

-Fact Sheet-

Draft General Permit for Medium Farm Operations

Facilities and Activities Subject to the Draft General Permit

All Medium Farm Operations (MFOs) must seek, and be granted, coverage under the General Permit for Medium Farm Operations or an Individual Permit as deemed necessary by the Secretary of Agriculture. Small Farm Operations (SFOs) may seek coverage under the General Permit for Medium Farm Operations.

Facilities and Activities

To be an MFO, the operation must first meet the requirements of Animal Feeding Operations (AFOs). An AFO is a lot or facility which has animals (other than aquatic animals) that 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 crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility where animals are confined. The most common example of this, encompassing most Vermont farms, is confinement of animals in a barn throughout the winter.

To be a MFO, an AFO must then have:

200-699 mature dairy cows, whether milked or dry;
300 to 999 youngstock or heifers;
300 to 999 veal calves;
300 to 999 cattle or cow/calf pairs;
750 to 2,499 swine weighing over 55 pounds;
3,000 to 9,999 swine weighing less than 55 pounds;
150 to 499 horses;
3,000 to 9,999 sheep or lambs;
16,500 to 54,999 turkeys;
9,000 to 29,999 laying hens or broilers with a liquid manure system;
25,000 to 81,999 laying hens without a liquid manure handling system;
1,500 to 4,999 ducks with a liquid manure handling system;
10,000 to 29,999 ducks without a liquid manure handling system; or
any other animal type and number that the Secretary may deem.

SFOs are those AFOs with animal numbers falling below the MFO thresholds.

Wastes Subject to Regulation

Wastes subject to regulation under this General Permit, whether generated at or transferred to the facility, includes spoiled feed, manure, milkhouse waste, washwater, leachate, used bedding, carcasses, barnyard runoff, or other dirty water. Dirty water is precipitation or other water which has moved in, over, or through a barnyard, manure, or other nutrient laden matter, so that they have become co-mingled.

Significant Conditions of the General Permit

MFOs and SFOs receiving coverage under this General Permit must ensure there are no direct discharges of wastes from production areas. Production areas include animal confinement areas, the manure storage areas, the raw materials storage area, and the waste containment areas. The production area also includes any egg washing or egg processing facility, or any area used in the storage, handling, treatment, or disposal of animal mortalities.

Wastes must be land applied according to an approved, site-specific nutrient management plan or transferred off-farm when contracts to exchange the wastes have been arranged. Nutrient Management Plans may be developed by the permittee or a certified nutrient management planner.

Permitted farms must also ensure that wastes do not cause the primary or secondary groundwater standard, as established by the Secretary of the Agency of Natural Resources in the Groundwater Protection Rule and Strategy, to be reached or exceeded.

Basis of the General Permit and General Permit Revisions

Pursuant to V.S.A. Title 6, Chapter 215, §4858, the Secretary of Agriculture is charged with developing, by rule, requirements for a General Permit to ensure medium and small farms generating animal wastes comply with state water quality standards. The resulting rule, Medium and Small Farm Operation Rules for Issuance of General and Individual Permits, became effective April 16, 2006. Subsequent to this rule, all Animal Feeding Operations meeting the definition of a Medium Farm Operation are required to seek coverage under this General Permit. The General Permit shall be revised every five years.

Procedures for Reaching a Decision on the General Permit Revisions

VAAFPM is now soliciting comment on the Draft General Permit for Medium Farm Operations. Following the close of the official comment period, VAAFPM will review and consider all comments received. Revisions to the General Permit will be based on these comments in order to better meet the needs of the regulated community, neighbors, and citizens of Vermont, while ensuring the General Permit meets legislative intent and that medium and small farms covered under the General Permit comply with the water quality standards of the state.

Comment Period

The official public comment period begins April 19, 2024, and ends June 23, 2024.

Procedures for Public Participation

Comments may be submitted in writing, given over the phone, or may be given in person at VAAFMM in Montpelier or at one of the public hearings listed below.

Date	Location	Town	Time
May 21, 2024	St. Albans City Hall Auditorium	St. Albans, VT	3:00-6:00PM
May 23, 2024	Ilsley Public Library	Middlebury, VT	3:00-6:00PM

- A virtual meeting and a call-in option will be available for each Public Hearing. The virtual meeting link and phone call information will be posted prior to the hearings on our the website: <https://agriculture.vermont.gov/mfo>.

The purpose of these hearings is to allow all comment on the General Permit revisions to be heard. Persons wishing to be heard may voice their comment at an appropriate time during the hearing. A tape recording or written transcript of the hearing will be available (at a cost) to the public. Submit all electronic comments to: agr.wqpermits@vermont.gov

Send all written comment to:

Vermont Agency of Agriculture, Food and Markets
Medium Farm Operations Program
116 State Street
Montpelier, VT 05620

Contacts at the Vermont Agency of Agriculture, Food & Markets

For a copy of the Draft General Permit revisions and appendices, the fact sheet for the Draft General Permit revisions, directions to the public hearings, or more information on the MFO program you can visit the VAAFMM website at:

<https://agriculture.vermont.gov/mfo>

Or contact:

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