

What We Don't Know About CAFOs *Will Hurt Us*

Lurking as part of the vast lagoon system of untreated hog waste in North Carolina, was a percolating covered cesspool. The 806,868 liquid gallon pit of slurry was meant to supply Big Ag's gift to America, a "Biogas Digester", located at a large hog CAFO. And then, KABLOOIE! The biogas did what biogas will do in the warm May sun and blew a hole in the plastic top of this waste pit.

Environmental organizations that monitor the nearby creeks and rivers for pollution discharges from CAFOs were never alerted. The Neuse riverkeeper for Sound Rivers found out about the illegal discharge months later during their routine fly-over performed on behalf of the public.

The WRD did not report to the public until they announced on December 5, 2022, "The Division of Water Resources has issued civil penalties totaling \$34,520 for violation of permit conditions related to a May 2022 waste discharge at an animal operations facility in Wayne County." A Public Notice of Discharge of Animal Waste specified that 37,400 gallons of discharge reached the wetlands.

The WRD itemized violations at the CAFO that included:

“. . . failure to maintain and operate a non-discharge system to prevent discharge to waters of the state; failure to conduct air quality monitoring; failure to demonstrate compliance with nutrient standards for phosphorous; failure to properly operate and maintain collection, treatment and storage units; and failure to manage solids, residuals or sludges.”¹

As reported by local news from Sam Krop at Sound Rivers, the slurry contained “dead whole animal parts, dead hogs that had been delivered to this facility, old hotdog meat and other processed meat and liquefied hog waste.” Krop's concerns included, ““When there's a large-scale polluting event like this what is most upsetting to me — aside from the fact that this is extremely consequential from an environmental perspective — what's most upsetting to me is the lack of transparency and accountability on behalf of the Department of Environmental Quality.”²

The Water Resources Division further revised the violation in a letter to the CAFO digester operator upon finding new information. The letter is available if the public knows how to do a file search. WRD quoted the existing individual permit the CAFO had obtained for operating the Innovative System digester and added a violation because, “The facility has been operating without animals since December 2020 based on available information. *Condition VII.15 states, This Permit is effective only with respect to the nature and volume (at least fifty percent animal waste) of wastes.*”³

Furthermore, the revised violation letter states that the digester had been operating as a receptacle for hot dogs and deli meats from unknown sources, but not digesting hog manure to remove methane.

“Condition III.2. states, ‘No material other than the following shall be disposed of in the Innovative System or other components of the animal waste collection, treatment, storage, or application systems. — [15A NCAC 02T .0108(b)]

- a. animal wastes of the type generated on this facility,
- b. up to 20,000 pounds/day of food waste (edible meat waste from Smithfield's Kinston plant); and
- c. up to 105 tons/day of swine animal mortality’

Per the annual report submitted, the food waste far exceeded the allowable limit. Available information indicates that in addition to animal waste, food waste (from Smithfield's Kinston Plant) and swine animal mortality, guts, filler, peptone, and blood, liquid protein have also been introduced into the system. It is also unclear whether hot dog and deli products have originated from Smithfield's Kinston Plant.

Available information also lists multiple days where more than 20,000 pounds of food waste was received and accepted by the facility.”⁴

Public right-to-know in situations of polluting discharges

Sound Rivers engaged Southern Environmental Law Center on September 7, 2022 to write a letter to North Carolina Environmental Quality, stating:

“Based on the information available at this time, Sound Rivers respectfully asks that DEQ take several immediate steps to address the ongoing threat that [the facility] poses to water quality and communities living downstream. [The CAFO] has been out of compliance with its permit and state laws governing new and expanding hog operations for years. To protect the environment and human health, DEQ is well within its statutory authority to revoke the facility’s authorization to expand beyond 5,500 farrow-to-wean hogs and prohibit expansion beyond that level until and unless the facility can demonstrate compliance with all of the environmental performance standards under state law. N.C. Gen. Stat. § 143-215.10I and 15A N.C. Admin. Code 2T.1307. Until DEQ can verify that the facility’s waste management system is functioning properly, preventing contamination of waterways and groundwater, and that the spill is fully cleaned up, DEQ should not allow the reintroduction of animals to the site. Moreover, the facility should not be permitted to install additional waste management structures at the facility.”⁵

In all cases of pollution discharges, the public deserves to have from the regulating agencies an immediate press release, shared electronically to environmental groups, news and social media in the vicinity and through the agency listservs. The public needs to

know the cause, the content, and the receiving waters of the polluting discharge. We need to be assured of the work being done to remediate the site, and the impacts the discharge has on water quality.

Follow-up from environmentalists on pollution present

In December, 2022, Sound Rivers went out to the Nahunta Swamp area near the digester spill. They reported in their newsletter:

“Water samples collected by your Riverkeepers, though, showed incredibly elevated levels of nutrients and bacteria in Nahunta Swamp in the vicinity of the facility, indicating that there are ongoing pollution issues and water quality concerns there. With the help of the Southern Environmental Law Center, your Riverkeepers sent a letter to DEQ today with these results and requested immediate investigation by the agency into these ongoing pollution issues.”⁶

CAFOs that operate based on ‘what they don’t know can’t hurt’ are only looking out for their own business interests. In this case, the CAFO changed operations without notifying DEQ once they got the permit for the digester. If the regulator only has enough staff to visit CAFOs every few years, they will not be aware that trouble is brewing due to illegal alteration of operations made by the CAFO.

References

¹ North Carolina Environmental Quality, “DWR issues penalties for permit violations at White Oak Farms”

<https://deq.nc.gov/news/press-releases/2022/12/05/dwr-issues-penalties-permit-violations-white-oak-farms>

² Spectrum News 1, Kyleigh Panetta, Sep. 15, 2022 “Environmental Group Worried About Massive Hog Farm Waste Spill”

<https://spectrumlocalnews.com/nc/charlotte/news/2022/09/15/waste-spill-at-wayne-county-farm>

³<https://edocs.deq.nc.gov/WaterResources/DocView.aspx?id=2482749&dbid=0&repo=WaterResources&cr=1> Page 2

⁴<https://edocs.deq.nc.gov/WaterResources/DocView.aspx?id=2482749&dbid=0&repo=WaterResources&cr=1> Page 5

⁵ <http://soundrivers.org/wp-content/uploads/2022/09/2022-09-07-White-Oak-Farms-Letter-Exhibit-final.pdf> Page 6

⁶ <https://soundrivers.org/high-levels-of-nutrients-bacteria-found-in-water-at-cafo-spill-site/>