

**For More Information about  
EPA'S CAFO Inspection Plan Call:**

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To ensure effective communication with everyone,  
additional services can be made by calling EPA's  
toll-free number at 1-800-424-4372.

*Web Surfing for EPA Region 10: Check out our  
homepage at:*  
**<http://www.epa.gov/r10earth>**

For information about **technical assistance**,  
owners and operators can contact their local  
Soil Conservation District office,  
Natural Resources Conservation Service (NRCS),  
University of Idaho Extension Service or  
IdahoState Department of Agriculture.

  
U.S. Environmental Protection Agency  
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1200 Sixth Avenue (MD-148)  
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EPA 910-F-99-005



United States  
Environmental Protection  
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# EPA Inspecting Animal Feeding Operations in Idaho





*Application Directly into a Drainage Ditch*

### **What is EPA doing?**

As part of an effort to restore and maintain the quality of Idaho's lakes, rivers and streams, the U.S. Environmental Protection Agency (EPA), Region 10 is inspecting waste management practices at animal feeding operations (AFOs) to determine if these facilities are complying with the Clean Water Act.

### **Why is EPA focusing on AFOs?**

Inappropriate waste handling and land application practices from animal feeding operations can lead to significant contamination of valuable water resources including creeks, streams, rivers, ponds, lakes and groundwater within the state of Idaho. Examples include excessive land application of manure and animals with direct access to streams, rivers and irrigation canals. When surface water bodies do not meet the state's existing water quality standards (for temperature, fecal coliform bacteria, dissolved oxygen, nutrients and aesthetics), human health and aquatic habitat can be significantly affected. In some cases, fish and



*Runoff from Corral (background) Flowing into Ditch (foreground)*

other aquatic wildlife can become diseased and possibly die.

### **What is EPA's inspection plan?**

As part of its regulatory authority under the Clean Water Act, EPA is inspecting non-dairy animal feeding operations in Idaho. Through a 1995 agreement with the Idaho Department of Agriculture, Idaho Division of Environmental Quality and Idaho Dairymen's Association, dairies are being managed by the Idaho Department of Agriculture. EPA will be working closely with these and other state agencies to identify animal feeding operations that are likely to or are discharging wastes to water bodies within the state of Idaho.

### **What does EPA do if we locate a non-complying AFO?**

EPA has several options to compel compliance with the Clean Water Act. Below is a summary of enforcement options that will be considered.

**Warning Letter:** This type of letter is used for animal feeding operations with a potential violation.

**Administrative Order:** EPA can issue an Administrative Order to the CAFO owner and/or operator who is not complying with the "no-discharge" standard required by the Clean Water Act. Typically, orders require the owner and/or operator to correct the problem and eliminate the violation within a specified time period. Failure to comply with this order is subject to civil penalties: up to \$27,500 per day for each violation.

**Administrative Penalties:** EPA is authorized to penalize those facilities in non-compliance up to \$11,000 per day for each violation. There is a statutory limit of \$137,500 that can be assessed via the administrative process. For larger penalties, EPA must utilize the federal judicial system (see next item).

**Judicial Penalties:** the Clean Water Act authorizes EPA to assess civil penalties up to \$27,500 per day for each violation.

**Criminal Prosecution:** For those who are caught knowingly violating the Clean Water Act, criminal prosecution is a possible enforcement response.



*Cattle with Direct Access to a River.*