

September 15, 2023

RE: Reissuance of PAG-12 General Permit
Concentrated Animal Feeding Operations (CAFOs)

Dear Permittee:

Please read this letter carefully as it describes changes to your NPDES permit coverage, effective January 1, 2024, and contact DEP if you have any questions. DEP contact information is listed at the end of this letter.

On September 16, 2023, the Department of Environmental Protection (DEP) will publish a final, reissued NPDES PAG-12 General Permit for Operation of CAFOs in the *Pennsylvania Bulletin*. You are receiving this letter because, according to our records, you currently have coverage under the PAG-12 General Permit, and DEP would like to explain how the reissuance of the PAG-12 General Permit affects you.

The PAG-12 General Permit and supporting documents are available through DEP's website, <https://www.depgreenport.state.pa.us/elibrary/> (select Permit and Authorization Packages, Clean Water, and PAG-12 General Permit). **Please visit this site and download and print the Sample Permit document (3800-PM-BCW0032d). As of January 1, 2024, the terms and conditions of your NPDES permit coverage will change. The Sample Permit document contains the new terms and conditions of your NPDES permit coverage.** If you do not have access to a computer or the internet, contact DEP to have a copy of the General Permit and other important forms mailed to you.

General Permit Changes

The following highlights the significant differences between the reissued PAG-12 General Permit ("2024 General Permit") that will become effective on January 1, 2024, and the previous PAG-12 General Permit that was effective April 1, 2018 and amended January 1, 2021 to ("2018 General Permit"), which will be replaced by the 2024 General Permit.

- DEP has removed language in the General Permit concerning possible revocation of coverage or enforcement action in the event a CAFO fails to submit an annual report or pay an annual Notice of Intent (NOI) installment fee.
- DEP has clarified in Part C I.D.2 and D.3 (relating to winter manure application) that the NMP must contain a determination of adequate manure storage capacity for the winter period and provide sufficient capacity at the start of winter to implement the NMP for liquid and semi-solid manure storage facilities only.
- Clarification has been made to Part C V.C (Freeboard) of the General Permit in that the regulatory freeboard of 12 inches applies to any manure storage facility that is exposed to

direct precipitation (in addition to ponds and impoundments) and the regulatory freeboard of 6 inches applies to any manure storage facility that is not exposed to direct precipitation, on operations with less than 1,000 AEUs.

- Clarification has been made to Part C V.E (Leak Detection and Subsurface Drainage Monitoring) that in addition to monitoring drainage from leak detection systems beneath ponds and impoundments, monitoring must be done for any manure storage facility that is in-ground or below ground and has a leak detection system.
- In Part C V.F (Water Quality Management (WQM) Permits and Engineer Certifications), DEP has clarified that a WQM permit is required to construct any manure storage facility that is exposed to direct precipitation (in addition to ponds and impoundments) and will have a liquid and semi-solid manure storage capacity of between 1 and 2.5 million gallons where the nearest downgradient surface water is classified as a High Quality or Exceptional Value Water or is impaired for nutrients due to agricultural activities.
- DEP is requiring the inclusion of operation-specific methods for the management or disposal of mass animal mortalities in an operation's Preparedness, Prevention and Contingency (PPC) Plan or emergency response plan that is required in NMPs. This information will need to be submitted with the NOI to remain covered under PAG-12, due December 31, 2023.
- The due date for annual reports and annual NOI installment payments has been modified from January 1 to December 31 to align report and fee due dates with the expiration date of PAG-12.

These are the significant changes in the 2018 General Permit, but there are other changes that may affect you. You are encouraged to visit DEP's website, download and print all relevant PAG-12 documents, and contact DEP if you have any questions.

If you intend to maintain coverage under the 2024 General Permit, you must submit the PAG-12 Notice of Intent (NOI) (Document ID No. 3800-PM-BCW0032b) by December 31, 2023 to DEP's Southcentral Regional Office (SCRO) at the address below. You must also submit your annual report (3800-PM-BCW0032f) required under the general permit by December 31, 2023 to the DEP regional office that covers the territory where your operation is located (see addresses below). Note that you do not need to submit a fee with the renewal NOI; however, a \$500 annual installment payment is due December 31, 2023.

If you determine that you are no longer eligible for PAG-12 General Permit coverage, or if you determine that you will be unable to comply with the 2024 General Permit, or if you no longer desire coverage under PAG-12, you must submit an application for an individual NPDES permit by March 31, 2024 (90 days following the effective date of the 2024 General Permit). In addition, DEP may, at any time during the term of your coverage under the PAG-12 General Permit, determine that you are ineligible for continued coverage, and require the submission of an individual permit application.

For questions concerning interpretation of the 2024 General Permit or related documents, contact DEP's Bureau of Clean Water at 717-787-5017. For questions relating to the permitting process, contact DEP SCRO, Clean Water Program, at 717-705-4707. For questions concerning permit compliance and to request printed copies of documents, contact the DEP office that has jurisdiction over the county where your operation is located:

DEP Regional Office	Phone No.	Counties Served
SERO (2 E. Main Street, Norristown, PA 19401)	484-250-5160	Bucks, Chester, Delaware, Montgomery, and Philadelphia
NERO (2 Public Square Wilkes-Barre, PA 18701)	570-826-2511	Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne, and Wyoming
SCRO (909 Elmerton Avenue, Harrisburg, PA 17110)	717-705-4802	Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, and York
NCRO (208 West Third Street, Suite 101 Williamsport, PA 17701)	570-327-3574	Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga, and Union
SWRO (400 Waterfront Drive, Pittsburgh, PA 15222)	412-442-4000	Allegheny, Beaver, Cambria, Fayette, Greene, Somerset, Washington, and Westmoreland
NWRO (230 Chestnut Street, Meadville, PA 16335)	814-332-6942	Armstrong, Butler, Clarion, Crawford, Elk, Erie, Forest, Indiana, Jefferson, Lawrence, McKean, Mercer, Venango, and Warren

Sincerely,



Sean M. Furjanic, P.E.
Environmental Program Manager
Division of NPDES Permitting