

## STATE OF IOWA

TERRY E. BRANSTAD, GOVERNOR KIM REYNOLDS, LT. GOVERNOR DEPARTMENT OF NATURAL RESOURCES
CHUCK GIPP, DIRECTOR

#### Work Plan Agreement 9/11/13

#### Between

# The Iowa Department of Natural Resources and the Environmental Protection Agency Region 7

Attached to this correspondence is the enforcement checklist that satisfies Objective 6, item 2 due within 60 days of execution of the Work Plan.

Objective 6: To implement enforcement program that ensures penalties are sought in accordance with DNR's EMS and creates a stronger deterrent to noncompliance.

2: DNR agrees to develop checklists necessary to ensure consistent and appropriate enforcement responses by enforcement staff within 60 days of execution of this Work Plan.

Respectfully submitted to Region 7 on November 5, 2013.

William A. Ehm, Division Administrator

Iowa Department of Natural Resources

**Environmental Services Division** 



# IOWA DEPARTMENT OF NATURAL RESOURCES ENFORCEMENT CHECKLIST FOR AFO/CAFO INSPECTIONS

### **INSPECTION DESCRIPTION**

Date o	of Inspection			
acility Name			Facility ID#	
acility	y Address		<u></u>	
nspec	tor's Name		<u> </u>	
		INSPECTION FIND	NGS	
Narrat concer	•	evidence of current viola	ations; indicators of past violations; future	
	Photographs and/or Video			
	Water Samples (upstream and downstream)			
	Personal Interviews	·		
	Other			
		ACTION FOLLOWING IN	SPECTION	
	No further action taken – no vi	olation(s) observed		
	Informal Meeting	Date		
	Letter of Inquiry	Date		
	Letter of Noncompliance	Date		
	(Within 30 days of confir	mation of Violation)		
	Notice of Violation Letter	Date		
	(Within 30 days of confir	mation of Violation)		
		REFERRAL		
	Fish kill/acute water quality degradation (Manure spills and/or discharges that result in destruction of aquatic life, including fish, are a top priority)			
	Serious water quality degradation (Release of pollutants may result in degradation of an aquatic resource without an obvious fish kill, but the effect may be impaired use and enjoyment of the water resource or chronic pollution harming aquatic life) This priority would include discharges from large CAFOs or medium AFOs/CAFOs (open feedlots or confinements)			
	Discharges of pollutants to state waters not authorized by an NPDES permit (This priority would include discharges from large CAFOs or medium AFOs/CAFOs (open feedlots or confinements) to waters of the state, not authorized under conditions of an NDPES permit issued by the DNR. This would include large CAFOs or medium AFOs/CAFOs that have a documented discharge contrary to and/or without the required permit. An impact on water quality is documented)			
	Failure to obtain required NPDES permit (A large CAFO or medium AFO/CAFO is found to have any documented discharge without, or in violation, of an NPDES permit)			

11/2013 cmz DNR Form 542-0238

	Unauthorized construction (Construction of AFO/CAFO structures (including open feedlots) without, or contrary to, a permit or other required documentation is also a DNR priority. Proper compliance with AFO siting and construction requirements is essential elements of the AFO program, which helps keep pollutants out of streams)		
	Significant violations of NPDES permit and/or conditions in the permit		
	(Violations of a significant nature and/or repeated violations of operating or reporting requirements)		
	Failure to submit MMP updates (MMPs are the cornerstone of the animal feeding program. The MMP helps ensure that any proposed or current confinement feeding operation over 500 animal units has adequate land to use the manure nutrients it produces)		
	Failure to obtain proper manure application certification (The manure applicator certification program is an important component of the AFO regulations. The program ensures that manure is transported and applied properly)		
	Other		
	No referral warranted – does not meet referral criteria		
Date of Referral to Legal			

11/2013 cmz DNR Form 542-0238