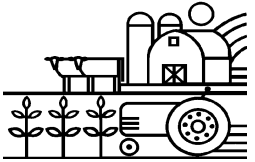




**North Dakota Department of Health - Livestock Manure Management Program
Comparison Chart for Animal Feeding Operations (AFOs)¹**



	Large CAFO ²	Medium AFO	Small AFO
Definition	An AFO with greater than or equal to: 700 dairy cows 1,000 veal calves 1,000 other cattle 2,500 swine > 55 lbs 10,000 swine < 55 lbs 500 horses 10,000 sheep or lambs 55,000 turkeys ³	An AFO with: 200 to 699 dairy cows 300 to 999 veal calves 300 to 999 other cattle 750 to 2,499 swine > 55lbs 3,000 to 9,999 swine < 55lbs 150 to 499 horses 3,000 to 9,999 sheep or lambs 16,500 to 54,999 turkeys ⁴	An AFO with fewer livestock than a medium AFO
Type of permit required	ND Pollutant Discharge Elimination System (NDPDES) Permit	A state permit is required if: (1) the facility is within ¼ mile of a surface water ⁵ or (2) the facility is determined by the Health Department to be impacting waters of the state.	A state permit is required if the facility is determined by the Health Department to be impacting waters of the state.
Nutrient management plan required	Yes	Yes, if a state permit is required.	Yes, if a state permit is required.
Nutrient management plan must be submitted to the department	Yes	Yes, if a state permit is required and any of the following exist: manure is applied on frozen ground; manure is applied to land daily; the soil test phosphorus level of land where manure is applied is in very high range; or if department requests a copy.	
Information that must be reported annually to department	Number and type of livestock; estimate of manure generated in last year; manure transferred to others in last year; number of acres available for land application; number of acres on which manure was applied last year; summary of discharges in last year; indication if current nutrient management plan was approved by a certified planner.	None, unless the department requests specific information be reported from a facility requiring a state permit.	

	Large CAFO ²	Medium AFO	Small AFO
Facility records operators must keep	The following records must be kept on site for five years from when they were generated: weekly inspection records of water pollution control structures and the liquid level of liquid manure storage structures; daily inspections of water lines (if applicable); any deficiencies noted during daily or weekly inspections and their correction; mortality management; copy of manure storage structure designs; date, time and volume of any overflows.	Facilities requiring a state permit must only keep records requested by the department.	
Land application records operators must keep 	The following records must be kept on site for five years from when they were generated: current nutrient management plan; the date manure was applied to each field, as well as the crops grown and expected yields of these fields; weather conditions at the time of application; test results for manure and soil, and type of test used; rate of manure, nitrogen and phosphorus application and calculations showing how this was determined; total nitrogen and phosphorous applied to each field; method of manure application; inspection of manure application equipment; measures used to prevent manure from impacting water (e.g., setbacks, buffers, etc.)	Facilities requiring a state permit must keep the following records on site for three years from when they were generated: current nutrient management plan; the date manure was applied to each field as well as the crops grown and expected yields; test results for manure and soil; measures used to prevent manure from impacting water (e.g., setbacks, buffers, etc.)	

¹ An animal feeding operation (AFO) is defined as a lot or facility (other than an aquatic animal production facility) where the following conditions are met: (a) animals have been, are or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period; and (b) crops, vegetation, forage growth or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

² A medium AFO is considered a CAFO if: (a) pollutants are discharged into waters of the state through a man-made ditch, flushing system or other similar manmade device; **or** (b) pollutants are discharged directly into waters of the state which originate outside of and pass over, across or through the AFO or otherwise come into direct contact with the confined animals. A small AFO can be designated a CAFO if it is determined by the Health Department or EPA to be a significant contributor of pollutants to waters of the state. If identified, small AFOs will be upgraded so they will not meet the CAFO definition and therefore require only a state permit. It is anticipated that there will be very few, if any, AFOs meeting these definitions.

³ Equivalent to an AFO with 30,000 laying hens or broilers if the AFO uses a liquid manure-handling system; or 125,000 chickens (other than laying hens) if the AFO uses other than a liquid manure-handling system; or 82,000 laying hens if the AFO uses other than a liquid manure-handling system; or 30,000 ducks, if the AFO uses other than a liquid manure-handling system; or 5,000 ducks if the AFO uses a liquid manure-handling system.

⁴ Equivalent to an AFO with 9,000 to 29,999 laying hens or broilers if the AFO uses a liquid manure-handling system; or 37,500 to 124,999 chickens (other than laying hens) if the AFO uses other than a liquid manure-handling system; or 25,000 to 81,999 laying hens if the AFO uses other than a liquid manure-handling system; or 10,000 to 29,999 ducks if the AFO uses other than a liquid manure-handling system; or 1,500 to 4,999 ducks if the AFO uses a liquid manure-handling system.

⁵ A medium AFO can apply for a “no potential to pollute” determination. If granted by the department, the AFO will not require a state permit.