

Board to Hold Hearings on Proposal to Amend the Board's CAFO Regulations

On March 15, 2012, the Illinois Pollution Control Board accepted for hearing a proposal to amend Parts 501, 502, and 504 of the Board's regulations dealing with the Board's agriculture related water pollution regulations. On March 1, 2012, the Illinois Environmental Protection Agency (IEPA) filed the proposal, which is docketed as In the Matter of: Concentrated Animal Feeding Operations (CAFOs): Proposed Amendments to 35 Ill. Adm. Code Parts 501, 502, and 504, (R12-23).

The IEPA states that the rulemaking proposal has two chief purposes. First, the IEPA seeks to amend Parts 501 and 502 "so that they are consistent with, and as stringent as, the current federal CAFO regulations." The IEPA argues that failure to adopt these proposed amendments "could result in withdrawal of federal delegation of the NPDES [National Pollutant Discharge Elimination System] program itself to the State of Illinois." Second the IEPA seeks to "establish the state technical standards which are mandated by the federal rule, but not prescribed for the states." The United States Environmental Protection Agency has indicated that "Illinois still needs to establish standards that address the rate at which manure, litter, and process wastewater may be applied on crop or forage land where the risk of phosphorus transport is high, as well as standards for land application on frozen soil and snow."

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

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