



TAD News

June and July 2009

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Next TAD Board Meeting:
1 p.m., Aug. 6
Grapevine, Texas

CAFOs *must* file for General Permit renewal

The Texas Commission on Environmental Quality (TCEQ) on July 8 adopted issuance of an amended and renewed General Permit, Number TXG920000, which provides authorization for a concentrated animal feeding operation (CAFO) to discharge manure, sludge and wastewater generated by the CAFO under certain circumstances into or adjacent to water of the state.

With the adoption of TXG920000, CAFO owners/operators have a duty to apply for or to renew operating under the newly adopted and amended General Permit. *The General Permit should not be confused with the TCEQ Individual Permit, which is required for CAFOs located in a sole source impaired watershed.*

Dairy CAFOs managed and maintained in accordance with the CAFO permit are a “no discharge” operation, utilizing beneficial animal nutrients in ways that protect the environment and beneficially support farm crop production. Dairy CAFOs should ensure they are in compliance with the requirements of the new General Permit and make certain they or their environmental consultants have completed the renewal process before the time set forth in the General Permit for renewal lapses.

I encourage CAFO owners and/or operators to submit necessary renewal information as soon as possible. TCEQ staff advises that the clock will start to tick on July 21 and will run for 120 days. If dairy producers have any questions regarding the newly adopted General Permit, please contact your regional TCEQ office, or you can contact the Texas Association of Dairymen for assistance.

TAD will be telling Texas congressional members of its opposition to U.S. Senate Bill 787, the Clean Water Restoration Act. Our primary concern is that it will create regulatory uncertainty by deleting the term “navigable water” and expanding coverage to all waters – every puddle, ditch or other depression that retains standing water could be considered “waters of the state.” This greatly exceeds the intent of the Clean Water Act that took effect in 1972. ▪

Manager's Update
John Cowan

Compliance Corner

When cooling cows, make sure to take appropriate precautions

By Ellen R. Jordan, Ph.D., Extension Dairy Specialist, Texas AgriLIFE Extension Service

With summer in full swing, many dairymen are using cooling ponds to reduce heat stress on their cows.

Milk quality and safety were concerns with the ponds. But research by Extension several years ago demonstrated no detrimental effects by the ponds on milk quality. Concerns regarding infectious diseases such as Leptosporosis exist, however, when the ponds are poorly managed. The other issue was operating them in a manner to protect the environment.

Two critical components of management are in the cooling pond use guidelines issued by the State that must be followed for environmental compliance. First, all water going into the cooling ponds must originate from fresh water sources. Lagoon water is not, nor has it ever been, an acceptable source. Nor should the cooling ponds capture run-off from lots and holding

areas.

Second, all water exiting the pond and sediment removed from the bottom of the pond must be disposed of according to environmental guidelines and regulations by the State of Texas (and ultimately the U.S. government) administered by the Texas State Soil and Water Conservation Board or the Texas Commission on Environmental Quality, depending on the requirements for your dairy.

Work with your environmental consultants to make sure your cooling ponds comply with all state and federal regulations. Cooling ponds are an effective way to cool cows, but consider an alternative cooling strategy if you can't operate them in a manner to protect the environment and prevent disease transmission to your herd. ▪

Lawmakers zip through special session

By Shayne Woodard, TAD lobbyist

In less than 30 hours, the Texas Legislature completed all the work it was willing to do on Gov. Rick Perry's called special session and adjourned on July 2. Lawmakers approved two of the three issues included in the call.

One, Senate Bill 2, the Sunset "safety net" bill, extended the lives of five agencies for two more years and rearranged the schedule for reviewing a number of other agencies to balance the Texas Sunset Commission's workload.

Several water/natural resource agencies were moved up to be reviewed by Commission during the upcoming interim. The continued drought and economic/population growth have policy makers concerned about the state's future water supplies. Reviews for the Texas Commission on Environmental Quality, the Texas Water Development Board and Texas State Soil and Water Conservation Board will begin immediately – their self evaluation reports must be submitted by mid August.

Also during the special session, House Bill 1 gave the Texas Department of Transportation authority to issue \$2 billion in general obligation bonds to finance roadwork. ■

ICE ups scrutiny of hiring practices

U.S. Immigration and Customs Enforcement (ICE) is stepping up its program to inspect the hiring records of business owners to determine whether they are complying with employment eligibility verification laws and regulations. The initiative illustrates ICE's focus on holding employers accountable for their hiring practices and efforts to ensure a legal workforce.

Employers – including dairy operators – are required to complete and retain a Form I-9 for each individual they hire for employment in the United States. TAD encourages its members to make sure they are in compliance.

For more information on Form I-9, visit the "Labor Resources" section of TAD's Web site, www.milk4texas.org or consult an attorney. ■

TAHC considering entry permit changes

The Texas Animal Health Commission (TAHC) has proposed rules that would mandate an entry permit for three classes of cattle coming into the state.

Public comment on the proposal will be accepted through July 20, with final rules adopted at TAHC's Sept. 15 meeting.

The proposals are designed to protect herds from TB – recently identified at a Texas dairy – and other diseases. Proposals would impact "M"-branded steers (potential rodeo and/or roping stock); show, exhibition and rodeo bulls moved interstate to Texas for events; and all breeding bulls 12 months or older, originating in Mexico or countries that do not have a cattle trichomoniasis program.

For more information, visit the TAHC's Web site at www.tahc.state.tx.us. ■

Manure Management Conference coming

The first manure management conference in 10 years will be held Sept. 29-30 in Round Rock by the Texas AgriLife Extension Service.

TAD members are encouraged to attend. The TAD Board will hold its regular meeting in conjunction with the conference, as well as a social event for local lawmakers and other state officials.

In the past decade, there have been major advances in technology to help manage animal manure and process generated wastewater, as well as considerable changes in state and federal regulations governing concentrated animal feeding operations and the manure they produce.

Speakers also will address the new technologies being examined that hold promise in producing energy from manure.

Registration, conference programming, continuing education credits and other information can be found online at <http://grovesite.com/tamu/tammj>. ■

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