

**Department of Environmental Quality  
Annual Report on Animal Waste Operations  
Permitting, Inspection and Compliance Activities  
July 1, 2016 through June 30, 2017**

Per G.S. 143-215.10M, the Department of Environmental Quality reports annually to the Environmental Review Commission and Fiscal Research Division on the permitting, inspection, and compliance activity of animal waste operations across the state. Accounting for activities required under G.S. 143-215.10F and S.L. 1997-443 (and its subsequent amendments) is also included in this report.

General Statute 143-215.10F requires annual inspection of every permitted animal operation by the N.C. Division of Water Resources (DWR). Under S.L. 1997-443, the Division of Soil and Water Conservation (DSWC) (effective July 1, 2011, DSWC is a division under the Department of Agriculture and Consumer Services) conducts a pilot project inspecting swine operations in Brunswick, Columbus, Jones and Pender counties. DWR conducts all routine animal operation inspections except for those facilities located in the above-mentioned pilot counties. In addition to performing compliance inspections under S.L. 1997-443, DSWC provides technical assistance and operation review inspections statewide upon request.

The tables below indicate the number of inspections performed by the DWR and the DSWC, the number of violations identified during inspections, enforcement actions initiated, and permits issued from July 1, 2016 through June 30, 2017.

Overall, the two divisions conducted 2,459 compliance inspections and operation reviews during the 2016-2017 fiscal year throughout the seven regional offices (Table 1). Regional office abbreviations are explained at the end of this document. Each facility received at least one compliance inspection by DWR, or by DSWC in pilot counties.

**Table 1. Inspection activities of DWR and DSWC staff during the 2016-2017 fiscal year.**

INSPECTIONS	ARO	FRO	MRO	RRO	WARO	WIRO	WSRO	State Totals
<b>DWR Total number of inspections completed</b>	<b>31</b>	<b>773</b>	<b>70</b>	<b>229</b>	<b>459</b>	<b>578</b>	<b>114</b>	<b>2254</b>
Routine DWR annual compliance inspections	23	746	68	216	424	561	98	2136
Inspections conducted due to complaints	3	10	1	2	0	9	9	34
Follow-up of previous review or inspection	3	15	0	2	14	5	6	45
Emergency Notification	0	0	1	0	12	1	0	14
Lagoon Evaluations	0	2	0	6	5	1	0	14
Other inspections	2	0	0	3	4	1	1	11
<b>DSWC Total number of compliance inspections completed*</b>					<b>44</b>	<b>126</b>		<b>170</b>
Routine DSWC annual compliance inspections					42	122		164
Inspections conducted due to complaints					1	4		5
Follow-up of previous review or inspection					1	0		1
Emergency Notification					0	0		0
Response to DWR referral					0	0		0
Other inspections					0	0		0
<b>DSWC Total number of operation reviews completed</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>26</b>	<b>0</b>	<b>35</b>
Routine operation reviews	0	0	0	0	0	3	0	3
Technical Assistance	0	0	0	0	4	13	0	17
Follow-up of previous review or inspection	0	0	0	0	0	0	0	0
Emergency Notification	0	0	0	0	0	9	0	9
Other inspections	0	0	0	0	5	1	0	6
<b>Totals</b>	<b>31</b>	<b>773</b>	<b>70</b>	<b>229</b>	<b>512</b>	<b>730</b>	<b>114</b>	<b>2459</b>
<b>Total number of Permitted Animal Facilities</b>	<b>20</b>	<b>735</b>	<b>70</b>	<b>211</b>	<b>508</b>	<b>668</b>	<b>93</b>	<b>2305</b>

\*Pilot Project, S.L. 1997-443 and subsequent amendments.

Table 2 presents the total number of animal permits issued by DWR by regional office in FY 2016-17. This number includes new projects, as well as, any modifications made to existing permits including renewals. Approximately 2,300 farms are covered under State General Permits, which are renewed on a five-year cycle.

**Table 2. Permits issued by DWR for animal operations in each Regional Office during July 1, 2016 through June 30, 2017\*.**

ANIMAL OPERATIONS PERMITS ISSUED		ARO	FRO	MRO	RRO	WARO	WIRO	WSRO	State Totals
Swine		0	40	1	4	26	35	1	107
Cattle		0	0	2	2	0	0	3	7
Poultry		0	0	0	3	0	0	0	3
Horses		0	0	0	0	0	0	0	0
Manure Hauler		0	0	0	1	0	4	0	5
<b>Totals</b>		<b>0</b>	<b>40</b>	<b>3</b>	<b>10</b>	<b>26</b>	<b>39</b>	<b>4</b>	<b>122</b>

\* Includes modifications, renewals, and new projects

Tables 3 and 5 provide a summary by regional office of numbers and types of deficiencies and violations found during DWR and DSWC inspections over the past fiscal year. Some of these violations were self-reported and were included in the table to provide a complete picture of the number of deficiency or violation letters issued.

**Table 3. Deficiencies and violations found during DWR and DSWC inspections during the past fiscal year by each Regional Office.**

DEFICIENCIES AND VIOLATIONS IDENTIFIED	ARO	FRO	MRO	RRO	WARO	WIRO	WSRO	State Totals
Deficiencies and Violations found during DSWC operations reviews and DWR inspections*	8	26	18	6	38	28	32	156
Number of facilities receiving notice deficiency**	6	56	12	18	26	69	13	200
Number of facilities receiving notice violation**	14	14	4	13	39	18	6	108
Enforcement actions initiated for violations noted during this year***	1	12	0	5	7	3	1	29

\*Violation totals include violations noted during both operation reviews and compliance inspections and may include multiple violations at a single facility.

\*\*Some violation letters were sent due to violations that were self-reported, and not discovered during an inspection. Deficiencies and violations also includes failure to pay annual fees.

\*\*\*Some enforcement actions being developed by the regional staff are normally not shown as actions initiated during that year. These actions will be included in the next annual report.

Out of the 2459 inspections, approximately six percent of the inspections identified violations (Table 4). Note that each inspection reviews seven major items and with 2459 inspections, there is the potential for a total of 17,213 major violations. There were 156 violations identified (less than one percent of the universe of potential violations). Inadequate freeboard, unpermitted discharges from the systems, and evidence of over application were the most common violations and deficiencies (Tables 4 – 6). The high number of freeboard violation is mainly attributed to Hurricane Matthew. Cattle and Swine facilities had the highest number of violations and deficiencies among the types of animal operations (Table 6).

**Table 4. A breakdown of specific violations discovered during DWR and DSWC inspections during the past fiscal year.**

DEFICIENCIES AND VIOLATIONS IDENTIFIED		Total number of inspections with identified problem	Percent of total problems identified	Percent of total inspections completed (2559)
Discharges from Animal Waste Management System		21	13.5%	0.9%
Of the total discharges identified, the number of discharges that reached surface waters of the state		(15)	(9.6%)	(0.6%)
Inadequate Freeboard (Permitted Farms)		48	30.8%	2.0%
Of the total inspections identified with inadequate freeboard, the number of inspections with freeboard noted at less than 1 foot		(6)	(3.8%)	(0.2%)
No Certified Operator in Charge		0	0.0%	0.0%
Evidence of over application		47	30.1%	1.9%
Does not meet setbacks		5	3.2%	0.2%
Inadequate land		5	3.2%	0.2%
Crop differs from that stated in Certified Animal Waste Management Plan		30	19.2%	1.2%
<b>Totals*</b>		156	100.0%	6.3%

**Table 5. Deficiencies and violations discovered during DWR and DSWC inspections by Regional Office over the past fiscal year.**

DEFICIENCIES AND VIOLATIONS IDENTIFIED		ARO	FRO	MRO	RRO	WARO	WIRO	WSRO	State Totals
Discharges from Animal Waste Management System		6	7	1	2	2	0	3	21
Of the total discharges identified, the number of discharges that reached surface waters of the state		(5)	(4)	(1)	(2)	(0)	(0)	(3)	(15)
Inadequate Freeboard (Permitted Farms)		0	10	0	1	19	15	3	48
Of the total inspections identified with inadequate freeboard, the number of inspections with freeboard noted at less than 1 foot		(0)	(0)	(0)	(0)	(4)	(1)	(1)	(6)
No Certified Operator in Charge		0	0	0	0	0	0	0	0
Evidence of over application		1	7	0	1	16	11	11	47
Does not meet setbacks		0	0	0	1	0	2	2	5
Inadequate land		0	1	0	0	0	0	4	5
Crop differs from that stated in Certified Animal Waste Management Plan		1	1	17	1	0	0	9	30
<b>Totals</b>		<b>8</b>	<b>26</b>	<b>18</b>	<b>6</b>	<b>38</b>	<b>28</b>	<b>32</b>	<b>156</b>

**Table 6. Deficiencies and violations found during inspection by DWR and DSWC at each type of animal operation over the past fiscal year.**

<b>DEFICIENCIES AND VIOLATIONS IDENTIFIED</b>	<b>Swine</b>	<b>Cattle</b>	<b>Poultry</b>	<b>Horses</b>	<b>State Totals</b>
<b>Discharges from Animal Waste Management System</b>	11	10	0	0	<b>21</b>
Of the total discharges identified, the number of discharges that reached surface waters of the state	(5)	(9)	(1)	(0)	<b>(15)</b>
<b>Inadequate Freeboard (Permitted Farms)</b>	46	2	0	0	<b>48</b>
Of the total inspections identified with inadequate freeboard, the number of inspections with freeboard noted at less than 1 foot	(5)	(1)	(0)	(0)	<b>(6)</b>
<b>No Certified Operator in Charge</b>	0	0	0	0	<b>0</b>
<b>Evidence of over application</b>	36	11	0	0	<b>47</b>
<b>Does not meet setbacks</b>	3	2	0	0	<b>5</b>
<b>Inadequate land</b>	1	4	0	0	<b>5</b>
<b>Crop differs from that stated in Certified Animal Waste Management Plan</b>	4	26	0	0	<b>30</b>
<b>Totals</b>	<b>101</b>	<b>55</b>	<b>0</b>	<b>0</b>	<b>156</b>
<b>Total Number of Animal Operations</b>	<b>2098</b>	<b>183</b>	<b>20</b>	<b>4</b>	<b>2305</b>

*Regional Office Abbreviations:*

- ARO – Asheville Regional Office
- FRO – Fayetteville Regional Office
- MRO – Mooresville Regional Office
- RRO – Raleigh Regional Office
- WARO – Washington Regional Office
- WIRO – Wilmington Regional Office
- WSRO – Winston-Salem Regional Office