

determining the number of animals of an operation. CAFOs are defined as follows:

Large Concentrated Animal Feeding Operation (Large CAFO) means an Animal Feeding Operation (AFO) that stables or confines as many as or more than the numbers of animals specified in any of the following categories:

- a. 700 mature dairy cows, whether milked or dry;
- b. 1,000 veal calves;
- c. 1,000 cattle, other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs;
- d. 2,500 swine, each weighing 55 pounds or more;
- e. 10,000 swine, each weighing less than 55 pounds;
- f. 500 horses;
- g. 10,000 sheep or lambs;
- h. 55,000 turkeys;
- i. 30,000 laying hens or broilers, if the AFO uses a liquid manure handling system
- j. 125,000 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system;
- k. 82,000 laying hens, if the AFO uses other than a liquid manure handling system;
- l. 30,000 ducks (if the AFO uses other than a liquid manure handling system); or
- m. 5,000 ducks (if the AFO uses a liquid manure handling system).

Medium Concentrated Animal Feeding Operation (Medium CAFO) means an Animal Feeding Operation (AFO) that stables or confines as many as or more than the numbers of animals in any of the following categories:

- a. 200 to 699 mature dairy cows, whether milked or dry, except that an AFO that stables or confines 200-299 mature dairy cows, whether milked or dry, that does not cause a discharge, would not be considered a Medium CAFO;
- b. 300 to 999 veal calves;
- c. 300 to 999 cattle, other than mature dairy cows or veal calves. Cattle includes but is not limited to heifers, steers, bulls and cow/calf pairs;
- d. 750 to 2,499 swine, each weighing 55 pounds or more;
- e. 3,000 to 9,999 swine each weighing less than 55 pounds;
- f. 150 to 499 horses;
- g. 3,000 to 9,999 sheep or lambs;
- h. 16,500 to 54,999 turkeys;

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

Small Concentrated Animal Feeding Operation (Small CAFO) means an Animal Feeding Operation (AFO) that is designated by the Department as a CAFO or requests CAFO SPDES permit coverage and is not a Medium or Large CAFO. The Department, in determining whether to designate Small CAFOs, would consider the following factors:

- 1. the size of the AFO and the amount of wastes reaching waters of the State;
- 2. the location of the AFO relative to waters of the State;
- 3. the means of conveyance of animal wastes and process waste waters into waters of the State;
- 4. the slope, vegetation, rainfall, and other factors affecting the likelihood or frequency of discharge of animal wastes, manure and process waste waters into waters of the State; and
- 5. other relevant factors.

Small CAFOs must meet all of the Medium CAFO regulatory requirements of this General Permit.

- O. **Date of Coverage** means the date the owner/operator is authorized for coverage under this General Permit.
- P. **Department** means the New York State Department of Environmental Conservation.
- Q. **Depth Marker** means a permanent marker or recorder installed at the maximum operating level to indicate the storage capacity of the structure. The maximum operating level for open waste storage structures, earthen and fabricated, shall be the level that provides for the design storage volume less the volume contribution of precipitation and runoff from the 25-year, 24-hour storm event plus one (1) foot of freeboard for all earthen waste storage structures and all