Deadline set on dairy waste plan permits

BY DICK WRIGHT
Advocate staff writer

Louisiana dairy farmers — and any other farmers who run large-scale animal raising — have until May 10 to let the Environmental Protection Agency know if they are going to meet general permit requirements for handling their stormwater.

Dairies with 700 cows or more must get the EPA's general permit, southeast Louisiana dairy operators were told at meetings last week. Louisiana has few of those.

But one speaker said owners of dairies in the medium size range — 200 to 700 cows — may find advantages in getting the general permit.

Small dairies — those with 200 or fewer cows — have the least regulation pressure, but they, too, cannot allow direct untreated runoff of water from their barns.

An EPA "General Permit for Confined Animal Feeding Operations" targets large-scale setups. Dairy farmers own the most "confined animal" operations in Louisiana because dairy cows are brought twice daily to a milking parlor where they are held in pens while they are waiting to be milked.

The EPA general permit requirement covers more than big dairies. Bill Branch, environmental education specialist for the Louisiana Cooperative Extension Service, said the state has four horse-racing tracks, two big egg-laying operations and a few large-scale hog-raising operations that are coming under the general permit requirement.

The state's dairy cooperatives organized three meetings for southeast Louisiana dairy farmers last week and plan two more meetings this week, at Rosepine and Mansfield, to bring farmers up to date on the EPA regulations.

Ed Joiner, a Washington Parish dairyman who has been in the forefront in arguing the dairy farmers' position in ever-tightening clean water regulations, brought up two unrelated dates for the farmers to consider.

Joiner said the state of Louisiana is to have a coastal zone management plan ready by Jan. 1, 1996. Regulations to prevent pollution of the coastal zone generally, an area south of Interstate 10 — will affect agriculture as well as other private enterprise and cities.

Dairy cattle produce more than milk and farmers with large herds have to file waste plans with the federal government.

Joiner advised dairy farmers to watch for an EPA Region 6 fact sheet that says "This permit requirement is separate from both the USDA assistance program and the Pontchartrain Basin program."

Dairy farmers who have not updated and improved wastewater containment systems or do not have plans to take such steps could be subject to DEQ permitting after that date, he said.

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The Lake Pontchartrain Basin Foundation will be announced soon, he said.

The Lake Pontchartrain Basin Foundation is set up to clean up Lake Pontchartrain. It has concentrated much of its attention on stopping pollution of the Florida Parishes streams that empty into the lake. It has received federal money and some of that funding is being rechanneled into stopping dairy farm water runoff.

But the EPA general permit issue is separate from both the USDA assistance program and the Pontchartrain basin program.

Branch said the general permit for large confined animal operations is restricted to EPA's Region 6, which includes Texas, Louisiana, New Mexico, Oklahoma and Arkansas. Branch said Arkansas is left out of the permit rule because it has a state plan acceptable to the EPA.

An EPA Region 6 fact sheet said, "This permit requirement is separate and different from the Louisiana Department of Environmental Quality's General Permit for wastewater discharges off the farm...Exemption by DEQ from obtaining a DEQ General Permit does not exempt the producer from requirements of the EPA General Permit."

While large-sized dairies must have a general permit, medium-sized dairies may need one only under certain circumstances. If an especially large rainstorm, one that would drop 9 to 11 inches of rain in a 24-hour period, caused a wastewater discharge from a dairy, the owner would not be responsible.

But: "Medium operations will want to be covered by the EPA General Permit if a series of smaller storms will result in a wastewater discharge off the farm," said the EPA fact sheet.

"A small operation...requires an EPA General Permit only if specifically designated by EPA as causing significant water pollution problems," the fact sheet said.

Branch said the owner of a medium-sized dairy also might want a general permit if he or she planned to enlarge the operation. Also, he said, "If you have the permit and you later get a complaint about wastewater discharge, and you could show you filed for a permit and didn't have to, I would think that would be in your favor. You were doing what you didn't have to do."

People required to have a general permit have until May 10 to file a notice of intent with the EPA and begin to develop a pollution prevention plan for their operations.

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