

2. Concentrated Animal Feeding Operation - CAFO:

Concentrated Animal Feeding Operations (CAFOs) are point sources, as defined by the CWA [Section 502(14)]. To be considered a CAFO, a facility must first be defined as an Animal Feeding Operation (AFO). AFOs that meet the regulatory definition of a CAFO may be regulated under the NPDES permitting program.

Nevada CAFO Regulations: **NAC 445A.228 Requirement; exemptions.**

1. Except as otherwise provided in subsection 2, *a person shall not discharge a pollutant from a point source into any waters of this State without obtaining a permit from the Department.*
2. Although not exempted from complying with all other applicable laws, rules and regulations regarding pollution, the following are specifically exempted from the requirements to obtain a permit:
 - (a) Persons utilizing an individual sewage disposal system or other sewage disposal system that uses a soil absorption system for the treatment and disposal of domestic wastes, with accumulative flows of less than 5,000 gallons per day, providing the system is approved and is installed, operated and maintained in accordance with the rules and regulations and other requirements of the district health departments or the State Board of Health. This exemption does not preclude the possibility that health authorities will require permits.
 - (b) Except as otherwise provided in this paragraph, persons discharging pollutants into a publicly owned or privately owned sewerage system, if the owner of such sewerage system has a valid permit from the Department. In such cases, the owner of the sewerage system assumes ultimate responsibility for controlling and treating the pollutants which he allows to be discharged into the system. The Department may require an industrial user who discharges pollutants into a publicly owned treatment works which does not have an approved pretreatment program to obtain a permit pursuant to [NAC 445A.257](#).
 - (c) Discharges of pollutants from agricultural and silvicultural activities, including, without limitation, irrigation return flow and runoff from orchards, cultivated crops, pastures, rangelands and forest lands, except that this exemption does not apply to the following:
 - (1) Discharges from facilities in which crops, vegetation, forage growth or postharvest residues are not sustained in the normal growing season and that confine animals if the facilities contain, or at any time during the previous 12 months contained, for a total of 30 days or more, any of the following types of animals at or in excess of the number listed for each type of animal:
 - i. Cattle, veal calves or a pair consisting of a cow and a calf, 1,000;

- ii. Mature dairy cattle (whether milkers or dry cows), 700;
 - iii. Swine weighing over 55 pounds, 2,500;
 - iv. Swine weighing 55 pounds or less, 10,000;
 - v. Horses, 500;
 - vi. Sheep or lambs, 10,000;
 - vii. Turkeys, 55,000;
 - viii. Chickens, if the animal confinement facility has a liquid manure handling system, 30,000;
 - ix. Chickens, other than laying hens, if the animal confinement facility does not have a liquid manure handling system, 125,000;
 - x. Laying hens, if the animal confinement facility does not have a liquid manure handling system, 82,000;
 - xi. Ducks, if the animal confinement facility has a liquid manure handling system, 5,000; or
 - xii. Ducks, if the animal confinement facility does not have a liquid manure handling system, 30,000.
- (2) Discharges from production facilities for aquatic animals.
- (3) Discharges of irrigation return flow (such as tailwater, tile drainage, surfaced groundwater flow or bypass water) operated by public or private organizations or natural persons if the source of water is effluent from a treatment works.

Discharges from any agricultural or silvicultural activity which have been identified by the Administrator or the Director as a significant contributor of pollution