

# Arkansas Department of Environmental Quality (ADEQ)

## Dairy Facilities Permitting Requirements in Arkansas

Dairy operations in Arkansas with liquid waste management systems are covered by an individual No-Discharge permit under Arkansas Pollution Control & Ecology Commission (APC&EC) Regulation 5. The design of the waste management system must be in accordance with this regulation and the following United States Department of Agriculture Natural Resources Conservation Service (NRCS) technical publications:

1. Field Office Technical Guide, as amended
2. Agricultural Waste Management Field Handbook, as amended

A dairy operation with fewer than 100 cows and a dry waste management system (Dry Stack System) will not be required to obtain a permit from ADEQ. However, the Arkansas Natural Resources Commission (ANRC) will provide these dry operations with a Nutrient Management Plan (NMP).

Dairy operations with 100 cows or more are required to obtain an individual No-Discharge permit under APC&EC Regulation 5, regardless of whether they are using liquid or dry waste management systems.

Please note that dairy operations with liquid animal waste covered by an individual permit under APC&EC Regulation 5 currently do not have an expiration date.

The State of Arkansas does not have any General Permits for coverage under the Federal Confined Animal Feeding Operation (CAFO) program. If a dairy facility would like to be permitted under the federal CAFO program, then the facility must apply for an individual CAFO permit from ADEQ under APC&EC Regulation 6.

Please note that based on current APC&EC Regulation 6 dairy operations with liquid waste covered by an individual permit under APC&EC Regulation 6 and the federal CAFO program will have an expiration date and must be renewed every five years.

### **Permit Steps and Timeline:**

STEP	TIMELINE	Total Days*
<b>Initial Administrative and Technical Review</b>	<b>1-5 days</b>	<b>5</b>
<b>Send out deficiency letter (if needed)</b>	<b>1-5 days</b>	<b>10</b>
<b>Public Notice of Permit Application for 10 Days in Local Paper</b>	<b>10-15 days</b>	<b>25</b>
<b>Detail Technical Review and Prepare Draft Permit</b>	<b>45 days</b>	<b>70</b>
<b>Routing and Review</b>	<b>20 days</b>	<b>90</b>
<b>Public Notice Draft Permit for 30 Days in Local Paper</b>	<b>30 days</b>	<b>120</b>
<b>Response to Comments</b>	<b>5-15 days</b>	<b>135</b>
<b>Issue Final Permit Decision</b>	<b>5-15 days</b>	<b>150</b>

\*Timelines set by ADEQ operating procedures are dependent on facility/consultant technical response adequacy and ability to correct noted deficiencies. Time frames may be extended for the individual permits if a public hearing is scheduled. The time frame may also be extended if numerous comments are received.

## **Construction Stormwater General Permit:**

A dairy facility may be required to obtain coverage under the Construction Stormwater General Permit (ARR150000) during the construction of the facility.

If the construction activity disturbs more than one acre but less than five acres, then the facility will have automatic coverage for a small site under ARR150000. The facility must post a Notice of Coverage (NOC) and keep the Stormwater Pollution Prevention Plan (SWPPP) at the site.

If the construction activity disturbs five acres or more, then the facility must submit a Notice of Intent (NOI), SWPPP for a large site, and a \$200 fee to ADEQ to obtain coverage. If a complete NOI, SWPPP, and permit fee are received, then ADEQ should issue the NOC within ten business days.

## **The following are links to some of the required and useful documents:**

APC&EC Regulation 5 for confined animal facilities with liquid waste management systems:

[https://www.adeq.state.ar.us/regs/files/reg05\\_final\\_150918.pdf](https://www.adeq.state.ar.us/regs/files/reg05_final_150918.pdf)

Information for obtaining coverage under Construction Stormwater General Permit (ARR150000):

<https://www.adeq.state.ar.us/water/permits/npdes/stormwater/>

Permit Application and other required forms and information for applying to obtain a permit under APC&EC Regulation 5:

<https://www.adeq.state.ar.us/water/permits/nodischarge/individual/>

United States Department of Agriculture NRCS Field Office Technical Guide as amended:

<https://efotg.sc.egov.usda.gov/>

United States Department of Agriculture NRCS Agricultural Waste Management Field Handbook, as amended:

<https://directives.sc.egov.usda.gov/viewerfs.aspx?hid=21430>

**The following is useful contact information:**

**Arkansas Department of Environmental Quality (ADEQ)**

Office of Water Quality  
5301 Northshore Drive  
North Little Rock, AR 72118-5317  
Phone: (501) 682-0744  
<https://www.adeq.state.ar.us/>

**Arkansas Natural Resources Commission (ANRC)**

101 E. Capitals Ave., Suite 350  
Little Rock, AR 72201  
Phone: (501) 682-1611  
<http://www.anrc.arkansas.gov/>

**University of Arkansas Extension Service**

2301 S. University Ave.  
Little Rock, AR 72204  
Phone: (501) 671-2000  
<https://www.uaex.edu/>

**United States Department of Agriculture, Natural Resources Conservation Service (NRCS)**

Room 3416  
Federal Building  
700 W. Capitol Ave.  
Little Rock, AR 72201  
Phone: (501) 301-3100  
Fax: (855) 681-7041  
<https://www.nrcs.usda.gov/wps/portal/nrcs/site/ar/home/>