



EPA Promulgates Final Effluent Wastewater Guidelines for Concentrated Aquatic Animal Production (CAAP) Facilities

(Information adapted from the EPA's *Effluent Guidelines, Aquatic Animal Production Industry, Final Rule Fact Sheet*)

Summary

On June 30, 2004, the U.S. Environmental Protection Agency (EPA) issued its final rule setting forth standards for concentrated aquatic animal production (CAAP) facilities (fish farms, hatcheries, reserves, and other aquaculture). The Clean Water Act prohibits the discharge of pollutants from a point source into waters of the U.S., except as authorized by a National Pollutant Discharge Elimination System (NPDES) permit. CAAP facilities are point sources subject to the NPDES permit program (40 CFR § 122.24). The EPA is required to establish effluent limitations guidelines and standards for different categories of point sources. EPA's new rule establishes the effluent limitation guidelines and new source performance standards for CAAP facilities. The rule does not alter the existing regulations defining when a hatchery, fish farm, or other facility is a CAAP.

The Final Rule Applies To:

- ◆ Both **commercial** (for-profit) and **non-commercial** (generally, publicly owned) operations that:
 - ❖ Produce aquatic animals for food, recreation, restoration of wild populations, pet trade, and other commercial products; **AND**
 - ❖ Produce, hold, or maintain at least 100,000 pounds a year, in flow-through and re-circulating systems, that discharge wastewater at least 30 days a year (used primarily to raise trout, salmon, hybrid striped bass and tilapia); **OR**
 - ❖ Produce, hold, or maintain at least 100,000 pounds a year, in net pens or submerged cage systems (primarily salmon operations).
- ◆ Net pen systems rearing native species released after a growing period of no longer than 4 months to supplement commercial and sport fisheries are exempted from the rule.

The Rule Requires:

- ◆ *All applicable facilities must:*
 - ❖ Prevent discharge of spilled drugs and pesticides and minimize discharges of excess feed;
 - ❖ Regularly maintain production and wastewater treatment systems;
 - ❖ Keep records on numbers and weights of animals, amounts of feed, and frequency of cleaning, inspections, maintenance, and repairs;
 - ❖ Train staff to prevent and respond to spills and to properly operate and maintain production and wastewater treatment systems;
 - ❖ Report the use of experimental animal drugs or drugs that are not used in accordance with label requirements;
 - ❖ Report, orally and in writing, any failure of, or damage to, a containment system and report any spills of drugs, pesticides or feed that will result in a discharge to waters of the U.S.; and
 - ❖ Develop, maintain, and certify a Best Management Practice (BMP) plan that describes how the facility will meet the requirements.

◆ **Flow through and re-circulating discharge facilities** must minimize the discharge of solids such as uneaten feed, settled solids, and animal carcasses.

◆ **Open water facilities** must additionally:

- ❖ Use active feed monitoring and management strategies to ensure the least possible amount of uneaten feed accumulates beneath the nets;
- ❖ Properly dispose of feed bags, packaging materials, waste rope, and netting;
- ❖ Limit as much as possible wastewater discharges resulting from the transport or harvest of the animals; and
- ❖ Prevent the discharge of dead animals in the wastewater.

How will the rule be implemented?

When a facility applies for a new NPDES permit, or when an existing NPDES permit is renewed, the new effluent rule will apply to that farm. A facility's permit application will be considered "new" if the facility's source of discharge is constructed 30 days after the effluent rule is published in the Federal Register. The rule is expected to be published on August 23, 2004.

How can I find the rule or contact the EPA?

The final rule and major documents supporting it can be found online at www.epa.gov/guide/aquaculture.

For a hard copy:

- ❖ Call the Office of Water Resource at 202-566-1729
- ❖ Send the Office of Water Resource an e-mail at center.water-resource@epa.gov
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