

Subject: Informational Progress Update - Part 22 Groundwater Permit

Dear Stakeholders,

Discussions continue between DEQ and various other organizations regarding the new CAFO permit. I thought I would share with you an update as to where discussions are at and what the next steps may be.

Staff has met with DEQ on a couple different occasions. They have discussed numerous issues but have focused on 4 main points; these issues, which have been identified by many of you as well, include stockpiling, the groundwater permit (which was included in the proposed cover letter), application rates and the application requirement.

Regarding stockpiling, the thought is to now define stockpiling and identify the period in which stockpiled manure would have to be spread on the field.

Requiring a Part 22 Groundwater Permit was a concept to address how manure moving off a CAFO (manifest) was being handled and land applied. The discussions have included the possibility of creating a certification process for manure applicators and requiring the use of certified applicators as part of the permit. This certification program could be very similar to the voluntary educational program currently offered by MSUE.

The application rate using the current draft tables has also been discussed and the thought is to create two sets of tables. One would indicate nitrogen limits up to 150# residual P, and then another table that would set phosphorus limits between 150# and 300# residual P.

Another issue has been the perception that the State is rushing to establish a permit by October 1. In an effort to address this comment, and still meet Administrative Procedures Act requirements, DEQ has asked CAFO's to complete an application for the permit which will extend the current permit until April 1, 2010. Work will continue to finalize the new permit this Fall.

In the interim, DEQ will be sending to this summer's Stakeholder Workgroup a revised draft of the permit and set another meeting of that group to continue to work on the permit.

Given that good progress has been made this past week, at this time we will NOT be holding a public meeting tomorrow (September 24). Please share with interested individuals.

I want to thank all of you for your thoughtful comments. I also want to thank MDA and DEQ staff for their work to make sure the final product allows the animal industry to continue to grow while still being protective of the environment.

Regards,

Don Koivisto, Director  
Michigan Department of Agriculture