

January 25, 2013

Illinois Pollution Control Board
Clerk's Office
James R. Thompson Center Suite 11-500
100 West Randolph Street
Chicago, Il 60601

Pct# 21

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JAN 28 2013
STATE OF ILLINOIS
Pollution Control Board

Re Docket R2012-23 In the Matter of Concentrated Animal Feeding Operations (CAFOs);
Proposed Amendments to 35 Ill Adm. Code parts 501,502 and 504.

Dear Members of the Board.

I am a landowner in Jo Daviess County with a interest in the importance of the livestock industry in my area as well as the benefits to the economy of the State of Illinois. Land in the Lawfer family has exceeded 150 years of continuous ownership, with the majority of farm income coming from livestock and livestock products. The manure produced and spread on the fields has made the operations sustainable over these periods of years and still is an important part of the operations today. My family currently has three generations actively involved daily in livestock.

I had the opportunity to attend three of the five hearings held your Board for these rules.. As some of you, attending the Hearing in Elizabeth observed the rolling terrain is ideal for forage production necessary to beef and milk cow operations. Water for the livestock and our families comes from the streams and wells on the property.

The provision that the Agency may require a permit under the conditions of 502.106 places an undue burden on livestock operators that may feel the ruling is unjust and unnecessary.. The requirement of a permit application within 90 days, starting upon receipt of the Agency's notification does not allow any appeal process by the owner or operator of a CAFO.

I ask the Board to consider a time period for an appeal process, prior to the operator need to make application of a permit. This appeal process could and should include representatives of the Agency and persons selected and invited by the CAFO operator. They should all be party to any onsite inspection and part of the Agency's discussion as to the need to be regulated under the permit system. Cost of permit application could be very costly, especially to the smaller CAFO's.

This I feel does not in any way change the statutory duty of the IEPA to administer the NPDES permit program. In fact, it may allow the operator to more fully understand the permit program. It may also benefit the Agency to more fully understand the daily operation of the CAFO and the economic and environmental issues.

I also ask that the Board seek more information on the cost of completing a permit application. in addition to the annual fees passed by the Illinois General Assembly. The Agency needs to be regulatory primarily not a revenue collection source.

The implementation of these suggestions by the Board could be very beneficial to all concerned.

Respectfully submitted

I. Ronald Lawfer, 14123 Burr Oak Stockton, Il 61085 ph 815 947 3474.

