◆ Certification in the Nutrient Management Program;
- ◆ Maintenance of nutrient management records;
- ◆ Implementation of the nutrient management plan;
- ◆ Management of storm water runoff to prevent contact with animals and their manure;
- ◆ Proper handling of animal mortalities, both routine and catastrophic.

FINDINGS AND RESULTS

The farms chosen for visits were mostly poultry facilities that had a capacity of at least 125,000 birds. The 33 farms represented a total capacity of 5,906,248 broilers/roasters with an annual production of 32,484,364. This amount represents about 14% of all chickens raised in Delaware.

For those farms that managed animals other than poultry, manure and nutrient management standards were evaluated as a component of the general nutrient management requirements. The overall breakdown of the 33 farms is as follows:

- ◆ 20 farms raise chickens and grow crops;
- ◆ 11 farms raise chickens and do not grow crops;
- ◆ 2 farms raise chickens, other livestock (dairy and/or swine) and grow crops;
- ◆ 18 farms are nutrient balanced between what is generated and what is needed, or do not deal with excess poultry litter;
- ◆ 15 farms export nutrients off-site to establish a balance;
- ◆ 2 farms import nutrients such as poultry litter.

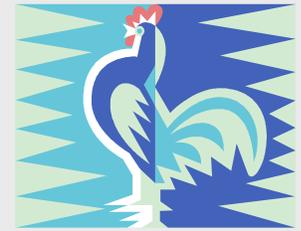
Certification — Farmers and other nutrient handlers need to establish and maintain certification as a generator, handler or consultant. Two of the 33 farms did not have a certified person involved in the operation. One had been previously certified but did not maintain continuing education credits; however, both of the nutrient handlers intend to become certified during the next class.

Nutrient Management Record Keeping — Maintaining accurate and up to date nutrient management records is essential to the proper management, handling and application of nutrients and manure. All farms visited were maintaining some degree of records; however, many were incomplete. Each farm was provided a record book and reminded of the need to record dates, amounts, and location of the application of manure, or the export of manure from the farm.

Implementation of the Facility's Nutrient Management Plan — A nutrient management plan or animal waste plan is required and serves the purpose of preventing excessive application of nutrients in the interest of water quality. Three of the 33 farms had an incomplete nutrient management or animal waste management plan. Of these three, one was in the process of developing an animal waste management plan. The other two farms were directed to obtain a plan and were provided with resources available for plan development.

Nutrient Management staff also examined the nutrient management plans for completeness and overall implementation. Most of the farmers had a thorough understanding of their plans. Staff offered advice and recommendations in several instances to improve the implementation of the plans.

Manure Management — Manure management consists of adequate storage and protection from rainfall or runoff. Twenty-nine farms were preventing contact between animals, manure and storm water. Four farms had challenges with the handling of storm water runoff. These



farms were presented with options to better manage storm water.

General observations follow:

- ◆ 3 farms had uncovered manure storage within the production area. In each instance the problem was rectified within one week of the visit;
- ◆ 2 farms did not have structural manure storage. They are currently in the process of constructing manure sheds;
- ◆ 8 farms practice temporary field storage within the application area;
- ◆ 13 farms export to an alternative use;
- ◆ 14 farms export manure for land application;
- ◆ 2 farms import poultry litter.

Management of Animal Mortalities — Twenty-nine of the farms visited had implemented effective methods for dealing with routine levels of animal mortalities.

Two farms presented challenges with the composting of routine animal mortalities. In these instances, the mortalities were exposed to rain and runoff. Nutrient Management staff directed the farms in the proper methods to prevent rain or runoff from contacting the mortality site.

In both cases the situations were rectified shortly after the visit.

DISCHARGE STATUS

Any farm that demonstrates a discharge is required to obtain a CAFO permit. As noted above, several farms were provided recommendations to improve their nutrient management practices. However, none of the 33 farms demonstrated evidence of a discharge of nutrients into waters of the State. Furthermore, one farm agreed to operate under a CAFO permit as a result of the evaluation.

CONCLUSION

The AFO visits were extremely productive both for Nutrient Management staff and the farmers. These evaluations produced the following accomplishments:

- ◆ Increased awareness and education for nutrient management practices within the agricultural community.
- ◆ Provided quality control for implementing the State Nutrient Management Law and Federal CAFO regulations;
- ◆ Provided an assessment of nutrient management compliance;
- ◆ Provided direction to farmers who were unclear about State and Federal CAFO requirements;
- ◆ Established accountability for the largest poultry farms throughout the State;
- ◆ Established accountability for the State to prevent any AFO discharge into the waters of the State.



The Delaware Nutrient Management Program will continue to monitor the status of, and work closely with Delaware's large AFOs to ensure the highest level of environmental accountability.

Contact
Your
County
Conservation
District
Office
For
Technical and
Financial
Assistance
with
Nutrient
Management
Projects

New Castle
County
302.832.3100

Kent County
302.741.2600
Extension 3

Sussex County
302.856.3990

How to get involved and voice your opinion:



Meet and talk to commission members
Attend commission meetings
Contact the Delaware Nutrient Management Program for dates and locations.

Nutrient Management Program

(302) 698-4500

or

1-800-282-8685

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Delaware Nutrient Management Commission

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William Vanderwende-Senate	(302) 349-4423	Sussex County Dairy Producer, DNMC Chairman	
Mark Adkins-Governor	(302) 732-3007	Sussex County Swine Producer	
David Baker-Senate	(302) 378-3750	New Castle County Grain Industry, Personnel Subcommittee, DNMC Vice Chairman	
Robert Baldwin-Governor	(302) 739-4411	Director, Division of Soil & Water Conservation, DNREC	
Jack Manchester-Governor	(302) 994-5544	New Castle County Citizens	
Kenneth Blessing Jr.-Senate	(302) 422-5746	Kent County Vegetable Farmer	
Tony Keen Senate	(302) 684-3196	Nutrient Consultant, Technology Subcommittee Chairman	
Connie Larimore-House of Representative	(302) 398-8304	Kent County Poultry Producer, Budget Subcommittee Chairman	
Ed Lewandowski-House of Representatives	(302) 645-7325	Environmental Advocacy Group, Rules & Regulations Subcommittee Chairman	
Bud O'Neill-Governor	(302) 363-1353	Golf Course/Lawn Care	
Al. Johnson, Jr.-House of Representatives	(302) 934-7684	Commercial Applicator	
Carl Solberg-Senate	(302) 492-1225	Environmental Advocacy Group, Program & Education Subcommittee Chairman	
Richard Sterling-Governor	(302) 653-7060	Commercial Nursery Industry	
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John Hughes (Ex-Officio)	(302) 739-4403	Secretary, DNREC	
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