

Board Closes CAFOs Subdocket A

On August 7, 2014, the Board adopted amendments to Parts 501, 502, and 504 of its pollution regulations related to livestock facilities. Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, R12-23; see 38 Ill. Reg. 17661, 17687, 17754 (Aug. 22, 2014). At first and second notice in R12-23, the Board proposed a Section 501.505 requiring specified CAFOs to submit certain information to Illinois Environmental Protection Agency (IEPA). In its review of the Board's second-notice proposal, the Joint Committee on Administrative Rules indicated that IEPA may already collect the information sought under proposed Section 501.505. In its final opinion and order adopting amended regulations in R12-23, the Board did not adopt Section 501.505 but opened subdocket (A) for further consideration of the issue.

On June 18, 2015, the Board adopted an opinion and order in subdocket (A). The Board found that IEPA's process for developing a CAFO database and using that database to generate an inventory of CAFO's made it unnecessary at this time to adopt proposed Section 501.505. The Board concluded that it is not now necessary to implement a requirement duplicating IEPA's procedures.

Accordingly, the Board declined to submit a proposed rule to first-notice publication and closed the docket.

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