

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

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To ensure effective communication with everyone,  
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*Web Surfing for EPA Region 10: Check out our  
homepage at:*  
**<http://www.epa.gov/r10earth>**

  
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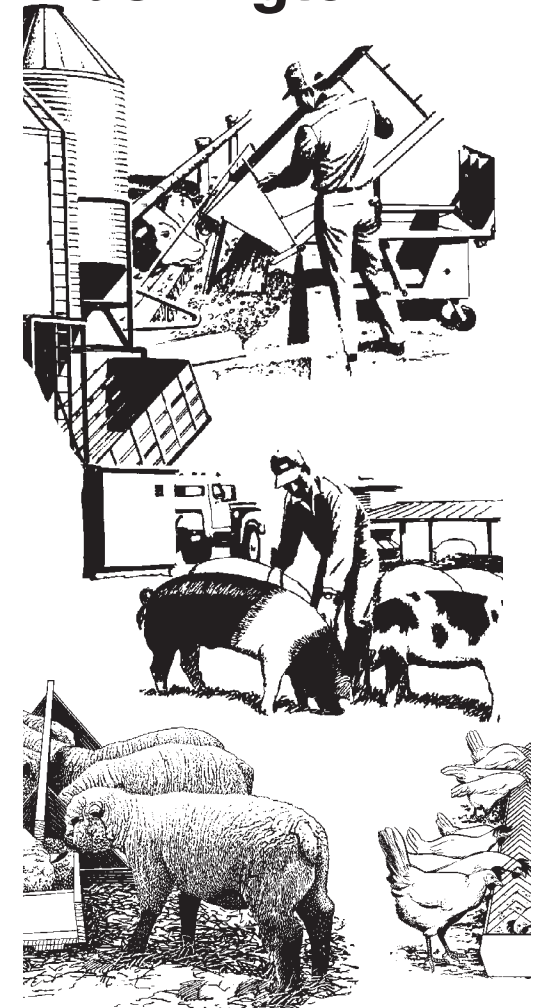
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# EPA's Animal Feeding Operation (AFO) Inspections in Washington





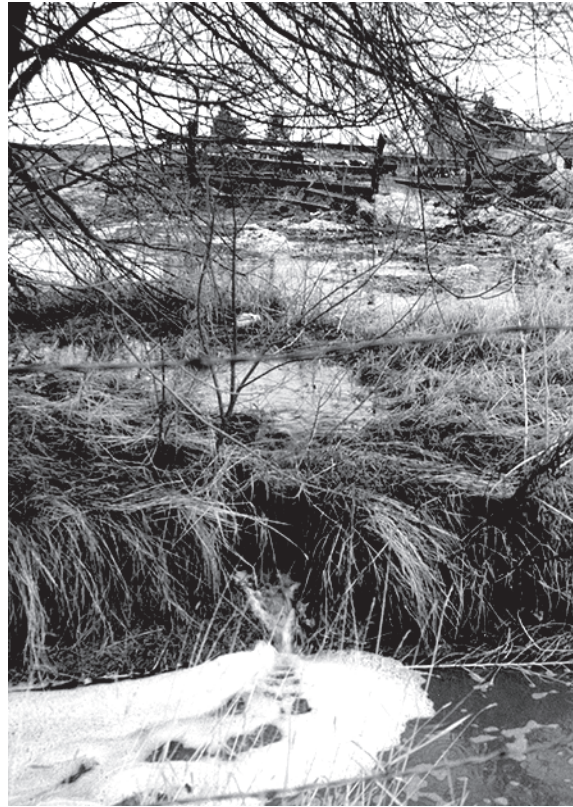
***Application Directly into a Drainage Ditch***

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

As part of an ongoing effort to restore and maintain the quality of Washington's lakes, rivers and streams, the U.S. Environmental Protection Agency (EPA), Region 10 is inspecting waste management practices at 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 AFOs can lead to significant contamination of valuable water resources within the state of Washington, including creeks, streams, rivers, ponds, lakes and groundwater. 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



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

significantly affected. In some cases, fish and other aquatic wildlife can become diseased and possibly die.

This situation can adversely affect human health, particularly in communities depending on fish or shellfish as a major food source. Region 10's inspection initiative, in part, is a response to President Clinton's call to target enforcement of livestock operations that may be impacting valuable water resources.

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

As part of Region 10's oversight authority, EPA will continue inspections in Washington and within Tribal boundaries. EPA will be working closely with the Washington Department of Ecology and Tribal environmental agencies to identify critical areas in the state that have had a high probability factor of degrading water quality if AFOs discharge waste products to surface waters.

### **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 potential to violate.

**Administrative Order:** EPA can issue an Administrative Order to the AFO 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.

Violations such as those pictured in this brochure could result in administrative penalties.



***Cattle with Direct Access to a River.***