

**Colorado Department of Public Health and Environment
Colorado Discharge Permit System
APPLICATION TO BE CERTIFIED
UNDER A GENERAL PERMIT
FOR CONCENTRATED ANIMAL FEEDING OPERATIONS
(PERMIT No. COA-932000)**

GENERAL INSTRUCTIONS

Applicability: This application was prepared by the Colorado Department of Public Health and Environment's Environmental Agriculture Program (Program) for use by an operator of any new, or existing and currently operating Concentrated Animal Feeding Operation (CAFO) in Colorado, except those that:

- 1) Are a "Housed Commercial Swine Feeding Operation", as that term is defined at Section 25-8-501(2)(b), of Colorado Revised Statutes; or
- 2) Discharge to waters of the state for which there is an applicable control regulation that limits the quantity or concentration of total phosphorus or total nitrogen in discharges.

Application Due Dates: The operator of the AFO or CAFO must submit an application at least **180 days** prior to:

- 1) The date the operator wishes to be certified to discharge under the general permit; or
- 2) The expiration date of an existing permit if the operator seeks to continue with permit coverage

Permit Fee: Do not send payment with this application. You will be billed upon certification under the general permit.

Annual permit fee – not to exceed \$750 plus \$.09 per animal unit, based on permitted capacity.

Application Completeness: All applications must be complete and accurate. Processing of the permit will not begin until all information is received and the application is deemed "complete". For example, missing or incomplete answers will result in delays in processing the application.

If you have questions on completing the application, please contact the Environmental Agriculture Program at (303) 692-3523, or at (303) 692-3614. **One complete original copy** of the application must be submitted by mail or hand-delivered to the following address:

Colorado Department of Public Health and Environment
Environmental Agriculture Program
DEHS-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

GENERAL INFORMATION

Regulation No. 81 – Groundwater Protection Requirements: In addition to the CAFO surface water discharge permit, CAFOs must ensure groundwater protection by meeting the requirements of Colorado Water Quality Control Commission Regulation No. 81 (Regulation No. 81). These requirements are not included in a CAFO permit and must be met by CAFO operators separate from the permit.

Regulation No. 81 requires CAFO operators to have and maintain documentation prepared by a professional engineer, registered in the State of Colorado, certifying that the provisions of Regulation No. 81, section 81.8(2) regarding impoundment liners and liner materials have been met. Refer to Regulation No. 81 for details regarding this and additional requirements.

Water Rights: A Colorado Discharge Permit System permit issued by the Department of Public Health and Environment does not constitute a water right and does not negate the necessity to secure necessary water rights. For CAFOs with an existing Colorado discharge permit, there is no guarantee that the proper water rights are in place. The Colorado Department of Natural Resources' Division of Water Resources has indicated that capture and retention of precipitation and storm water has the potential for material injury to a water right. As a result, the Division of Water Resources needs to determine that material injury to a water right will not occur from such activities. If you have questions on the issue of water rights, please contact the Division of Water Resources at:

Colorado Department of Natural Resources
Division of Water Resources
1313 Sherman Street, Rm. 818
Denver, CO 80203
(303) 866-3585

Stormwater General Permit: Certification under a Stormwater General permit is required if construction of your facility, or parts thereof, disturb one or more acres in total land area. Information about such a certification can be obtained by calling (303) 692-3517.

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|--|-----------------------------|---|---|---|---|---|---|--|
| <p>APPLICATION TO BE CERTIFIED UNDER THE GENERAL PERMIT FOR CONCENTRATED ANIMAL FEEDING OPERATIONS</p> <p>COLORADO DISCHARGE PERMIT No. COA-932000</p> | FOR AGENCY USE ONLY | | | | | | | |
| | PERMIT CERTIFICATION NUMBER | | | | | | | |
| | C | O | A | - | 9 | 3 | 2 | |
| <p style="text-align: center; margin-top: 0;"><u>DATE RECEIVED STAMP</u></p> | | | | | | | | |

INSTRUCTIONS:

- Type or print legibly.
- If an item is not applicable to your facility, please indicate this in the appropriate section.
- Attachments A, B and C must be included in order for the application to be deemed complete.
- Label each attachment/drawing with the name of the attachment/drawing and the name of the CAFO facility.

I. Application Type:

New Expansion
 Renewal (re-certification from previous general permit)
 Amendment Please describe:

II. Permit Applicant Information:

A) Facility Owner (please enter the name of a person(s), company, LLC, etc., as applicable):

Mailing Address, City, State, Zip:
 Phone Numbers: (Office) (Cell)
 E-mail: Fax:

B) Facility Operator (please enter the name of a person(s), company, LLC, etc., as applicable):

(Please note: The permit certification typically will be issued to the facility operator.)
 Mailing Address, City, State, Zip:
 Phone Numbers: (Office) (Cell)
 E-mail: Fax:

C) Legal Contact Person: Email:

Is this person also the registered agent for the company, LLC, etc? Yes No N/A

If no, who is the registered agent?
 Phone Numbers: (Office) (Cell) (Fax)

D) On-site Contact Person:

Phone Numbers: (Office) (Cell) (Fax)

III. Location and Facility Information*:

A) Facility Name

B) Facility Location and County (e.g., 13270 Weld County Road 35, Weld County):

Latitude at entrance of production area(s)

Longitude at entrance of production area(s).

Please use North American Datum 1983 (NAD83) for electronic collection of coordinates via GPS. If a different datum is used, including coordinates acquired from maps, provide the corresponding datum information.

C) Legal Description:

(NE)

(SE)

(NW)

(SW)

Quarter, of the

(NE)

(SE)

(NW)

(SW)

Quarter, of the

Section , Township (N) (S), Range (E) (W)

**Attachment A and Attachment B must be included with this application.*

IV. Design and Discharge Information:

A) Maximum number of animals that will be confined in the production area for 45 days or more in a 12-month period (*include all animal types*):

Cattle (not dairy or veal):

Dairy Mature (incl. dry cows):

Dairy Heifers (weaned):

Veal Calves:

Sheep/lambs:

Horses:

Swine (over 55 lbs.):

Swine (under 55 lbs.):

Laying hens or broilers (with liquid manure system):

Laying hens (other than liquid manure system):

Chickens other than laying hens (other than liquid manure system):

Other (specify type and number):

B) Total capacity of process wastewater storage (not including solids separating basins): (ac-ft)

C) Type of manure containment (*indicate type(s) used*):

Roofed storage shed:

Composting:

Impervious soil pad:

Pen storage:

Concrete pad:

Other:

Stockpile:

Describe:

IV. Design and Discharge Information (continued):

D) Type of wastewater management system (not including solids separating basins) (*indicate number of each*):

Single-stage retention pond: Two-stage retention ponds:

Three-stage retention ponds: Above ground holding tank:

Below ground holding tank: Under floor pit:

Evaporation pond (designed for 10-year period of maximum rainfall):

Other (*please describe*):

Number of solids separating basins:

V. Wastewater and Manure Management Information:

A) Total number of land application sites:

B) Total acres owned by or under the control of applicant for land application:

C) Gallons of process wastewater produced per year (*estimate*):

D) Estimated wastewater volume released to third parties: (*indicate % of total production*):

E) Tons of solid manure produced per year (*estimate*):

F) Estimated amount of solid manure released to third parties: (*indicate % of total production*)

VI. Certification of Design Calculations, Drawings, and Specifications

A) Existing facilities. Certify below as to design calculations, drawings, specifications, tables, and other relevant documents as required under section 61.17(5)(c)(ix) of Regulation No. 61. Certification must be provided by a professional engineer (P.E.) registered in Colorado.

Include a summary table providing the following information:

1) Impoundment name

2) Impoundment volume at two feet of freeboard or other approved freeboard level

3) Impoundment volume at spillway or impoundment overflow level

4) Volume of runoff from area tributary to the impoundment during the design storm event

5) Volume of process water runoff and storage (i.e. parlor water, etc.)

6) The storm event (25-year, 24-hour or Chronic) for which each impoundment was designed (that is, the storm event from which an impoundment will receive the greater volume of runoff)

CERTIFICATION

I, _____, being a duly registered professional engineer (P.E.) in the State of Colorado, do hereby certify the following:

- That the volume of process wastewater runoff generated for each impoundment was calculated as required in section 61.17(5)(c)(ix)(A) of Regulation No. 61.
- That drawings of each impoundment as required under Regulation No. 61, section 61.17(5)(c)(ix)(B) have been prepared.
- That a properly designed and constructed spillway is in place at each discharging impoundment, unless the Program has determined that a spillway is not required pursuant to 61.17(8)(a)(ii).
- That accurate, permanent depth markers are in place as required under 61.17(5)(c)(ix)(D).
- That two feet of freeboard, or other freeboard level approved by the Program, exists in each open surface impoundment and terminal tank, as required under 61.17(5)(c)(ix)(E).
- That clean water is diverted, as appropriate, from the production areas, manure stockpiles, and composting areas as required under 61.17(5)(c)(ix)(F).
- That structures used to divert process wastewater from the production areas are sized as required under 61.17(5)(c)(ix)(G).
- That all impoundments, tanks, manure stockpiles, or composting areas located within a 100-year floodplain are protected from inundation and damage from 100-year or smaller flood events.

Dated this _____ day of _____, 20_____.

Signed and Certified by:

_____, P.E.

****Please Note - Work prepared under the control and direction of the signatory P.E. must contain the P.E.'s seal. Work done by others that the P.E. did not control or direct must have an accompanying letter indicating that the P.E. has reviewed such work and that it meets the regulatory requirement.***

VI. Certification of Design Calculations, Drawings, and Specifications (continued)

- B) New facilities other than swine, poultry and veal calf CAFOs -Submit the certification and summary table specified above in VI.A), at least 60 days prior to the time the operator desires permit coverage. The balance of the permit application must be submitted at least 180 days prior to the time the operator desires permit coverage (e.g., prior to the time the operator desires to place animals on the operation).
- C) New swine, poultry and veal calf CAFO facilities - Submit the certification and summary table specified above in VI.A), at least 60 days prior to the time the operator desires permit coverage.

Also, certify:

- There will be no discharge of manure or process wastewater into surface water from the production area;

OR

- The CAFO utilizes storage structures that are designed, operated, and maintained in accordance with the requirements of Regulation No. 61, section 61.17(6)(b)(iv)(A) to meet the no discharge requirement. Submit documentation supporting the technical evaluation required by 61.17(6)(b)(iv)(A), if performed.

VII. Nutrient Management Plan

All CAFOs must develop and implement a Nutrient Management Plan (NMP) that meets the requirements of Regulation No. 61.17(8)(b). A complete NMP must be included within Attachment D of this application.

Has the CAFO developed and implemented a Nutrient Management Plan, including all terms of the NMP as required in Regulation No. 61, section 61.17(8)(b)(xii)?

- Yes No

Does the CAFO operate according to the NMP?

- Yes No

Was the NMP prepared or approved by a certified nutrient management planner?

- Yes No

(Note: The permit does not require CAFO owners or operators to use a certified nutrient management planner to prepare or approve nutrient management plans.)

VIII. Alternative Performance Standards (not applicable to new source swine poultry and veal calf CAFOs):

If requesting alternative performance standards, provide the information required in section 61.17(7) of Regulation No. 61, and any additional information requested by the Program pursuant to Regulation No. 61, section 61.4(1)(k).

IX. Additional Certification Requirements:

By signing and submitting this application for coverage under the General Permit for Concentrated Animal Feeding Operations (Permit No. COA-932000), the applicant certifies:

- 1) That the CAFO facility is not a “Housed Commercial Swine Feeding Operation”, as that term is defined at Section 25-8-501(2)(b), of Colorado Revised Statutes; or
- 2) The discharge is not to waters of the state for which there is an applicable control regulation that limits the quantity or concentration of total phosphorus or total nitrogen in discharges; and
- 3) That design calculations, drawings, specifications, and other relevant documents required in section 61.17(5)(d)(ix) of Regulation No. 61 are available at the location identified in the General Instructions section of this application or another site agreed to by the Program and will be provided to the Program upon request.

X. Signature of Applicant:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the facility, or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Signature of Applicant Date Signed

Name (printed) Title*

* If the signer is an officer or owner of a company that operates or owns the facility, please so note.

Attachment A

Include:

A map (USGS topographic map with 1:24,000 scale or 1:50,000 scale, or another topographic map of similar accuracy) that illustrates all of the following information:

- 1) Location and outline of production areas and land application sites.
- 2) Location and depths of functional wells, including monitoring wells, within one-half mile radius of the center of the production areas.
- 3) Name and location of public roads located within 1.0 mile of the production areas.
- 4) Name and location of surface water(s) that will receive the discharge(s) from each retention structure. Include all waterways (e.g., roadside borrow ditches, irrigation canals, and natural drainages) that connect the first receiving waterway to a navigable water. If the flow path of process wastewater from a retention structure does not connect to navigable water, indicate the terminus location. (e.g.: *From No. 3 spillway, eastward via unnamed ditch for approximately one mile to Timpas Creek, then north to the Arkansas River.*)

Attachment B

Include:

A site plan of the production area(s) that includes the locations of and, where appropriate, names of all of the following:

- 1) Drainage pattern(s) from the production areas.
- 2) Structures, including covered buildings or sheds, pens, milking parlors, office, confined production buildings, egg washing buildings, and other significant structures (label).
- 3) Manure storage areas (label).
- 4) Composting areas (label).
- 5) Impoundments, tanks and wastewater tanks (label).
- 6) Lift stations and piping to impoundments and wastewater tanks (label).
- 7) Transfer piping between impoundments, wastewater tanks, manure separation systems, pens, and lift stations;
- 8) Berms, including run-on diversion berms (label).
- 9) Process wastewater conveyances (label).
- 10) Location of the 100-year floodplain that exists, in whole or in part, within the production area.
- 11) Location after each impoundment or wastewater storage tank where a planned discharge to waters of the U.S. will occur and where effluent samples will be collected.

Attachment C

Include:

A Standard Operating Procedure for measuring and recording precipitation to a detection limit of 0.1 inch.

Attachment D

Include:

A copy of the facility's Nutrient Management Plan that meets the requirements of section 61.17(8)(b) of Regulation No. 61