

**CFO/CAFO Compliance Assistance**

Office of Land Quality – CFO Compliance Section

(317) 234-6965 • (800) 451-6027

www.idem.IN.gov

100 N. Senate Ave., Indianapolis, IN 46204

Description:

The Indiana Department of Environmental Management's (IDEM's) goal is that every regulated entity understands and complies with their environmental responsibilities.

IDEM's strategy for achieving that goal is by providing assistance first.

The Confined Feeding Operation (CFO) Compliance Section in IDEM's Office of Land Quality conducts three (3) types of compliance assistance inspections:

1. Inspection of a new facility during the first six (6) months after being populated:

Conducting compliance assistance at new facilities within the first six (6) months of operation provides an opportunity to address compliance issues before they become ongoing problems. Inspectors observe the operation of the farm and review specific permit conditions with the operator. However, special construction requirements in the permit should have already been completed and certified by a Professional Engineer prior to population. Follow-up visits are conducted as needed depending on the issues identified.

2. Inspection due to a change of regulatory status:

Farms may change regulatory status during their lifetime, moving from a confined feeding operation (CFO) that is regulated under the state's rule in the Indiana Administrative Code (327 IAC 19) to a concentrated animal feeding operation (CAFO) that must obtain a National Pollutant Discharge Elimination System (NPDES) permit under 327 IAC 15-16. Because there are different requirements under these programs, a compliance assistance inspection will be conducted to familiarize the operator with the requirements under the new program.

3. Transfer of ownership:

When a farm changes ownership the new owner may not be familiar with the regulatory requirements of operating a CFO or a permitted NPDES CAFO. A compliance assistance inspection will be offered to the new owner as part of the notice that the transfer of ownership is effective. A compliance assistance inspection will not be scheduled unless requested by the new owner/operator.

Compliance assistance inspections will be documented on the approved inspection report and placed in the IDEM Virtual File Cabinet (VFC) as a public record. IDEM's VFC is an online repository, which the public can access at www.idem.IN.gov/legal/2363.htm.

Compliance issues identified during a compliance assistance inspection must be corrected. Compliance staff will work with the farm to correct issues in a reasonable time frame. Failure to correct issues in a timely manner may result in the agency taking formal enforcement action. IDEM may take formal enforcement action immediately if the following violations are discovered: a discharge to waters of the state, noncompliance with construction requirements in the permit that should have been completed prior to operation, or construction without approval.

Environmental Impacts:

Indiana's environmental statutes and regulations are designed to protect our air, land, and water quality. By consistently complying with these statutes and regulations, regulated entities can limit potential impacts on Indiana's environment.

IDEM's Role:

IDEM is responsible for implementing federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial, and governmental activities vital to a prosperous economy.

IDEM regulates and monitors entities throughout the state of Indiana that have the potential to impact the environment. The agency has developed regulations that protect air, land, and water.

The Confined Feeding Operations Compliance Section in IDEM's Office of Land Quality conducts inspections at state approved confined feeding operations. The Compliance and Technical Assistance Program (CTAP) in IDEM's Office of Program Support is available, upon request, to provide free and confidential technical and compliance assistance.

Regulated Entity's Role:

Regulated entities are responsible for understanding and complying with Indiana's statutes, regulations, and permit conditions at all times.

More Information:

For questions or concerns, please call the CFO Compliance Section in IDEM's Office of Land Quality at (317) 234-6965 or (800) 451-6027, option 6.

IDEM's website provides additional information including guidance, forms, and useful links:
www.idem.IN.gov/cfo.

For free and confidential compliance and technical assistance from IDEM's CTAP staff, call (800) 988-7901 or (317) 232-8172, or request a consultation at www.idem.IN.gov/ctap/2328.htm.