

TENNESSEE



DAIRY NEWS

State Regulations on CAFOs in Review Process

Kristy M. Hill, Extension Area Dairy Specialist

The state of Tennessee is in the process of revising the Tennessee Water Quality Act's provisions on animal feeding operations (AFOs) to meet the changes made by the U.S. Environmental Protection Agency (USEPA) to the National Pollutant Discharge Elimination System (NPDES) Permit Regulations for Concentrated Animal Feeding Operations (CAFOs) in 2003. Tennessee must adopt regulations that meet or exceed the federal regulations. This summary is not a complete account of the proposed regulations and is not meant to replace the complete document. A more inclusive summary of the proposed changes to the state regulations is available from your local county Extension office or on the Web at: <http://www.state.tn.us/sos/pub/tar/2003-06.pdf>

Definitions and explanations:

An AFO is a facility where animals are confined for a total of 45 days or more in any 12-month period in a non-vegetated area. All confinement dairies are AFOs. Grazing dairies also meet this definition because the animals must be 'confined' to be milked.

In the proposed revisions to the Tennessee regulations, operations located in impaired watersheds no longer have to apply for a permit, unless they meet the definition of a CAFO based on size.

Operations of small size (< 200 cows) may be designated as a CAFO by the Tennessee Department of Environment and Conservation (TDEC) if they deem it to be a significant polluter.

Under the old federal and current state regulations, dairy cows were counted if they were mature, lactating animals. Under the new federal regulations, a mature dairy cow is one that has calved at least once in her lifetime, whether she is milking or dry (as interpreted by USEPA Administration and Saja Qualls, Division of Water Pollution Control, TDEC)

Summary of proposed regulations:

Large CAFO (Class I): 700 + mature dairy cows

- Must develop and implement a Comprehensive Nutrient Management Plan (CNMP) that meets NRCS standards

Medium CAFO (Class II): 200-699 mature dairy cows

- Must develop a site-specific nutrient management plan (NMP) that addresses waste storage and maintenance; mortality management; clean water diversions; prevention of animals' direct contact with streams, rivers and lakes; disposal of chemicals and contaminants; conservation practices; manure and wastewater testing and application; soil testing; and record keeping.
- The NMP must incorporate a field-specific assessment of N and P transport from the field and address the form, source, amount, timing and method of application of nutrients to achieve realistic production goals. This would be achieved by field-specific assessment of the Tennessee Phosphorus Index; manure analysis (minimum of one time annually); soil analysis (minimum of one time every five years); periodic inspection of application equipment; prohibiting application 100 feet from surface waters, sinkholes, ag well heads or open tile line structures; prohibiting application 300 feet from public use areas, churches, playgrounds, picnic areas, etc. or residences other than CAFO owner; prohibiting application 300 feet from any potable well (public or private); prohibiting application 300 feet from any tier II or tier III stream.

Medium CAFOs may develop and implement a CNMP in lieu of a NMP.

Requirements for all CAFOs:

All CAFOs must maintain records on site for five years and must submit an annual report to TDEC. Records would include items such as:

- A copy of the NMP (or CNMP) with records of current design of waste system
- Weekly inspections of water diversions, containment structures and depth of manure/wastewater (and any corrective actions taken)
- Daily inspections of water lines (and any corrective actions taken)
- Mortalities and management of mortalities
- Information on any manure system overflow
- Nutrient application information for applied waste and fertilizer (nutrient analysis; calculations to determine application rate; amount of nutrients actually applied; weather conditions before, during and after application; method of application)

- If transferring more than 20 tons of waste to a third party, documentation that the third party has an off-site disposal plan approved by TDEC or TDA and information on all transfers must be kept for five years

All owners/operators/supervisors of CAFOs must obtain certification that they have completed at least 12 hours of formal education or training.

Operations ceasing activities must submit a closure plan at least 30 days prior to the final day of operation that will address the maintenance of the facility until proper closure is complete, along with a schedule of closure not to exceed 365 days.

New CAFOs or CAFOs with a new waste management system (including confinement buildings) after April 13, 2006:

- Must meet NRCS criteria.
- Liquid systems must be 1000 feet from the nearest dwelling, church, school, hospital or park and 500 feet from property lines.
- Dry waste management systems must be at least 330 feet from nearest dwelling, church, school, hospital or park and a minimum of 165 feet from property lines.
- All systems must be a minimum of 200 feet from any stream, lake, spring or sinkhole and a minimum of 500 feet from any off-site well or water supply.
- All new systems must have a subsurface investigation to determine water table depth and seepage potential.

Public Hearings

The Division of Water Pollution Control will hold public hearings to consider these proposed revisions. Input from the public and the agricultural sector is welcomed. We encourage all dairy producers to become involved in the rule-making process regardless of the number of mature animals owned. For more information on the proposed revisions and the permitting process, please contact TDEC at (615) 532-0104.

Date	Site	Location	Time
Aug. 18, 2003	Memphis	Univ. of Memphis Engr. Dept Auditorium Rm 203 3795 Central Avenue	2:00 p.m. CST
Aug. 18, 2003	Jackson	West TN Experiment Station Agricultural Center 605 Airways Blvd.	7:00 p.m. CST
Aug. 19, 2003	Nashville	Ellington Agricultural Center Ed Jones Auditorium Hogan Rd	2:00 p.m. CST
Aug. 19, 2003	Shelbyville	Shelbyville Court House One Public Square, Suite 200	7:00 p.m. CST
Aug. 21, 2003	Chattanooga	Chattanooga State Office Bldg. First Floor Auditorium 540 McCallie Avenue	1:00 p.m. EST
Aug. 21, 2003	Cleveland	Cleveland State University Coleman Community Services Rm C-106 3535 Adkisson Dr.	7:00 p.m. EST
Aug. 25, 2003	Greeneville	Clyde Austin 4-H Center Class Room 6 214 4-H Lane	7:00 p.m. EST
Aug. 26, 2003	Knoxville	Pellissippi State Tech. Comm. College J.L. Goins Administration Bldg. 10915 Hardin Valley Drive	2:00 p.m. EST
Aug. 26, 2003	Cookeville	Tennessee Technological Univ. Pennebaker Hall, Rm 128 1100 North Dixie Avenue	7:00 p.m. EST

NMPF Cooperatives Working Together (CWT) Program Launched

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The CWT program was developed to address a 25-year low in the farm level price of milk in this country. It is a producer led and funded program that will help pare domestic milk production, better aligning it with demand, and raise farm level prices as a result. There are three parts to this initiative: an export assistance program for cheese, a herd retirement program and an incentive program for producers who agree to reduce milk marketings. Originally, the CWT program was to be funded by an 18 cent per 100 lb. assessment on the dairy farmer members of the cooperatives involved, and there was a target enrollment of 80 percent of the national milk supply before the program was to be launched. The program would have reduced the U.S. herd size by 125,000+ cows and U.S. milk production by 4.6 billion pounds (2.7 percent of current production) over a 12-month period. Sponsors were hoping the program would boost the all-milk price by \$1.30 per hundredweight.

On July 3, the National Milk Producers Federation Board of Directors approved a modified version of the CWT program. In the scaled back version, the assessment on members would be 5 cents per hundredweight and requires a lower participation level. Over 70 percent of the nation's milk volume is committed to participate in the program. With less money, the CWT program will have some impact, but not as dramatic as sponsors had originally hoped. With the new proposal, an estimated 36,000 cows will be culled and milk supplies will be reduced by 1.2 billion pounds over the next 12 months. The estimated net impact of the new version is 23 cents per hundredweight.

For the latest news, please check the CWT website:
<http://cwt.coop/>

Youth Activities

The 2003 Dairy Quiz Bowl was held in Nashville on June 5. Congratulations to Maury County (team members: Casey Favors, Will Baker, Eric Gardner and Robbie Jarratt) for winning first place in the senior division competition. The Maury County team will represent Tennessee at the National Dairy Quiz Bowl competition in Louisville, KY in November. Congratulations to Wilson County (team members: Wenter Davis, Jeffrey Turner and Matthew Corn) for winning first place in the junior high division.

UT Knoxville Dairy Unit to Sell Jerseys

The Dairy Unit of the Knoxville Experiment Station will be holding a Complete Jersey Dispersal Sale at noon on Saturday, September 13, 2003 in the Brehm Animal Science Arena on the Ag Campus in Knoxville. Approximately 65 head of Jersey cows and heifers will be sold. Jersey Marketing Service will be conducting the sale. Flyers and catalogs will be available in August. For more information, please contact the Knoxville Experiment Station Office at (865) 974-7201.

Dairy Youth Calendar of Events

July		
	21 - 25	State 4-H Roundup, Martin
August		
	1	4-H District and State Dairy Show Entries Due
	5	State 4-H Dairy Judging Contest, Franklin
	23	Smoky Mountain District Junior Dairy Show, Gray
	29	Western District Dairy Judging Contest
	30	Western District Junior Dairy Show
September		
	3	Athens Sub-District Junior Dairy Show
	6	Smoky Mountain District Dairy Judging Contest
	8	Cumberland District Junior Dairy Show
	13 - 14	Central District Junior Dairy Show
October		
	16 - 18	Tennessee Dairy Expo, State Junior Dairy Showmanship & State Junior Dairy Show

For assistance with your dairy herd, feel free to contact your local county Extension agent or a dairy specialist at 865-974-7289 or by email: grogers2@tennessee.edu and khill8@tennessee.edu

Please help us update our dairy database! Complete a UT Dairy Survey and return to us today. Surveys are available from your local county Extension office and on-line. Submission is available at: <http://animalscience.ag.utk.edu/dairyTNDairyIndustry.htm> Information gathered from the surveys will be used to develop University of Tennessee Extension dairy programs.

The Tennessee Dairy News will be published on a quarterly basis. The second edition of this volume will be mailed directly to you in October 2003. However, all editions after October 2003 will be available only on the UT Animal Science Web page or through email. If you would like to continue receiving the Tennessee Dairy News via email, please subscribe to Joan Cooper at: jcooper9@utk.edu

E12-4415-00-005-04

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