



# STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR  
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF NATURAL RESOURCES  
CHUCK GIPP, DIRECTOR

## Work Plan Agreement 9/11/13

Between

The Iowa Department of Natural Resources and the Environmental Protection Agency Region 7

Attached to this correspondence is – Progress report with implementing Objectives 1-6 of the Work Plan within 210 days - This satisfies Objective 7, item 1 due within 210 days of execution of the Work Plan.

Objective 7 – To keep the EPA and the public up-to-date on DNR's progress towards implementation of this Work Plan

1. DNR agrees to provide progress reports on its progress with implementing Objectives 1-5 of this Work Plan within 90 days, 210 days and one year from the date of execution of this Work Plan. Progress reports will be posted on the DNR's website.

Respectfully submitted to Region 7 on April 14, 2014.

A handwritten signature in blue ink that reads "William A. Ehm".

Bill Ehm, Division Administrator

Iowa Department of Natural Resources

Environmental Services Division

## **DNR/EPA Work Plan Progress Report (210 days)**

### **Objectives 1 and 2: Recommend promulgation of NPDES permitting regulations for confinement CAFOs that discharge to waters of the U.S.**

Regarding Objectives 1 and 2:

On March 18, 2014, the Environmental Protection Commission agreed with the Department's recommendation and approved the Notice of Intended Action for proposed rulemaking regarding NPDES permitting regulations and manure application setback requirements. This satisfies Objective 1, item 1 and Objective 2, item 1.

### **Objective 3: To revise DNR application forms and templates to meet the minimum federal requirements.**

- 1) Completed – Construction permit application now includes the predictive modeling requirement. Form revised on 10/22/13.
- 2) Completed – Nutrient Management Plan template is revised to include manure application setback requirements. Form revised on 10/21/13. Final adoption will occur when rulemaking is completed.

### **Objective 4: Compliance Evaluation and Inspections.**

A.1) Baseline inventory submitted to EPA on 10/8/13. Written plan to systematically locate and/or identify any unknown large CAFPs and medium sized AFOs submitted to EPA on 12/10/13.

A.2) In progress – A minimum of 294 CWA CAFO inspections have been completed to date (4/7/14). In addition, 600 desk-top inspections have been completed.

A.3) Ongoing

A.4) Ongoing – Inspection program well underway with progress toward meeting the 20% goal.

B.1) CWA/NPDES inspections are being conducted at NPDES permitted facilities according to the NPDES On-Site Inspection SOP, meeting the 20% goal.

B.2) CWA/NPDES inspections are being prioritized regarding spills and legally sufficient complaints.

C.1) 7 new AFO FTEs have been hired to complete evaluations and inspections.

C.2) The training curriculum has been developed and submitted to EPA for approval. Supervisors and existing AFO/CAFO staff have completed training. New AFO/CAFO inspectors are in progress completing the training curriculum.

**Objective 5: Timely issue NPDES permits that meet federal requirements to all CAFOs that DNR determines discharge to waters of the U.S. and take timely and appropriate enforcement action if necessary.**

- 1) In progress and ongoing.
- 2) No applications for NPDES permits have been submitted.
- 3) In progress and ongoing.

**Objective 6: To implement enforcement program that ensures penalties are sought in accordance with DNR's EMS and creates a stronger deterrent to compliance.**

- 1) In progress and ongoing.
- 2) On November 8, 2013, DNR submitted to EPA an enforcement checklist to ensure consistent and appropriate enforcement responses. This submittal satisfied the requirement in Objective 6, Item 2.
- 3) On January 7, 2014, DNR submitted to EPA the training curriculum for the "Federal and State Rules and Enforcement Procedures" training that occurred on January 6, 2014. The training was provided DNR Legal Services Bureau to all animal feeding field office staff and supervisors. The training satisfied the requirement in Objective 6, Item 3.

**Objective 7: To keep the EPA and the public up-to-date on DNR's progress towards implementation of this work plan.**

- 1) 210 day progress report will be posted on DNR's website.
- 2) To be completed August 1, 2014.