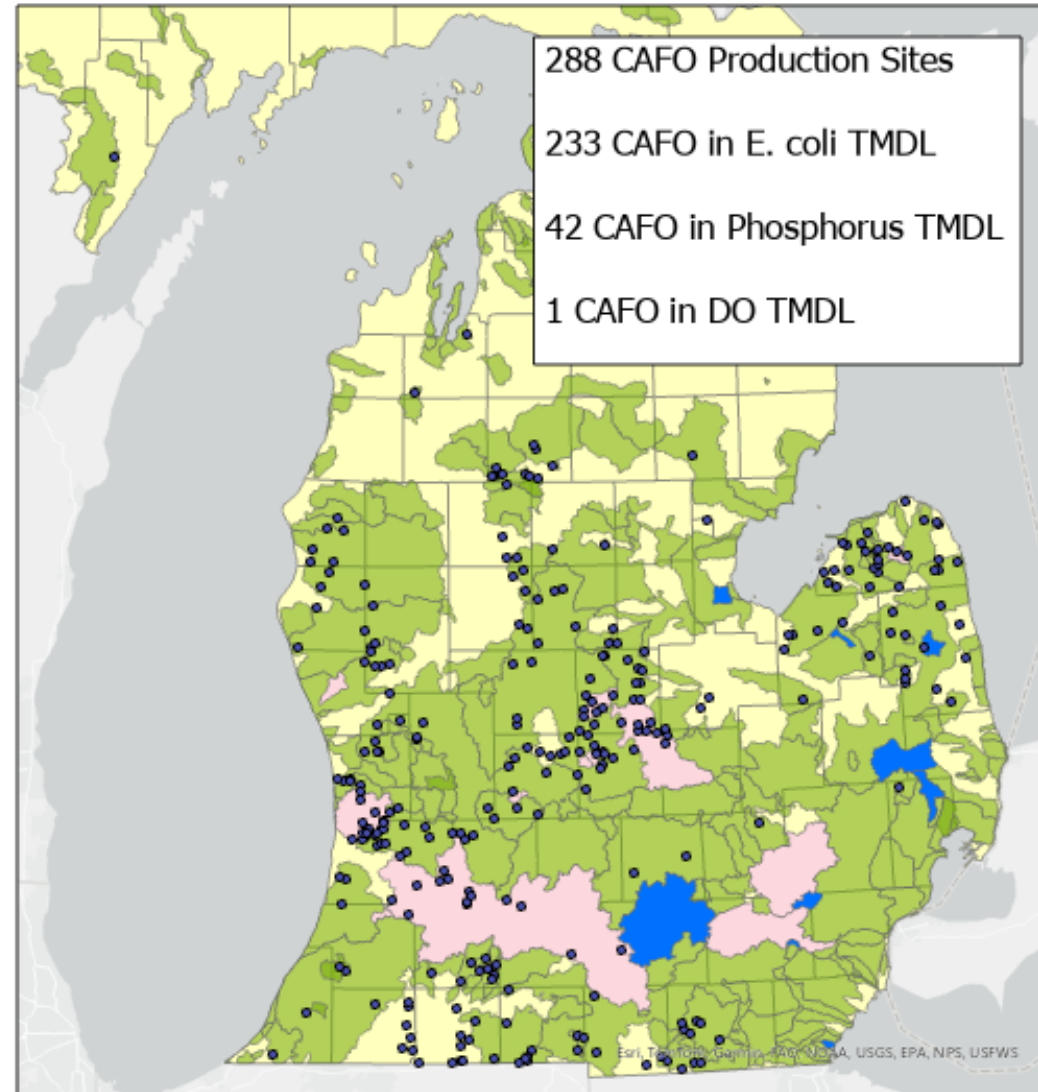# Newer CAFO Requirements in MI

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EGLE

CAFOs in Michigan

- 288 CAFOs in MI
  - Dairy, swine, poultry (layers, broilers, turkey), cattle, veal, horse

- Majority have coverage under a General Permit

- Majority are in TMDLs for E. coli, phosphorus, and/or dissolved oxygen

Michigan CAFO Production Sites in TMDLs

288 CAFO Production Sites

233 CAFO in E. coli TMDL

42 CAFO in Phosphorus TMDL

1 CAFO in DO TMDL

CAFO Production Sites

Phosphorus TMDL

DO TMDL

E. coli TMDL

Counties

EGLE

Why make changes?

- Increase in impaired waters for E. coli, Biota, Dissolved Oxygen

- Harmful Algal Blooms (HABs)

- Winter discharges

- Increase in digesters

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What changed?

- 2020 CAFO General Permit and Individual Permit Templates

  – State rules require we address impaired waters

  – Address changes in operation with installation of treatment systems
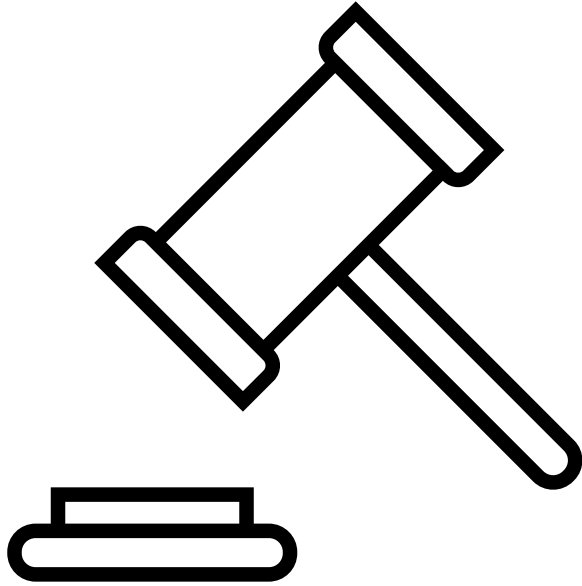
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What changed?

- Impaired Waters and HABs
  - Decrease soil Phosphorus (P)
    - 150 ppm to 135 ppm in non-TMDL areas and 120 ppm in P TMDLs
  - 100 ft setbacks **and** 35 ft vegetative buffers
  - CAFO waste shall not be applied during the months of January, February, or March without meeting requirements

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Outcomes

- Litigation

  – Contested Case with an Administrative Law Judge

  – Court of Claims, Court of Appeals, and now with Michigan Supreme Court

- Issuing Individual Permits

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What changes were made?

- Digesters
  - Who is permitted?
  - Waste treatment agreements
  - Increased monitoring
    - Monthly pre-treated and post-treated waste shall be sampled monthly to determine pH, moisture content, TKN, ammonium nitrogen, and total phosphorus
  - Increased reporting
    - Date, type of waste, daily volume from each origin, and origin of waste
    - Date, daily volume to each destination, and destination of waste exiting
    - Documentation of treatment bypass or partial bypass

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Outcomes

Unclear

Perceived conflict with energy goals

Draft legislation

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