



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
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ATLANTA, GEORGIA 30303-8960

NOV 15 2011

MEMORANDUM

SUBJECT: Evaluation Report: Region 4 Should Strengthen Oversight of Georgia's Concentrated Animal Feeding Operation Program; Office of Inspector General Report No. 11-P-0274

FROM: Gwendolyn Keyes Fleming
Regional Administrator

A handwritten signature in blue ink, appearing to read "Gwendolyn Keyes Fleming".

TO: Arthur A. Elkins, Jr.
Inspector General

This memo is in response to the June 23, 2011, Evaluation Report: Region 4 Should Strengthen Oversight of Georgia's Concentrated Animal Feeding Operation (CAFO) Program. This memo outlines Region 4's corrective action plan for agreed-upon actions with the Georgia Environmental Protection Division (GAEPD) and the Georgia Department of Agriculture (GADA).

Members of the Clean Water Enforcement Branch, Water Protection Division, U.S. Environmental Protection Agency, Region 4, met with GAEPD and GADA on August 2, 2011, to discuss the Office of Inspector General's evaluation report for Georgia's CAFO program. The EPA has agreed upon corrective actions with GAEPD and GADA to strengthen oversight of Georgia's CAFO program.

To ensure better enforcement data tracking between the EPA and GAEPD, the EPA has required GAEPD to provide copies of all Animal Feeding Operation (AFO)/CAFO formal enforcement actions to the EPA on a quarterly basis. This requirement was included in the FY2011 106 work plan and GAEPD is committed to meeting this obligation. Staff from the EPA will follow up with GAEPD regarding this information as necessary.

To ensure accurate and complete inspections, GAEPD and GADA have modified their CAFO inspection report checklist to include a section to compare the actual application rate to the application rate specified in the Nutrient Management Plan (NMP). Furthermore, the EPA will collaborate with GAEPD, GADA and the University of Georgia in expanding and enhancing the current CAFO training program to train GAEPD and GADA staff and inspectors. The GAEPD will finalize its FY12 contract with GADA by October 2011, which will include provisions for the enhancement of CAFO training. Additionally, the EPA is committed to conducting joint inspections with GAEPD and GADA during FY12 to ensure complete and thorough inspections are performed. The EPA will focus on verifying that components required by the permit and the NMP are evaluated during inspections. Specifically, the EPA will focus on evaluating land application records and compare manure application rates to the NMPs. In addition, the EPA will evaluate wastewater, soil and monitoring-well analysis records. Furthermore, the EPA will ensure that calibration records for application equipment and operator certification records are current. The facility's annual report is on file and monitoring-well locations are clearly specified in the NMP. The EPA will report the results of the efforts to ensure accurate and complete inspections to OIG by October 31, 2012.

The EPA will work with GAEPD to ensure that it takes timely and appropriate enforcement actions whenever GADA documents violations. The GADA has modified how it transmits inspection reports to GAEPD; it will submit a scanned copy of the inspection report to the appropriate GAEPD district office along with a summary of any violations to ensure violations are brought to the district office's attention as soon as possible. The EPA will monitor the formal AFO/CAFO enforcement actions that are reported quarterly by GAEPD and evaluate the actions for timeliness and appropriateness. The GAEPD will submit reports to the EPA 30 days after each quarter. The EPA will submit a summary of the findings of GAEPD's quarterly enforcement action reports to OIG semi-annually, the first report will be submitted by May 31, 2012, and the second report will be submitted by November 30, 2012.

Please contact Jim Giattina, Director, Water Protection Division, at (404) 562-9345 or via email at giattina.jim@epa.gov, if you have any questions about the EPA's response.