



Virginia Department of Environmental Quality Regulatory Programs for Animal Waste and Biosolids

**Senate Committee on
Agriculture, Conservation and Natural Resources
and
House Committee on
Agriculture, Chesapeake and Natural Resources**

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Biosolids / Sewage Sludge

- Regulatory program transferred from Board of Health to State Water Control Board, effective January 1, 2008
- Addressed in 4 SWCB regulations:
 - 9VAC25-20 Fees for Permits and Certificates
 - 9VAC25-31 Virginia Pollutant Discharge Elimination System Permit Regulation
 - 9VAC25-32 Virginia Pollution Abatement Permit Regulation
 - 9VAC25-790 Sewage Collection and Treatment Regulations
- VPA and VPDES programs both require all land application of biosolids to follow nutrient management plans written by VA Dept. of Conservation and Recreation certified planners
- Additional DEQ compliance assurance staff funded by fee assessed to biosolids generators for each dry ton land applied

Biosolids / Sewage Sludge

- Consolidation under DEQ will streamline permitting and compliance activity for all persons land applying biosolids
 - Consistency between VPA and VPDES will be addressed in current regulatory action
 - First Technical Advisory Meeting on October 3
- Compliance assurance issues similar to land application of animal waste – staff work in both programs for efficiency
- In the first 6 months of 2008:
 - 74% of the farms receiving biosolids were inspected
 - 78% of the inspections occurred when biosolids were being land applied
 - Compliance issues identified have been relatively minor

Animal Waste

(Confined Livestock and Poultry)

- “Animal Feeding Operations” regulatory requirements found in:
 - 9VAC25-32 VPA Permit Regulation (Individual Permits)
 - 9VAC25-192 VPA General Permit Regulation for Animal Feeding Operations (>300 Animal Units)
 - 9VAC25-630 VPA General Permit for Poultry Waste Management (>200 Animal Units)
 - 9VAC25-191 VPDES General Permit Regulation for Concentrated Animal Feeding Operations (if discharging or proposing to discharge)
- All permitted operations required to follow nutrient management plans approved by DCR

Confined Livestock and Poultry

- 99% of regulated animal feeding operations are permitted under a VPA general permit
 - Consistent implementation
 - Reduced staff requirements
- No Virginia farms currently regulated under NPDES CAFO permits
 - Federal rule still not final regarding duty to apply
 - Existing Virginia DEQ nutrient management requirements cover more facilities than federal rule

Confined Livestock and Poultry

- Based on agricultural statistics, the following Virginia farms are large enough to require animal waste permits:
 - \approx 80% of poultry farms
 - \approx 10% of swine and dairy farms
 - $<$ 1% of beef farms (most not confined)
- Most regulated poultry farms transfer poultry litter off-site
 - Currently this practice does not require a nutrient management plan
 - A stakeholder group met during 2007 to discuss alternatives
 - Regulatory action underway – proposed regulatory changes being evaluated by a Technical Advisory Committee
- Environmental regulatory programs work in concert with nutrient best management practices achieved through:
 - DCR cost-share programs
 - USDA-NRCS cost-share programs
 - Virginia Cooperative Extension education and outreach programs
 - VA Department of Agriculture - Agriculture Stewardship Program