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# WA CAFO Permit Fact Sheet

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## CAFO Fact Sheet 11: Opinion

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On August 15 of this year the Environmental Protection Agency denied two petitions from environmental coalitions designed to bring Concentrated Animal Feeding Operations (CAFOs), aka Factory Farms, under permits pursuant to the Clean Drinking Water Act. The petitions asked the EPA to make changes in the laws such that CAFOs with certain characteristics must either prove they have no discharges or obtain National Pollutant Discharge Elimination System permits. <sup>1,3</sup> EPA said “no”. <sup>2,4</sup>

As partial justification for the denials the EPA said the agency needs more data. EPA cited a report from the U.S. General Accounting Office that said:

*EPA has regulated CAFOs under the Clean Water Act for more than 30 years, and during this time it has amassed a significant body of knowledge about the pollutants discharged by animal feeding operations and the potential impacts of these pollutants on human health and the environment. Nevertheless, EPA still lacks comprehensive and reliable data on the number, location, and size of the operations that have been issued permits and the amounts of discharges they release. As a result, EPA has neither the information it needs to assess the extent to which CAFOs may be contributing to water pollution, nor the information it needs to ensure compliance with the Clean Water Act.*

There is only one problem with this argument. The GAO report is fifteen years old. It was presented to Congress in 2008.<sup>5</sup>

National Pollutant Discharge Elimination System (NPDES) permits are the legally mandated way to control discharge from point sources of pollution and CAFOs are point sources. CAFOs/Factory Farms pollute the nation's waterways. This is a fact. The EPA is supposed to implement the Clean Water Act. That is also a fact.

*However, although there are at least 21,237 Large CAFOs across the country, only about 6,200 CAFOs hold CWA permits<sup>3</sup>*

In Washington State less than 10% of CAFO dairies have permits.<sup>6</sup>

The little town of Mabton in South Central Washington is surrounded by seven CAFO dairy and calf feeding operations. None of the seven have permits. Mabton has been forced to pay for additional water rights in order to drill two more municipal wells because water from existing wells is undrinkable. Will the Factory Farms take responsibility? No. Will the EPA take responsibility? No. This is just a poor rural town. Who cares?

Thank you for reading.

## *Friends of Toppenish Creek*

You have received this Fact Sheet because you are on a list of potentially interested parties. If you do not want to receive further information, please contact Jean Mendoza at [jeanmendoza@icloud.com](mailto:jeanmendoza@icloud.com)

<sup>1</sup> 2017 Petition to Revise the Clean Water Act Regulations for Concentrated Animal Feeding Operations. [https://www.foodandwaterwatch.org/wp-content/uploads/2021/06/citizens\\_cafo\\_cwa\\_petition.pdf](https://www.foodandwaterwatch.org/wp-content/uploads/2021/06/citizens_cafo_cwa_petition.pdf)

<sup>2</sup> EPA Response to 2017 Petition re CAFO Discharges. <https://www.foodandwaterwatch.org/wp-content/uploads/2023/08/Final-Response-to-2017-CAFO-Petition6863.pdf>

<sup>3</sup> 2022 Petition to Adopt a Rebuttable Presumption that Large CAFOs Using Wet Manure Management Systems Actually Discharge Pollutants Under the Clean Water Act. [https://waterkeeper.org/wp-content/uploads/2022/11/cafo\\_presumptionpetition\\_withexhibits\\_oct2022\\_.pdf](https://waterkeeper.org/wp-content/uploads/2022/11/cafo_presumptionpetition_withexhibits_oct2022_.pdf)

<sup>4</sup> EPA Response to 2022 Petition re CAFO Discharges. [https://earthjustice.org/wp-content/uploads/2023/08/earthjustice\\_cafopetition\\_eparesponse\\_aug152023.pdf](https://earthjustice.org/wp-content/uploads/2023/08/earthjustice_cafopetition_eparesponse_aug152023.pdf)

<sup>5</sup> CAFOs: EPA Needs More Information and a Clearly Defined Strategy to Protect Air and Water Quality from Pollutants of Concern, available at <https://www.gao.gov/assets/gao-08-944.pdf>

<sup>6</sup> WA Ecology Permit and Reporting Information System (PARIS)  
<https://apps.ecology.wa.gov/paris/PermitLookup.aspx>

<sup>7</sup> It's Not a Health Issue. Just Hydrogen Sulfide in Your Water. 2023.  
<http://www.friendsoftopenishcreek.org/cabinet/data/Mabton%20Water%20&%20CAFOs%20V.pdf>