

ILLINOIS CITIZENS FOR CLEAN AIR & WATER

March 27, 2008

Via email and certified mail

Administrator Stephen Johnson
johnson.stephen@epa.gov
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 1011A
Washington, DC 20460

Regional Administrator Mary A. Gade
gade.mary@epa.gov
U.S. Environmental Protection Agency
77 W. Jackson Boulevard
Mail Code: R-19J
Chicago, IL 60604

**PETITION FOR WITHDRAWAL OF THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM
DELEGATION FROM THE STATE OF ILLINOIS**

Illinois Citizens for Clean Air & Water (ICCAW)¹ respectfully petition the U.S. Environmental Protection Agency (EPA) to initiate formal proceedings to withdraw the National Pollutant Discharge Elimination System (NPDES) permit program from the State of Illinois. This Petition is made because the Illinois Environmental Protection Agency (IEPA) has failed to fully implement the NPDES program for Concentrated Animal Feeding Operations (CAFOs).

BACKGROUND

Since the IEPA received authority to implement and enforce the Federal Clean Water Act (CWA) NPDES permit program in 1977,² its program has failed to keep stride with rapid changes in Illinois' livestock industry. The industry has steadily moved from small, widespread, family farms to large, investor owned, industrialized operations. According to the United States Department of Agriculture's 2002 Census of Agriculture, Illinois is now ranked as having the

¹ ICCAW is a state-wide coalition of individuals and community groups concerned with the environmental, human health, and quality of life impacts of large-scale, industrialized livestock production facilities. The organization has over 70 members from various counties throughout the State. The majority of its members are family farmers and rural residents that live near large-scale livestock facilities and have been adversely impacted by the problems they create.

² National Pollutant Discharge Elimination System Memorandum of Agreement between the Illinois Environmental Protection Agency and the United States Environmental Protection Agency Region V (May 12, 1977).

fourth largest concentration of large-scale hog confinements in the United States.³ As of 2005, nearly 80 percent of the 4.5 million hogs produced annually in Illinois came from large-scale operations.⁴

According to the EPA's 2002 National Water Quality Inventory, agricultural operations such as Animal Feeding Operations (AFOs) are among the leading sources of water pollution in the United States.⁵ According to the IEPA's 2004 Water Quality Report, over 85 percent of the total public lake acreage in Illinois is impaired.⁶ Agriculture is identified as one of the leading causes.⁷ Agriculture is also responsible for 73 percent of Illinois' river and stream impairment.⁸ This is nearly double the percentage of pollution from municipal point sources and almost three times more than from urban runoff.⁹ Further, although the percentage of fish kills in Illinois due to industrial point sources has declined in the last 30 years (and now represents only 10 percent of total fish kills); fish kills attributable to agriculture have steadily increased.¹⁰ Since 1997, 22 fish kills attributable to manure related pollution have been documented.¹¹ Consequently, the IEPA's failure to fully implement the NPDES program for CAFOs is of particular concern.

Despite these figures, the State is failing to require NPDES permits of CAFOs that discharge into waters of the State. Unlike the other Region 5 States, the IEPA has not even determined which CAFOs do, in fact, discharge and therefore require NPDES permits. Further, the Agency has not issued coverage to facilities that have submitted NPDES permit applications, and all of the NPDES permits issued by the Agency to date are presently expired.¹² As a result, not one facility in the State has an active NPDES permit.¹³ Because unpermitted facilities are not subject to regular reporting and inspection requirements, the Agency cannot adequately determine which

³ United States Department of Agriculture National Agricultural Statistics Service, The Census of Agriculture 2002 Census Publication, available at: <http://www.agcensus.usda.gov/Publications/2002/index.asp>; see also Food & Water Watch, Turning Farms into Factories: How the Concentration of Animal Agriculture Threatens Human Health, the Environment, and Rural Communities, Companion Map (July 2007), available at: <http://www.foodandwaterwatch.org>.

⁴ Illinois Environmental Council Education Fund, Illinois Environmental Briefing Book 2005-2006 (2006), at 20-21, available at: http://www.ilenviro.org/publications/files/2005_briefingbook.pdf.

⁵ EPA, National Water Quality Inventory: Report to Congress, 2002 Reporting Cycle, available at: <http://www.epa.gov/305b/2002report/>.

⁶ Illinois EPA, Illinois Water Quality Section 305(b) Report, Appendix D (2004), at 2, available at: <http://www.epa.state.il.us/water/water-quality/305b/305b-2004.pdf>.

⁷ Id. at 4.

⁸ Green Media Toolshed, Scorecard: Pollution Locator, Leading Sources of Water Quality Impairment (January 2008), available at: <http://www.scorecard.org/env-releases/water/cwa-sources>.

⁹ Id.

¹⁰ Clean Water Network, Spilling Swill: A Survey of Factory Farm Water Pollution in 1999 (December 1999), at 14; see also Isaac Walton League, Fish Kill Advisory Network: Pollution Events by Known General Source (June 2004), available at: http://66.155.8.209/graphics/fishkill/ag_evnts_vsotners.pdf.

¹¹ Isaac Walton League, Fish Kill Advisory Network: Online Database (visited March 13, 2008), available at: http://66.155.8.209/fishkill/fk_search.asp.

¹² Documents obtained from the IEPA via the Freedom of Information Act, February 2008; see also Diamond, Danielle, Illinois Failure to Regulate Concentrated Animal Feeding Operations in Accordance with the Federal Clean Water Act, 11 Drake Journal of Agricultural Law 2, 185-224 (Summer 2006), at 210 (citing a communication with Bruce Yurdin, IEPA Permits Division, March 11, 2005).

¹³ Id.

CAFOs are operating in accordance with the NPDES program. As such, the NPDES program is not being properly implemented since Large CAFOs are virtually unregulated.

Although citizens have attempted to spur the IEPA into action, the Agency has resisted making any meaningful progress to regulate large industrial CAFOs under the NPDES program.¹⁴ Because the IEPA is not requiring facilities that discharge to have NPDES permits, is not actively assessing which CAFOs discharge and need NPDES permits, is not issuing coverage to CAFOs which apply for permits, is not conducting compliance inspections to determine if CAFOs are complying with NPDES permit requirements, and is not therefore enforcing NPDES permit requirements, EPA should initiate proceedings to withdraw the NPDES program authority from the State.

According to 40 C.F.R. ' 123.63, the Administrator may withdraw program approval when a State program no longer complies with NPDES requirements, and the State fails to take corrective action. As outlined below, Illinois' failures warrant withdrawal of the State's NPDES program delegation.

PETITIONER'S ARGUMENT

ILLINOIS' FAILURE TO MEET ITS NPDES OBLIGATIONS REGARDING CAFOs JUSTIFIES WITHDRAWAL OF ITS NPDES DELEGATION

40 C.F.R. ' 123.63 sets forth the criteria for State program withdrawal as follows:

40 C.F.R. ' 123.63 (a)

- (1) Where the State's legal authority no longer meets the requirements of this part, including:
 - (i) Failure of the State to promulgate or enact new authorities when necessary; or
 - (ii) Action by a State legislature or court striking down or limiting State authorities.
- (2) Where the operation of the State program fails to comply with the requirements of this part, including:
 - (i) Failure to exercise control over activities required to be regulated under this part, including failure to issue permits;

¹⁴ For example, in an April 9, 2007 meeting between concerned citizens and the IEPA, the IEPA declined citizen requests to develop an inventory of Illinois CAFOs and require NPDES permits of known dischargers.

- (ii) Repeated issuance of permits which do not conform to the requirements of this part; or
 - (iii) Failure to comply with the public participation requirements of this part.
- (3) Where the State's enforcement program fails to comply with the requirements of this part, including:
- (i) Failure to act on violations of permits or other program requirements;
 - (ii) Failure to seek adequate enforcement penalties or to collect administrative fines when imposed; or
 - (iii) Failure to inspect and monitor activities subject to regulation.
- (4) Where the State program fails to comply with the terms of the Memorandum of Agreement required under ' 123.24 (or, in the case of a sewage sludge management program, ' 501.14 of this chapter).
- (5) Where the State fails to develop an adequate regulatory program for developing water quality-based effluent limits in NPDES permits.
- (6) Where a Great Lakes State or Tribe (as defined in 40 CFR 132.2) fails to adequately incorporate the NPDES permitting implementation procedures promulgated by the State, Tribe, or EPA pursuant to 40 CFR part 132 into individual permits.

Illinois meets the applicable criteria for withdrawal of authority to administer the NPDES program based on its failure to meet its regulatory obligations under ' 123.63 (a)(2), (3) and (4) listed above. Additional concerns relating to the conduct of the State of Illinois regarding the regulation of CAFOs are also included in the conclusion of this Petition.

I. ILLINOIS' NPDES PROGRAM OPERATION FAILS TO COMPLY WITH FEDERAL REQUIREMENTS.

Pursuant to ' 123.63(a)(2), a State's program qualifies for withdrawal when: i) the State fails to exercise control over activities required to be regulated, including failure to issue permits; ii) the State repeatedly issues permits which do not conform to federal requirements, and iii) the State fails to comply with public participation requirements. This petition satisfies the second criterion

for State program withdrawal because the State has failed to exercise control over activities to be regulated, including failure to issue permits under ' 123.63(a)(2)(i) and the State fails to conform to the CWA's public participation requirements under ' 123.63(a)(2)(iii).

A. Illinois fails to exercise control over activities required to be regulated, including failure to issue permits.

This Petition satisfies the second criterion for State program withdrawal pursuant to ' 123.63(a)(2)(i) because the IEPA is not exercising control over activities required to be regulated. This is because: i) the Agency has not conducted comprehensive inspections to determine which large industrial CAFOs discharge and therefore need permits; ii) the Agency is not issuing coverage under their General NPDES permit or individual permits; and iii) the Agency is not issuing permits to known dischargers. Since it is not issuing NPDES permits, it can not do inspections to determine whether NPDES permit requirements are being met. As a result, the State is failing to meet its legal obligation to protect waters of the State from CAFO related water pollution.

i) *The IEPA has not conducted comprehensive inspections to determine which CAFOs need permits.*

The CWA requires all point source dischargers to obtain and comply with an NPDES permit.¹⁵ It prohibits the "discharge of a pollutant" by "any person" from any "point source" into waters of the United States except when authorized by a permit issued under the NPDES program.¹⁶ The CWA specifically defines the term "point source" to include CAFOs.¹⁷ Despite this clear mandate, Illinois has failed to issue permits to CAFOs that discharge into waters of the United States.

As of October 2001, there were an estimated 35,000 livestock facilities operating in Illinois.¹⁸ It is unknown exactly how many of these meet the defining criteria of a CAFO under the NPDES program. To date, the State has not made a comprehensive survey of Illinois Animal Feeding Operations (AFOs) to determine which ones are point source dischargers. The IEPA only has an inventory of 30 percent of the estimated 500 Large CAFOs in the State¹⁹ and conversations with EPA Region 5 officials have revealed that neither they, nor IEPA staff, have knowledge of the

¹⁵ 33 U.S.C. § 1342(a).

¹⁶ Id. §§ 1311(a), 1342.

¹⁷ Id. § 1362(f)(4). To be considered a CAFO, a facility must first be defined as an Animal Feeding Operation (AFO). 40 C.F.R. § 122.23(b)(2). An AFO means a lot or facility where the following conditions are met: "1) animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12 month period, and 2) crops, vegetation, forage growth, or post harvest residues are not sustained in the normal growing season over any portion of the lot or facility." Id. § 122.23(b)(1). An AFO may be considered a CAFO depending on its size and/or whether or not it discharges. Id. § 122.23(b)(3).

¹⁸ Environmental Law Institute, State Regulation of Animal Feeding Operations: Seven State Summaries (2003), at 23, available at: <<http://www.elistore.org/Data/products/d13-02a.pdf>>.

¹⁹ EPA, Permitting for Environmental Results, NPDES Profile: Illinois (2004) at 11, available at: <http://www.epa.gov/npdes/pubs/illinois_final_profile.pdf>.

actual whereabouts of the majority of AFOs in Illinois.²⁰ Without knowing where the facilities are located, the Agency cannot identify and inspect facilities to determine which ones discharge and therefore are subject to NPDES regulations. As such, the Agency is not exercising control over activities required to be regulated.

- ii) *The IEPA is not issuing coverage under Illinois' General NPDES Permit or individual permits.*

In addition to the IEPA's failure to determine which facilities are subject to NPDES regulations, the Agency has failed to issue CAFO NPDES permits. Since 1977 the IEPA has only issued approximately 40 NPDES permits to CAFOs, all of which are presently expired.²¹ Although some of the previously permitted facilities have been required to have permits because they either caused significant environmental harm as a result of large manure spills or they were cited for repeat violations, the Agency appears to have failed to renew their permits, reissue these permits, or grant coverage under the General Permit for CAFOs.²² If these facilities are still operating, they are now doing so without being subject to NPDES permit monitoring and reporting requirements. Further, although the IEPA issued a revised General Permit in 2004,²³ not one facility has been issued coverage under it.²⁴ This is despite the fact that a number of facilities submitted permit applications.²⁵ Hence, as of this date, not one CAFO in Illinois has an active IEPA issued NPDES permit.

- iii) *The IEPA is not issuing individual or General Permit coverage to known dischargers and, as a result, not requiring regular inspections to determine compliance with NPDES program requirements and therefore can not conduct compliance inspections at large industrial CAFOs.*

Beyond not issuing NPDES permits, the Agency has failed to require permits of known dischargers. According to the IEPA's 2001 Annual Livestock Investigation Report, 52 percent of the 240 livestock facilities surveyed by the Agency had one or more regulatory violations.²⁶ Of the facilities contacted/visited, the following sources of water pollution were documented:

²⁰ See Diamond supra note 12, at 190-191 (citing a communication with Steve Jann and Arnie Leder, Region 5 United States Environmental Protection Agency, January 5, 2006).

²¹ Documents obtained from the IEPA via the Freedom of Information Act (February 2008); see also Environmental Law Institute, supra note 18, at 23; Diamond, supra note 12, at 210 (citing a communication with Bruce Yurdin, IEPA Permits Division, March 11, 2005).

²² Documents obtained from the IEPA via the Freedom of Information Act (February 2008).

²³ IEPA, NPDES Permit No. ILA01 (2004).

²⁴ Documents obtained from the IEPA via the Freedom of Information Act (February 2008).

²⁵ Email message from Bruce Yurdin, IEPA Permits Division (October 30, 2007).

²⁶ IEPA Bureau of Water, Illinois EPA Livestock Program, 2001 Livestock Facility Investigation Annual Report (2001), at 4, available at: <http://www.epa.state.il.us/water/cafo/reports/2001-livestock-annual.pdf>.

feedlots (63), pit discharges (8), lagoon overflows (16), intentional discharge/dumping (7), tile connections (2), manure stacks (13), field application (18), equipment failure (3) and other identified sources (22).²⁷ Although specific water pollution statistics are not available in the report, the identification of the actual sources of water pollution is indicative of the fact that that Illinois' CAFOs do discharge and that the CWA's goal of zero discharge has not been met. In fact, IEPA reports show that, on average, over 50 percent of the facilities that were either contacted or visited by the Agency from 1999 to 2005 had one or more regulatory violations.²⁸ A number of these facilities were found to be in violation for not having required NPDES permits and at least 23 facilities had discharges that resulted in documented fish kills. It is unknown exactly how many facilities had repeat violations; however, a two million gallon manure spill at a 1,200 head dairy in 1999 marked the fourth pollution violation by the same facility.²⁹

When these facilities discharged, they were required to apply for NPDES permits as a matter of law. Despite this, the IEPA failed to issue any permits. As a result, these facilities are not subject to regular NPDES compliance inspection, monitoring, and reporting requirements. Further, they are not subject to the types of operation, maintenance and management requirements as they would be if they had effective NPDES permits. As such, the IEPA cannot adequately assess or ensure these facilities are operating in compliance with NPDES permit requirements.

The IEPA has improperly stated its intent to wait until EPA finalizes its 2003 CAFO Rule revisions in response to the Second Circuit's *Waterkeeper* decision before requiring CAFO dischargers to have NPDES permits.³⁰ Illinois is the only State in Region 5 that has not identified large industrial CAFOs that discharge and therefore require NPDES permits.³¹ The CWA definitively prohibits all point source discharges unless the discharge is in compliance with an NPDES permit.³² It should be noted that, although the *Waterkeeper* decision vacated the requirement in the EPA CAFO Rule that required CAFOs with the "potential to discharge" seek permit coverage,³³ the requirement that CAFOs with actual discharges seek NPDES coverage has never been questioned. The IEPA, however, has consistently failed to issue and maintain viable permits for CAFOs that have documented discharges.

Further, although the *Waterkeeper* decision invalidated the duty to apply requirement for "potential discharges," there remains in the NPDES regulations the duty to apply provision for point sources that "propose to discharge."³⁴ This duty applies to all point sources, including

²⁷ Id. at 6.

²⁸ See IEPA Bureau of Water, Illinois EPA Livestock Program, Livestock Facility Investigation Annual Reports (1999-2005), available at: <http://www.epa.state.il.us/water/cafo/reports/index.html>.

²⁹ Clean Water Network, *Spills & Kills: Manure Pollution and America's Livestock Feedlots* (2000), at 20.

³⁰ Statement made by IEPA officials at an April 9, 2007 meeting with concerned citizens.

³¹ See Diamond, *supra* note 12, at 213-219.

³² 33 U.S.C. §§ 1311(a), 1342.

³³ *Waterkeeper Alliance, Inc. v. EPA*, 399 F.3d 486 (2nd Cir. 2005).

³⁴ 40 C.F.R. § 122.21(n).

CAFOs. The EPA's 2006 proposed NPDES CAFO Rule revisions, which responded to the *Waterkeeper* decision, identified circumstances in which a CAFO may "propose to discharge."³⁵ These circumstances include: when production areas and containment structures are not designed, operated, and maintained to contain the discharge from a 25 year, 24 hour storm event, when a CAFO is located in close proximity to waters, and when a CAFO has had a discharge in the past and has not corrected the factors that caused the discharge to occur.³⁶

It is unknown exactly how many facilities in Illinois "propose to discharge." However, it may be inferred from the IEPA's Annual Livestock Facility Investigation Reports noted above, that a significant number of CAFOs could fall under this category. A large percentage of facilities have had one or more regulatory violations, and a number of them were identified as sources of water pollution. If a facility is not designed, operated, or maintained to prevent discharges it may be defined as "proposing to discharge." Facilities that "propose to discharge" have a duty to apply for NPDES permits and the IEPA has a duty ensure they comply with permit requirements.

In summary, Illinois has failed assess how many CAFOs in Illinois are required to have NPDES permits, failed to issue permit coverage to CAFOs applying for NPDES permits, and failed to issue permits to those identified as requiring permits. Because unpermitted facilities are not subject to regular reporting and inspection requirements, the Agency can not adequately determine which CAFOs, if any, are operating in compliance with the NPDES program. As such, the State can not adequately exercise control over activities required to be regulated. Illinois' CAFO NPDES program operation thus fails to comply with federal requirements, satisfying the second criterion for withdrawal of its delegated authority under ' 123.63(a)(2)(i).

B. Illinois fails to comply with public participation requirements.

This Petition also satisfies the second criterion for State program withdrawal because Illinois' CAFO NPDES program operation fails to comply with the CWA's public participation requirements under ' 123.63(a)(2)(iii).

The CWA definitively states that "public participation in the development, revision, and enforcement of any regulation, standard, effluent limitation, plan, or program established by the Administrator or any State under this Act shall be provided for, encouraged, and assisted by the Administrator and the States."³⁷ The Act further provides that there be an "opportunity for public

³⁵ EPA, Revised National Pollutant Discharge Elimination System Permit Regulation and Effluent Limitation Guidelines for Concentrated Animal Feeding Operations in Response to *Waterkeeper* Decision, 71 Fed. Reg. 37,749, 37,784 (proposed June 30, 2006) (to be codified at 40 C.F.R. pts. 122 and 412).

³⁶ *Id.*

³⁷ 33 U.S.C. § 1251(e).

hearing” before any NPDES permit issues,³⁸ and that a “copy of each permit application and each permit issued under this section shall be available to the public,”³⁹ and that “any citizen” may bring a civil suit for violations of the Act.⁴⁰

Because Illinois fails to issue and maintain viable NPDES permits for CAFOs it, by default, does not provide the public an opportunity to participate in the regulatory process. NPDES permits are critical to the CWA because they define discharger obligations and effluent limitation standards and, in the case of CAFOs, various management practices necessary to insure that discharges of manure and other pathogens to waters of the United States and the State of Illinois are minimized. Because the IEPA is not requiring facilities to apply for, or issuing viable permits, the public is being deprived of essential NPDES program implementation and enforcement data. By refusing to regulate CAFOs, the IEPA is denying the public reasonable access to information which should be made available under the provisions of the CWA.

Further, the CWA mandates that a “copy of each permit application...shall be available to the public.”⁴¹ Presently, the IEPA has a policy where the public has access to permitting information via the Freedom of Information Act (FOIA). On September 12, 2007 concerned citizens submitted a FOIA request to the IEPA seeking, among other documents, all pending CAFO NPDES permit applications. The IEPA responded to the request in a letter dated September 24, 2007. The letter provided a list of permit applicants and stated that the records would be made available to the requestor for inspection and/or copying at the IEPA headquarters by appointment. At the appointment, the IEPA FOIA Officer verbally denied the requestor access to the pending permit applications. The Officer stated that because the applications had not been approved by the Agency, they were not subject to the FOIA.

As noted, the CWA mandates that a “copy of each permit application...shall be available to the public.”⁴² Because the FOIA Officer verbally denied the requestor access to the pending permit applications, the IEPA violated this requirement. This account demonstrates that citizens have been denied reasonable access to permitting documents.

Because Illinois is not regulating CAFOs which discharge, it denies the public an opportunity to participate in the regulatory process. Furthermore, the State has denied citizens reasonable access to permit applications. The State is thus failing to “provide for, encourage, and assist the public” in participating in the NPDES CAFO program as required by the CWA. Because Illinois’ CAFO program violates the public participation requirements of the CWA, the State’s program operation meets the second criterion for withdrawal as set forth in 123.63(a)(2)(iii).

38 Id. § 1342(a)-(b).

39 Id. § 1342(j).

40 Id. § 1365(a).

41 Id. § 1342(j).

42 Id.

In summary, this Petition satisfies the second criterion for State program withdrawal pursuant to ' 123.63(a)(2) because the State of Illinois is failing to exercise control over activities required to be regulated and is failing to comply with the CWA's public participation requirements.

II. ILLINOIS' ENFORCEMENT PROGRAM FAILS TO COMPLY WITH FEDERAL REQUIREMENTS.

Pursuant to ' 123.63 (a)(3) a State program qualifies for withdrawal when its enforcement program fails to comply with federal requirements. Circumstances justifying withdrawal under this part include: i) failure to act on violations of permits or other program requirements; ii) failure to seek adequate enforcement penalties or to collect administrative fines when imposed, and iii) failure to inspect and monitor activities subject to regulation. This Petition satisfies the third criterion for State program withdrawal because the State has failed to monitor and inspect activities subject to regulation under ' 123.63(a)(3)(iii).

A. Illinois fails to inspect and monitor activities subject to regulation.

This Petition satisfies the third criterion for State program withdrawal because the IEPA fails to monitor and inspect activities subject to regulation under ' 123.63(a)(3)(iii).

A strong regulatory presence establishes a deterrent, which is a cornerstone of effective NPDES program implementation. To ensure regulations are abided by, authorized States must have and use means of monitoring and inspecting CAFOs for compliance. Accordingly, States are required to have "inspection and surveillance procedures to determine compliance or noncompliance with applicable NPDES permit requirements."⁴³ Specifically, federal law requires Illinois to maintain a program which is capable of making comprehensive surveys of all facilities and activities subject to the State Director's authority, and "a program for periodic inspections of the facilities and activities subject to regulation."⁴⁴ Illinois fails to comply with these requirements because the IEPA has not made a comprehensive survey of all AFOs to determine which ones are CAFOs which discharge and are therefore subject to regulation. As a result, the Agency has failed to inspect and monitor CAFOs subject to NPDES requirements. Further, by not issuing required permits the Agency by default is not monitoring and inspecting activities subject to regulation.

⁴³ 40 C.F.R. § 123.26(b)(1).

⁴⁴ *Id.* § 123.26(b)(2).

The IEPA has not properly assessed all CAFOs in Illinois. The IEPA only has about four staff members conducting inspections of the estimated 35,000 livestock facilities in the State.⁴⁵ The IEPA does not know where the majority of these facilities are located, nor do they know which ones are polluting. Illinois has inventory information for only about 30 percent of the estimated 500 Large CAFOs in the State.⁴⁶ Conversations with EPA Region 5 officials have revealed that neither they, nor IEPA staff, have knowledge of the actual whereabouts of the majority of the facilities located throughout Illinois.⁴⁷ Inspections of non-permitted facilities are typically conducted in response to complaints.⁴⁸ Without knowing the location of the vast majority of livestock facilities in Illinois, the IEPA's surveillance procedures can not determine which facilities need to be regulated, let alone their compliance with the CWA. Accordingly, it is impossible for the Agency to adequately monitor and inspect facilities subject to NPDES requirements.

Illinois' enforcement program also fails to comply with the CWA because the IEPA is not issuing required permits, which by default means the Agency is not monitoring and inspecting activities subject to regulation.

Because the IEPA is unaware of the location of the vast majority of livestock operations in Illinois, the Agency is unable to assess which facilities are subject to regulation. Further, by not issuing required permits, the Agency is by default not adequately monitoring and inspecting facilities in accordance with NPDES requirements. Based on this, Illinois' enforcement program meets the third criterion for withdrawal under ' 123.63 (a)(3)(iii).

In summary, this Petition satisfies the third criterion for State program withdrawal pursuant to ' 123.63(a)(3) because the State of Illinois fails to inspect and monitor activities subject to regulation.

III. ILLINOIS' NPDES PROGRAM FAILS TO COMPLY WITH THE TERMS OF THE MEMORANDUM OF AGREEMENT REQUIRED UNDER ' 123.24.

Pursuant to ' 123.63 (a)(4) a State's NPDES program qualifies for withdrawal when it fails to comply with the terms of the Memorandum of Agreement required under ' 123.24. Illinois' NPDES program for CAFOs meets this criterion for withdrawal because the State has failed to comply with the Memorandum of Agreement between the IEPA and EPA Region 5.⁴⁹

⁴⁵ See Diamond, *supra* note 12, at 208 (The IEPA affirmed this finding in a meeting with concerned citizens on April 9, 2007).

⁴⁶ EPA, IL NPDES Profile, *supra* note 19, at 11.

⁴⁷ See Diamond *supra* note 12, at 190-191 (citing a communication with Steve Jann and Arnie Leder, Region 5 United States Environmental Protection Agency, January 5, 2006).

⁴⁸ Clean Water Network, *supra* note 29, at 20.

⁴⁹ National Pollutant Discharge Elimination System Memorandum of Agreement between the Illinois Environmental Protection Agency and the United States Environmental Protection Agency Region V (May 12, 1977).

Pursuant to the Memorandum of Agreement, the State is required to “[e]xpediently process and issue all required NPDES permits and provide ongoing, timely and adequate review of permits.” Further, the corresponding Performance Partnership Agreements from 2005/2006 and 2006/2007 required the IEPA to review all CAFO permit applications and act upon those applications.⁵⁰ IEPA has failed to abide by these agreements.

According to a list of CAFO NPDES permit applicants included in the IEPA’s response to the September 12, 2007 FOIA request, at least 16 facilities have submitted permit applications.⁵¹ Because the IEPA failed to provide the requestor with these applications, it is unknown exactly when these permit applications were submitted and which ones have been acted upon. However, according to the documents received, four facilities that applied for permits from October 27, 2004 thru August 8, 2005 did not receive notice that their applications were determined to be incomplete submissions until April 16, 2007.⁵² On average, it took the Agency between two and three years to begin to process these applications. It is unknown how many of the submitted applications are for facilities that discharge and/or propose to discharge. Hence, it is unknown how many facilities are presently operating and discharging without required permits. However, to date not one CAFO has active permit coverage. Thus, it is clear that the IEPA has failed to expediently process and issue permits as required under the Memorandum of Agreement. The Agency has also failed to meet its obligations under its corresponding Performance Partnership Agreements by failing to review and act upon all CAFO permit applications.

Because the IEPA has failed to expediently process and issue permits as required under the Memorandum of Agreement, and has failed to review and act upon all CAFO permit applications as required under the corresponding Performance Partnership Agreements, Illinois’ NPDES program meets the fourth criterion for withdrawal under ‘ 123.63 (a)(4).

In summary, this Petition satisfies the fourth criterion for State program withdrawal pursuant to ‘ 123.63(a)(4) because Illinois’ CAFO NPDES program fails to comply with the terms of the Memorandum of Agreement required under ‘ 123.24.

⁵⁰ IEPA, FY 2006/2007 Performance Partnership Agreement Between Illinois EPA and Region 5, USEPA, at 55, available at: <<http://www.epa.state.il.us/ppa/ppa-fy2006.pdf>> (visited January 25, 2008); IEPA, FY 2005/2006 Performance Partnership Agreement Between Illinois EPA and Region 5, USEPA, at 68, available at: <<http://www.epa.state.il.us/ppa/ppa-fy2005.pdf>> (visited January 25, 2008).

⁵¹ Documents obtained from the IEPA via the Freedom of Information Act (September 2007).

⁵² Documents obtained from the IEPA via the Freedom of Information Act (February 2007).

CONCLUSION

For the forgoing reasons, Illinois Citizens for Clean Air and Water request that EPA take immediate action to notify the State of Illinois of its ongoing violations of the CWA, and request that EPA withdraw its approval of Illinois' NPDES program and take other actions as are necessary and appropriate.

ADDITIONAL CONCERNS

ILLINOIS WILL NEED TO REVISE ITS CAFO NPDES PERMITTING SCHEME TO COMPLY WITH THE CWA.

Illinois will need to revise its CAFO NPDES permitting scheme to comply with the CWA. The terms of nutrient management plans must be made part of Illinois' General Permit for CAFOs, as well as any individual permits. Nutrient management plans must also be made available to the public.

The CWA unequivocally provides that all applicable effluent limitations must be included in each NPDES permit.⁵³ The *Waterkeeper* decision held that the terms of nutrient management plans constitute effluent limitations and thus, by failing to require that the terms of the nutrient management plans to be included in NPDES permits, the EPA CAFO Rule violated the CWA.⁵⁴ At present, Illinois' General Permit is not in compliance with the CWA because the nutrient management plan is not incorporated into its terms. Although the permit requires a nutrient management plan as a condition for application,⁵⁵ the nutrient management plan is not incorporated into the permit itself. The terms of nutrient management plans must be made part of the General Permit, as well as any individual permit, in order to be consistent with the requirements of the CWA.

Further, the CWA definitively states that “[p]ublic participation in the development, revision, and enforcement of any regulation, standard, effluent limitation, plan, or program established by the Administrator or any state under this Act shall be provided for, encouraged, and assisted by the Administrator and the States.”⁵⁶ The Act further provides that there be an “opportunity for public hearing” before any NPDES permit issues,⁵⁷ and that a “copy of each permit application and each permit issued under this section shall be available to the public,”⁵⁸ and that “any citizen” may bring a civil suit for violations of the Act.⁵⁹

⁵³ 33 U.S.C. §§ 1311(a)-(b), 1342(a).

⁵⁴ *Waterkeeper Alliance, Inc. v. EPA*, 399 F.3d 486, 502 (2d Cir. 2005).

⁵⁵ IEPA, NPDES Permit No. ILA01, Special Condition 5(e)(iv) (2004).

⁵⁶ 33 U.S.C. § 1251(e).

⁵⁷ *Id.* § 1342(a)-(b).

⁵⁸ *Id.* § 1342(j).

⁵⁹ *Id.* § 1365(a).

Illinois' permitting scheme provides no assurance that the public will have a meaningful role in the implementation of the CWA because it not only fails to incorporate the terms of nutrient management plans into actual permits, but it fails to provide the public with any other means of access to them. The General Permit merely requires that a copy of the CAFOs site-specific nutrient management plan be included with the facility's best management practices plan, which is to be maintained on site for the term of the permit and for a period of five years after its expiration.⁶⁰ The permit does not require that copies of the nutrient management plans be made available to the public. In order for the public participation requirements to be in compliance with the CWA, Illinois will have to include the terms of nutrient management plans in NPDES permits and allow the public to assist in the development, revision, and enforcement of such effluent limitations.⁶¹

Respectfully submitted,

Illinois Citizens for Clean Air & Water

Kendall M. Thu, Ph.D., Representative
609 Parkside Drive
Sycamore, IL 60178
kleppesumn@aol.com
815-895-6319

Danielle J. Diamond, J.D., Representative
181 Illinois Street
Crystal Lake, IL 60014
daniellejdiamond@aol.com
815-245-4660

Cc: Douglas P. Scott, IEPA Director
doug.scott@illinois.gov

⁶⁰ IEPA, NPDES Permit No. ILA0, Special Condition 5(e) (2004).

⁶¹ 33 U.S.C. § 1251(e).

Initial Results of an Informal Investigation of the
National Pollutant Discharge Elimination System Program
for Concentrated Animal Feeding Operations
in the State of Illinois

Region 5
United States Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604

September 2010

Table of Contents

- I. Executive Summary
- II. Introduction
- III. Petitioners' Allegations
- IV. Methods
- V. Results
 - A. State Law, Administrative Rules, and Written Policies and Procedures
 - B. The Illinois CAFO Program as Implemented
 - 1. Permitting Program
 - 2. Compliance Evaluation/Inspection Program
 - 3. Enforcement Program
 - 4. Response to Information Requests
 - 5. Compliance with Memorandum of Agreement and Performance Partnership Agreements
 - 6. Illinois EPA Organization and Resources
 - 7. Legal Authority
- VI. Initial Findings and Required Actions

Appendices

- Appendix A: Petition to Withdraw
- Appendix B: Supplement to Petition
- Appendix C: Review Protocol
- Appendix D: Inspection and Enforcement Review Protocol

Attachments

- Attachment A: Illinois EPA List of Facilities that previously had NPDES Permits, through 2009
- Attachment B: Illinois EPA List of CAFOs Required to Obtain NPDES Permit
- Attachment C: Case Studies of Illinois EPA NPDES CAFO Permitting, Compliance Monitoring, and Enforcement
- Attachment D: Illinois EPA List: No Permit Required
- Attachment E: September 29, 2007, letter from Illinois EPA

I. Executive Summary

In March 2008, the Illinois Citizens for Clean Air & Water (Illinois Citizens) submitted a petition for withdrawal of Illinois' authorized National Pollutant Discharge Elimination System (NPDES) program. In February 2009, Illinois Citizens, joined by the Environmental Integrity Project (EIP), supplemented its petition to provide the U.S. Environmental Protection Agency with additional information. The Illinois Citizens claim that the Illinois Environmental Protection Agency (Illinois EPA) has failed to fully implement the program for concentrated animal feeding operations (CAFOs). The Illinois Citizens' claim Illinois EPA has failed to:

- identify CAFOs subject to regulation;
- issue permits to CAFOs;
- inspect to determine whether or not facilities are CAFOs subject to NPDES requirements and are in compliance with those requirements;
- exercise its enforcement authorities to ensure compliance by CAFOs with NPDES requirements;
- provide for public participation in the permitting and enforcement process; and
- meet its commitments to EPA under the terms of the original program authorization in 1977 and ongoing work planning agreements.

The petitioners also expressed concern that Illinois EPA needs to revise its permitting process to comply with EPA's revised NPDES regulations and effluent limitations guidelines for CAFOs. While the petition and EPA's review focuses on Illinois' alleged failure to fully implement the CAFO portion of its program, any action to withdraw the State's program would affect the entire program.

EPA conducted an informal investigation of the petitioners' allegations¹. The investigation consisted of visits at Illinois EPA's Headquarters and Field Offices, and a meeting with citizens to hear their concerns regarding specific CAFOs. The reviewers also met with a representative of the Illinois Attorney General's Office. EPA conducted these activities from December 2008 to September 2009.

Based on its investigation, EPA Region 5 finds that the Illinois EPA NPDES program for CAFOs does not meet minimum thresholds for an adequate program. This report discusses EPA's initial findings for the various program areas, and the actions Illinois EPA must take to comply with Clean Water Act requirements for authorized state NPDES programs. In particular, Illinois EPA must:

- issue NPDES permits to CAFOs that are required to be permitted under NPDES regulations,
- develop and maintain a comprehensive inventory of CAFOs and evaluate their regulatory status,

¹ Where this report references "results" or "our review", those terms refer to the initial results of the informal investigation conducted under 40 CFR 123.64(b)(1).

- revise its inspection process for livestock and poultry facilities to enable the Agency to determine and track whether inspected facilities are CAFOs required to have NPDES permits, and whether they are in compliance with NPDES requirements,
- develop standard operating procedures and properly investigate, track, and respond to citizen complaints reporting potential violations of NPDES requirements,
- take timely and appropriate enforcement to address noncompliance by CAFOs,
- require that, where a facility has discharged or is designed, constructed, operated or maintained such that it will discharge, Illinois EPA's enforcement response must also address the CAFO's failure to apply for an NPDES permit,
- ensure that sufficient resources are maintained to issue or deny permits, as well as for inspections and enforcement of NPDES requirements for CAFOs, and
- establish technical standards for nutrient management by Large CAFOs and finalize revisions to 35 Illinois Administrative Code, Subtitle E, as necessary to be consistent with the federal CAFO rules as soon as possible, but not later than December 2010.

II. Introduction

This report describes the results of an informal investigation of the NPDES program that the Illinois EPA administers to protect or restore water quality from pollutants generated by CAFOs. The EPA, Region 5, conducted the investigation in response to a petition filed by Illinois Citizens for Clean Air and Water (Illinois Citizens) on March 27, 2008. The Illinois Citizens claim that Illinois EPA has failed to fully implement the NPDES program for CAFOs. On February 20, 2009, Illinois Citizens, joined by the Environmental Integrity Project (EIP), submitted a supplement to the petition to provide EPA with additional information obtained subsequent to the filing of the original petition. EPA approved the Illinois EPA to administer the NPDES program in the State of Illinois on October 23, 1977. The purpose of this review is to develop the record on which to either deny the petition, or recommend that the EPA Administrator review the Illinois EPA's NPDES program and consider commencing proceedings to withdraw the program.

Section 301 of the Federal Water Pollution Control Act (Clean Water Act) prohibits the discharge of pollutants from point sources into waters of the United States unless the discharge is in compliance with an NPDES permit. Section 502 of the Act defines the term "discharge" to mean, among other things, any addition of any pollutant or combination of pollutants from a point source to waters of the United States. It defines "point source" to include CAFOs from which pollutants are or may be discharged. It defines the term "pollutant" to include agricultural waste. Under federal regulations, an owner or operator of a CAFO must seek coverage under an NPDES permit if the CAFO discharges or proposes to discharge. A CAFO proposes to discharge if it is designed, constructed, operated or maintained such that a discharge will occur (40 CFR §122.23(d)(1) (see 73 Federal Register 70480, November 20, 2008)). Once an application is complete, the federal regulation at 40 CFR §124.6 requires the Agency or approved state, as the case may be, to tentatively decide whether to prepare a draft permit.

The Clean Water Act, § 402(c)(2), requires states with approved NPDES programs, including Illinois EPA, to administer their programs in accordance with § 402 of the Act and the regulations EPA established under § 304(i)(2) of the Act at all times. These regulations appear

at 40 CFR Part 123. They require approved states to prohibit the discharge of pollutants from point sources unless the discharge is in compliance with an NPDES permit. They also establish requirements regarding: (1) the submission of NPDES permit applications to, and processing of NPDES permit applications by, approved states (see 40 CFR §123.25), (2) state programs for evaluating compliance by point sources (see 40 CFR §123.26), and (3) state enforcement authority (see 40 CFR §123.27).

The Clean Water Act, § 402(c)(3), requires the EPA Administrator to withdraw an approved state NPDES program if, after public hearing, she determines that the state is not administering the program in accordance with applicable requirements, and the state fails to take corrective action. Criteria for withdrawal appear at 40 CFR § 123.63. They include, but are not limited to, the following:

- (1) Where the state's legal authority no longer meets the requirements of Part 123, including:
 - (i) Failure of the state to promulgate or enact new authorities when necessary; or
 - (ii) Action by a state legislature or court striking down or limiting state authorities.
- (2) Where the operation of the state program fails to comply with the requirements of 40 CFR Part 123, including:
 - (i) Failure to exercise control over activities required to be regulated under Part 123, including failure to issue permits;
 - (ii) Repeated issuance of permits which do not conform to the requirements of Part 123; or
 - (iii) Failure to comply with the public participation requirements of Part 123.
- (3) Where the state's enforcement program fails to comply with the requirements of Part 123, including:
 - (i) Failure to act on violations of permits or other program requirements;
 - (ii) Failure to seek adequate enforcement penalties or to collect administrative fines when imposed; or
 - (iii) Failure to inspect and monitor activities subject to regulation.
- (4) Where the state program fails to comply with the terms of the Memorandum of Agreement required under §123.24.

While the petition and EPA's review were focused on Illinois EPA's implementation of the NPDES program for CAFOs, any action to withdraw Illinois' program would affect the entire program, not just the element pertaining to CAFOs. For point sources other than CAFOs, Illinois EPA has issued 1713 individual NPDES permits, and many more authorizations to discharge under general NPDES permits.

III. Petitioners' Allegations

Following is an overview of the allegations provided in Illinois Citizens' March 27, 2008, petition, and the February 20, 2009 supplement, submitted by Illinois Citizens and EIP.

- Illinois EPA has failed to issue permits to facilities that require them.
- Illinois EPA has failed to make a comprehensive survey of livestock facilities in Illinois to determine which ones are subject to CWA NPDES requirements.
- Illinois EPA does not have a standard in place for review of the siting and design of new and expanding facilities to determine if they require NPDES permits.
- Illinois fails to inspect and monitor activities subject to regulation.
- Illinois EPA has not conducted comprehensive inspections to determine which CAFOs need NPDES permits.
- Illinois EPA is not requiring regular inspections at Large CAFOs to determine compliance with NPDES program requirements.
- Illinois EPA fails to adequately respond to citizen complaints regarding CAFOs with proposed or actual discharges.
- Illinois CAFOs are not being assessed adequate penalties for violations.
- Illinois EPA fails to comply with public participation requirements.
- Illinois EPA has failed to comply with the terms of the Memorandum of Agreement required under 40 CFR §123.24, and Environmental Performance Partnership Agreements between Illinois EPA and EPA.
- Illinois EPA failed to make available to the public a copy of each NPDES permit application in response to citizen requests, as required under Section 402(j) of the CWA.
- Illinois will need to revise its permitting process to comply with the NPDES regulations and effluent limitations guidelines for CAFOs, consistent with the Second Circuit Court of Appeals decision in *Waterkeeper Alliance et al v. EPA*.

IV. Methods

EPA Region 5 developed a protocol (Appendix C) to guide the review of the allegations. The protocol consisted of:

Interviews

- Illinois EPA staff and managers at Field Offices and Headquarters
- Illinois Attorney General's Office staffperson

Illinois CAFO File Reviews

- Permit applications
- Compliance inspection reports
- Complaint investigations
- Enforcement actions

Document Reviews

- National Pollutant Discharge Elimination System, Memorandum of Agreement between the Illinois EPA and the EPA Region 5, October 23, 1977
- Illinois Performance Partnership Agreements, 2000-2009
- Illinois EPA 2004 Enforcement Management System

Meetings

- Members of Illinois Citizens regarding Illinois EPA's response to complaints

Permit Application Review: The review team reviewed 16 permit application files at two field offices, the Rockford Field Office and the Peoria Field Office. Reviews focused on the circumstances leading up to applications for permit coverage, and Illinois EPA's review and processing of applications.

Compliance Monitoring and Enforcement Review: EPA adapted templates from EPA's State Review Framework (SRF) to evaluate the compliance and enforcement aspects of Illinois EPA's NPDES program for CAFOs. The SRF is a tool that EPA uses to evaluate state performance in the NPDES compliance and enforcement program in a nationally consistent manner. The Framework provides a means to evaluate elements essential to the operation of an effective state program. These elements include: data completeness, timeliness, and quality; inspection coverage and quality; identification of violations; enforcement actions (appropriateness and timeliness); and the calculation, assessment, and collection of penalties.

EPA Region 5 randomly selected files that represent a stratified sample of facility sizes, and a variety of animal types. The random file selection was supplemented by the selection of additional files representing those facilities most likely to require permits: Large CAFOs and Medium CAFOs that have discharged in the past. Documents within the files could be classified into four major categories: complaints, inspections, pre-enforcement actions, and enforcement actions. Fourteen to twenty-three case files were reviewed at each of four Field Offices (Rockford, Peoria, Champaign and Marion/Collinsville).

V. Results

The results of EPA Region 5's investigation consist of:

- A summary of the Illinois NPDES program for CAFOs, as it is contemplated in state law, administrative rules, and written policies and procedures.
- Our findings as to the manner in which the Illinois NPDES program for CAFOs is actually being implemented. The discussion addresses whether Illinois EPA meets the minimum requirements for state programs set forth in 40 CFR Part 123, and addresses each major program area.

A. State law, administrative rules, and written policies and procedures.

Permit process: Illinois EPA's general authority to enforce environmental laws and administer a permitting program is provided by the Illinois Environmental Protection Act, 415 ILCS 5/1 (the Act), at Title III and X. The State of Illinois implements its regulatory scheme by way of the Illinois Pollution Control Board, which establishes NPDES permitting requirements for various classes of sources, and adopts substantive effluent limits and water quality standards under 35 Illinois Administrative Code (IAC) Subtitle C (Water Pollution) and Subtitle E (Agriculture Related Pollution). See 35 IAC Sections 304 and 502.

In particular, the Act authorizes the Board to issue regulations that "assure that no contaminants are discharged into the waters ... without being given the degree of treatment or control necessary to prevent pollution," including, among other requirements, water quality standards, effluent standards, standards for the issuance of permits, and inspection and monitoring requirements. Illinois Environmental Protection Act 415 ILCS 5/1, Sections 11 and 13. The Act directs the Board to adopt requirements, standards, and procedures which will enable the State to implement and participate in the NPDES program.

Regulations adopted by the Board prohibit the discharge of pollutants to waters of the State without an NPDES permit, and require compliance by permittees with effluent limitations and standards as established in permits. 35 IAC Sections 304 and 309. Section 309 establishes permit application requirements, including for animal waste facilities. Existing discharges are required to apply as of the effective date of the regulations, and new livestock facilities that are required to obtain a permit must apply no later than 180 days in advance of the date on which the facility is to commence operation minus the number of days of available storage time for installed manure storage structures. 35 IAC 309.103 and 502.205.

35 IAC Section 501 establishes specific requirements for livestock management facilities and livestock waste-handling facilities. Such facilities are required to comply with provisions of the Act and Board regulations, and with the CWA application requirements and feedlot effluent guidelines. The section requires specified persons operating livestock management facilities or livestock waste-handling facilities to apply for NPDES permits, although the threshold numbers

and types of animals that meet the State's criteria for operations required to apply for permit coverage are not fully consistent with current federal requirements. This section also continues to include the exemption from permitting for operations that only discharge in the event of a 25-year, 24-hour storm event. 35 IAC Section 502.102. EPA removed this exclusion from the federal regulations in 2003.

The Memorandum of Agreement (MOA) between Illinois EPA and EPA regarding Illinois EPA's administration of the NPDES program commits Illinois EPA to expeditious processing and issuance of all required NPDES permits, and to provide ongoing, timely and adequate review of permits. The MOA also commits Illinois EPA to comprehensively evaluate and assess compliance with effluent limitations and other permit conditions, and to maintain a vigorous enforcement program to take timely and appropriate enforcement action in every case where in the State's opinion such action is warranted².

As of the time of this report, the Pollution Control Board had not revised the State's NPDES regulations to incorporate either the 2003 or 2008 revisions to the federal CAFO rule. Federal regulations require approved states to revise their programs within one year after EPA revises the relevant federal regulations. The regulations provide two years if a state statutory change is required.

On October 20, 2009, Illinois EPA reissued a general permit for CAFOs. CAFO owners and operators required to have a permit under 35 Illinois Administrative Code 502, Subpart A or 40 CFR §122.23 are eligible for coverage under the permit.

Compliance/Enforcement: The Bureau of Water and its associated Field Offices evaluate compliance by point sources; work with Illinois EPA's Division of Legal Counsel to issue informal enforcement actions; and prepare referrals to the Illinois Attorney General's Office for enforcement in state court or before the Illinois Pollution Control Board.

Illinois EPA has defined the processes it will use to enforce the Act and regulations in its 2004 Enforcement Management System (EMS) document³. Illinois EPA's Bureau of Water- Field Operations Section (FOS) evaluates compliance and engages in enforcement activities. This work is done by personnel at both the Headquarters and Field Offices. The Headquarters Office is largely responsible for policy decisions, guidelines, regulatory interpretations, and formal enforcement actions, while the field offices conduct compliance assurance activities, informal enforcement actions, and provide support for some formal enforcement actions.

Compliance Monitoring and Evaluation: Compliance with the Act and the environmental regulations implemented by the Illinois EPA is primarily monitored through either field investigations or record reviews. FOS identify violations at CAFOs through inspections.

² As discussed in section V.B.5, annual commitments are further detailed in a two-year environmental Performance Partnership Agreement, or EnPPA. The EnPPA sets forth the joint environmental priorities and mutual interests, the desirable environmental outcomes, the performance expectations for the participating programs, and the oversight arrangements between the parties.

³ During the 2009 SRF review, EPA reviewers were told that the EMS was no longer operable as guidance for compliance and enforcement staff at Illinois EPA.

Inspections may be performed as a part of a program to routinely monitor compliance or in response to complaints received. In addition, follow-up compliance monitoring of enforcement orders or Compliance Commitment Agreements (CCAs) may involve both field investigations and record reviews.

Once violations have been identified, decisions are made by the Bureau of Water, Springfield, as to whether or not to take compliance/enforcement follow-up actions. The types of actions that may be taken are described in the "Enforcement Response Guidance" provided in the 2004 EMS document.

The EMS does not contemplate specific procedures for the conduct of compliance assurance activities. Illinois EPA does not provide inspectors any standard operating procedures for the inspection of CAFO facilities, or any checklists by which to evaluate facility compliance.

Enforcement Procedures: The 2004 Illinois EMS provides media-specific guidance on enforcement responses for wastewater violations. Table 2 of the EMS, labeled *Wastewater Compliance Enforcement Response Guidance*, provides specific recommendations for addressing various noncompliance issues. Based on the circumstances of the noncompliance, a range of response is provided. The first wastewater noncompliance type described in Table 2 is "Permit violations" including "Discharge without NPDES permit." The Permit Violation section differentiates two circumstances: 1) Unintentional; first violation without documented environmental impact; and 2) Intentional; one or more times with or without documented environmental impact. In the latter case, the suggested range of response includes a Violation Notice, or formal enforcement such as civil or criminal referrals. A range of responses for Livestock Waste Management Violations are also described in the EMS document.

The following is a description of enforcement procedures contemplated within the State's EMS:

Informal Warning Letters – Section 31 of the Act, as described below, requires that certain actions be taken when violations of the Act are found. However, an informal warning letter called the Noncompliance Advisory can be used, if appropriate, in lieu of the procedures under Section 31 of the Act. It is available for violations of lesser significance. If the Noncompliance Advisory results in a return to compliance in a set amount of time, the compliance is documented and no further action is taken. If compliance does not occur in a timely manner, the procedures under Section 31 are then followed.

- *Pre-Enforcement Procedures* – Section 31(a)(1) of the Act requires that Illinois EPA issue a Violation Notice within 180 days of becoming aware of a violation. Section 31(a)(2) provides that the alleged violator must respond within 45 days of receipt of the Violation Notice with rebuttal information, a proposed Compliance Commitment Agreement, and a meeting request if desired. If the alleged violator does not respond, Illinois EPA does not have further procedural obligations under Section 31. For instances where the alleged violator responds, the Illinois EPA can accept, modify or reject the Compliance Commitment Agreement depending on its contents, but a return to

compliance must happen in a timely manner⁴. For alleged violations that remain unresolved after following the procedures set out in Section 31(a), or where the alleged violator does not respond, the Illinois EPA may refer the matter to the Attorney General for further enforcement pursuant to Section 31(b) and Section 42 (Penalties). If the decision is to reject the Compliance Commitment Agreement, or if a failure to comply with the Compliance Commitment Agreement is discovered, a decision will be made to refer or defer formal enforcement, or take no enforcement action at all.

- *Section 43 Immediate Enforcement Referral Procedures* – In cases of substantial danger to the environment or to public health, Illinois EPA can immediately refer cases to the Attorney General under Section 43 of the Act without first completing the Section 31(a) procedures. In these circumstances, the Attorney General can institute a civil action for an immediate injunction to halt the dangerous activity. The State court may issue a temporary injunction and schedule a hearing on the matter within three days of that order. The usual eventual outcome in these instances is a final judicial order for compliance. According to the Illinois Attorney General's Office, section 43 immediate enforcement cases comprise approximately 75% of CAFO enforcement cases sent to the Attorney General.
- *Section 31(b) and 42(b) Traditional Enforcement Referral Procedures* – If formal enforcement is chosen to resolve a violation, Illinois EPA may refer the matter to the Illinois Attorney General's Office with a recommendation for resolution. When this decision is made, Illinois EPA's Division of Legal Counsel must send a Notice of Intent to Pursue Legal Action letter to the alleged violator under Section 31(b). The Notice of Intent to Pursue Legal Action affords the party another opportunity to confer. If the matter is referred, the Attorney General's Office sends a separate notice letter to the respondent. The case is then pursued by the Attorney General's Office through one of two routes: 1) before the Illinois circuit court, which can issue an order (for penalties and/or injunctive relief) that is independently enforceable if violated, or 2) before the Illinois Pollution Control Board, which can issue an order (including penalties, but not injunctive relief, except for a requirement to seek permit coverage) that is not independently enforceable if violated. The Attorney General's Office must represent Illinois EPA in all matters before either legal tribunal. If a Pollution Control Board order is violated, the Attorney General's Office may litigate the matter before the state circuit court. Illinois citizens have no known statutory right of intervention in these enforcement actions. Illinois EPA does not have authority to issue administrative orders, to assess penalties, or to require submittal of information.
- *Criminal Referrals* – Cases that are believed to involve criminal activity will be processed by criminal staff within Illinois EPA. Illinois EPA may refer a criminal case to

⁴ Accepted CCAs will result in a return to compliance (or promise to cease and desist when a return to compliance is not possible for a past violation) within one year of the date of the CCA. CCAs with longer compliance plans shall only be accepted with the approval of the applicable bureau chief and the Chief Legal Counsel and shall include the following elements: compliance plan with enough specificity to show that the plan is achievable; specific completion date; interim milestone dates for significant steps.

the Attorney General, the Illinois State Police, or to the State's Attorney in the county where the violation occurred.

Public Access to Information: Federal regulations under the CWA provide that information provided in state NPDES application forms may not be claimed confidential. 40 CFR §122.7 (b) and (c).

The Illinois Freedom of Information Act (IFOIA) provides that "Each public body shall make available to any person for inspection or copying all public records, except as provided in Section 7." Section 7 lists the exemptions to requests for information. There is no exemption for NPDES permit applications. §§ 3 (a) and 7 of the IFOIA, 5 ILCS 140/3 and 7.

The Illinois Environmental Protection Act provides that all records of Illinois EPA shall be open to reasonable public inspection and copying with limited exceptions. §7 of the Illinois Environmental Protection Act, 415 ILCS 5/7. Under 35 IAC 309.185, Illinois EPA is required to assure public access to information pursuant to section 7(b) of the Illinois Environmental Protection Act.

B. The Illinois NPDES program for CAFOs as implemented

1. Permitting Program

Allegation: Illinois EPA has failed to Issue Permits to CAFOs that Require Them.

Program Requirements: Under 40 CFR 123.25, state NPDES programs must (1) have a law or administrative rule that requires all CAFOs that discharge or propose to discharge to apply for an NPDES permit and (2) must administer their programs in accordance with the permit application requirement. Under 40 CFR 123.63(a)(2)(i), the failure to issue permits is a criterion for withdrawal of a state NPDES program.

Illinois EPA provided a list of CAFO individual and general permits as of the time of the review (Attachment A). The list includes 12 facilities that have been covered by NPDES permits. Of the 12 CAFOs that have had permit coverage at one time or another, only two, Mulberry Pork Producers and Heller Brothers, were listed as being covered by a permit at the time of EPA's review (the April 2004 general permit, which expired in April 2009). Neither of these operations had submitted a renewal application at the time of EPA's review; Illinois EPA informed Heller Brothers in January 2009 that it was not required to have an NPDES permit.

Illinois EPA also provided the Review Team a spreadsheet of CAFOs which it believes are required to obtain an NPDES permit (Attachment B). The spreadsheet indicates when applications were submitted, and their current status. As of April 2009, Illinois EPA was tracking 76 facilities which it believes are required to obtain an NPDES permit. Sixty-four of those have submitted permit applications. All of the applications were originally submitted to the Agency's headquarters in Springfield. They have subsequently been sent to personnel in the appropriate Field Office for review and processing. Many of the

applications remained in the Headquarters office for years (as far back as 1997 in some cases) before being forwarded to the appropriate Field Office in mid 2008. All applications submitted to the Agency since mid 2008 were forwarded to the appropriate regional office upon receipt.

Files reviewed in the Field Offices indicated that applications had been submitted to Illinois EPA between four and ten years prior to EPA's review. These timeframes were evident even in cases where the need for a permit was mandated by a court order or originated with a discharge event documented by Illinois EPA⁵.

As of August 2009, FieldOffice staff had determined that eight of the facilities which Illinois EPA had identified as needing permits were ready to be permitted. Illinois EPA reissued its general permit for CAFOs in October 2009⁶.

In some facility files reviewed, Illinois EPA had issued three to four notices of incomplete applications. In some cases, Illinois EPA provided its initial notice regarding an incomplete application shortly after submittal of the original application. Where Illinois EPA has sent multiple notices, the language used to specify the consequences of failing to submit the required information varies, and the letters do not compel submittal of a complete application. Nor did the review team find any enforcement actions to compel complete applications.

Illinois EPA provided a list of 45 facilities that applied for NPDES permits, some as long as 10 years ago (Attachment D). The list indicates that these facilities do not need NPDES permits, many because of "no discharges." Seven of the facilities were either out of business, or were never built. For one of the files reviewed from this list, the facility had a documented discharge from a lagoon subsequent to Illinois EPA's determination that it did not need a permit⁷. In general, where a facility applies for an NPDES permit, that action indicates the need for a permit, and Illinois EPA is obligated to either issue or deny a permit after reviewing the application and providing for public comment.

During the 2004-2008 period, between 36 and 59 percent of the facilities evaluated in Illinois EPA's Livestock Facility Investigation Annual Reports had at least one regulatory violation, many related to discharges of manure, litter or process wastewater. However, only a small percentage of Illinois' estimated 500 Large CAFOs have applied for permits on their own volition. Other states in EPA Region 5 have addressed potential gaps between permitted CAFOs and those lacking the regulatory control afforded by

⁵ See Attachment C for a case study showing that a permit had not been issued ten years after application submittal, even where the CAFO was mandated by court order to apply for an NPDES permit following a discharge event documented by Illinois EPA.

⁶ Any Illinois CAFO required to apply for an NPDES permit may seek coverage under this general permit. CAFOs may alternatively seek coverage or be required by Illinois EPA to seek coverage under an alternative general permit (if issued), or an individual permit.

⁷ See Attachment C for a case study showing a CAFO with a discharge from its lagoon subsequent to Illinois EPA's determination that it did not discharge, and therefore did not need an NPDES permit.

permit coverage by establishing unambiguous requirements for CAFOs to apply for permits.

Based on the above, EPA Region 5 finds the following:

- a) With limited exceptions, Illinois EPA has not issued NPDES permits to CAFOs that have applied for them.
- b) In some cases, Illinois EPA has sent applicants multiple notices of incomplete applications. The notices do not compel submittal of a complete application. Consequences for failing to submit the required information were not found by the Review Team.
- c) Illinois EPA has determined that another group of 45 facilities that applied for NPDES permits, some as long as 10 years ago, do not need permits. Where a facility applies for a permit, Illinois EPA is obligated to either issue or deny a permit after reviewing the application and providing for public comment.
- d) A significant percentage of the facilities evaluated in Illinois EPA's Livestock Facility Investigation Annual Reports had at least one regulatory violation, many related to discharges of manure, litter or process wastewater. Only a small percentage of Illinois' estimated 500 Large CAFOs have applied for permits on their own volition.

2) *Compliance Evaluation/Inspection Program*

a) *Surveys to Identify Facilities Subject to NPDES Regulation*

Allegations:

- *Illinois EPA has failed to make a comprehensive survey of livestock facilities to identify which ones are subject to CWA requirements.*
- *Illinois EPA does not have a standard in place for review of siting and design of new and expanding facilities to determine if they require NPDES permits.*

Program Requirements: Under 40 CFR 123.26(b)(1), a state must have a program which is capable of making comprehensive surveys of all facilities and activities subject to the Director's authority to identify persons subject to regulation who have failed to comply with permit application or other program requirements.

Past discussions between EPA and Illinois EPA addressed the need for Illinois EPA, with assistance as appropriate from EPA, to develop a comprehensive inventory of CAFOs in Illinois. Such an inventory would provide a basis for Illinois EPA to define the universe of CAFOs potentially needing to obtain NPDES permit coverage.

As part of its NPDES program oversight process, EPA annually conducts a "Joint Evaluation" with NPDES-authorized states to assess program performance. In its

response to EPA comments on the 2008 Joint Evaluation, and in discussions with Illinois EPA managers as part of this review, Illinois EPA cited numerous problems with establishing a statewide inventory. Barriers to creating an inventory include the time and resource demands of aggregating data from Agency and other sources, and the State's perception that such data is of limited utility.

While Illinois EPA has not developed a statewide inventory, all of the Field Offices maintain and provided lists of known or possible CAFOs. Data in field offices are expressed as animal units, not animal numbers as provided in the federal regulations. The lists vary in the level of detail. For example, the list from the Rockford Field Office consisted of only the facilities names and addresses. Rockford staff expressed a lack of confidence that the list was comprehensive enough to identify those facilities needing permits. In contrast, the Peoria and Collinsville/Marion Field Offices actively maintain their lists, which include information regarding the type of animal, animal units onsite, and the type of waste storage systems. These regions use the lists for inspection scheduling and tracking, and add facilities as they become known.

Through informal means, most Illinois EPA regional offices have been able to obtain information from the Illinois Department of Agriculture (IDA) regarding registrations of new sites, including the implementation of setback provisions, and/or manure management plan (MMP) registrations, from their counterparts at IDA regional offices. The Livestock Management Facilities Act (LMFA) (510 ILCS 77/1 et seq.) and associated rules (8 Illinois Administrative Code Part 900) give the IDA primary authority over the design, construction, and operation of livestock management and livestock waste-handling facilities in the State. The Act also establishes procedures and criteria for the siting of facilities. Compliance with the LMFA requires operators to submit a Notice of Intent to Construct for new facilities and to register livestock waste lagoons. The LMFA also states that facilities with 300 or more animal units must be supervised by a certified livestock manager; facilities with over 1000 animal units must certify their livestock waste management plans.

Illinois EPA does not have formal agreements in place allowing the Agency to receive facility information from IDA. A Notice of Intent to Construct (NOITC) application must be filed with IDA for new and/or expansions of livestock facilities. Though the NOITCs are posted on IDA's website, the NOITC filing is only the initial step in the LMFA approval process. According to IDA's LMFA website, once a facility is deemed compliant with all applicable provisions of the Act, including but not limited to the NOITC filing requirements, construction plan provisions, public informational meeting requirements (if applicable), various construction-related certifications, and any specific manure management planning requirements, the overall project is approved and the facility may begin operation. No mention is made in public information regarding the LMFA of the potential need for the facility to apply for an NPDES permit.

In part because Illinois EPA does not have a formal mechanism by which it can regularly receive information regarding new or proposed CAFOs from IDA, it does not have a comprehensive list of facilities with NOITCs approved by IDA. Illinois EPA staff indicated that it can be difficult to know whether a proposed facility has been constructed and when the facility may go into operation.

EPA provided Illinois EPA with a list of CAFOs that have received IDA approval of NOITCs from IDA since 2003. Illinois Citizens had obtained the list from IDA as a result of a FOIA request. Staff from the Field Offices were interested in comparing the list with their lists of CAFOs, and indicated that regular updates of that list would be useful.

Field Office staff also indicated that they may learn of facilities from the Illinois Emergency Management Agency (IEMA) as a result of a manure spill. Inspectors frequently respond to spill incidents occurring within their region, and will respond to incidents outside their boundaries as needed to maintain coverage.

While Illinois EPA does not have a formal inventory of CAFOs, the Agency does have data sources that may serve as a foundation for inventory development. Currently, the Agency has four databases that serve differing needs: 1) the CAFO tracker is maintained to track permit issuance status; 2) the complaints and inspection database is managed and populated by field office inspectors; 3) the Violation Notice, or "VN" tracking system follows the issuance of informal enforcement actions; and 4) the Division of Legal Counsel (DLC) maintains a list of enforcement actions. The complaints and inspection database is the most comprehensive of these lists, as it reflects most facilities for which the Field Operations Section has had contact. Five of the Illinois EPA's seven field offices maintain current data in this database⁸. This database could serve as the Agency's primary data source for the development of a comprehensive inventory. The complaints and inspection database is also appropriate as the foundation for Illinois EPA's CAFO inventory since it is maintained by Illinois EPA inspectors as they inspect/survey facilities over time.

Based on the above, EPA Region 5 finds that Illinois EPA does not currently have a statewide comprehensive survey of CAFOs which may be subject to NPDES permit requirements. However, all of the field offices maintain lists of known or possible CAFOs. These lists vary in the level of detail and specificity provided with respect to NPDES requirements.

Illinois EPA does not have a formal agreement with IDA to provide plans for new and expanded livestock facilities submitted to IDA. Lacking complete access to these plans, Illinois EPA is unable to review plans for new and expanded facilities to identify livestock operations as CAFOs that are subject to permit application requirements.

⁸ As of the time of the review, Field Offices 1 and 2 had not entered any data into the central database since 2007.

b) Inspection coverage

Allegations:

- *Illinois EPA has not conducted comprehensive inspections to determine which CAFOs need NPDES permits.*
- *Illinois fails to inspect and monitor activities subject to regulation.*
- *Illinois EPA is not requiring regular inspections to determine compliance with NPDES program requirements at Large CAFOs.*

Program Requirements: Under 40 CFR 123.26(b), state programs shall have inspection and surveillance procedures to determine, independent of information supplied by regulated persons, compliance or noncompliance with applicable program requirements. 40 CFR 123.26(b)(2) states that programs shall have a program for periodic inspections of the facilities and activities subject to regulation.

Under 40 CFR 123.63(a)(3)(iii), failure to inspect and monitor activities subject to regulation is a criterion for withdrawal of a state NPDES program.

To assess whether Illinois EPA is meeting its program requirements with respect to inspections, EPA evaluated 1) the adequacy of the procedures employed by inspectors in determining whether or not CAFO facilities were in compliance with NPDES requirements, and 2) whether or not the Illinois EPA has met its obligations for periodic inspection of facilities potentially subject to regulation.

As specified in EPA's NPDES Compliance Inspection Manual (July 2004), the primary role of a CAFO inspector is to gather information to evaluate compliance with NPDES CAFO permit conditions. Inspectors also identify facilities subject to regulation through compliance monitoring of unpermitted animal feeding operations (AFOs). Facilities should be inspected to determine whether they meet the definition of a CAFO and whether the facility discharges or proposes to discharge and should have an NPDES permit. The CAFO inspector plays an important role in enforcement case development and support, as well as permit development.

In order to provide an objective assessment of Illinois EPA's inspection of livestock facilities, EPA Region 5 randomly selected files that represent a stratified sample of facility sizes, and a variety of animal types. The random file selection was supplemented by the selection of additional files representing those facilities most likely to require permits: Large CAFOs and Medium CAFOs who have discharged in the past. A checklist was used to determine the degree to which inspection reports properly document observations, and whether reports provide sufficient information to lead to an accurate compliance determination (see Appendix D: Inspection and Enforcement Review Protocol).

EPA Region 5 reviewers' observations regarding inspection program performance are detailed below. Where Illinois EPA lacks written guidance, such as a policy

regarding the timeliness of inspection report completion, EPA policy was used as the standard for comparison. The quantitative metrics developed from the file reviews are indicators of performance based on available information.

Table 1: Evaluation of Illinois EPA Inspection Program Implementation

File Review Parameter	Value	Initial Findings and Conclusions	Assessment
# of inspection case files reviewed.	72	A ten-year time period, from 1999-2009, was reviewed to assess the history of inspections and facility compliance with NPDES requirements. In many cases, more than one inspection report was reviewed in a case file; nonetheless, the count was 1 (file) for purposes of the inspection metrics.	
% of inspection reports reviewed that are complete.	48%	Major deficiencies observed in the completion of inspection reports included a substantive lack of detail about the facility, including the number and type of livestock; incomplete descriptions of the areas of the facility examined; and little narrative explanation in the inspection report.	Significant area of concern. Complete inspection reports are critical to making accurate NPDES compliance determinations.
% of case files reviewed that provide sufficient documentation to lead to an accurate compliance determination.	68%	49 out of 72 inspection case files reviewed had one or more inspection reports that provided sufficient information to lead to an accurate compliance determination. Illinois EPA also performs a large number of informal inspections that would be classified as reconnaissance inspections, usually conducted in response to complaints. Very few of these inspections are as comprehensive as needed to determine compliance with NPDES requirements.	Significant area of concern. The 23 case files with insufficient documentation frequently lacked evidence such as lab reports and photographs needed to make a compliance determination.
% of inspection reports reviewed that are timely.	68%	Among Illinois EPA staff interviewed during the review, there was a general consensus that reports should be produced within 30 days of the inspection. Reports from four of the five Field Offices reviewed did not distinguish between the inspection date and the report date, making determination of timeliness difficult. Reviewers frequently determined timeliness based on other documents within the case files. 67.6% of the case files reviewed contained timely inspection reports. 25% of the files contained insufficient documentation to determine how timely inspection reports were.	Area of concern. Due in part to a lack of Standard Operating Procedures for CAFO inspections and inspection reports, it was difficult to determine how timely inspection reports were. Inspection reports need to differentiate between inspection date and report date.

The deficiencies noted in the collection and documentation of inspection data by Illinois EPA's inspectors significantly impair Illinois EPA's ability to make accurate NPDES compliance determinations. Basic information is often missing from inspection reports, such as the location of the facility, the number and type of livestock maintained onsite, the areas of the facility inspected, and whether or not the facility had permit coverage or had applied for a permit. The absence of such data renders the report incomplete, and does not enable the reader to determine whether or not a facility is an AFO or a CAFO.

Thirty-two percent of inspection reports were also found to be lacking sufficient detail to allow an accurate determination of compliance. As recommended in Chapter 16 of the NPDES Compliance Inspection Manual, an inspection report should include an inspection checklist, any documentation copied during the inspection, an explanation of findings, and supporting documentation such as photographs. Many of Illinois EPA's inspection reports were lacking any narrative communicating the inspector's observations, or any photographs and/or sampling data documenting the findings of the inspection. Narrative findings should include observations regarding whether or not the facilities had a release or discharge of manure and/or wastewater. These deficiencies limit Illinois EPA's ability to accurately make compliance determinations.

Illinois EPA is also limiting its ability to identify facilities needing NPDES permits, and to monitor the return to compliance by facilities subject to pre-enforcement or enforcement actions, because it is not consistently monitoring CAFO facilities on a routine, planned basis. Illinois EPA staff indicated that planned inspections, including follow-up at facilities known to have been in noncompliance, may not be completed due to the demands of responding to large numbers of complaints. The primary reason for inspections of CAFOs, as stated by Illinois EPA inspectors, was complaints received and follow-up after such complaints. Although Illinois' goal is to inspect each CAFO at least once every five years, Field Office staff estimated that inspections in response to complaints make up about 75 percent of livestock inspections conducted. For the 2004-2008 period, the Peoria Office received well over 200 complaints of all types each year. On average, thirty-seven percent (91 facilities) of these complaints were livestock-related, requiring further investigation by field personnel. Facilities subject to complaint may also be AFOs not subject to permitting requirements, as indicated by staff at the Springfield Office, which inspected approximately 50 non-CAFO livestock facilities in 2007 and 2008.

Review of case files showed that some facilities under informal enforcement through a Violation Notice with a Compliance Commitment Agreement were not monitored for time periods as long as five to ten years. As a result, many of these facilities were in ongoing noncompliance. The Review Team observed that the lack of permit coverage for these CAFOs likely contributes to ongoing noncompliance, as well as to the number of complaints to which inspectors must respond. Regulatory conditions are not in place that could prevent some problems from developing and/or continuing. As a result, the nature of most completed inspections is not to determine compliance or noncompliance with NPDES program requirements but to respond to citizen complaints.

Prior to 2009, there appears to have been no central coordination in the planning of CAFO inspections despite ongoing commitments to perform inspections. In 2008, Illinois EPA committed in its EnPPA to implement the National Compliance Monitoring Strategy (CMS) in Fiscal Year 2009. This national strategy calls for states to inspect all Large CAFOs within five years, and regularly thereafter, to determine whether the facility discharges or proposes to discharge. The CMS also

calls upon states to inspect medium AFOs one time to determine whether they are Medium CAFOs, and are therefore required to apply for an NPDES permit. After the initial assessment, for facilities that are not medium CAFOs, states should inspect and designate those facilities as needed based on citizen complaints or other information that indicates whether they are significant contributors of pollutants. The CMS calls for similar efforts regarding small facilities. Several of the Field Offices have been attempting to inspect CAFO facilities on a routine five-year basis, with limited success. Routine inspection efforts by all Field Offices are frequently limited by workload issues, including the review of NPDES permit applications. In 2009, the first year Illinois EPA was to adopt the CMS, the Illinois EPA Field Operations Section issued a spreadsheet to the Regional Field Offices listing a limited number of CAFOs requiring inspection and monitoring. For Fiscal Year 2009, Illinois EPA did not meet the CMS goals set forth in the EnPPA.

Based on the above, EPA finds that Illinois EPA has serious deficiencies in its program for determining compliance or noncompliance with applicable program requirements. Illinois EPA does not have inspection and surveillance procedures sufficient to determine compliance or noncompliance with applicable program requirements.

EPA also finds that Illinois EPA has not been conducting periodic inspections of CAFOs that may be subject to NPDES regulation. Illinois EPA has not met its EnPPA commitments to implement the National Compliance Monitoring Strategy, including the goal to inspect CAFOs on a routine five-year basis.

c) Response to Citizen Complaints

Allegation: Illinois EPA fails to adequately respond to citizen complaints regarding CAFOs with proposed or actual discharges.

Program Requirements: Under 40 CFR 123.26, state programs shall have procedures for receiving and ensuring proper consideration of information submitted by the public about violations. Public effort in reporting violations shall be encouraged, and the State Director shall make available information on reporting procedures.

Under 123.27(d), authorized states shall provide for public participation in the enforcement process by providing either authority which allows intervention as of right in any civil or administrative action by any citizen having an interest which is or may be adversely affected, or assure that the state agency or enforcement authority will, among other requirements, investigate and provide written responses to all citizens complaints submitted pursuant to the procedures in 123.26(b)(4).

Illinois EPA field office inspectors respond to numerous citizen complaints regarding a range of issues, including spills, unauthorized discharges, and odor. Though the inspectors will try to meet the needs of the complainant through a telephone call, a site visit is frequently required. A considerable amount of time is spent by Field

Operations Section inspectors responding to and investigating odor complaints. The investigations are to determine whether violations of air pollution-related nuisance provisions have occurred under the Illinois Environmental Protection Act. These complaints are recorded on a "Livestock Odor Complaint and Log Form" to facilitate the gathering of data from complainants. Odor complaint investigations are a specific subset of inspections. While the implementation of statutes other than the Clean Water Act is beyond the purview of this review, this observation is of significance due to its impact on the workload of the Bureau of Water field inspectors.

Tracking complaints received, and the response to these complaints, has proven challenging for the Illinois EPA. Illinois EPA has a statewide database of livestock and/or CAFO complaints, which usually includes the follow up actions taken. This database is not consistently maintained by all Regional Field Offices, however. Data compiled includes the nature and source of the complaint, and the resulting action by the field office, but does not indicate if follow-up is conducted with the complainant.

While Illinois EPA inspectors respond to numerous citizen complaints regarding a variety of issues at livestock facilities, it is not clear whether Illinois EPA consistently provides a written response to the complainant. Illinois EPA does not have procedures developed to ensure proper consideration of information submitted by the public regarding such potential violations. Such procedures, accompanied by appropriate staffing, would allow Illinois EPA to provide appropriate responses to citizens' complaints.

3) Enforcement Programs

Allegation: Illinois CAFOs are not being assessed adequate penalties for violations.

Program Requirements: Under 40 CFR 123.27, "Requirements for enforcement authority," states administering NPDES programs must have available remedies for violations of State program requirements. These remedies must include a mechanism to stop any unauthorized activity which is endangering or causing damage to public health or the environment, and the ability to seek or assess specified civil or criminal penalties for violation of state program requirements.

Further, 40 CFR 123.63(a)(3) states the following are criteria for withdrawal of a state program: Where the State's enforcement program fails to comply with the requirements of this part, including: (i) Failure to act on violations of permits or other program requirements; (ii) Failure to seek adequate enforcement penalties or to collect administrative fines when imposed.

a) Enforcement Activities

Addressing the Petitioners' allegations regarding the assessment of penalties first requires evaluation of whether or not Illinois properly exercises enforcement authority to stop activities that may be in violation of NPDES program requirements. Where noncompliance has been discovered, enforcement action is needed. The goal of enforcement is to provide a rapid resolution to environmental hazards, and to achieve a return to compliance by noncompliant facilities.

Section 31 of the Illinois Environmental Protection Act describes the procedures, timelines, and management controls associated with pre-enforcement and enforcement referral activities in response to findings of noncompliance. As discussed in EPA's 1989 National Enforcement Management System (EPA EMS) policy, guidance on the appropriate enforcement action for specific types of violations should be defined in an Enforcement Management System (EMS) document. Although Illinois EPA indicated during the 2009 State Review that it is not currently employing the 2004 Illinois EMS, the practices described in the document are reflective of current practice with respect to CAFOs.

Determination of the levels of follow-up action for specific violations is made by personnel at the Bureau of Water, with legal consultation as needed. EPA allows that informal pre-enforcement activities may be appropriate in response to inspection findings of noncompliance where violations are minor in nature. Informal pre-enforcement actions such as Noncompliance Advisory letters should only be used where conditions permit a prompt return to compliance with all applicable statutory provisions and regulations. Where pre-enforcement actions have not succeeded in achieving compliance, and/or the nature of the violation is more serious, formal enforcement is generally more appropriate. Formal enforcement, as defined in the EPA EMS, requires specific actions to achieve compliance to be completed on a finite schedule. Formal enforcement actions should also contain consequences for noncompliance that are enforceable independent of the original violation, and subject the facility to adverse legal consequences for noncompliance. Formal enforcement may include the assessment of civil and/or criminal penalties.

Illinois EPA's informal enforcement process begins with the issuance of a Noncompliance Advisory or a Violation Notice. The Illinois EMS allows up to 60 days to issue a Noncompliance Advisory from the date a violation is identified and 165 days to issue a Violation Notice. The enforcement referral process allows 90 days from the date an enforcement decision is made to the date a referral package is due to management.

CAFO enforcement program elements examined included appropriateness and timeliness of enforcement actions, and calculation, assessment and collection of penalties. Fourteen to twenty-three complete case files were reviewed at each Field Office visited. Overall, 90 pre-enforcement and enforcement action files were reviewed.

Pre-Enforcement/ Enforcement Actions

The pre-enforcement/enforcement action category includes five types of actions: Noncompliance Advisories; Violation Notices with Compliance Commitment Agreement approvals; Notices of Intent to Pursue Legal Action; Section 43 Immediate Enforcement Referrals; and Consent Decrees. Actions taken by the Illinois Attorney General's Office, or the Illinois Pollution Control Board, were reviewed solely in the context of their relationship to the effectiveness of Illinois EPA enforcement.

EPA reviewers examined whether or not Illinois EPA's enforcement responses returned, or were likely to return, facilities to compliance with the CAFO regulations applicable at the time of the enforcement response⁹. Determining whether or not a given enforcement action returned, or will return, a facility to compliance often involved looking beyond actual discharges to evaluate other factors such as substantial failure to implement best management practices; failure to meet major milestones required in a permit or a judicial or administrative order, or failure to submit timely reports as required. Whether or not an action by Illinois EPA would return the facility to compliance in the future was, in part, also determined by whether or not the pre-enforcement/enforcement action included an enforceable schedule for implementation of appropriate injunctive relief, and whether or not a facility that required a permit was ordered to apply for one.

The reviewers also examined whether or not the enforcement response was appropriate to the violation, and whether or not the responses were taken in a timely manner. The EPA EMS encourages all CWA violations be reviewed and considered for appropriate follow-up enforcement action. Important considerations include the type, duration, frequency, and outcome of any violation or deficiency. If violations persist without resolution, the NPDES authority should initiate formal enforcement action with an appropriate penalty, particularly if the facility has failed to correct violations that were noted during the compliance evaluation or fails to comply with conditions related to an informal action.

⁹ e.g., per the 2000-2004 EnPPAs, Illinois EPA committed to the following: "for CAFOs with 1000 or more animal units, the Agency will enforce the duty to apply for an NPDES permit...For CAFOs with more than 300 but less than 1,000 animal units that are subject to enforcement...the Agency's enforcement will result in either (1) a change in the design or operation of the facility, or both, such that the facility no longer is a CAFO point source or (2) the submission of an application for a NPDES permit".

Table 2: Evaluation of Illinois EPA Enforcement Program Implementation

File Review Parameter	Value	Initial Findings and Conclusions	Assessment
# of enforcement case files reviewed ¹⁰	56	A total of 90 pre-enforcement/enforcement actions in 56 case files were reviewed.	The majority of the enforcement responses were informal. The number and type of action issued is detailed below. NCA: 36 VN with CCA: 32 NIPLA: 13 Section 43 Referral: 2 Consent Order: 7
% of enforcement responses that have returned or will return a source in noncompliance to compliance.	46%	26 of the 56 case files had enforcement responses that, in the past ten years, have returned or will return a facility in noncompliance to compliance with basic provisions of the CWA. A determination of whether or not a facility has returned, or is likely to return, to compliance could not be made for 4 facilities (7%). <ul style="list-style-type: none"> • 17 of 36 NCAs (47%) did not/will not return the subject facilities to compliance. • 20 of 32 VNs (62.5%) did not/will not return the subject facilities to compliance 	Significant area of concern. Over fifty percent of the actions were NCAs or VNs which have failed or were likely to fail to bring the subject facility into compliance.
% of enforcement responses reviewed that are appropriate to the violations.	54%	The majority of the enforcement responses reviewed were appropriate to the violation when reviewed against the procedures required by Section 31 of IL's environmental law. However, only 27 of 50 (54%) of these responses would be considered appropriate, according to national policy for addressing the violations apparent in the case histories.	Significant area of concern. Based on factors such as the severity of the discharge, the recalcitrance of the facility, and the environmental damage caused, many cases should have been elevated to a Violation Notice or formal enforcement earlier.
% of enforcement responses reviewed that are taken in a timely manner.	34%	17 of 50 enforcement responses were taken in a timely manner. 16 of 53 were not taken in a timely manner. For an additional 17 files, the timeliness of the enforcement actions could not be determined.	Significant area of concern. The timeliness of enforcement response to violations can be improved by establishing and following further guidance on appropriate and effective enforcement through an Enforcement Management System

¹⁰ As described on p. 18, Illinois EPA has not routinely gathered information on the size and type of livestock maintained on CAFO/AFO facilities inspected. A similar deficiency was noted when reviewing enforcement actions taken; the review team could not adequately differentiate whether actions taken were against AFOs or CAFOs.

When it identifies violations, the Illinois EPA will often issue an informal enforcement action in the form of a Noncompliance Advisory. Per the Illinois EMS, if a Noncompliance Advisory is issued, the return to compliance must be achieved within 150 days of the violation date. These advisory letters, however, appear to be of varying effectiveness for returning a facility to compliance. As indicated in Table 2, 47% of the facilities reviewed returned to compliance after receipt of a Noncompliance Advisory¹¹.

Illinois EPA may employ a Violation Notice for an escalation of enforcement. A Violation Notice with Compliance Commitment Agreement must be recommended by the Field Office to a management decision-making group at the Bureau of Water in Springfield. Facilities receiving a Violation Notice must respond within 45 days identifying facility-specific activities and timeframes by which they will resolve violations. The informal enforcement process is concluded with a Compliance Commitment Agreement acceptance or rejection letter. If the Compliance Commitment Agreement is accepted by the facility and Illinois EPA, the facility is determined to be in compliance during the duration of the Agreement. Rejected Compliance Commitment Agreements are one basis upon which the Agency may seek a formal action in the form of a referral to the Office of the Attorney General, the State's Attorney, or EPA.

In over 50% of the cases reviewed, the original response by Illinois EPA was insufficient to resolve the violations and bring the facility back into compliance. Attachment C provides examples where Illinois EPA enforcement responses did not return facilities to compliance. Some, but not all, of these cases of continuing noncompliance, including rejected Compliance Commitment Agreements, were referred for formal action. As stated in EPA guidance documents, when one or more noncompliance conditions occur at a single site, the enforcement response should be weighted toward the strongest response option, in light of previous responses taken at the facility. Larger or more sophisticated facilities may warrant stronger enforcement responses.

The authority to enforce against violations is maintained by a management group in the Bureau of Water. This group will consider action – either a Violation Notice or a “no action” decision – in the event that the Noncompliance Advisory is not successful in obtaining compliance, or when the violations are serious enough to warrant a stronger response. If this management group makes a “no action” decision despite continuing noncompliance, the Illinois EMS specifies this decision must be adequately documented to the file. Clear documentation of these decisions was not readily apparent in all case files. It is also unclear to what extent “no action” recommendations by this group are communicated to Field Offices and inspectors.

¹¹ The Illinois EMS states that if a facility returns to compliance, “it can be documented (e.g. reinspection or report from violator) to the appropriate file and no further enforcement taken.” As stated in Section V. B. 2. b. above, follow-up inspections may not be conducted. In such cases, a determination of return to compliance cannot be made.

When a Violation Notice with Compliance Commitment Agreement is authorized by the management group, a Compliance Commitment Agreement received from the facility is one determinant of the response by Illinois EPA. If the decision is to reject the Compliance Commitment Agreement, or if a failure to comply with an accepted Compliance Commitment Agreement is discovered, it is Illinois EPA's policy that a recommendation on the matter be presented to the "Enforcement Decision Group", a higher level management group authorized to make enforcement decisions for the Bureau of Water. This group may decide to: 1) to refer the case for formal enforcement; 2) defer enforcement; or 3) not pursue enforcement. Anecdotal evidence from Illinois EPA managers and staff has indicated that resource issues frequently have a large influence on the decision whether or not to escalate enforcement, independent of proof of noncompliance.

In Table 2 of the Illinois EMS, labeled *Wastewater Compliance Enforcement Response Guidance*, the recommended responses for CAFO facilities are inconsistent with those recommended for permit violations and wastewater noncompliance issues regarding other point source dischargers. For wastewater compliance issues in general, a Violation Notice or a referral for formal enforcement is the suggested response for "Discharge without NPDES permit," where the discharge is intentional and/or has occurred one or more times without a documented environmental impact. For livestock facilities, however, a Violation Notice or formal enforcement is only suggested where a livestock waste discharge has a documented environmental impact, or there is evidence of negligence or intent. Although Illinois EPA has indicated it is not currently employing the 2004 EMS, the practices described in the document are reflective of current practice with respect to CAFOs. By applying a standard of documented environmental harm, Illinois has not consistently escalated enforcement against CAFOs with chronic problems consistent with the general EMS responses for "discharge without a permit."

While Illinois strives to meet the timeframes in its EMS for enforcement action, a Violation Notice with a Compliance Commitment Agreement may not return facilities to compliance within a reasonable timeframe. EPA policy requires that a facility that has been found to be in serious or chronic noncompliance be corrected or that a formal enforcement action be initiated within a specified period of time. Illinois EPA's EMS should provide the criteria by which staff can make this determination, either generally or with respect to livestock facilities, and the case files should contain the documentation of that decision. Illinois EPA should also track the timeframes in which facilities achieve compliance¹².

EPA recognizes that Illinois EPA's lack of independent formal administrative enforcement authority, such that the Agency must pursue formal action from the

¹² During the 10-year period examined, only 20 of the 32 facilities reviewed that were under Violation Notices with Compliance Commitment Agreements were determined by reviewers to have returned to compliance. Reviewers were unable to determine the time these facilities took to return to compliance based on information provided in case files.

Illinois Pollution Control Board through referral to the Attorney General's Office, lessens the number of options available.

Based on the above, EPA finds that Illinois EPA frequently fails to act in a timely and/or appropriate way in response to violations of NPDES program requirements applicable to CAFOs. Half of the pre-enforcement/enforcement actions examined for livestock operations did not result in the facility returning to compliance, or did not appear likely to return a facility to compliance in the future.

According to its EMS, Illinois EPA's escalation of enforcement for CAFO violations is not consistent with responses Illinois EPA would pursue regarding noncompliance by other types of point source dischargers. In addition, the EMS does not include a requirement for a CAFO to apply for an NPDES permit where it has discharged or is designed, constructed, operated or maintained such that it will discharge.

b) Assessment of penalties for violations

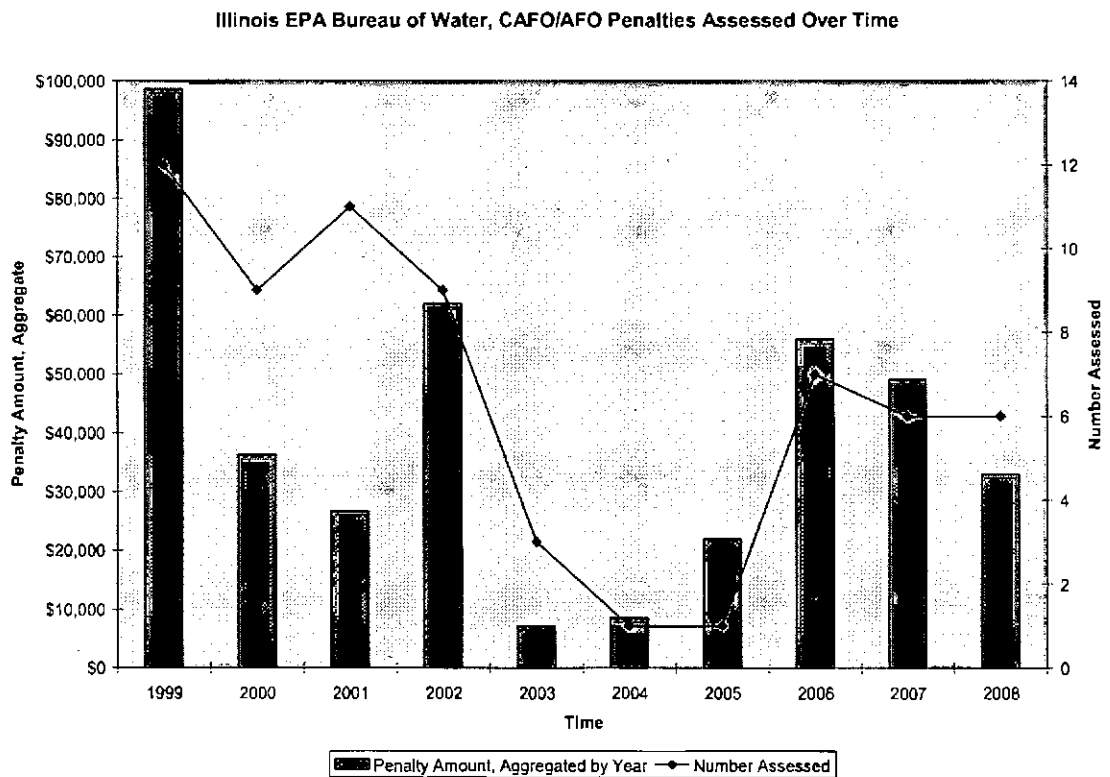
As discussed in the previous section, effective formal enforcement requires specific actions to achieve compliance to be completed on a finite schedule. These actions should also contain consequences for noncompliance that are enforceable independent of the enforcement for the original violation, and subject the facility to adverse legal consequences for noncompliance. Formal enforcement may include the assessment of civil and/or criminal penalties.

Illinois EPA is limited in its options for formal enforcement. The Violation Notice with Compliance Commitment Agreement has been employed by Illinois EPA in the absence of independent administrative order authority. EPA analysis has shown, however, that 62.5% of the Violation Notices reviewed did not, or will not, return the facility to compliance. Many of these facilities exhibited serious or chronic noncompliance. Any CAFO exhibiting significant noncompliance should be considered for formal enforcement. With respect to CAFOs, examples of serious noncompliance include the following:

- any significant unauthorized discharge
- no Nutrient Management Plan (NMP) when one is required
- multiple discharges without an NPDES permit (and the failure to apply for an NPDES permit, when one is required)
- multiple violations of permit requirements
- multiple deficiencies in complying with the permit and the NMP, such as failure to maintain adequate storage capacity and containment
- failure to meet the major milestones required in an administrative or judicial order or in a permit by 90 days or more
- failure to submit an annual report or other required report

Of the files EPA reviewed, fourteen large facilities with unauthorized discharges and/or fish kills were issued Noncompliance Advisories and/or Violation Notices during the review period, 1999-2009. In EPA's assessment, these pre-enforcement/enforcement actions did not, or will not, return the facilities to compliance. The Noncompliance Advisories or Violation Notices issued to nine of these 14 large facilities included language recommending the facility apply for NPDES permits¹³. Five of these facilities subsequently submitted applications. These five facilities submitted permit applications between 2001 and 2007. In the intervening time period between submittal of an application for an NPDES permit and the current time, these facilities continued to violate the CWA act, as determined by further inspections by Illinois EPA or EPA. None of the fourteen large facilities had received a permit by the end of calendar year 2009, nor had they been determined to be in compliance via inspection. Nevertheless, the enforcement files on these cases were often considered closed by the Bureau of Water¹⁴. The majority of these cases were not referred to the Illinois Attorney General or other authority for formal enforcement seeking penalties, despite persistent serious or chronic noncompliance.

Figure 1. CAFO/AFO Penalties Assessed Over Time



¹³ See Attachment C for case studies showing examples where Illinois EPA enforcement activities did not return the facility to compliance, and where CAFOs were not required to apply for an NPDES permit as part of an enforcement action for long-standing water quality issues.

¹⁴ Information on the closure of case files was not consistently available in the files provided to the review team.

National policies on the assessment of civil penalties state several goals; the primary goal is to promote a swift resolution of environmental problems. Review of a ten-year history of 56 Illinois EPA case files has revealed numerous facilities with chronic significant noncompliance issues. The number of penalties assessed by the Illinois Attorney General on behalf of the Illinois EPA has varied over time. The dollar amount assessed has also varied. EPA cannot quantify the number of penalties that should have been assessed. However, based on the failure of many facilities to come into compliance, more facilities should have been assessed penalties than were.

National policies also state that a penalty should, at a minimum, recover the economic benefit to the facility of noncompliance; that penalties should be large enough to deter noncompliance; and that there should be a logical basis for the calculation of penalties for all types of violations.

Of the 90 formal enforcement actions found in a random sampling of Illinois EPA case files of livestock facilities, 14 actions included penalties. Documentation of penalty calculations, penalty demands, and penalties received is maintained by the Illinois EPA's Division of Legal Counsel in Springfield. In order to effectively assess penalties, Illinois EPA needs an EMS that clearly delineates policies and procedures for the calculation of penalties in accordance with recommended guidelines.

Based on this review, EPA finds that Illinois EPA did not refer a sufficient number of CAFO cases for formal enforcement to the Illinois Attorney General or other authorities, in light of the number of CAFOs in chronic or serious noncompliance.

Due to the lack of a current Illinois EPA EMS that establishes policies and procedures for the documentation and calculation of penalties, EPA was unable to evaluate whether the penalties assessed were adequate.

4) Responses to information requests.

Allegation: Citizens have been denied reasonable access to permitting documents.

Program Requirements: The information in NPDES permit applications may not be claimed confidential (40 CFR §§122.7(b) and (c) and 123.25).

According to Illinois Citizens, citizens submitted under the Illinois Freedom of Information Act (FOIA) a request for information to Illinois EPA on September 12, 2007, seeking, among other documents, all pending CAFO NPDES permit applications. On September 24, 2007, Illinois EPA's FOIA Coordinator for the Bureau of Water responded by sending the requestor, among other items, a list of NPDES permit applications received for CAFOs, and stated that "Since this request has many records to review and screen" the above referenced documents/files will be made available after they have been screened for your inspection at the Illinois EPA." (Attachment F) The letter went on to say that only five files will be made available

per visit for inspection and copying ... at the Illinois EPA headquarters" in Springfield, Illinois. The letter also said that another request for information must be sent. An appointment was made by the requestor for October 12, 2007, with Illinois EPA in Springfield to review Illinois EPA files.

The petition states that at the October 12, 2007 appointment, an Illinois EPA FOIA Officer verbally denied the requestor access to the pending NPDES permit applications. According to the petition, the Officer stated that because the applications had not been approved by the Agency, they were not subject to the FOIA. The Petitioner alleges that since Illinois EPA did not provide access to pending NPDES permit applications, the Agency violated Section 1342(j) of the CWA.

EPA discussed with Illinois EPA the allegation that Illinois EPA did not provide copies of NPDES permit applications in response to a FOIA request. Also discussed was the specific allegation that when the requestors arrived at Illinois EPA Headquarters, the requestors were denied the right to look at the applications, since the applications had not been approved by Illinois EPA, and the alleged requirement that requestors needed to come to the Agency's headquarters office to review the documents.

According to Illinois EPA, it is Agency policy to provide pending NPDES permit applications to requestors. Due to the large number of files requested in the September 12, 2007 request, Illinois EPA asked the requestor to pick five files to come in and see, and then make a subsequent visit to see more files. According to Illinois EPA, the requestor came to Illinois EPA Headquarters office on October 12, 2007, and was given the five files that the requestor had identified, including five Division files. Illinois EPA believes that there is no reason they would not have provided pending NPDES permit applications that were in the five files identified by the requestor. Illinois EPA indicated it has provided pending NPDES permit applications to other requestors, and the requested applications did not fall under the confidential business information exemption.

According to Illinois EPA, the only time requestors are asked to come in and see documents is if the volume of the requested materials is over 400 pages. If a response to a request is over 400 pages, a requestor is required to come in or reduce the request.

Illinois EPA's representative stated that the agency does not have a written FOIA policy, but follows the Illinois FOIA. Illinois EPA also needs to screen the files before releasing them. For example, if the NPDES permit application is not issued and the application file contains Illinois EPA review notes, the Illinois EPA considers the documents in the file draft documents, and would not release them until the notes are separated from the applications.

In 2008, the Bureau of Water received 4767 requests and Illinois EPA received 26,908 requests for information. The Illinois EPA Bureau of Water has two people assigned to processing FOIA requests.

Based on the above, EPA Region 5 finds that it is currently Illinois EPA's unwritten policy to provide copies of pending NPDES permit applications to FOIA requestors. According to the information provided, Illinois EPA's practices for responding to information requests are consistent with the expectations for the authorized state program.

5) Compliance with the Memorandum of Agreement and Performance Partnership Agreements.

Allegation: Illinois EPA has failed to comply with the terms of the Memorandum of Agreement required under 40 CFR 123.24, and Environmental Performance Partnership agreements between Illinois EPA and U.S. EPA.

Program Requirements: 40 CFR 123.63(a)(4) states that a state's failure to comply with the terms of the Memorandum of Agreement required under 40 CFR 123.24 is a criterion for withdrawal of a state program."

As pointed out in Illinois Citizen's petition, the 1977 Memorandum of Agreement between EPA and Illinois EPA regarding Illinois' NPDES program commits the State to expeditiously process and issue all required NPDES permits and provide ongoing, timely and adequate review of permits. The MOA also commits Illinois EPA to comprehensively evaluate and assess compliance with effluent limitations and other permit conditions, and to maintain a vigorous enforcement program to take timely and appropriate enforcement action in every case where in the state's opinion such action is warranted.

The MOA commits Illinois EPA to delineate an annual State Program Plan, which is enacted through a Performance Partnership Agreement (PPA, or "the agreement"). The agreement between EPA Region 5 and Illinois EPA sets forth the mutual understandings reached regarding the state/federal relationship, the desirable environmental outcomes, the performance expectations for the participating programs, and the oversight arrangements between the parties.

The agreements entered into between the agencies since 2005 required Illinois EPA to review all CAFO permit applications and act upon those applications. In its latest Performance Partnership Agreement with EPA, Illinois EPA committed to NPDES permit coverage for at least 10 CAFOs by June 30, 2009. Illinois EPA did not meet this commitment.

Previous Performance Partnership Agreements between EPA and Illinois EPA have also addressed the need for Illinois EPA, with assistance as appropriate from EPA, to develop a comprehensive inventory of CAFOs in Illinois. As discussed in section

V.B.2, Illinois EPA has not developed a statewide inventory, although Field Offices have developed lists which vary in the degree of completeness and detail.

For the period subject to review, the agreements have memorialized commitments by Illinois EPA to inspect and enforce against CAFOs. For the time period from 2000-2004, the agreement includes an ongoing commitment from Illinois EPA to review and update, if necessary, the State's EMS, assuring that all components are consistent with EPA policy and regulations. The current EMS was completed by Illinois EPA in 2004. The following year, the agreement contained modified language regarding EMS documents: "Take appropriate compliance and enforcement actions in accordance with the Illinois EPA's Enforcement Management System and Section 31 of the Illinois Environmental Protection Act for violations of NPDES, Stormwater, SSO/CSO, CAFO and other violations of environmental regulations." Subsequent agreements contained the same language. Statements by Illinois EPA personnel during the 2009 State Review Framework indicated that the Illinois EMS was not currently being employed. The absence of an effective EMS is inconsistent with the agreement Illinois EPA has with EPA.

The 2000 PPA committed Illinois EPA to submit to EPA an inspection strategy at the start of the fiscal year identifying overall goals and priorities, including an approach for targeting CAFOs. The inspection plan was also to identify facilities to be inspected. In FY2002, the PPA stated that Illinois EPA will "continue to develop the AFO inventory. In developing the inventory, the IEPA will compile data from existing sources based on field inspections, enforcement activities and permitting." At that time, Illinois EPA also committed to provide the results of this initial phase of the inventory process to EPA for review. Following EPA review, additional data and a schedule for any outstanding activities necessary to complete the inventory of CAFOs was to be arranged by mutual agreement between Illinois EPA and EPA. Illinois EPA also committed to performing "targeted inspections ... to identify facilities larger than 1000 animal units or otherwise subject to NPDES requirements. Consistent with available resources, the Agency will work toward a goal of inspecting all CAFOs before October 2003." These commitments were not met. Starting in 2003, subsequent PPA commitments cited resource constraints as a factor in whether or not the Illinois EPA would meet its commitments. In FY 2004, for example, the PPA included the statement that Illinois EPA... "will continue to initiate inspections consistent with available resources, working toward a goal of inspecting 20 percent of the known universe....." Illinois has not met the most basic requirements of the PPA with respect to inspection of CAFOs; EPA has not received an inspection plan identifying priorities and targeted facilities since 2006.

In 2008, Illinois EPA committed to implement the National Compliance Monitoring Strategy (CMS) requiring inspection of all Large CAFOs within five years, and regularly thereafter, to determine whether the facility discharges or proposes to discharge. The CMS also set goals for inspection of medium and small facilities to determine whether they are subject to regulation. Illinois EPA has not developed and implemented an inspection plan that meets the requirements of the CMS Strategy.

Based on the above, and as discussed in previous sections of this report, Illinois EPA has not met its Memorandum of Agreement or Performance Partnership Agreement requirements with respect to CAFOs.

Illinois EPA needs to fulfill its long-standing PPA commitment to compile an inventory of CAFO facilities, as well as its commitments to issue permits to facilities that discharge or propose to discharge, to provide an annual inspection strategy to EPA for approval, and to maintain an EMS consistent with current regulatory policy. Although Illinois EPA committed to implement the National CMS for CAFO inspections, the Agency is unable to quantify its performance under the CMS goals until it has identified Illinois' universe of CAFO/AFOs.

6) Illinois EPA Organization and Resources.

Illinois EPA has indicated that the Bureau of Water has seven FTEs working on CAFO permitting and inspections. These FTEs are primarily field staff that inspect CAFOs as part of their duties. As indicated above, Illinois EPA forwarded all permit applications it had previously received (19) to the Field Offices for review beginning in mid-2008. At the time of EPA's review, regional office staff knowledgeable about CAFOs had reviewed some of these applications, including review of nutrient management plans and identification of deficiencies in applications. Through these means, eight applications had been identified by regional office staff as being complete and ready to be permitted.

The review of CAFO permit applications is a collateral duty for Illinois EPA inspectors, and has meant an increase in desk work, decreasing the amount of time they can spend on inspecting CAFOs and responding to complaints. Many of these inspectors also have additional, non-CAFO-related inspection duties; as such, Illinois EPA does not appear to have seven full FTEs devoted to NPDES CAFO activities. In several regions, regional managers have taken on inspector duties in other areas of the NPDES program in an attempt to allow the CAFO inspectors to address this increased workload. No increase in resources for the regional offices is planned, despite their expanded role. Regional office managers and staff indicated they would be unable to maintain both the current level of inspection coverage and the increased permit-related responsibilities.

In order for CAFO inspectors to meet their responsibilities, they are required to know and abide by applicable regulations, policies, and procedures; legal requirements concerning inspections; procedures for effective inspection and evidence collection; accepted health and safety practices; and quality assurance standards. They must also be familiar with the permit requirements for the facilities they are inspecting. While this review did not examine the full scope of general job-related training requirements, CAFO-specific training was discussed with inspectors and managers. Technical training on NPDES CAFO requirements appears to consist primarily of on-the-job training. No written standard operating procedures for CAFO inspections are in use at Illinois EPA.

Based on the above, EPA finds that Illinois EPA field office inspectors are being relied upon for both permitting and inspection activities, along with their other duties. Illinois needs to take measures to ensure that adequate resources are maintained for review of permit applications, as well as for compliance monitoring and enforcement at CAFOs.

7) Legal authority

EPA did not assess Illinois EPA's legal authority as part of its review of ICCAW's petition. However, in a December 22, 2008, letter from Tinka Hyde, Director, Water Division, EPA Region 5 to Marcia Willhite, Chief, Bureau of Water, Illinois EPA, EPA asked that Illinois EPA take steps necessary to establish technical standards for nutrient management, and to ensure that the CAFO rules were amended in 2009 as necessary to be consistent with the federal CAFO rules. Illinois EPA indicated that the Illinois Pollution Control Board is responsible for adopting administrative rules for the Illinois NPDES program, and that final state livestock rules are expected to be completed by December 2010.

Under the State Review Framework, EPA reviewed Illinois EPA's general compliance monitoring and enforcement processes, including the Illinois Environmental Protection Act and the relationship between Illinois EPA, the Illinois Attorney General's Office, and the Illinois Pollution Control Board for purposes of implementing the NPDES program. The EPA State Review Framework team and the Petition review team both observed that Illinois EPA's lack of administrative order authority impacts the timeliness and effectiveness of enforcement against violations (see section V.B.3.a., Enforcement Activities).

Illinois EPA has not updated its NPDES program for CAFOs to be consistent with the federal CAFO regulations as revised. In particular its rules and technical standards for nutrient management need revision.

EPA's review indicates that Illinois' enforcement efforts were not timely and appropriate. EPA believes that timeliness and effectiveness of enforcement efforts could be improved if Illinois EPA had independent administrative enforcement authority.

VI. Initial Findings and Required Actions

As stated above, EPA Region 5 finds that the Illinois EPA NPDES program for CAFOs does not meet minimum thresholds for an adequate program. Following is a summary of the findings in response to the petitioners' allegations, and the required actions Illinois EPA must take to comply with the requirements for state programs set forth in 40 CFR Part 123. This section also includes several recommendations for Illinois EPA to improve the effectiveness of its CAFO program.

1. Permitting Program

Findings:

Illinois EPA has not issued NPDES permits to CAFOs that have applied for them. While the Agency has identified 76 facilities as needing NPDES permits, and 64 have submitted applications, only five are currently covered by permits. Many of the applications were submitted several years ago. Permits have not been issued even in cases where the need for a permit application was triggered by a court order or discharge event documented by Illinois EPA. As of October 2009, there were eight facilities identified by Field Office staff as having complete permit applications. On October 20, 2009, Illinois EPA reissued its CAFO general permit.

In some cases, Illinois EPA sent applicants multiple notices of incomplete applications. The notices do not compel submittal of a complete application. Consequences for failing to submit the required information were not found by the Review Team.

Illinois EPA has determined that another group of 45 facilities that applied for NPDES permits, some as long as 10 years ago, do not need permits. Where a facility applies for a permit, Illinois EPA is obligated to either issue or deny a permit after conducting its review of the application and providing for public comment.

Only a small percentage of Illinois' estimated 500 Large CAFOs have applied for permits on their own volition.

Required actions:

Illinois EPA must issue NPDES permits to CAFOs that discharge or are designed, constructed, operated, or maintained such that a discharge will occur. Permits must be issued within a timeframe to be negotiated with EPA.

- Permit issuance may be phased in, beginning with the 76 facilities the State has identified as needing permits. Permits for additional CAFOs identified through the survey that Illinois EPA has committed to conduct, and other means may be issued in subsequent phases.
- The State must either issue or deny permits to the 45 facilities that had submitted applications, but which Illinois EPA subsequently determined did not need permits. Where a facility applied for a permit and is no longer in operation or did not commence operation, Illinois EPA should confirm the status with the applicant and close the application file.
- Illinois EPA needs to establish a consistent, escalating process for responding to submittal of incomplete permit applications. Escalated responses should include inspections and enforcement as appropriate.

Recommendation:

In order to establish and convey clear water quality expectations for CAFO operations, the State should consider establishing an unambiguous requirement for CAFOs to apply for a permit.

To enable Illinois EPA to obtain complete permit applications, and to obtain information whether CAFOs that have not begun operations propose to discharge, the State should consider providing Illinois EPA either information collection and/or enforcement authority to compel submittal of complete information.

2. Compliance Evaluation/Inspection Program

Finding:

A. *Illinois EPA does not maintain a program capable of making a comprehensive survey of CAFOs subject to NPDES permit requirements. Several of the Agency's Field Offices maintain a list that, with modifications to align data to NPDES requirements, could serve as a baseline for such a survey.*

Illinois EPA does not have a formal agreement with IDA to review plans for new and expanded livestock facilities submitted to IDA. Illinois EPA review of plans for new and expanded facilities would facilitate Illinois EPA's ability to identify livestock operations as CAFOs that need permits.

Required actions:

To determine which facilities are CAFOs requiring NPDES permits, Illinois EPA must conduct and maintain a comprehensive survey of livestock facilities. The inventory developed should be entered and maintained in EPA's Integrated Compliance Information System.

Recommendation:

To identify new or expanded livestock operations as CAFOs that are subject to permit application requirements, Illinois EPA should establish procedures, in coordination with IDA and other state agencies as appropriate, to review plans for new and expanded livestock facilities.

Finding:

B. *Illinois EPA has not conducted comprehensive inspections to determine whether unpermitted CAFOs need NPDES permits, or whether permitted CAFOs are in compliance with NPDES requirements. Illinois EPA has serious deficiencies in its ability to inspect and monitor activities subject to regulation. A majority of inspections conducted at livestock facilities are not comprehensive, and do not document whether or not a facility is in compliance with NPDES requirements or needs an NPDES permit. Illinois EPA does not have inspection and surveillance procedures sufficient to determine compliance or noncompliance with applicable program requirements.*

Illinois EPA has failed to conduct routine, periodic inspections of CAFOs that may be subject to NPDES regulation. Illinois EPA has not met the commitments described in its Environmental Performance Partnership Agreement to implement the National Compliance Monitoring Strategy of 2008, including the goal to inspect CAFOs on a routine five-year basis.

Required actions:

Illinois EPA must revise its inspection process for livestock facilities so that it can determine and track whether inspected facilities are CAFOs required to have NPDES permits, and whether they are in compliance with NPDES requirements. In particular, Illinois EPA needs to develop and implement:

- A standard operating procedure (SOP) for CAFO inspections to aid in assessing whether or not a facility is a CAFO, is discharging, and whether it is subject to NPDES permit application requirements.
- A standard operating procedure for inspection reports.
- An inspection checklist that aligns to the requirements of Illinois EPA's CAFO general permit, to ensure that data necessary for a compliance determination is gathered.

Illinois EPA must track the routine inspection and monitoring of facilities that may be subject to regulation using a comprehensive inventory of facilities. In accordance with its EnPPA, and the requirements of the National Compliance Monitoring Strategy (CMS) incorporated therein, Illinois EPA must develop and execute an inspection plan to accomplish the inspection goals stated in the CMS.

Recommendation:

Illinois EPA should enter all CAFO inspections into EPA's Integrated Compliance Information System, and work with EPA to ensure that inspections and evaluations for CAFOs are classified and recorded consistent with national definitions.

Finding:

C. It is unclear whether Illinois EPA consistently responds adequately to complaints. While Illinois EPA inspectors do respond to numerous citizen complaints regarding a variety of issues about livestock facilities, it is not clear that they consistently provide a timely response to the complainant. Illinois EPA needs to develop procedures to ensure proper consideration of information submitted by the public regarding potential violations of NPDES program requirements. Such procedures, accompanied by appropriate staff resources, would allow the Illinois EPA to appropriately respond to citizens' complaints.

Required action:

Illinois EPA shall investigate and provide written responses to citizen complaints reporting potential violations of NPDES requirements, including for CAFOs. To ensure that Illinois EPA responds to complaints as appropriate, the Agency should establish written procedures for responding to complaints regarding livestock facilities, including procedures for responding to complainants as appropriate and establish a procedure for conducting compliance inspections during investigation of citizens' complaints.

3. Enforcement Program

Findings:

A. Illinois EPA is not taking timely and appropriate enforcement in response to NPDES violations by CAFOs. Illinois EPA's use of its two primary informal pre-enforcement tools, Noncompliance Advisories and Violation Notices with Compliance Commitment Agreements, do not consistently return facilities to compliance. The Agency's EMS as it applies to CAFOs is inadequate, as it does not result in escalated enforcement action consistent with actions that would be taken for other facilities, including the assessment of penalties. Illinois does not follow existing national compliance and enforcement policy and guidance. The State's application of a standard of environmental harm to CAFOs for the determination of whether or not to proceed with formal enforcement is inconsistent with CWA policy. In addition, enforcement actions do not consistently include requirements for CAFOs that have discharged to apply for NPDES permit coverage.

Required actions:

Illinois EPA must take timely and effective enforcement to address noncompliance by CAFOs. To do so, Illinois EPA should revise its Enforcement Management System guidance for CAFOs, including a timeframe for making enforcement decisions, and must fully implement the EMS upon approval by EPA. The guidance should specify that, where a facility has discharged or is designed, constructed, operated or maintained such that it will discharge, the enforcement action must also address the CAFO's failure to apply for an NPDES permit. Illinois EPA's escalation of enforcement for CAFO violations, as implemented through its EMS, needs to be consistent with the responses Illinois EPA would pursue regarding noncompliance by other types of point source dischargers. Where a facility is in significant noncompliance, enforcement should take the form of a referral to the Illinois Attorney General's Office for enforcement in circuit court or by the Illinois Pollution Control Board.

Recommended action:

Illinois EPA should seek the authority to issue administrative orders, including the authority to seek administrative penalties, without having to pursue administrative action from the Illinois Pollution Control Board through referral to the Attorney General's Office. Until such time as this authority is obtained, Illinois EPA needs to seek ways to increase the likelihood that Compliance Commitment Agreements will bring facilities into compliance with NPDES

requirements in a timely manner. Illinois EPA should bring formal enforcement against facilities that fail to comply with informal enforcement responses.

Findings:

B. *Illinois EPA is not assessing adequate penalties against CAFOs.* Based on this review, EPA finds that Illinois EPA has referred an insufficient number of CAFO cases for formal enforcement to the Illinois Attorney General or other authorities, in light of the number of CAFOs in chronic or serious noncompliance. The number of cases referred for which penalties were assessed does not appear to be sufficient to serve as deterrence to noncompliance.

Required actions:

Illinois EPA must revise its Enforcement Management System guidance for CAFOs to ensure escalation of enforcement occurs in a manner consistent with the violations identified, and in accordance with the EPA EMS guidelines.

Recommendation:

Illinois EPA should update its EMS to include additional instructions on calculation and documentation of penalties, as well as a commitment to assess penalties using those calculations. This recommendation was included in the 2007 Illinois SRF report, which was to have been completed by December 31, 2007.

4. Response to citizen requests for information

Finding:

Illinois EPA's unwritten policy is to provide copies of pending NPDES permit applications for CAFOs to citizens that request them. The Agency's practices for responding to information requests are consistent with the expectations for the authorized state program.

Required action:

None.

Recommendation:

Illinois EPA should develop a written policy describing how it will address citizen requests for NPDES permit applications, including for CAFOs.

5. Compliance with the Memorandum of Agreement and Performance Partnership Agreements between Illinois EPA and EPA

Finding:

Illinois EPA has not met its Memorandum of Agreement or Performance Partnership Agreement requirements with respect to CAFOs. In addition to not meeting numerous requirements stated in the MOA and the PPAs, Illinois EPA has not met the requirements of the National Compliance Monitoring Strategy, as adopted in FY2009.

Required action:

As discussed above, Illinois EPA must fulfill its long-standing PPA commitment to compile an inventory of CAFO facilities, as well as its commitments to issue permits to facilities that need them, to provide an annual inspection plan to EPA, and to maintain an EMS consistent with current regulatory policy. Illinois EPA must develop a comprehensive plan, including timeframes, for completing these tasks. Illinois EPA must also meet its targets under the National CMS for CAFO inspections, or adopt a state-specific strategy with realistic performance goals satisfactory to EPA Region 5.

6. Organization and resources.

Finding:

Illinois EPA field office inspectors are being relied upon for both permitting and inspection activities, along with their other duties.

Required action:

Illinois EPA must prepare a workload assessment to determine the number of full-time equivalents (FTEs) needed to effectively implement the NPDES program for CAFOs. The assessment must include, but should not necessarily be limited to, FTEs needed for characterizing which livestock operations are CAFOs needing NPDES permits, permit issuance, compliance and enforcement activities, responding to citizen complaints, and information management. Plans for addressing any shortfalls between needed and available FTEs must also be addressed in the assessment including existing or potential worksharing arrangements with other state agencies, utilization of contract or temporary employees, and permanent or temporary reassignment of existing Illinois EPA employees. Illinois EPA must also develop a long-term plan for obtaining and training future CAFO inspectors. Illinois EPA must allocate staff to CAFO permitting, compliance evaluation, and enforcement as required to implement an effective program.

7. Legal Authority

Finding:

A. Illinois has not updated its NPDES program for CAFOs, in particular its rules and technical standards for nutrient management, consistent with the federal CAFO regulations as revised.

Required action:

Illinois must revise its rules and nutrient management standards as necessary to be consistent with the federal CAFO rules as soon as possible, but not later than December 2010.

Illinois EPA Response to USEPA, Region 5's September 2010
*"Initial Results of an Informal Investigation of the National Pollutant
Discharge Elimination System Program for Concentrated Animal
Feeding Operations in the State of Illinois"*

November 1, 2010

This document contains the Illinois Environmental Protection Agency (Illinois EPA or Agency) responses to the findings, required actions and recommendations made by Region 5 of the United States Environmental Protection Agency (USEPA-Region 5 or Region 5) in *"Initial Results of an Informal Investigation of the National Pollutant Discharge Elimination System Program for Concentrated Animal Feeding Operations in the State of Illinois."* The Initial Results Report reflects a review of Illinois EPA's Concentrated Animal Feeding Operation (CAFO) program activities and statistics for the period of December 2008 to September 2009. The responses below provide evidence of progress in administering the CAFO program, as well as our commitments for continued improvements in CAFO permitting, inspection and enforcement programs.

Permitting

As of November 1, 2010, the Illinois EPA has issued 14 NPDES permits for CAFOs, and two additional CAFO permit applications are on public notice.

The Initial Report reflected 76 CAFO applications filed with the Agency. At the time Region 5 queried the Illinois EPA's files, there were approximately 40 newer applications, most of which were incomplete, plus an additional 45 older applications that the Agency had determined to be from facilities that were no longer in service or did not require permits.

• Current Applications

To compel additional information from applicants who had failed to submit complete applications, Illinois EPA has requested that Region 5 issue Administrative Orders (AO) under Sections 308 and 309 of the Clean Water Act (CWA). This process began in July 2010. In addition, the Agency is using Violations Notices to compel applicants to respond with complete applications.

Illinois EPA has made significant progress on the 40 incomplete applications. Under the FY10-11 Performance Partnership Agreement (the PPA is an agreement that contains work items for all Agency programs to be performed as part of the grant agreement between Illinois EPA and USEPA); Illinois EPA has until September 30, 2011 to complete the review and issuance of these 40 applications. Of those 40 applications:

- Nine have been referred to Region 5 for issuance of administrative orders seeking necessary documents to complete those applications.
- Two have been issued Violation Notices (VNs) for the same reason.
- 18 are under review (several of those applications were received within the last 60 days),
- Two are now on public notice.
- Nine have completed for public notice and are in the process of being issued permits.

Illinois EPA expects to receive six new applications in December 2010 and 13 more in March 2011, all from a single livestock producer. Illinois EPA intends to address these 19 new applications with existing staff, completing each review within 60 days of receipt.

Illinois EPA will seek an amendment to the EPAct in the next legislative session for administrative order authority to enforce against facilities that fail to apply or fail to submit complete applications. Until administrative order authority is enacted, the Illinois EPA must continue to rely on the EPAct's Section 31 process for enforcement purposes and on referrals to Region 5 for issuance of administrative orders, as appropriate.

Currently, Illinois EPA is following the schedule outlined in the FY 2010—2011 PPA. Illinois EPA is willing to adjust the time frame for permit issuance in consultation with Region 5.

The Illinois EPA will use criteria established in USEPA's CAFO guidance in determining whether an NPDES permit is required. CAFOs that meet these criteria will be required to seek a permit from Illinois EPA.

In order to increase the number of permits issued and the efficiency with which permit applications will be reviewed, Illinois EPA will seek approval to hire three new permit staff. As is currently the practice, USEPA and Illinois EPA will hold conferences calls at frequent intervals to review the status of CAFO applications.

The Initial Report recommends that Illinois EPA consider establishing an unambiguous requirement for CAFOs to apply for a permit. Currently, Illinois EPA is constrained by Section 11 of the EPAct to issue an NPDES permit for only those circumstances for which USEPA would issue an NPDES permit. Since there is no "duty to apply" for all CAFOs in the federal 2008 CAFO rule and Illinois has no separate state program, the Illinois EPA has no statutory authority to require all CAFOs to apply for a CAFO permit. However, Illinois EPA will attempt to amend the EPAct to add such a requirement.

- Old Applications

Illinois EPA has investigated and identified the 45 old applications as facilities that are no longer in existence or in need of a permit. Of those 45, we have inspected approximately 40 between 2007 and 2009, finding that nine no longer needed permits and were subsequently issued letters to that effect, five were abandoned or did not exist and two were never built.

The Initial Results report requires Illinois EPA to either issue or deny permit for these 45 applications. Illinois EPA does not believe responding to these applications with a permit denial for a facility that does not now exist or that does not need a permit is appropriate and is consistent with Section 39(a) of the Illinois Environmental Protection Act (EPAct or Act). Under this section, the Agency cannot issue or deny a permit if such permit is not required by the EPAct or the Illinois Pollution Control Board regulations.

Illinois EPA cannot lawfully deny permits unless the application in some fashion violates a provision of the EPCRA or the Illinois Pollution Control Board regulations (see 415 ILCS 5/1 *et seq.*). To confirm our initial findings, Illinois EPA is committing to re-investigate these 45 facilities. Illinois EPA will by August 1, 2011: 1) provide documentation of those facilities that no longer exist, 2) attempt to re-contact existing facilities that do not propose to discharge and advise them that withdrawing their application is an option, and 3), in those cases in which Region 5 argues that permits might be required under the 2008 CAFO rule, advise owners to obtain an NPDES permit, including filing a complete application within a specified period of time of Illinois EPA's notification.

Compliance Evaluation/Inspection Program

- Inventory

The Illinois EPA will meet the commitment in the FY 2010—2011 PPA to complete the final CAFO inventory within 12 to 18 months of finalizing the pilot.

In the interim, by May 1, 2011, Illinois EPA will develop an interim list of CAFOs using currently available resources, such as the current permit application list, the list of facilities for which complaints were received, IDOA approved facilities and IDPH approved/inspected sites. From this interim list, the Agency will develop a prioritized inspection strategy.

In order to have a complete, uniform inventory, Illinois EPA has contracted with Western Illinois University (WIU) to provide a seven (7) county pilot survey that can be updated as necessary. The inventory now in development by WIU will provide readily updateable, Geographic Information System (GIS)-based documents (e.g., maps and photos) of each site. This GIS-based methodology will use shape files from IDOA livestock facilities' and Illinois Department of Public Health (IDPH) dairy facilities' data. The initial pilot of the GIS-based inventory will be ready for field verification by January 31, 2011. Illinois EPA will seek assistance from Region 5 in the funding and review of the statewide inventory.

Further, Illinois EPA will propose a revision in the state livestock regulations (a draft of which will be sent to Region 5 by December 1, 2010) so that livestock producers are required to file basic information with the Illinois EPA. The proposed revisions to Subtitle E will allow Illinois EPA to populate a statewide inventory, which then can be used for prioritization of inspections and permitting decisions.

- Inspection SOPs

Illinois EPA is committed to developing standard operating procedures (SOPs) for inspections and reports. However, the Agency believes the underlying problems associated with CAFO inspections (i.e., lack of resources and an adequate, centralized inventory) have little to do with the lack of SOPs for inspections and report drafting. The Agency's CAFO inspections are rigorous and complete. The Initial Results report assumes that all Illinois EPA inspections were conducted for purposes of determining NPDES compliance. Many inspections conducted by the Agency staff were for more targeted reasons, often based on citizen complaints regarding specific incidents or were in response to emergencies at livestock facilities. Because of the specific scope of these inspections, they should not be compared to routine monitoring and compliance inspections at permitted facilities.

By August 1, 2011, Illinois EPA will develop and train staff in the use of SOPs for CAFO inspections. The SOP will be provided to Region 5.

By August 1, 2011, Illinois EPA will develop and train staff in the use of an inspection checklist that aligns with the requirements of the CAFO general permit. The checklist will be provided to Region 5.

In the past, only NPDES permitted facilities were loaded into ICIS. Illinois EPA has the capability to load past and future CAFO inspections, whether permitted or not. By May 1, 2011, Illinois EPA will enter all CAFO inspections into ICIS.

- Citizen's Complaints

The Initial Results report found that "it is not clear that they [Illinois EPA] consistently provide a timely response to the complainant." A further review of the Illinois EPA's complaint logs and, more importantly, follow up discussions with the staff who investigate these complaints would have addressed the matter. While no log is kept of the follow up and written response is not always given, staff do follow up with the complainants via phone and email. As each investigation is subject to its own complexity and timeframe, the staff follows up with the complainants when the investigation has been concluded.

By February 1, 2011, Illinois EPA will establish a process for providing written responses when requested by complainants to describe actions taken by the Illinois EPA in response to that complaint.

By February 1, 2011, Illinois EPA will establish appropriate procedures for responding to complainants.

Enforcement Program

- Enforcement Response Guide

Illinois EPA must take timely and effective enforcement and therefore must revise its Enforcement Management System (EMS), specifically, the Bureau of Water's Enforcement Response Guide, to include a time frame for making enforcement decisions.

In order to address these concerns, by January 1, 2011, the Illinois EPA will modify our Enforcement Response Guidance (ERG) to assure that escalation of CAFO enforcement is consistent with enforcement responses for other, similar NPDES violations. In addition, the ERG will require that where a CAFO has a discharge or is designed, constructed, operated and maintained to have a discharge, a permit will be required. This modified ERG will assure that all CAFO violations are evaluated against set criteria so that consistent, timely and appropriate enforcement actions are taken. This ERG will include a requirement that all CAFOs which had a discharge or are designed, constructed, maintained or operated to have a discharge, will be required to apply for and obtain an NPDES permit.

The Illinois EPA must adhere to the statutory deadline requirements of Section 31 of the Act as described below. However, the Illinois EPA anticipates referring more cases to USEPA

for prosecution. In addition, Illinois EPA will seek administrative order authority that will include penalties. Should the Illinois EPA be successful in obtaining this authority, much more timely enforcement actions will be achieved.

Section 31 of the EPAct sets the basic framework for environmental compliance assurance/enforcement in Illinois. Illinois EPA in pursuing enforcement cases must adhere to the Section 31 process as outlined below.

Within 180 days of the Agency becoming aware of a violation of the Act, a regulation or a permit, it issues a VN informing the person of the facts related to the alleged violation. The person has the opportunity to meet with the Illinois EPA and explain the violation. The person may also submit a written proposed Compliance Commitment Agreement (CCA) which sets forth time lines for returning to compliance with the EPAct and correcting any environmental harm. The individual may also meet with the Illinois EPA compliance and inspection staff. No penalties are sought at this stage and environmental compliance is expected to be promptly achieved.

If the Illinois EPA determines that the CCA is inadequate (e.g., the alleged violation is not sufficiently addressed or a civil penalty is needed) or that the environmental harm is significant, the Illinois EPA may reject the CCA and proceed to formal enforcement by issuing a Notice of Intent to Pursue Legal Action (NIPLA) letter to the person. The person is given another opportunity to meet with the Illinois EPA personnel and discuss in detail mechanisms for resolving the violation short of referral to the Attorney General's Office (AGO) or the appropriate State's Attorney's Office (SAO). Several matters are resolved at this stage.

If the person does not reach resolution after the NIPLA meeting, the matter is referred to the Attorney General's office or the SAO for litigation, penalties, and an enforceable order. The only exception in this procedure is set forth in Section 43 of the EPAct. Specifically, if there is a substantial danger to the environment or public health, an immediate referral of the matter to the AGO or SAO is allowed without need of a VN or NIPLA.

In addition, the Initial Report requires the Illinois EPA to maintain a Compliance Monitoring Strategy (CMS) consistent with current regulatory policy. By November 1, 2011, the Illinois EPA will develop a state-specific CMS for Region 5's approval.

- Penalties

In addressing CAFO violations in 2008 and 2009, Illinois EPA sent 54 Noncompliance Advisories (NCAs), issued 39 VNs, issued 10 NIPLAs and referred 23 cases to the Attorney General.

The Initial Results report cites (page 27) that "62.5% of the Violation Notices reviewed did not, or will not, return the facility to compliance." VNs alone—without implementation of an acceptable CCA or further action via a NIPLA or referral to the Attorney General or SAO—are not expected to resolve all violations. Illinois EPA must follow enforcement procedures as outlined above.

Currently, Illinois EPA considers a CCA completed and resolved when information is obtained and the agreed upon actions have been taken. A "completed" CCA means that the alleged violation has been satisfactorily resolved pursuant to the Act. However, USEPA does not recognize this current procedure as formal enforcement action resolving the violations. Illinois EPA will require a signed certification be submitted from the VN recipient certifying that all CCA milestones have been completed and that the facility has returned to compliance. This additional documentation will be placed in the paper files. In cases when the CCA is accepted, Illinois EPA will conduct follow-up inspections on a portion of these facilities to ensure that compliance has actually been achieved. The failure of a facility to be in compliance with the CCA will result in immediate escalated enforcement, and providing false information to Illinois EPA (e.g., a fraudulent certification) is now a felony offense.

USEPA has concerns that the penalty amount recovered is not achieving deterrence and that an insufficient number of agricultural pollution matters are being referred, and that the penalty amount recovered is too low. Illinois EPA does not have authority to impose and collect penalties; it makes a penalty recommendation to the prosecuting authority. As the Illinois EPA does not assess penalties, it will continue to urge the prosecuting authority to assess penalties which will obtain deterrence.

Illinois EPA will revise the ERG as necessary to ensure that penalty recommendations to the Illinois Attorney General are appropriate and consistent, but in general, will continue to follow the USEPA guidance and State law factors on penalty calculation. In addition, the Illinois EPA will continue to maintain documentation of its calculations and worksheets.

- Response to Citizen Requests for Information

The Illinois EPA currently administers the Illinois Freedom of Information Act (FOIA) under rules adopted on April 15, 2002 and more recently amended in response to changes made to the FOIA. The rules may be found in 2 Ill Adm Code, Subtitle E, Parts 1825 and 1828 (see attachment). These rules establish the procedures by which the Illinois EPA responds to public requests for its documents. In addition, the Illinois EPA uses an internal Document Screening Manual (March 2005) (see attachment) that addresses the issues of exemptions from FOIA, document screening processes and procedures. Illinois EPA believes these rules and the Manual adequately address the question of how and when Illinois EPA provides documents, including NPDES applications, to the public.

Since the Illinois EPA has existing and up-to-date FOIA rules and procedures, we propose to take no further actions in this matter.

Compliance with the Performance Partnership Agreement

Since the signing of the FY 2010--2011 PPA in November 2009, Illinois EPA has made significant progress in issuing permits, completing review of applications and acquiring additional information for incomplete applications through Illinois EPA/Region 5 cooperative efforts, and through inspections to determine if facilities existed and needed CAFO permits. For further details, please refer to the Agency's response to 1.

The Illinois EPA believes that it has been closely following the milestones outlined in the PPA. Illinois EPA is 1) requiring nutrient management plans (NMPs) (including stormwater and emergency management plans and controls), 2) posting the notices of applications and intent to issue coverage under the CAFO general permit, and 3) Illinois EPA will share the complete draft of the CAFO rule with Region 5 by December 1, 2010.

Organization and resources

In 2008 and 2009, Illinois EPA inspectors surveyed a total of 312 livestock facilities of which 118 facilities were contacted for the first time. The total number of on-site visits conducted during 2008 and 2009 was 542 (this includes multiple visits to the same sites). The inspections included livestock facilities that housed beef, dairy, swine, poultry, sheep and horses. These inspections covered livestock facilities that had animal units less than 50 and as many as 5000. For more details on the livestock inspection program for the last decade, please refer to the Illinois EPA Livestock Facility Investigation Annual Reports at <http://www.epa.state.il.us/water/cafo/reports/index.html>.

The Illinois EPA currently uses approximately five full time employees (FTEs) for the CAFO program. These FTEs are responsible for the inspections and CAFO permit applications. They are also responsible for responding to citizen complaints involving CAFOs. While these FTEs spend most of their time on the CAFO program, they also are responsible for other NPDES related inspections and responding to non-CAFO complaints.

In the interim, all CAFO staff will be responsible for reviewing permit applications, conducting CAFO inspections and responding to citizen complaints. The interim list (as described in 2(A) above) will be used by the CAFO staff prior to the actual development of a GIS-based inventory. New inspections will be used to populate the list and inventory.

By May 1, 2011 Illinois EPA will prepare a workload assessment consistent that will address the use of the interim list and the GIS-based inventory for purposes of inspection and permitting prioritization. As new FTEs are added, both new and current staff will be required to attend training via available resources through the internet (web-based USEPA training) and through classroom type training sessions with Region 5 staff. Illinois EPA will also use USEPA contractual assistance in setting up necessary training.

Legal authority

The Illinois EPA has been working with a stakeholder group (CAFO Workgroup) to revise Illinois CAFO rules to ensure consistency with the 2008 federal CAFO rule. The Illinois EPA first met with various stakeholders in December 2009. The CAFO Workgroup is comprised of representatives from the several livestock sectors, citizens and environmental interest groups, National Resources Conservation Service (NRCS), the University of Illinois-Cooperative Extension Service and the IDOA. The objective of forming the CAFO Workgroup was to seek complete and thorough input of stakeholders on key issues early in the rule development process.

Illinois EPA sent out a complete initial draft on October 15, 2010, to the CAFO workgroup for review and comment. The CAFO Workgroup has been asked to provide comments by

November 10, 2010. After reviewing comments from these stakeholders, by December 1, 2010 the Illinois EPA will send a revised draft of Illinois' CAFO rules to Region 5 for its review. On October 15, 2010 Illinois EPA sent a draft of the Subtitle E revisions to the CAFO Workgroup for their review and comment. The Illinois EPA believes that the draft revisions to Subtitle E ensure that Illinois CAFO rules are consistent with the federal 2008 rule. The CAFO Workgroup's comments are due to Illinois EPA by November 10, 2010. Illinois EPA will revise the draft rule, if necessary, prior to sending the revised rule to Region 5 by December 1, 2010. Following any comments and revisions by Region 5's review, Illinois EPA will submit the Subtitle E revisions to the Illinois Pollution Control Board for consideration and adoption.

MEMORANDUM OF AGREEMENT
BETWEEN THE
U.S. ENVIRONMENTAL PROTECTION AGENCY
AND
THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
CONCERNING
OVERSIGHT AND IMPROVEMENT OF PERFORMANCE IN ADMINISTERING
FEDERALLY AUTHORIZED, DELEGATED AND/OR APPROVED ILLINOIS
ENVIRONMENTAL PROGRAMS AND WORK SHARING FOR THOSE PROGRAMS

THIS MEMORANDUM OF AGREEMENT (hereinafter "this MOA") is entered into this 1st day of November, 2010, by and between the U.S. Environmental Protection Agency (hereinafter U.S. EPA) and the Illinois Environmental Protection Agency (hereinafter Illinois EPA).

WITNESSETH, THAT:

WHEREAS, U.S. EPA has authorized, delegated and/or approved Illinois EPA to administer certain programs under federal environmental laws in Illinois.

WHEREAS, administration of those programs includes, but is not limited to, regulating, monitoring, permitting and/or inspecting persons or entities covered by those programs, gathering information, enforcing applicable requirements, assuring compliance, providing compliance assistance, and other activities relating to Illinois EPA's performance in administering those programs.

WHEREAS, U.S. EPA oversees Illinois EPA's administration of the federal environmental programs that U.S. EPA has authorized, delegated and/or approved, and retains certain authorities, including but not limited to, access, inspections, information gathering, enforcement, permitting and permit review, under those federal environmental laws.

WHEREAS, U.S. EPA and Illinois EPA have entered into agreements on the administration of federally authorized, delegated and/or approved programs in Illinois.

WHEREAS, U.S. EPA, as part of its oversight of those programs, is reviewing Illinois EPA's administration of and legal authorities for those programs and has recommended improvements.

WHEREAS, U.S. EPA, Region 5 issued a report on the results of an informal investigation of the National Pollutant Discharge Elimination System (NPDES) for Concentrated Animal Feeding Operations (CAFOs) in Illinois and recommended improvements in permitting, enforcement, compliance assurance, monitoring, legal authorities, and establishing a complete inventory of regulated facilities.

WHEREAS, U.S. EPA, Region 5 issued a report on an evaluation of Illinois EPA's Clean Air Act Title V program and recommended improvements in permitting, enforcement, compliance assurance, and monitoring.

WHEREAS, U.S. EPA, Region 5 conducted an evaluation of Illinois EPA's enforcement and compliance assurance program under U.S. EPA's State Review Framework, and recommended improvements for Illinois EPA's Clean Air Act, Clean Water Act and Resource Conservation and Recovery Act enforcement and compliance assurance programs.

WHEREAS, U.S. EPA and Illinois EPA want to cooperate to ensure timely, appropriate and effective administration of Illinois' federal environmental programs and adequate state authority and regulations for those programs in compliance with the applicable requirements for federally authorized, delegated and/or approved environmental programs.

NOW THEREFORE, it is agreed:

1. U.S. EPA and Illinois EPA agree to work together to assure the adequacy of federally authorized, delegated and/or approved environmental programs in Illinois and compliance with the requirements for such programs.
2. Illinois EPA and U.S. EPA will cooperate on inspections, information gathering, permitting, enforcement and compliance assurance under those programs; share information on those state programs, their administration and the entities regulated under those programs; and ensure that follow-up actions that result from U.S. EPA's review of such programs are carried out in a timely and effective manner, consistent with the applicable federal environmental statutes and implementing regulations, and agreements executed under those laws, including but not limited to agreements on permitting and enforcement, information sharing and the protection of confidential information.
3. Within 30 days of the effective date of this MOA, U.S. EPA and Illinois EPA will enter into an agreed work plan and schedule to improve Illinois EPA's federal environmental programs and assure compliance with the requirements for those federally authorized, delegated and/or approved environmental programs.
4. The work plan will set forth the actions Illinois EPA agrees to take to ensure that its programs are adequate and comply with the applicable federal requirements for authorized, delegated and/or approved federal environmental programs, including the commitments of the Director, Deputy Director or Directors, the Bureau Chiefs, and their successors or assigns, in completing the provisions of the work plan.
5. Illinois EPA agrees to implement the actions agreed to and set forth in the work plan pursuant to the schedule and indicia of progress set forth therein.
6. Through work sharing, U.S. EPA, Region 5 may undertake certain actions in Illinois to assist Illinois EPA in carrying out the federal Clean Water Act NPDES, Clean Air Act and Resource Conservation and Recovery Act permitting and enforcement programs.
7. To carry out the joint activities described in this MOA, Illinois EPA may need to disclose proprietary information to EPA. Proprietary information is defined as information that an

affected business claims to be confidential and is not otherwise available to the public. Illinois EPA agrees to clearly identify confidential business information disclosed to U.S. EPA in writing; and to clearly memorialize in writing, within a reasonable time, any confidential information initially disclosed orally. U.S. EPA agrees not to disclose, copy, reproduce or otherwise make available in any form whatsoever to any other person, firm, corporation, partnership, association or other entity information designated as proprietary or confidential information without consent of Illinois EPA except as such information may be subject to disclosure under the Freedom of Information Act (5 U.S.C. § 552), and EPA's regulations at 40 C.F.R. Part 2, or as otherwise authorized by law.


8. This MOA is in addition and subject to and does not alter or override agreements between U.S. EPA and Illinois EPA under the federal environmental laws, or limit U.S. EPA's or Illinois EPA's authorities or responsibilities under those federal environmental laws or their implementing regulations.
9. This MOA does not create any right or benefit, substantive or procedural, enforceable by law or equity, by persons who are not party to this MOA against Illinois EPA or U.S. EPA, their officers or employees, or any other person. This MOA does not direct or apply to any person outside of U.S. EPA and Illinois EPA.
10. This MOA is subject to all applicable laws and regulations including, but not limited to, the Anti Deficiency Act, 31 U.S.C. §§ 1341 and 1342. All commitments made by U.S. EPA in this MOA are subject to the availability of appropriate funds. Nothing in this MOA, in and of itself, obligates U.S. EPA to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations that would be inconsistent with Agency budget priorities. Illinois EPA agrees not to submit a claim for compensation for services rendered to U.S. EPA in connection with any activities it carries out in furtherance of this MOA. This MOA does not exempt Illinois EPA from U.S. EPA policies. Any transaction involving reimbursement or contribution of funds between the parties to this MOA will be handled in accordance with applicable laws, regulations, and procedures under separate written agreements.
11. This MOA is to take effect upon the signature of the parties and will terminate upon the completion of all of the activities set forth in the work plan. This MOA may be extended, modified or terminated at any time per the mutual written consent of the parties. The obligations the parties agree to in paragraphs 7, 8, and 10 continue after other provisions of this MOA have been terminated.

IN WITNESS WHEREOF, the parties hereto have executed this MOA, which shall become effective upon the date it is signed by both parties.



Douglas Scott, Director
Illinois Environmental Protection Agency

November 1, 2010
Date



Susan Hedman, Regional Administrator
U.S. Environmental Protection Agency, Region 5

11-1-10
Date

Illinois Program Work Plan
Agreement Between
Illinois EPA and Region 5, U.S. EPA

The Illinois EPA and Region 5, U.S. EPA work together to implement federally authorized, delegated and/or approved environmental programs within Illinois in a timely, appropriate and effective manner. We establish priorities, negotiate program commitments and work sharing, and evaluate program performance.

Illinois EPA and Region 5 are executing this Agreement as a means to strengthen Illinois' implementation of several federally authorized, delegated and/or approved environmental programs. This work plan contains activities and commitments for both Agencies relating to the Clean Water Act NPDES and Clean Air Act Title V permitting and enforcement programs; the work plan generally spans federal fiscal year (FFY) 2011 and 2012. In the event of a conflict between this work plan and the November 1, 2010, Memorandum of Agreement (MOA) between the U.S. EPA and the Illinois EPA, this document supersedes the MOA.

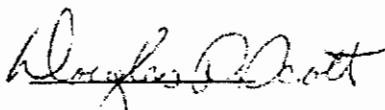
Illinois EPA and Region 5 will monitor progress under this Agreement via existing program to program communications, as well as during our annual joint senior management planning meeting. Work plan elements may be adjusted by mutual agreement. As part of our joint planning for FFY13, Illinois EPA and Region 5 will formally assess the need to negotiate a revised Agreement and work plan for these program areas.

The execution of this Agreement demonstrates our continuing commitment to environmental improvement through a strong partnership and shared responsibility for meeting our regulatory obligations.

Entered into on 2/24/11

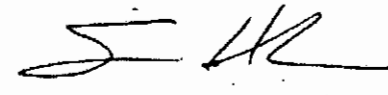
For Illinois EPA:

For Region 5, U.S. EPA



Douglas P. Scott

Director



Susan Hedman

Regional Administrator

**Illinois Program Work Plan
February 2011
Water Programs**

In March 2008, the Illinois Citizens for Clean Air & Water (Illinois Citizens) submitted a petition for withdrawal of Illinois' authorized National Pollutant Discharge Elimination System (NPDES) program. Illinois Citizens contend that the Illinois Environmental Protection Agency (Illinois EPA) is not properly administering the NPDES program for concentrated animal feeding operations (CAFOs). In February 2009, Illinois Citizens, joined by the Environmental Integrity Project, provided additional information in a supplementary petition to the U.S. Environmental Protection Agency (U.S. EPA).

U.S. EPA conducted an informal investigation of the petitioners' allegations and issued a report in September 2010¹. The report discusses U.S. EPA's initial findings for the various program areas, and the actions that Illinois EPA must take to comply with Clean Water Act requirements for authorized state NPDES programs. In particular, Illinois EPA must accomplish the following:

NPDES Permitting for CAFOs

- Issue NPDES permits to CAFOs that are required to be permitted under NPDES regulations.
- Develop and maintain a comprehensive inventory of CAFOs and evaluate their regulatory status.
- Establish technical standards for nutrient management by Large CAFOs and revise title 35 of the Illinois Administrative Code, Subtitle E, as necessary to be consistent with the federal CAFO rules.
- Ensure that sufficient resources are maintained to issue or deny permits.

NPDES Compliance Monitoring and Enforcement for CAFOs

- Revise the inspection process for livestock and poultry facilities to enable Illinois EPA to determine and track whether inspected facilities are CAFOs that are required to have NPDES permits and whether they are in compliance with NPDES requirements,
- Develop standard operating procedures and properly investigate, track, and respond to citizen complaints reporting potential violations of NPDES requirements.

¹ See the *Initial Results of an Informal Investigation of the National Pollutant Discharge Elimination System Program for Concentrated Animal Feeding Operations in the State of Illinois (Initial Results)*, available at: <http://cpa.gov/region5/illinoiscafo>.

- Take timely and appropriate enforcement action to address noncompliance by CAFOs.
- Require that Illinois EPA enforcement actions address CAFOs failing to apply for an NPDES permit, where a facility has discharged, is discharging, or is designed, constructed, operated, or maintained such that it will discharge.
- Ensure that sufficient resources are maintained for inspections and enforcement of NPDES requirements for CAFOs.

The following outlines the specific actions that Illinois EPA will take to address the initial findings in U.S. EPA's report. Actions that U.S. EPA will take to assist Illinois EPA are provided below as well.

NPDES Permitting for Concentrated Animal Feeding Operations

Objective 1: All Large CAFOs that discharge or propose to discharge possess NPDES permits. This objective addresses U.S. EPA's CAFO program review findings related to issuance of NPDES permits to CAFOs as required under the NPDES regulations². It also addresses U.S. EPA's finding related to resources for the CAFO NPDES program³.

Approach:

1. By February 2011, Illinois EPA CAFO permit managers will confer with all Region 5 States, including Minnesota and Michigan, to learn about the systems and staffing those States employ to authorize CAFOs under general permits.
2. Illinois EPA has posted job announcements for three new field positions and three new permit positions to work full time on the NPDES CAFO program. Illinois EPA will use best efforts to fill the positions by August 2011. By August 2011, Illinois EPA will provide a preliminary workload assessment to U.S. EPA. The assessment will identify the number of full-time employees required to implement an effective CAFO permitting, compliance evaluation, and enforcement program for a range of estimates of the regulated universe. Illinois EPA will provide the draft assessment to U.S. EPA for review. Illinois EPA will prepare a final workload assessment in conjunction with production of the statewide CAFO inventory discussed below⁴. The final assessment will identify staff distribution by function and geographic area of responsibility.

² See the *Initial Results*, Section VI. 1, page 35.

³ See the *Initial Results*, Section VI. 6, page 40.

⁴ Compliance Monitoring and Enforcement Objective 1, approach 1.b.

3. Newly-hired Illinois EPA CAFO permit writers will complete the NPDES Permit Writers' Course and the Nutrient Management Plan (NMP) Training for Federal and State Permit Writers, Inspectors, and Technical Assistance Providers within six months after their start date. Existing permit writers will complete the NMP Training within 30 days after it becomes available on-line. By March 2011, U.S. EPA will train existing permit writers on the Clean Water Act and federal regulations prohibiting unpermitted discharges and requiring CAFOs that discharge or propose to discharge to apply for a permit. U.S. EPA will train newly-hired permit writers within six months after their start date.

4. Illinois EPA established a schedule for making a completeness determination and taking preliminary and final action on all permit applications that were pending as of November 30, 2010. In January 2011, Illinois EPA provided a draft of the schedule to U.S. EPA for approval or approval with modification. Subsequent to the approval, Illinois EPA will provide a monthly status report on each application to U.S. EPA. The frequency of such reports may be adjusted after the initial six months by mutual agreement.

5. Illinois EPA will establish a standard operating procedure, with timelines, for making a completeness determination and taking preliminary and final action on permit applications received on and after December 1, 2010. The SOP will provide for final action not more than 180 days after receipt of an application. Under the SOP, Illinois EPA will respond to all incomplete applications with a notice of incompleteness (NOI) delineating the deficiencies in the application and requiring a response within 30 days. Illinois EPA will copy U.S. EPA on all NOIs. The SOP will provide that Illinois EPA will issue a violation notice (VN) under section 31 of the Illinois Environmental Protection Act or request U.S. EPA to issue an information collection order under section 308 of the Clean Water Act for any applicant who has not responded or when Illinois EPA finds that the application is still incomplete after issuance of the NOI. By February 2011, Illinois EPA will provide a draft of the SOP to U.S. EPA for review and approval or approval with modification.

6. By August 2011, Illinois EPA will report on the outcome of a re-investigation of the 45 cases in which Illinois EPA determined that an applicant did not require a permit. The report will include conclusions and, as appropriate, recommendations for further action.

7. U.S. EPA will issue information collection orders to CAFOs that have submitted incomplete applications to Illinois EPA and are not subject to federal enforcement. Illinois EPA will refer such CAFOs to U.S. EPA within 30 days after the deadline Illinois EPA sets in a NOI letter or VN to the applicant. U.S. EPA will issue the information collection orders within 60 days after receipt of a complete referral from Illinois EPA.

8. Within 60 days following publication of amendments to 35 Ill. Adm. Code, subtitle E, Illinois EPA and U.S. EPA will jointly identify permit conditions that Illinois EPA could modify and practices that Illinois EPA could adopt, consistent with the 2003 and 2008 federal rules for CAFOs, to streamline the process for review of NMPs and incorporation of NMP terms into permits. Such methods include, but are not limited to, use of Manure Management Planner or other nutrient management planning software. For any conditions or practices so identified, Illinois EPA will act to modify the conditions or adopt the practices in accordance with the schedule set in Objective 2, approach 7, of this section. Illinois EPA may request support for implementation of the streamlining actions.

Indicia of Progress: For applications submitted prior to March 31, 2011, Illinois EPA completes the following by June 30, 2011: issue permits to the applicants, post draft permits or notices of coverage for public comment, or refer the CAFO to the Illinois Attorney General's office for formal enforcement or U.S. EPA for an information collection order. For other applicants, Illinois EPA takes final action as detailed in the SOP contemplated in Approach 5 in this section.

Objective 2: U.S. EPA approves amendments to 35 Ill. Adm. Code, subtitle E, which (1) reflect the 2003 and 2008 revisions to the federal regulations for CAFOs and (2) require the owners or operators of all Large CAFOs to register with Illinois EPA. This objective addresses U.S. EPA's CAFO program review findings related to administrative rules for CAFOs as well as technical standards for nutrient management by Large CAFOs⁵.

Approach:

1. Illinois EPA provided draft amendments to 35 Ill. Adm. Code, subtitle E, to U.S. EPA for review on December 1, 2010. U.S. EPA provided comments and recommendations on January 14, 2011. Illinois EPA will revise the draft to resolve U.S. EPA's comments and provide the revised draft to U.S. EPA by April 15, 2011. U.S. EPA will provide any remaining comments and recommendations within 15 days of receipt.

2. Within 90 days after receipt of U.S. EPA's comments and recommendations on the revised draft, Illinois EPA will resolve U.S. EPA's comments and file the amendments as a proposed amendatory rulemaking with the Illinois Pollution Control Board. Illinois EPA and U.S. EPA program managers will elevate issues to agency water directors or higher as may be required to resolve U.S. EPA's comments within the 90-day period contemplated here.

⁵ See the *Initial Results*, Section VI. 7, page 41.

3. As appropriate given the content of the draft amendments and other considerations, U.S. EPA will recommend that the Board propose the amendments for the purpose of requesting public comment.

4. If Illinois EPA requests, U.S. EPA will provide support to Illinois EPA as the Board considers the amendments.

5. Within 30 days after publication of amendments to 35 Ill. Adm. Code, subtitle E, Illinois EPA will inform the owner of each Large CAFO in the State's inventory, in writing, about the duty to apply for a permit and the potential consequences for failing to apply. Illinois EPA will provide a draft of the letter to U.S. EPA for review and approval or approval with modification.

6. Within 45 days after the amendatory rulemaking becomes effective, Illinois EPA will submit the final amendments to U.S. EPA for action under 40 C.F.R. §123.62.

7. Within 120 days after the effective date of the amendatory rulemaking, Illinois EPA will revise its permit application forms and formally ask the public to comment on draft modifications to general permit ILA01, as appropriate, based on the amendments and the federal regulations.

Indicia of Progress: U.S. EPA finds the amended rules to be consistent with federal regulations. Illinois EPA implements the amended rules upon becoming effective. U.S. EPA acts on the amendments within 90 days of receipt.

NPDES Compliance Monitoring and Enforcement for CAFOs

Objective 1: To detect, report, and sufficiently document all violations in order to support enforcement of the federal regulations. This objective addresses U.S. EPA's CAFO program review findings related to developing and maintaining a comprehensive inventory of CAFOs and evaluating their regulatory status, revising the inspection processes to determine and track CAFOs requiring NPDES permits, and developing and implementing SOPs for responding to CAFO-related citizen complaints⁶.

Approach:

1. Illinois EPA will implement a short-term strategy for evaluating facilities that are likely to be Large CAFOs. The strategy includes the following:

a. The creation of an interim NPDES inspection list of 25 likely Large CAFOs using existing lists of known and potential CAFO sites developed by Illinois EPA regional offices,

⁶ See the *Initial Results*, Section VI. 2, pages 36-38.

permit applications, citizen tips and complaints, and information from U.S. EPA, the Illinois Department of Agriculture, and the Illinois Emergency Management Agency. Illinois EPA will provide the list to U.S. EPA, including location data, no later than February 28, 2011.

b. By February 28, 2011, Illinois EPA will develop a plan to create and maintain a comprehensive inventory of Large CAFOs. Under the plan, Illinois EPA will seek commitments whereby the Illinois Department of Agriculture and Illinois Department of Public Health will routinely provide information about potential Large CAFOs to Illinois EPA. Illinois EPA will enter and maintain the inventory in the Integrated Compliance Information System (ICIS). The inventory will include potential CAFO sites identified by Illinois EPA regional offices, permit applications, citizen tips and complaints, U.S. EPA, the Illinois Department of Agriculture, the Illinois Department of Public Health, and the Illinois Emergency Management Agency. The plan may make use of a Geographic Information System-based pilot inventory currently being developed for seven high profile counties. Illinois EPA will provide the plan to U.S. EPA for review and approval or approval with modification.

c. Illinois EPA will develop a CAFO NPDES inspection/evaluation standard operating procedure by February 28, 2011. The SOP will enable the inspector to determine whether CAFOs discharge or propose to discharge. The SOP should include pre-inspection preparation, access procedures, site visit conduct, and inspection timing, sampling, and post inspection procedures including report timing, format, and content (including discharge documentation). Illinois EPA will provide the SOP to U.S. EPA for review and approval or approval with modification.

d. Illinois EPA will organize an initial training for all of its field inspectors and office enforcement staff so they can effectively evaluate CAFOs that are on the interim NPDES inspection list. In January 2011, Illinois EPA provided a proposed agenda to U.S. EPA for approval or approval with modifications. U.S. EPA will review training materials. Training will cover the approved SOP identified above in Paragraph 1(c) and will include pre-inspection preparation, inspection conduct, post-inspection follow-up and documentation, review of compliance data (i.e., overflow reports, discharge monitoring reports, Single Event Violations (SEVs), wet weather significant noncompliance (SNC) determinations, and complaints), new violation processing procedures instituted under this program work plan, and identification of new facilities/discharges. By March 2011, U.S. EPA and Illinois EPA compliance and enforcement staff will conduct this training. The Illinois Attorney General's office staff will be invited to participate.

e. Illinois EPA will perform 25 initial NPDES evaluations by June 1, 2011, to determine whether the facilities discharge or propose to discharge, including during wet weather. Illinois EPA will perform an additional 25 NPDES evaluations by June 1, 2012.

f. At its existing Compliance Group monthly meetings, Illinois EPA will review the findings and documentation of all NPDES evaluations for: a determination as to whether the facility meets the definition of a CAFO, areas of non-compliance, wet weather SNC determinations, violations detected, documentary evidence, and recommendations for correcting

the violations. Beginning in May 2011, Illinois EPA and U.S. EPA will confer monthly to review the findings and documentation of all CAFO noncompliance cases beginning with those initiated in 2009.

2. By June 1, 2011, Illinois EPA will develop and provide to U.S. EPA a long-term CAFO NPDES training curriculum for all staff conducting CAFO NPDES inspections. The curriculum will be completed by all existing CAFO inspectors and their first-line supervisors by August 2011. New staff will complete the curriculum within six months of their start date, and prior to conducting inspections independently. The curriculum will cover all State and federal Clean Water Act-related matters, including CAFO inspector training requirements specified in U.S. EPA internal order 3500.1.

3. By June 2011, Illinois EPA will develop a citizen complaint SOP and database for facilities that are potential CAFOs. The SOP will provide for a written report on investigation results to the complainant. The database will include a field recording the response to the complaint. The SOP will also provide instruction for ensuring 24-hour spill/release response capability which includes on-site presence of an NPDES trained inspector, sampling capability, and equipment to ensure that spills/releases from facilities are documented and assessed to determine if the facilities are CAFOs and require NPDES permits. The SOP will describe laboratory capabilities and services necessary to complete data analysis within prescribed holding times for pollutants of concern. The SOP must specifically address maintenance of those capabilities for those events which occur at night, on weekends, and on holidays.

4. Illinois EPA will develop an annual site-specific CAFO inspection plan which ensures NPDES inspection at a minimum of 20 percent of all permitted CAFOs, consistent with U.S. EPA's National NPDES Compliance Monitoring Strategy. Illinois EPA will provide the plan to U.S. EPA by September 1 of each year for approval.

5. During federal fiscal year 2011, U.S. EPA will conduct oversight inspections of a minimum of five Illinois EPA NPDES CAFO inspections to evaluate the effectiveness of the Illinois EPA inspection program. U.S. EPA inspectors will document their findings, and evaluate the thoroughness and scope of prior Illinois EPA inspections as well as the appropriateness of the record-keeping and reporting associated with the inspections. U.S. EPA will provide copies of these inspection reports to Illinois EPA within 60 days of completion. U.S. EPA will also conduct independent inspections at additional CAFOs with suspected wet weather discharges. U.S. EPA will invite Illinois EPA participation. U.S. EPA will initiate any appropriate follow-up enforcement consistent with existing State/U.S. EPA enforcement communication agreements and the Environmental Performance Partnership Agreement.

Indicia of Progress: Illinois EPA creates and maintains in ICIS a consolidated inventory of Large CAFOs. The inventory is easily accessible to all Illinois EPA staff and the public. Illinois EPA conducts NPDES evaluations at 25 potential Large CAFOs by June 1, 2011, and a total of 50 by June 1, 2012, consistent with approved SOPs. Illinois EPA implements approved annual inspection plans for permitted CAFOs consistent with the National Compliance Monitoring Strategy. Illinois EPA implements a satisfactory training program for inspectors. Illinois EPA responds to all citizen complaints and emergency CAFO-related discharges in a timely manner. Illinois EPA identifies and records 100 percent of Single Event Violations and all wet weather Significant Non-Compliance (SNC) in ICIS.

Objective 2: To properly track and efficiently resolve newly-identified violations. This objective focuses on newly-identified violators and addresses U.S. EPA's CAFO program review findings related to timely and appropriate enforcement addressing noncompliance by CAFOs and the requirement that all CAFOs that discharge or propose to discharge must apply for an NPDES permit.⁷

Approach:

1. Illinois EPA's Bureau of Water will revise its Enforcement Response Guide (ERG) in a manner designed to assure timely and appropriate response to violations detected at CAFOs and ensure a prompt return to compliance⁸. Illinois EPA will submit the revised ERG to U.S. EPA by February 28, 2011. The ERG will require all Large CAFOs to apply for and obtain an NPDES permit where the CAFOs discharge or propose to discharge. The ERG will require all Medium livestock and poultry facilities to apply for and obtain a permit where the facility meets the definition of a CAFO. In addition, the ERG will reflect the wet weather SNC policy in the determination of SNC as well as the appropriate enforcement response. Illinois EPA will submit the ERG to U.S. EPA for review and approval or approval with modifications. Illinois EPA will fully adopt and implement the ERG within 30 days of U.S. EPA approval or approval with modifications. All staff working on livestock and poultry issues will be trained and the revised ERG will be implemented by May 31, 2011.

2. By May 1, 2011, Illinois EPA will issue violation notices (VNs) for all significant noncompliance detected at CAFOs, within 180 days of Illinois EPA becoming aware of the alleged violation, pursuant to Section 31(a) of the Illinois Environmental Protection Act (Act). The VN will contain a recommended remedy and schedule for implementation as appropriate. Compliance Commitment Agreements (CCAs) will be accepted when they bind the respondent to the requirements and timeframes recommended in the VNs. If Illinois EPA is unable to

⁷ See the *Initial Results*, Section VI. 3, pages 38-39.

⁸ The ERG should include systems and procedures which assure timely and appropriate response to violations detected at other sources as well.

negotiate an acceptable CCA within 120 days of issuing the VN, Illinois EPA will refer the matter to the Illinois Attorney General's office. For conditions that constitute an imminent or substantial endangerment to human health, the environment or property, Illinois EPA will immediately refer the matter to the Illinois Attorney General's office pursuant to Section 43 of the Act.

3. In cases where the facility does not respond to the VN or proposes a remedy that is less effective than the remedy proposed by Illinois EPA, Illinois EPA will immediately complete the necessary actions under Section 31 to allow Illinois EPA to formally refer the matter to the Illinois Attorney General's office or the State's Attorney of the county in which the alleged violation occurred. Simultaneously, Illinois EPA will refer the case to its existing Enforcement Decision Group for pre-referral consideration of the case.

Indicia of Progress: Illinois EPA consistently follows the approved ERG. All CCAs are finalized within 120 days of the VN. No State-lead enforcement cases result in U.S. EPA taking additional action to resolve the same violations.

Objective 3: To assure that unresolved enforcement matters are properly tracked and efficiently resolved. This objective focuses on existing matters and addresses U.S. EPA's CAFO program review findings related to timely and appropriate enforcement addressing noncompliance by CAFOs⁹.

Approach:

1. Beginning with the first quarter of calendar year 2011, Illinois EPA program and legal managers, Illinois Attorney General's Environmental Division managers, and U.S. EPA program and legal managers will conduct a quarterly docket review of all referred CAFO matters and all open federal enforcement cases. Participants will agree on the lead agency, path to resolution (including target dates), appropriate penalty resolution, and desired results. Illinois EPA will document decisions.
2. By July 2011, U.S. EPA legal staff and management will meet with the Illinois Attorney General's office and Illinois EPA's legal staff and management to discuss legal issues and strategy with respect to CAFO litigation and enforcement, including U.S. EPA penalty policies.
3. Illinois EPA will provide a report by no later than the 15th of each month to the U.S. EPA Water Enforcement Branch Chief. The report will reflect the activities completed during the preceding month. The reports will include the following:

⁹ See the *Initial Results*, Section VI. 3, pages 38-39.

- a list and electronic copy of the report for each facility evaluated under Objective 1, approach 1(e), to determine whether the facility is subject to NPDES permitting requirements;
- results of the Compliance Group's determinations under Objective 1, approach 1(f);
- a list of all potential CAFO-related citizen complaints/spills/releases received in the preceding month under Objective 1, approach 3, and the disposition of the cases;
- a list of potential CAFO facilities evaluated by the Enforcement Decision Group and a description of actions taken with regard to those facilities, including copies of any referrals to the Illinois Attorney General's office or written compliance determinations; and
- a list of all potential CAFO NPDES enforcement matters referred to the Illinois Attorney General's office or that are before the Illinois Pollution Control Board and a written summary of the status of the cases.

The frequency of reports may be adjusted after the initial six months by mutual agreement by Illinois EPA and U.S. EPA.

Indicia of Progress: All pending matters meet agreed-upon schedules for action and resolution. Decisions affecting case progress are made expeditiously, and barriers are removed. Newly-referred matters placed on the docket progress appropriately. Monthly reports are submitted timely and contain all required information.

Illinois Program Work Plan

February 2011

CAA Title V Permitting

The Illinois Environmental Protection Agency (Illinois EPA) implements the requirements of Title V of the Clean Air Act via its Clean Air Act Permit Program (CAAPP), which was approved by U.S. EPA on December 4, 2001 (66 Fed. Reg. 62946). Through regular program interactions, our annual planning process, and periodic program reviews, U.S. EPA and Illinois EPA discuss program progress and implementation barriers. On September 30, 2010, U.S. EPA provided Illinois EPA a Title V program review report which raised several concerns, most notably with the Illinois EPA's permit issuance rates. On January 18, 2011, Illinois EPA issued a response to the report. Since then, Illinois EPA and U.S. EPA have developed this work plan to strengthen the CAAPP, focusing on the following objectives:

- Issue CAAPP permits pursuant to the Clean Air Act and Section 39.5 of the Illinois Environmental Protection Act, 415 ILCS 5/39.5 (Section 39.5).
- Significantly reduce issuance backlogs of CAAPP permit renewals and federally enforceable state operating permits, as identified in U.S. EPA's Title V Operating Permit System (TOPS) data base (FESOPs).

Both parties have agreed to approaches and commitments designed to address these objectives, as outlined in detail below.

Objective 1: Issue CAAPP permits pursuant to the Clean Air Act and Section 39.5.

In consideration of the entire permitting sequence, from application to drafting and review, Illinois EPA and U.S. EPA have identified the following approaches to support this objective:

Approach:

Effective use of the application completeness process:

1. Illinois EPA will continue to review each incoming CAAPP application to determine whether the application meets technical requirements and all administrative requirements of Section 39.5.

The Illinois EPA will continue to provide an application shield to only those sources for which the application has been deemed complete in accordance with 39.5(5). Illinois EPA will continue to request additional information as necessary during processing of the application.

2. Illinois EPA will continue to evaluate CAAPP application completeness by utilizing the existing completeness checklist, revising it as necessary. The CAAPP application forms require that an application must include a justification for non-applicability determinations and periodic monitoring requests, and that applicants certify that the information provided is complete and correct. Illinois EPA will review the application forms to assess whether they should be revised to make clear that applicants must include proposed methods for monitoring compliance with emissions limitations; the frequency of the proposed measurements; and, if the measurements are indirect (parametric), an explanation of how the measured values relate to actual emissions from the source. By March 31, 2011, Illinois EPA will provide U.S. EPA with the contents of its completeness checklist, highlighting any revisions. By July 1, 2011, U.S. EPA will assess Illinois EPA's completeness review process and will identify areas for improvement, if any. Illinois EPA will implement any agreed-to revisions as soon as practicable.

Effective and efficient permit drafting:

3. An Illinois EPA manager will continue to review all draft permits and statements of basis before they are publicly noticed to ensure that the CAAPP permits and statements of basis include, at a minimum, the following elements required by the CAAPP: all applicable requirements, periodic monitoring sufficient to assure compliance, compliance assurance monitoring where applicable, compliance schedules where appropriate, origin and authority for all permit terms, and practicably enforceable terms.

4. Effective immediately, U.S. EPA will, at a minimum, review and comment on one draft permit and accompanying Statement of Basis per month, if available. Illinois EPA will work with U.S. EPA to address U.S. EPA's comments.

5. U.S. EPA will support Illinois EPA with training and help with permit-specific issues, and assist with applicability determinations where appropriate. In addition to U.S. EPA's data base of Title V petitions, orders and other guidance documents, which is accessible by states, U.S. EPA commits to provide the following on-going assistance:

a. U.S. EPA will provide all recently-issued responses to petitions to object to Title V permits, policy statements and Title V guidance documents once they are publicly available, and will be available at least once a month to discuss how these policies and orders will impact, and should be implemented by, Illinois EPA. U.S. EPA will assist Illinois EPA, as necessary, to search and extract examples of application of guidance. Although many such permit decisions and other documents may be case-specific, U.S. EPA will provide Illinois EPA examples of acceptable periodic monitoring for common emission units. U.S. EPA will provide Illinois EPA with any tools it develops that will aid in the issuance of permits that meet the most up-to-date guidance.

b. As detailed elsewhere in this document, U.S. EPA will provide permit-specific assistance on the development of statements of basis and responses to comments. U.S. EPA will

also assist or conduct, where appropriate, MACT and NSPS applicability reviews and single source determinations. Typically, U.S. EPA will provide these reviews and determinations within 60 days of a request by Illinois EPA.

6. Illinois EPA will continue to offer training to ensure that its permit analysts understand and are equipped to fully implement the requirements of the Clean Air Act, Section 39.5, and U.S. EPA's guidance and policies, as appropriate. This includes the on-going productivity initiative discussed in the April 2010 Title V program review¹⁰, regular CAAPP Unit meetings to discuss recent U.S. EPA comments on draft and proposed permits, applicability determinations, and responses to petitions to object to Title V permits; informal training on topics such as effective permit writing (e.g., periodic monitoring justification, writing techniques, etc.) and permit-specific issues; and formal training that U.S. EPA can provide or help Illinois EPA develop. Illinois EPA will have the Construction Unit manager and appropriate staff also participate when appropriate. U.S. EPA will be available to attend these meetings and answer permit-specific questions in Springfield at least monthly. Additionally, U.S. EPA will interact directly with permit analysts concerning draft permits and Statements of Basis.

Addressing and documenting responses to public comments:

7. By April 2011, U.S. EPA and Illinois EPA will re-open and revise the existing Title V implementation memorandum of understanding (MOU) to provide that Illinois EPA will make available to U.S. EPA its draft response to comments identified by U.S. EPA prior to the start of U.S. EPA's 45-day period to review a proposed permit. U.S. EPA's 45-day review will occur sequentially under this revised process, rather than being concurrent with the public review as per the existing MOU. This provision will not prevent U.S. EPA from waiving any portion of the 45-day review period remaining after it has completed its review. U.S. EPA's 45-day review period will begin when Illinois EPA provides U.S. EPA with the requested draft response to those comments identified by U.S. EPA and a proposed permit revised as necessary to address public comments. If requested by Illinois EPA, U.S. EPA will assist Illinois EPA in addressing comments prior to the start of the 45-day review period. Illinois EPA will continue to respond to all significant comments in the process of issuing CAAPP permits.

Indicia of Progress: U.S. EPA will see more thorough documentation of decision-making (e.g., Statements of Basis, Responses to Comments), resulting in fewer objections on this basis.

¹⁰ See September 30, 2010 program evaluation report, page 16

Objective 2: Significantly reduce permit issuance backlogs of CAAPP renewals and FESOPs.

Illinois EPA and U.S. EPA agree that there is a large backlog of applications that Illinois EPA must process. Illinois EPA and U.S. EPA have identified the following approaches to reduce this backlog:

Approach:

1. As soon as practicable, but no later than July 1, 2011, Illinois EPA will temporarily assign two to five additional FTE to process CAAPP permit applications, to help replace staff reductions that have occurred over the past several years.
2. Illinois EPA senior management will continue to reinforce to staff, in writing, that issuing CAAPP operating permits is a high priority. Illinois EPA senior management will take every opportunity to identify issuance of CAAPP permits as a priority, such as through e-mails, staff meetings, presentations, and the identification of priorities in performance objectives.
3. By March 2011, Illinois EPA will clearly lay out for appropriate Illinois EPA staff expectations for CAAPP permit issuance. Illinois EPA senior management will develop and post in the office visual or virtual displays of the targets and expectations along with a measure of Illinois EPA's success in meeting the targets.
4. By June 2011, Illinois EPA will identify and implement a strategy to increase the permit issuance rate of FESOPs.

Indicia of Progress: The following table summarizes Illinois EPA's and U.S. EPA's permitting goals for FFY 2011 and 2012 for the current CAAP backlog. Thereafter, Illinois EPA will continue to public notice and issue CAAPP permits from the backlog.

Date	Cumulative Total of Draft Backlogged Permits Sent to Public Notice	Targeted Cumulative Total of Final Backlogged Permits Issued¹¹
May 2011	6	
November 2011	10	6
May 2012	24	10
November 2012	48	24

¹¹ The word "targeted" is used in relation to final permit issuance in recognition that third parties can impact "final" permit issuance and/or effective dates through petitions to object filed with the Administrator and permit appeals filed with the State by permittees.

**Illinois Program Work Plan
February 2011
Air Enforcement**

Illinois EPA and U.S. EPA collectively ensure that facilities comply with applicable provisions of the CAA and associated State laws, permits and requirements. Illinois EPA's implementation of its CAA enforcement program is monitored by U.S. EPA through data input to U.S. EPA's Air Facility System (AFS), regular discussions of ongoing case status, a joint annual planning process, and periodic audits under U.S. EPA's State Review Framework. Through these mechanisms, program progress is tracked, and barriers to further progress are addressed. Illinois EPA and U.S. EPA have agreed through this work plan to work together to strengthen the State's enforcement program, focusing on the following three objectives:

- To detect all federally reportable violations and document them in order to support formal enforcement.
- To track and efficiently resolve newly identified violations.
- To assure that existing, unresolved enforcement matters are tracked and efficiently processed.

Both parties have agreed to approaches and commitments designed to address these objectives, as outlined in detail below.

Objective 1: To detect all federally reportable violations and document them in order to support formal enforcement.

Approach:

1. Illinois EPA will continue to organize training for its field inspectors and office compliance staff. Training will cover pre-inspection preparation, inspection conduct, post-inspection follow-up and documentation, review of compliance data (i.e., stack tests, continuous emission monitoring, continuous opacity monitoring reports, deviation reports). By March 2011, Illinois EPA will provide U.S. EPA a summary of existing and proposed training, including agendas and materials, to be offered to Illinois EPA Bureau of Air (BOA) field inspectors and compliance staff during 2011. U.S. EPA will provide feedback as appropriate. A similar process will occur for any new training program topics. U.S. EPA will review training opportunities and from time to time, but at least quarterly, provide Illinois EPA's BOA Training Coordinator with a list of federally-sponsored training opportunities relevant to field inspections (inspection quality, inspection conduct, post-inspection follow-up, etc.), NSR and PSD compliance, specific source sector compliance, compliance with recent NESHAPs or NSPS, and other federal regulations or

requirements relevant to Illinois EPA's Compliance Monitoring Strategy. U.S. EPA will also share other non-federal training opportunities and materials it finds to be effective.

2. From time to time, U.S. EPA Headquarters develops specific source-sector enforcement initiatives that focus on PSD/NSR noncompliance. U. S. EPA has Section 114 authority that allows it to gather information or documents from the targeted source-sector that may be necessary to assess whether a PSD/NSR violation exists. When Illinois EPA has identified a modification at a source that may be a major modification, and cannot support an enforcement action with information available, Illinois EPA will provide to U.S. EPA the inspection report and any other documentation that may support a PSD/NSR noncompliance inquiry. U. S. EPA will then use its Section 114 authority to gather additional evidence relevant to the PSD/NSR inquiry.

3. Illinois EPA Bureau of Air (BOA) staff has developed a new Compliance Monitoring Report (CMR), which is currently being field-tested, and once perfected, will be used for each BOA inspection. The final CMR will standardize the pre-inspection, inspection, and post-inspection practices, and will include checklists to ensure that the field inspector has identified the necessary elements for each type of inspection (e.g., full compliance evaluation (FCE), partial compliance evaluation (PCE), complaint response, etc.). A draft of the CMR has been field tested on two FCE inspections. The comments on the initial draft of the CMR are currently being reviewed and the initial draft CMR is being revised. By March 15, 2011, the revised draft CMR will be field-tested by one or more inspectors in each regional field office. By April 15, 2011, comments on the draft CMR by the regional field staff involved in the next phase of testing will be received and any necessary changes to the draft CMR will be made. By May 1, 2011, the proposed CMR will be sent to U.S. EPA ARD program and legal managers for review and comment. U.S. EPA will provide comments to Illinois EPA BOA staff on the proposed CMR by June 1, 2011. In July, August and September 2011, Illinois EPA BOA will conduct training on the final CMR to ensure that each field inspector and compliance engineer is familiar with the CMR and its requirements. Beginning October 1, 2011, the CMR will be used for each field inspection.

4. By March 15, 2011, Illinois EPA will compose three (3) regional Meeting in Region (MIR) committees, consisting of Illinois EPA's field staff in that region, and compliance and legal staff assigned to that region, as well as the FOS Section Manager. Each of the committees will consult with their assigned field inspectors on scheduled inspections for the upcoming quarter to review methods of evaluation, applicable regulatory requirements, and necessary documentation specific to that investigation. Post inspection, each of the three regional MIR committees will meet with each of their assigned inspectors to review their findings and documentation, and identify areas of non-compliance and possible remedies.

Indicia of Progress: Documentation supporting violations is sufficient to ultimately resolve most of the violations through negotiation or litigation. The number of cases that the Compliance Decision Group (CDG) (see below) refers back to technical staff due to insufficient information will be tracked to measure progress.

Objective 2: To track and efficiently resolve newly identified violations.

Approach:

1. Illinois EPA will continue to use a Compliance Decision Group (CDG) composed of the BOA Permit Section Manager, the Field Operations Section (FOS) Manager, the Compliance Section Manager and the Manager of the Division of Legal Counsel-Air Enforcement. The CDG will analyze each violation detected during the previous month, detailing supporting evidence, desired corrective action, and expected environmental benefits. The CDG will prioritize ongoing or recurring violations for expedited Violation Notices (VNs), preliminarily identify violations that may require formal resolution, and direct insufficiently supported cases back to the technical staff for follow-up. Decisions will be documented and maintained.
2. Beginning in March 2011, where the appropriate technical remedy is known, the Illinois EPA will issue VNs containing a recommended technical remedy and schedule for implementation. Where the appropriate technical remedy is not known, Illinois EPA will generally describe a remedy(s) believed by Illinois EPA to be applicable to the particular case and a schedule for resolution.
3. Non-responses to VNs or responses without a commitment to a technical remedy that is at least as effective as that proposed by Illinois EPA will be immediately referred to the CDG.
4. The CDG will meet monthly to dispose of matters referred to them. Most matters referred to the CDG following step 3 above where High Priority Violators (HPVs) have been identified will be referred to the Illinois Attorney General's office unless that office declines. If the Attorney General's office declines referral, the CDG can consider other options for resolution. Decisions of the CDG will be documented and maintained.
5. Beginning in March 2011, Illinois EPA legal enforcement staff will utilize its regular calls with the Illinois Attorney General's office to discuss the status of existing active cases, including information needs, affirm agreement on settlement terms and path to resolution, etc., as well as review the backlogged cases for next opportunities and necessary actions.

Indicia of Progress: No extended periods of negotiation for Compliance Commitment Agreements where HPVs have been identified in a VN. Time frames between case milestones

will be tracked to monitor progress. A twenty-five (25%) percent increase in HPV cases referred to the Illinois Attorney General's Office over FFY 2010 levels in both FFY 2011 and FFY 2012.

Objective 3: To assure that existing, unresolved enforcement matters are tracked and efficiently processed.

Approach:

Beginning in March 2011, Illinois EPA BOA program and legal managers and U.S. EPA ARD program and legal managers will conduct a semi-annual review of cases where a HPV has been identified in a VN (prior to referral), or in a referral to the AGO. Participants will review the status of each unresolved, state-initiated, HPV (post VN); agree upon the lead agency, path to resolution (including target dates), and appropriate penalty resolution; and affirm desired results. Decisions will be documented.

Indicia of Progress: All pending matters will be closely monitored through ultimate resolution, decisions affecting case progress will be expeditiously made, and barriers will be identified and a path to address the barrier will be agreed upon.

Illinois Program Work Plan for 2013

Agreement Between

Illinois Environmental Protection Agency and Region 5, U.S. Environmental Protection Agency

Pursuant to federal assistance statutes, the Illinois Environmental Protection Agency (Illinois EPA) and Region 5, U.S. Environmental Protection Agency (EPA Region 5) work together to implement authorized, delegated, and/or approved environmental programs within the State of Illinois in a timely, appropriate, and effective manner. Together we establish priorities, negotiate program commitments and work sharing, and evaluate program performance.

Illinois EPA and EPA Region 5 are replacing the previous Work Plan Agreement as a means to continue to strengthen Illinois' implementation of several federally authorized, delegated, and/or approved environmental programs. The Work Plan for 2013 includes activities and commitments for both Agencies relating to the Clean Water Act National Pollutant Discharge Elimination System (NPDES) and Clean Air Act Title V permitting program. This Work Plan Agreement extends the previous 2011/2012 federal fiscal year work plan agreement to December 31, 2013. In the event of a conflict between this Work Plan Agreement and the November 1, 2010, Memorandum of Agreement (MOA) between the EPA Region 5 and the Illinois EPA, this document supersedes the MOA.

Illinois EPA and EPA Region 5 will monitor progress under the Work Plan Agreement via existing program-to-program communications, as well as during the annual joint senior management planning meeting. The Work Plan may be adjusted by mutual agreement. As part of our joint planning for Federal Fiscal Year 2014/2015, Illinois EPA and EPA Region 5 will formally assess the need to negotiate a revised Work Plan for the Clean Water Act NPDES and Clean Air Act Title V permitting programs.

The execution of this Agreement demonstrates our continuing commitment to environmental improvement through a strong partnership and shared responsibility for meeting our regulatory obligations.

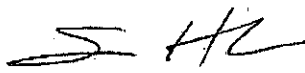
Entered into on 2-4-13

For Illinois EPA:



John J. Kim, Interim Director
Illinois Environmental Protection Agency

For EPA Region 5:



Susan Hedman
Regional Administrator

**Illinois Program Work Plan
For 2013
Water Programs**

In March 2008, the Illinois Citizens for Clean Air & Water (Illinois Citizens) submitted a petition to the U.S. Environmental Protection Agency (U.S. EPA) requesting the withdrawal of Illinois' authorized Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. Illinois Citizens contend that the Illinois Environmental Protection Agency (Illinois EPA) was not properly administering the NPDES program for concentrated animal feeding operations (CAFOs). In February 2009, Illinois Citizens, joined by the Environmental Integrity Project, provided additional information in a supplementary petition to U.S. EPA.

U.S. EPA conducted an informal investigation of the petitioners' allegations and issued a report in September 2010.¹ The report discusses U.S. EPA's initial findings for the various program areas, and the actions that Illinois EPA must take to comply with Clean Water Act requirements for authorized state NPDES programs. In particular, Illinois EPA must accomplish the following:

NPDES Permitting for CAFOs

- Issue NPDES permits to CAFOs that are required to be permitted under NPDES regulations.
- Develop and maintain a comprehensive inventory of CAFOs and evaluate their regulatory status.
- Establish technical standards for nutrient management by Large CAFOs and revise title 35 of the Illinois Administrative Code, Subtitle E, as necessary to be consistent with the federal CAFO rules.
- Ensure that sufficient resources are maintained to issue or deny permits.

NPDES Compliance Monitoring and Enforcement for CAFOs

- Revise the inspection process for livestock and poultry facilities to enable Illinois EPA to determine and track whether inspected facilities are CAFOs that are required to have NPDES permits and whether they are in compliance with NPDES requirements.
- Develop standard operating procedures and properly investigate, track, and respond to citizen complaints reporting potential violations of NPDES requirements.
- Take timely and appropriate enforcement action to address noncompliance by CAFOs.
- Require that Illinois EPA enforcement actions address CAFOs failing to apply for an NPDES permit, where a facility has discharged, is discharging, or is designed, constructed, operated, or maintained such that it will discharge.
- Ensure that sufficient resources are maintained for inspections and enforcement of NPDES requirements for CAFOs.

¹See the "Initial Results of an Informal Investigation of the National Pollutant Discharge Elimination System Program for Concentrated Animal Feeding Operations in the State of Illinois" (Initial Results), available at: <http://epa.gov/region5/illinoiscafo>.

Progress to date and plan forward

- Since February 2011, Illinois EPA has hired and trained six new CAFO staff; made progress on issuing, reinvestigating and tracking CAFO permits; has an inventory of large CAFOs under development; has made progress on conducting and tracking CAFO inspections; has issued violation notices and referred actions to the Illinois Attorney General Office; has submitted proposed amendments to Title 35 of the Illinois Administrative Code to the Illinois Pollution Control Board; and has developed and implemented standard operating procedures and its Enforcement Response Guidelines related to inspections and enforcement.
- Both U.S. EPA and Illinois EPA agree to extend the Work Plan through 2013 to continue the progress of the February 2011 Work Plan, including completing the CAFO inventory and a related workload assessment, finalizing four Illinois EPA standard operating procedures concerning CAFOs, and amending Title 35 of the Illinois Administrative Code, Subtitle E, Parts 501, 502, and 504.

The following outlines specific actions that Illinois EPA will continue to take to address the initial findings in U.S. EPA's report. Actions that U.S. EPA will take to assist Illinois EPA are provided below as well.

NPDES Permitting for Concentrated Animal Feeding Operations

Objective 1: All Large CAFOs that discharge are in compliance with NPDES permits. This objective addresses U.S. EPA's CAFO program review findings related to issuance of NPDES permits to CAFOs as required under the NPDES regulations.² It also addresses U.S. EPA's finding related to resources for the CAFO NPDES program.³

Approach

1. By February 28, 2013, Illinois EPA will report on the status of the 13 cases identified in the August 31, 2011, re-investigation report as either needing additional investigation or considering withdrawing permit applications. The report will include conclusions and, as appropriate, recommendations for further action.
2. By September 30, 2013, Illinois EPA will prepare a final workload assessment that will identify the number of full time employees required to implement an effective CAFO permitting, compliance evaluation, and enforcement program taking into account the CAFO universe identified in the CAFO inventory discussed below.⁴ The final assessment will identify staff distribution by function and geographic area of responsibility.

²*Ibid*, Section VI. 1, p. 35.

³*Ibid*, Section VI. 6, p. 40.

⁴Compliance Monitoring and Enforcement Objective 1, Approach 1.b.

3. Illinois EPA will continue to provide U.S. EPA with a bi-monthly status report on each CAFO permit application. Any future changes to the current version of the status report shall be mutually agreed upon by Illinois EPA and U.S. EPA.
4. Illinois EPA will establish a standard operating procedure (SOP), with timelines, for making a completeness determination and taking preliminary and final action on permit applications. The SOP will provide for final action not more than 180 days after receipt of a complete application. Under the SOP, Illinois EPA will respond to all incomplete applications with a notice of incompleteness (NOI) delineating the deficiencies in the application and requiring a response within 30 days. Illinois EPA will copy U.S. EPA on all NOIs. The SOP will provide that Illinois EPA will issue a violation notice (VN) under Section 31 of the Illinois Environmental Protection Act or request U.S. EPA to issue an information collection order under Section 308 of the Clean Water Act for any applicant who has not responded or when Illinois EPA finds that the application is still incomplete after appropriate use of the NOI process. By February 28, 2013, Illinois EPA will provide a final SOP to U.S. EPA for review and approval or approval with modification. The final shall consider comments and recommendations from U.S. EPA on previous draft versions of the SOP.
5. U.S. EPA will issue information collection orders to CAFOs that have submitted incomplete applications to Illinois EPA and are not subject to federal enforcement. Illinois EPA will refer such CAFOs to U.S. EPA within 30 days after the deadline Illinois EPA sets in a final NOI letter or VN to the applicant. U.S. EPA will issue the information collection orders within 60 days after receipt of a complete referral from Illinois EPA.
6. Within 60 days following publication of amendments to 35 Ill. Adm. Code, subtitle E, Illinois EPA and U.S. EPA will jointly identify permit conditions that Illinois EPA could modify and practices that Illinois EPA could adopt, consistent with the 2003 and 2008 federal rules for CAFOs, to streamline the process for review of Nutrient Management Plans (NMPs) and incorporation of NMP terms into permits. Such methods include, but are not limited to, use of Manure Management Planner or other nutrient management planning software. For any conditions or practices so identified, Illinois EPA will act to modify the conditions or adopt the practices in accordance with the schedule set in Objective 2, Approach 4, of this section. Illinois EPA may request support for implementation of the streamlining actions.

Indicia of Progress: For applications submitted prior to March 31, 2011, Illinois EPA completes the following by December 31, 2012, issue permits to the applicants, post draft permits or notices of coverage for public comment, or refers the CAFO to the Illinois Attorney General's office for formal enforcement or U.S. EPA for an information collection order. For other applicants, Illinois EPA takes final action as detailed in the SOP contemplated in Approach 4 in this section.

Objective 2: U.S. EPA approves amendments to 35 Ill. Adm. Code, subtitle E, which reflect the 2003 and 2008 revisions to the federal regulations for CAFOs. This objective addresses U.S. EPA's CAFO program review findings related to administrative rules for CAFOs as well as technical standards for nutrient management by Large CAFOs.⁵

Approach

1. As appropriate given the content of the draft amendments and other considerations, U.S. EPA will recommend that the Illinois Pollution Control Board (the Board) propose the amendments for the purpose of requesting public comment.
2. Within 30 days after publication of amendments to 35 Ill. Adm. Code, subtitle E, Illinois EPA will inform the owner of each Large CAFO in the State's inventory, in writing, about the unpermitted discharge prohibition and the duty to apply for a permit, and the potential consequences for discharge without a permit. Illinois EPA will provide a draft of the letter to U.S. EPA for review and approval or approval with modification.
3. Within 45 days after the amendatory rulemaking becomes effective, Illinois EPA will submit the final amendments to U.S. EPA for action under 40 C.F.R. §123.62.
4. Within 120 days after the effective date of the amendatory rulemaking, Illinois EPA will revise its permit application forms and formally ask the public to comment on draft modifications to general permit ILA01, as appropriate, based on the amendments and the federal regulations.

Indicia of Progress: U.S. EPA finds the amended rules to be consistent with federal regulations. Illinois EPA implements the amended rules upon becoming effective. U.S. EPA acts on the amendments within 90 days of receipt.

NPDES Compliance Monitoring and Enforcement for CAFOs

Objective 1: To detect, report, and sufficiently document all violations in order to support enforcement of the federal regulations. This objective addresses U.S. EPA's CAFO program review findings related to developing and maintaining a comprehensive inventory of CAFOs and evaluating their regulatory status, revising the inspection processes to determine and track CAFOs requiring NPDES permits, and developing and implementing SOPs for responding to CAFO-related citizen complaints.⁶

⁵*Initial Results*, Section VI. 7, p. 41.

⁶*Ibid*, Section VI. 2, pp. 36-38.

Approach

1. Illinois EPA will implement a short-term strategy for evaluating facilities that are likely to be Large CAFOs. The strategy includes the following:

- a. Illinois EPA will provide the NPDES inspection list identifying 25 facilities including location data to U.S. EPA, no later than February 28, 2013.
- b. By February 28, 2013, Illinois EPA will provide an inventory to U.S. EPA that lists Large CAFOs and any other permitted CAFOs as a basis for the final Workload Assessment. Illinois EPA will maintain and regularly update its CAFO inventory through a process of confirming sizes of additional livestock facilities. Illinois EPA will make the inventory publicly accessible and send updates to U.S. EPA at least twice a year. By September 30, 2013, Illinois EPA will provide an update to its CAFO inventory that confirms whether additional livestock facilities are Large CAFOs. Illinois EPA will have a process in place to get regular updates about potential Large CAFOs from Illinois Department of Agriculture and Illinois Department of Public Health. The inventory will include all confirmed Large and permitted CAFO sites identified by Illinois EPA regional offices, permit applications, citizen tips and complaints, U.S. EPA, the Illinois Department of Agriculture, the Illinois Department of Public Health, and the Illinois Emergency Management Agency. The inventory may make use of a Geographic Information System-based pilot inventory currently being developed for seven high profile Illinois counties.
- c. Following U.S. EPA's 2012 oversight inspections, U.S. EPA will provide its comments on the CAFO NPDES inspection/evaluation standard operating procedure by January 15, 2013. Illinois EPA will address U.S. EPA's comments and revise its CAFO NPDES inspection/evaluation standard operating procedure as necessary and will provide the updated SOP to U.S. EPA for review and approval or approval with modification by February 28, 2013.
- d. Illinois EPA will perform 25 NPDES evaluations by June 1, 2013, to determine whether the facilities discharge, with at least 12 of these evaluations completed during or after precipitation events.
- e. At its existing Compliance Group monthly meetings, Illinois EPA will review the findings and documentation of all NPDES evaluations for: a determination as to whether the facility meets the definition of a CAFO, areas of non-compliance, wet weather Significant Non-compliance (SNC) determinations, violations detected, documentary evidence, and recommendations for correcting the violations. Illinois EPA and U.S. EPA will confer quarterly to review the findings and documentation of all CAFO noncompliance cases beginning with those initiated in 2009.

2. By February 28, 2013, Illinois EPA will confirm that CAFO inspectors and their first-line supervisors have completed Illinois EPA's training curriculum. Newly hired Illinois EPA CAFO inspectors will be trained within 6 months of starting and before independently leading a CAFO inspection.

3. By February 28, 2013, Illinois EPA will address U.S. EPA's comments and revise its citizen complaint SOP as necessary and will provide the SOP to U.S. EPA for review and approval or approval with modification. The SOP is to provide for a written report on investigation results to the complainant. The database is to include a field recording the response to the complaint. The SOP will also provide instruction for ensuring 24-hour spill/release response capability which includes on-site presence of an NPDES trained inspector, sampling capability, and equipment to ensure that spills/releases from facilities are documented and assessed to determine if the facilities are CAFOs and require NPDES permits. The SOP will describe laboratory capabilities and services necessary to complete data analysis within prescribed holding times for pollutants of concern. The SOP must specifically address maintenance of those capabilities for those events which occur at night, on weekends, and on holidays.

4. Illinois EPA will develop an annual site-specific CAFO inspection plan which ensures NPDES inspection at a minimum of 20 percent of all permitted CAFOs, consistent with U.S. EPA's National NPDES Compliance Monitoring Strategy. Illinois EPA will provide the plan to U.S. EPA by September 30 of each year.

5. During Federal Fiscal Year 2013, U.S. EPA will conduct oversight inspections of a minimum of three Illinois EPA NPDES CAFO inspections to evaluate the effectiveness of the Illinois EPA inspection program. U.S. EPA inspectors will document their findings, and evaluate the thoroughness and scope of prior Illinois EPA inspections as well as the appropriateness of the record-keeping and reporting associated with the inspections. U.S. EPA will provide copies of these inspection reports to Illinois EPA within 60 days of completion. U.S. EPA will also conduct independent inspections at additional CAFOs with suspected wet weather discharges. U.S. EPA will invite Illinois EPA participation. U.S. EPA will initiate any appropriate follow-up enforcement consistent with existing State/U.S. EPA enforcement communication agreements and the Environmental Performance Partnership Agreement.

Indicia of Progress: Illinois EPA creates and maintains a consolidated inventory of Large CAFOs and other permitted CAFOs. The inventory is easily accessible to all Illinois EPA staff and the public. Illinois EPA conducts NPDES evaluations at 25 potential Large CAFOs by June 1, 2013, consistent with approved SOPs. Illinois EPA will report all CAFO inspections it conducted to U.S. EPA annually by July 31. Illinois EPA implements approved annual inspection plans for permitted CAFOs consistent with the National Compliance Monitoring Strategy. Illinois EPA implements a satisfactory training program for inspectors. Illinois EPA responds to all citizen complaints and emergency CAFO-related discharges in a timely manner. Illinois EPA identifies and records 100 percent of Single Event Violations and all wet weather SNC in the Integrated Compliance Information System (ICIS).

Objective 2: To properly track and efficiently resolve newly-identified violations. This objective focuses on newly-identified violators and addresses U.S. EPA's CAFO program review findings related to timely and appropriate enforcement addressing noncompliance by CAFOs and the requirement that all CAFOs that discharge must apply for an NPDES permit.⁷

Approach

1. Illinois EPA's Bureau of Water will revise its Enforcement Response Guide (ERG) in a manner designed to assure timely and appropriate response to violations detected at CAFOs and ensure a prompt return to compliance.⁸ Illinois EPA will submit the revised ERG to U.S. EPA, by February 28, 2013. The ERG will require all Large CAFOs to apply for and obtain an NPDES permit where the CAFOs discharge. The ERG will require all medium livestock and poultry facilities to apply for and obtain a permit where the facility meets the definition of a CAFO. In addition, the ERG will reflect the wet weather SNC policy in the determination of SNC, as well as the appropriate enforcement response. Illinois EPA will submit the ERG to U.S. EPA for review and approval or approval with modifications. Illinois EPA will fully adopt and implement the ERG within 30 days of U.S. EPA approval or approval with modifications.
2. Illinois EPA will issue VNs for all significant noncompliance detected at CAFOs, within 180 days of Illinois EPA becoming aware of the alleged violation, pursuant to Section 31(a) of the Illinois Environmental Protection Act (Act). The VN will contain a recommended remedy and schedule for implementation as appropriate. Compliance Commitment Agreements (CCAs) will be accepted when they bind the respondent to the requirements and timeframes recommended in the VNs. If Illinois EPA is unable to negotiate an acceptable CCA within 120 days of issuing the VN, Illinois EPA will refer the matter to the Illinois Attorney General's office. For conditions that constitute an imminent or substantial endangerment to human health, the environment or property, Illinois EPA will immediately refer the matter to the Illinois Attorney General's office pursuant to Section 43 of the Act.
3. In cases where the facility does not respond to the VN or proposes a remedy that is less effective than the remedy proposed by Illinois EPA, Illinois EPA will immediately complete the necessary actions under Section 31 to allow Illinois EPA to formally refer the matter to the Illinois Attorney General's office or the State's Attorney of the county in which the alleged violation occurred. Simultaneously, Illinois EPA will refer the case to its existing Enforcement Decision Group for pre-referral consideration of the case.

Indicia of Progress: Illinois EPA consistently follows the approved ERG. All CCAs are finalized within 120 days of the VN. No State-lead enforcement cases result in U.S. EPA taking additional action to resolve the same violations.

⁷*Ibid*, Section VI. 3, pp. 38-39.

⁸The ERG should include systems and procedures which assure timely and appropriate response to violations detected at other sources, as well.

Objective 3: To assure that unresolved enforcement matters are properly tracked and efficiently resolved. This objective focuses on existing matters and addresses U.S. EPA's CAFO program review findings related to timely and appropriate enforcement addressing noncompliance by CAFOs.⁹

Approach

1. Illinois EPA program and legal managers, Illinois Attorney General's Environmental Division managers, and U.S. EPA program and legal managers will continue to conduct a quarterly docket review of all referred CAFO matters and all open federal enforcement cases. Participants will agree on the lead agency, path to resolution (including target dates), appropriate penalty resolution, and desired results. Illinois EPA will document decisions.

2. Illinois EPA will provide a report by no later than the 15th of every odd numbered month to the U.S. EPA Water Enforcement Branch Chief. The report will reflect the activities completed during the preceding two months. The reports will include the following:

- a list and electronic copy of the report for each facility evaluated under Objective 1, approach 1(e), to determine whether the facility is subject to NPDES permitting requirements;
- results of the Compliance Group's determinations under Objective 1, approach 1(f);
- a list of all potential CAFO-related citizen complaints/spills/releases received in the preceding month under Objective 1, approach 3, and the disposition of the cases;
- a list of potential CAFO facilities evaluated by the Enforcement Decision Group and a description of actions taken with regard to those facilities, including copies of any referrals to the Illinois Attorney General's office or written compliance determinations; and
- a list of all potential CAFO NPDES enforcement matters referred to the Illinois Attorney General's office or that are before the Board and a written summary of the status of the cases.

The frequency of reports may be adjusted after the initial six months by mutual agreement by Illinois EPA and U.S. EPA.

Indicia of Progress: All pending matters meet agreed-upon schedules for action and resolution. Decisions affecting case progress are made expeditiously and barriers to progress are removed. Newly-referred matters placed on the docket progress appropriately. Monthly reports are submitted timely and contain all required information.

⁹*Initial Results*, Section VI. 3, pp. 38-39.

**Illinois Program Work Plan
For 2013
Clean Air Act Title V Permitting**

The Illinois Environmental Protection Agency (Illinois EPA) implements the requirements of Title V of the Clean Air Act via its Clean Air Act Permit Program (CAAPP), which was approved by U.S. EPA on December 4, 2001 (66 Fed. Reg. 62946). Through regular program interactions, our annual planning process, and periodic program reviews, U.S. EPA and Illinois EPA discuss program progress and implementation barriers. On February 24, 2011, U.S. EPA and Illinois EPA signed a work plan with the following objectives:

- Issue CAAPP permits pursuant to the Clean Air Act and Section 39.5 of the Illinois Environmental Protection Act, 415 ILCS 5/39.5 (Section 39.5).
- Significantly reduce issuance backlogs of CAAPP permit renewals and federally enforceable state operating permits (FESOPs), as identified in U.S. EPA's Title V Operating Permit System data base.

Progress to date and plan forward

- Illinois EPA has met or exceeded each of the milestones in the February 2011 Work Plan.
- Both U.S. EPA and Illinois EPA agree to extend the work plan through Calendar Year (CY) 2013 to continue the success of the February 2011 work plan, the reduction of the CAAPP permit backlog, work on lifting the stay of the initial CAAPP permits issued to the coal-fired power plants, and updating those permits through the permit reopening process.

Objective 1: To reduce permit issuance backlogs of CAAPP permit renewals and Federally Enforceable State Operating Permits (FESOP).

Approach

- U.S. EPA will, at a minimum, review one draft permit and accompanying Statement of Basis per month, if available. Illinois EPA will work with U.S. EPA to address any U.S. EPA comments.
- U.S. EPA will also work with Illinois EPA to most efficiently address U.S. EPA's comments. U.S. EPA commits to discussing our concerns with any specific operating permit with the Illinois EPA permit writer prior to submitting any formal comments. U.S. EPA will provide Illinois EPA with formal comments where it is warranted.
- U.S. EPA will support Illinois EPA with training and help with permit-specific issues, including addressing actual and perceived barriers that could delay permit issuance, and assist with applicability determinations where appropriate. In addition to U.S. EPA's data base of Title V petitions, orders, and other guidance documents, which is accessible by states, U.S. EPA commits to provide on-going assistance.
- U.S. EPA and Illinois EPA will follow the April 20, 2011, Memorandum of Agreement.
- Illinois EPA management will work with permit staff to identify and address barriers preventing the public noticing and issuance of final permits.

Indicia of Progress: The following tables summarize Illinois EPA's and U.S. EPA's permitting goals for CY 2013 for the current CAAPP and FESOP backlog.¹ Thereafter, Illinois EPA will continue to public notice and issue CAAPP permits and FESOPs from the backlog.

CAAPP backlog table²

Date	Cumulative Total of Draft Backlogged Permits Sent to Public Notice	Targeted³ Cumulative Total of Final Backlogged Permits Issued
Targeted Milestones for June 2013	72	39
December 2013	102	54

¹ The backlog was developed under the February 2011 Work Plan and includes the CAAPP and FESOP lists submitted to U.S. EPA and identifying pending permits as of October 2010.

² The number of permits for public notice and final issuance are continued from the February 2011 Work Plan for the CAAPP permit backlog.

³ The word "targeted" is used in relation to final permit issuance in recognition that third parties can impact "final" permit issuance and/or effective dates through petitions to object filed with the Administrator and permit appeals filed with the State by permittees.

Objective 2: To issue CAAPP permits to appealed coal-fired power plants based on the approach agreed to for the Ameren – Coffeen Generating Station permit.

Approach

The remaining coal-fired power plant initial CAAPP permits that have been appealed will be processed consistent with the methodology and process as described in the September 25, 2012, letter to U.S. EPA from the Illinois EPA, outlining our strategy and administrative process to getting final and effective initial permits and updating those permits to reflect new applicable Clean Air Act requirements through the reopening process.

CAFO Designation	County	Facility Name	Facility City	Permit Number	Primary Animal Type
L	ADAMS	HIGH POWER PORK LLC	LA PRAIRIE		Swine, each weighing 55 pounds or more
L	ADAMS	KNUFFMAN FAMILY FARM	LIBERTY		Swine, each weighing 55 pounds or more
L	ADAMS	PINE RIDGE FARMS	MENDON		Swine, each weighing 55 pounds or more
L	Adams	Sims Enterprises, Inc.	Liberty		Swine, each weighing 55 pounds or more
L	Bond	Kruckeburg	Shoal Creek		Swine, each weighing 55 pounds or more
L	BOND	Seabaugh Pork Farms	Greenville		Swine, each weighing 55 pounds or more
L	BROWN	BRADLEY, BRIAN HOG FARM	TIMEWELL		Swine, each weighing 55 pounds or more
L	BROWN	MASCHHOFFS - LANING 1	MT. Sterling		Swine, each weighing 55 pounds or more
L	BUREAU	Doubletree Farms	Princeton		Swine, each weighing 55 pounds or more
L	BUREAU	EHNLE, GARY	Buda		Swine, each weighing 55 pounds or more
L	BUREAU	MCCUNE FARM #1	Sheffield		Swine, each weighing 55 pounds or more
L	BUREAU	STEAK CITY	WALNUT		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to helpers, steers, bulls, and cow/calf pairs.)
L	CALHOUN	SOGGY BOTTOM SOW FACILITY	PLEASANT HILL		Swine, each weighing 55 pounds or more
L	CARROLL	Newcomer, John	Lanark		Swine, each weighing 55 pounds or more
L	CARROLL	Stitzel Hog Farm	Shannon		Swine, each weighing 55 pounds or more
L	CARROLL	Sturtevant Hog Farms	Shannon		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 1 (UNITS 1&3 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 27 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 28 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 3 (UNITS 1 & 3 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 4 (UNITS 4,27,& 28 COMBINED LARGE CAFO)	NEWMANSVILLE		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 5 APPLEWOOD FARMS, LLC - UNIT 9	CHANDLERVILLE		Swine, each weighing 55 pounds or more
L	CASS	(UNITS 2/12 & 9 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more

L	CASS	APPLEWOOD FARMS, LLC - UNITS 2/12 (UNITS 2/12 & 9 COMBINED LARGE CAFO)	OAKFORD	Swine, each weighing 55 pounds or more
L	CASS	SEAMAN PORK	BEARDSTOWN	Swine, each weighing 55 pounds or more
L	CASS	STRIBLING HOG FARM	ASHLAND	Swine, each weighing 55 pounds or more
L	CASS	TAYLOR, CHARLES	VIRGINIA	Swine, each weighing 55 pounds or more
L	CASS	WIN PRODUCTIONS - BEARDSTOWN	BEARDSTOWN	Swine, each weighing 55 pounds or more
L	Champaign	Furtney Farms	Champaign	Swine, each weighing 55 pounds or more
L	CHRISTIAN	LANHAM, INC	EDINBURG	Swine, each weighing 55 pounds or more
L	CHRISTIAN	MASCHHOFFS - CAMPBELL FARMS	EDINBURG	Swine, each weighing 55 pounds or more
L	Clay	Andy Shull Inc	Louisville	Swine, each weighing 55 pounds or more
L	CLAY	Bible Finisher	Louisville	Swine, each weighing 55 pounds or more
L	Clay	Bible Pork #2	Louisville	Swine, each weighing 55 pounds or more
L	CLAY	BIBLE, MATT HOG FARM 4	LOUISVILLE	Swine, each weighing 55 pounds or more
L	CLAY	BIBLE, MATT HOG FARM III	LOUISVILLE	Swine, each weighing 55 pounds or more
L	CLAY	KITLEY, KENT - SWINE FACILITY	FLORA	Swine, each weighing 55 pounds or more
L	CLAY	KITLEY, TRACY - SWINE FARM - GDU	CLAY CITY	Swine, each weighing 55 pounds or more
L	Clay	RLH Farms Inc	LOUISVILLE	Swine, each weighing 55 pounds or more
L	CLINTON	BEER, STANLEY HOG FARM	Bartelso	Swine, each weighing 55 pounds or more
L	Clinton	Book Pork Farms	Breese	Swine, each weighing 55 pounds or more
L	CLINTON	Hempen, David Hog & Cattle Farm	Carlyle	Swine, each weighing 55 pounds or more
L	Clinton	Kampwerth Pork	Breese	Swine, each weighing 55 pounds or more
L	CLINTON	Luebbers, Edwin Hog Farm	Carlyle	Swine, each weighing 55 pounds or more
L	CLINTON	Maschhoff Pork Farm (HOME)	Carylye	Swine, each weighing 55 pounds or more
L	CLINTON	MSSA HOG FACILITY - BREESE	BREESE	Swine, each weighing 55 pounds or more
L	Clinton	Ratermann Bros.	Germantown	Swine, each weighing 55 pounds or more
L	CLINTON	RICH-LANE DAIRY FARM	Highland	Mature dairy cows, whether milked or dry
L	CLINTON	ROSE ACRES EGG (GERMANTOWN)	GERMANTOWN	Laying hens, if the AFO uses other than liquid-manure handling system
L	CLINTON	Timmermann, Ron Hog Farm	Carlyle	Swine, each weighing 55 pounds or more
L	CUMBERLAND	Walk Stock Farm, Inc. - Unit #2	Neoga	Swine, each weighing 55 pounds or more
L	DE KALB	Huftalin Swine Farm	Malta	Swine, each weighing 55 pounds or more
L	DE KALB	Independence Pork	Waterman	Swine, each weighing 55 pounds or more
L	DE KALB	JOHNSON FARMS	DEKALB	Swine, each weighing 55 pounds or more
L	DE KALB	KAUFMAN TURKEY FARM	WATERMAN	Turkeys
L	DE KALB	LARSON FARMS PARTNERSHIP	MAPLE PARK	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	DE KALB	PRIME PORK, Inc.	DEKALB	Swine, each weighing 55 pounds or more
L	DE KALB	WEYDERT HOG CONFINEMENT	DEKALB	Swine, each weighing 55 pounds or more

L	EDGAR	Christensen Farms Midwest, LLC - P Hill	Kansas	Swine, each weighing 55 pounds or more
L	FAYETTE	Wilder Farms Elevator	VANDALIA	Swine, each weighing 55 pounds or more
L	FORD	VEATCH AND SONS, INC. LIVESTOCK FARM	ROBERTS	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	FRANKLIN	Brubaker, James (Miller) Hog/Turkey Farm	Ewing	Swine, each weighing 55 pounds or more
L	FRANKLIN	Maschhoff Pork (Florida Facility)	MULKEYTOWN	Swine, each weighing 55 pounds or more
L	FULTON	BLACK GOLD CATTLE COMPANY	VERMONT	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	FULTON	CEDARCREST, LLC	TABLE GROVE	Swine, each weighing 55 pounds or more
L	Fulton	Eagle Point Farms, LLC	Table Grove - Vermont	Swine, each weighing 55 pounds or more
L	FULTON	FULTON SELECT SWINE	ASTORIA	Swine, each weighing 55 pounds or more
L	FULTON	HOLLIS SHAFER SWINE FARM	ASTORIA	Swine, each weighing 55 pounds or more
L	GREENE	HANOR COMPANY, INC. (APPLE CREEK)	WHITE HALL	Swine, each weighing 55 pounds or more
L	GREENE	HANOR COMPANY, INC. (BLUFFDALE)	ELDRED	Swine, each weighing less than 55 pounds
L	Hamilton	Bond Family Farms	McLeansboro	Swine, each weighing 55 pounds or more
L	HANCOCK	CARLISLE FARMS - CATTLE BARN SWINE FINISHER	CARTHAGE	Swine, each weighing 55 pounds or more
L	HANCOCK	CARLISLE FARMS - CONNOR FINISHING	CARTHAGE	Swine, each weighing 55 pounds or more
L	HANCOCK	CARLISLE FARMS - HOME FINISHING FACILITY	CARTHAGE	Swine, each weighing 55 pounds or more
L	HANCOCK	DARRELL CARROLL SWINE FARM	CARTHAGE	Swine, each weighing 55 pounds or more
L	HANCOCK	DEER VIEW, LLC	STILLWELL - West Point	Swine, each weighing 55 pounds or more
L	HANCOCK	GLENVIEW PORK, LLC	PLYMOUTH	Swine, each weighing 55 pounds or more
L	HANCOCK	JD PORK, LLC	LAHARPE	Swine, each weighing 55 pounds or more
L	HANCOCK	LITTLE TIMBER, LLC	CARTHAGE	Swine, each weighing 55 pounds or more
L	HANCOCK	OAK GROVE, LLC	BURNSIDE	Swine, each weighing 55 pounds or more
L	HANCOCK	WESTERN CREEK FARMS, LLC	LAHARPE	Swine, each weighing 55 pounds or more
L	HANCOCK	WILDCAT FARMS, LLC	DURHAM	Swine, each weighing 55 pounds or more
L	HENDERSON	CHRIS FREDRICKSON SWINE FARM	BALD BLUFF	Swine, each weighing 55 pounds or more
L	HENDERSON	MARK RAY CATTLE FARM	Berwick	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	HENDERSON	MCCLURE SWINE FARM - MEDIA FACILITY	MEDIA	Swine, each weighing 55 pounds or more

L	HENDERSON	SF VENTURES, LLC	GLADSTONE	Swine, each weighing 55 pounds or more
L	HENRY	BREWER PORK ENTERPRISE	CAMBRIDGE	Swine, each weighing 55 pounds or more
L	HENRY	CRANBROOK FARM (SOUTH FINISHING)	Annawan	Swine, each weighing 55 pounds or more
L	HENRY	DIERICKS SWINE FARM	ATKINSON	Swine, each weighing 55 pounds or more
L	HENRY	DIERICKS SWINE FARM #2-Home Site	ATKINSON	Swine, each weighing 55 pounds or more
L	HENRY	GENESEO PORK, INC. - ATKINSON	ATKINSON	Swine, each weighing 55 pounds or more
L	HENRY	HOGGY BOTTOM, LLC	Yorktown	Swine, each weighing 55 pounds or more
L	HENRY	LINDBOM SWINE FARM	Kewanee	Swine, each weighing 55 pounds or more
L	HENRY	PROPHETSTOWN PORK, LLC	PROPHETSTOWN	Swine, each weighing 55 pounds or more
L	HENRY	SAND RIDGE PORK LLC	ANNAWAN	Swine, each weighing 55 pounds or more
L	HENRY	WEBER BEEF, INC I	GENESEO	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	Iroquois	Ravens Livestock and Farms, Inc.	Milford	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	IROQUOIS	ROSE ACRE FARMS, L.L.C. - DONOVAN	DONOVAN	Chickens (Layers); Poultry
L	JEFFERSON	BALTOZER, THOMAS HOG/TURKEY FARM	BLUFORD	Swine, each weighing 55 pounds or more
L	JEFFERSON	HICKORY HILL FARM (Brubaker, Amos & Nathan)	INA	Swine, each weighing 55 pounds or more
L	JEFFERSON	Maschoff Pork - KUJAWA FACILITY	ASHLEY	Swine, each weighing 55 pounds or more
L	JO DAVIESS	MONTICELLO PORK EAST- APPLE RIVER	Shullsburg	Swine, each weighing 55 pounds or more
L	JO DAVIESS	MONTICELLO PORK WEST L.L.C-SCALES MOUND	Scales Mound	Swine, each weighing 55 pounds or more
L	Kane	Dumoulin Swine Farm	Hampshire	Swine, each weighing 55 pounds or more
L	KANKAKEE	Mussman's Back Acres, Inc.	Grant Park	Laying hens, if the AFO uses other than liquid-manure handling system
L	KNOX	4 NELSON FARMS, INC.	ALTONA	Swine, each weighing 55 pounds or more
L	KNOX	4TH MERIDIAN FARM	Rio	Swine, each weighing 55 pounds or more
L	KNOX	APEX PORK, LLC	RIO	Swine, each weighing 55 pounds or more
L	KNOX	BLOCK FARMS	KNOXVILLE	Swine, each weighing 55 pounds or more
L	KNOX	ILLINI MANAGEMENT, INC. SWINE FARM	VICTORIA	Swine, each weighing 55 pounds or more
L	KNOX	KINGSDALE FARMS, INC.	VICTORIA	Swine, each weighing 55 pounds or more
L	Knox	Porcine Farms, LLC	Galesburg	Swine, each weighing 55 pounds or more
L	KNOX	PORK HILL FARM	ALTONA	Swine, each weighing 55 pounds or more
L	KNOX	THE HIGHLANDS, LLC	WILLIAMSFIELD	Swine, each weighing 55 pounds or more
L	LA SALLE	Flanders Swine Farm North	Dana	Swine, each weighing 55 pounds or more

L	LA SALLE	Flanders Swine Farm South	Dana	Swine, each weighing 55 pounds or more
L	LA SALLE	Hagenbuch North	Utica	Swine, each weighing 55 pounds or more
L	LA SALLE	Pearl Valley Eggs	Pearl City	Laying hens, If the AFO uses other than liquid-manure handling system
L	LAKE	Golden Oaks Farm, LLC	Wauconda	Mature dairy cows, whether milked or dry
L	LAWRENCE	Cassarotto, Matt Hog Farm	Claremont	Swine, each weighing 55 pounds or more
L	LAWRENCE	F & M Hogs	Sumner	Swine, each weighing 55 pounds or more
L	LAWRENCE	JRT FARMS INC.	LAWRENCEVILLE	Swine, each weighing 55 pounds or more
L	LAWRENCE	McClure Farms	St Francisville	Swine, each weighing 55 pounds or more
L	LEE	LEFFELMAN FARMS MAYTOWN	SUBLETTE	Swine, each weighing 55 pounds or more
L	LEE	Maytown Pork	Amboy	Swine, each weighing 55 pounds or more
L	LEE	ULRICH, ELMER FARM	Harmon	Swine, each weighing 55 pounds or more
L	LIVINGSTON	Hartman Swine Facility	Fairbury	Swine, each weighing 55 pounds or more
L	LOGAN	COOPER FARMS	MT. PULASKI	Swine, each weighing 55 pounds or more
L	LOGAN	FITZGIBBONS, GERALD	ELKHART	Swine, each weighing 55 pounds or more
L	LOGAN	HERITAGE PORK	LINCOLN	Swine, each weighing 55 pounds or more
L	LOGAN	LINCOLN FARM CORP. - HOME FARM	LINCOLN	Swine, each weighing 55 pounds or more
L	LOGAN	MASCHHOFFS - ARMINGTON	ATLANTA	Swine, each weighing 55 pounds or more
L	LOGAN	PAULUS FARM	LINCOLN	Swine, each weighing 55 pounds or more
L	Macoupin	BITTER FARMS, INC.	Litchfield	Swine, each weighing 55 pounds or more
L	MACOUPIN	FRAGRANT 40	GREENFIELD	Swine, each weighing 55 pounds or more
L	MACOUPIN	JARDEN FARMS PARTNERSHIP	BUNKER HILL	Mature dairy cows, whether milked or dry
L	MACOUPIN	KALLAL BROS.	CHESTERFIELD	Swine, each weighing 55 pounds or more
L	Macoupin	Triple D Farms, Inc.	CARLINVILLE	Swine, each weighing 55 pounds or more
L	MACOUPIN	WONDERLAND RANCH	CARLINVILLE	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	MCLEAN	ERDMAN LIVESTOCK FACILITY	Chenoa	Swine, each weighing 55 pounds or more
L	MCLEAN	FUNK FARMS TRUST CATTLE FARM	SHIRLEY	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	MCLEAN	Stone Ridge Dairy Facility	Mansfield	Mature dairy cows, whether milked or dry
L	MENARD	FRANK FARMS, INC.	ATHENS	Swine, each weighing 55 pounds or more
L	MERCER	BIDDLE SWINE FARM - SEATON FACILITY	SEATON	Swine, each weighing 55 pounds or more
L	MERCER	DeBlock Farms	Viola	Swine, each weighing 55 pounds or more
L	MERCER	WINTERS CREEK, INC.	JOY	Swine, each weighing 55 pounds or more
L	Montgomery	BORGIC FARMS, INC.	Nokomis	Swine, each weighing 55 pounds or more
L	Montgomery	EVERGREEN FARMS, INC. (RUNDQUIST)	BUTLER	Swine, each weighing 55 pounds or more

L	MONTGOMERY	PRAIRIE LAND PORK - HOME SITE	RAYMOND	Swine, each weighing 55 pounds or more
L	MONTGOMERY	PRAIRIE LAND PORK - NORTH SITE	FARMERSVILLE	Swine, each weighing 55 pounds or more
L	MONTGOMERY	SEABAUGH PORK	WALSHVILLE	Swine, each weighing 55 pounds or more
L	OGLE	Circle G Farms	Oregon	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	OGLE	NORDMAN FEEDLOTS, INC.	OREGON	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	OGLE	PARAGON PORK	Chana	Swine, each weighing 55 pounds or more
L	OGLE	Schabacher Swine farm	Chana	Swine, each weighing 55 pounds or more
L	PEORIA	BONTZ PORK FARM	MAPLETON	Swine, each weighing 55 pounds or more
L	PEORIA	WILLIAM DUBOIS SWINE FARM	LAURA	Swine, each weighing 55 pounds or more
L	PIKE	BORROWMAN BROS. HOG FARM	KINDERHOOK	Swine, each weighing 55 pounds or more
L	PIKE	BRADSHAW FINISHERS SITE 2	PERRY	Swine, each weighing 55 pounds or more
L	PIKE	BRADSHAW, PHILIP	GRIGGSVILLE	Swine, each weighing 55 pounds or more
L	PIKE	DOUBLE H PORK	PITTSFIELD	Swine, each weighing 55 pounds or more
L	PIKE	E & C PORK (EUGENE MYERS/BAY CREEK #4)	NEW SALEM	Swine, each weighing 55 pounds or more
L	PIKE	HENDRICKS, GREG	NEW SALEM	Swine, each weighing 55 pounds or more
L	PIKE	MASCHHOFFS - BAY CREEK #1	BARRY	Swine, each weighing 55 pounds or more
L	PIKE	MASCHHOFFS - BAY CREEK #2 / #3	NEBO	Swine, each weighing 55 pounds or more
L	PIKE	MASCHHOFFS - EAST RIDGE	PEARL	Swine, each weighing 55 pounds or more
L	PIKE	MASCHHOFFS - OLD SCHOOL PORK	NEBO	Swine, each weighing 55 pounds or more
L	PIKE	MOSS FARMS, INC.	BAYLIS	Swine, each weighing 55 pounds or more
L	PIKE	R & J GRAIN & LIVESTOCK	ROCKPORT	Swine, each weighing 55 pounds or more
L	PIKE	RED OAK HILLS LLC	NEW SALEM	Swine, each weighing 55 pounds or more
L	PIKE	WEBEL, RICHARD R. FARMS INC	VERSAILLES	Swine, each weighing 55 pounds or more
L	PIKE	WEBSTER, MARK A., FARMS INC.	PLEASANT HILL	Swine, each weighing 55 pounds or more
L	RICHLAND	Billington, Hog Farm II (LARRY BILLINGTON OPER)	CISNE	Swine, each weighing 55 pounds or more
L	Richland	Rodgers, John - Swine	Noble	Swine, each weighing 55 pounds or more
L	ROCKISLAND	SIMPSON FARMS, INC.	PORTBYRON	Swine, each weighing 55 pounds or more
L	SANGAMON	MILLER FARMS	WAVERLY	Swine, each weighing 55 pounds or more
L	SANGAMON	SANGAMON PRAIRIE PORK, INC.	WILLIAMSVILLE	Swine, each weighing 55 pounds or more
L	SANGAMON	SCHLEYHAHN PORK FARMS	PLEASANT PLAINS	Swine, each weighing 55 pounds or more
L	SANGAMON	YOUNG, BOB LIVESTOCK FARM	ROCHESTER	Swine, each weighing 55 pounds or more
L	SCHUYLER	HILLTOP FARM LLC	RUSHVILLE	Swine, each weighing 55 pounds or more
L	SCHUYLER	NEW DOMINION FARMS - DEER RUN	HUNTSVILLE	Swine, each weighing 55 pounds or more

L	SCHUYLER	PRAIRIE STATE GILTS, LTD.	LITTLETON	Swine, each weighing 55 pounds or more
L	SCHUYLER	TIMBERLINE LLC - PSM	LITTLETON	Swine, each weighing 55 pounds or more
L	SCOTT	LAKAMP, BRAD	CHAPIN	Swine, each weighing 55 pounds or more
L	SCOTT	SAND STONE NORTH LLC	BLUFFS	Swine, each weighing 55 pounds or more
L	SCOTT	SAND STONE SOUTH LLC	BLUFFS	Swine, each weighing 55 pounds or more
L	Scott	Win Productions, LLC - Winchester	Winchester	Swine, each weighing 55 pounds or more
L	Shelby	J & V Probst	Sigel	Swine
L	ST. CLAIR	C.D. Bell Swine Facility	New Athens	Swine, each weighing 55 pounds or more
L	STARK	PEUGH SWINE FARM - SHANER SITE	BRADFORD	Swine, each weighing 55 pounds or more
L	STEPHENSON	HIGH PLAINS PORK, Inc.	WINSLOW	Swine, each weighing 55 pounds or more
L	STEPHENSON	HUNTER HAVEN FARMS	PEARL CITY	Mature dairy cows, whether milked or dry
L	STEPHENSON	Schiedary Farms	Freeport	Mature dairy cows, whether milked or dry
L	STEPHENSON	SNETCHER, LYNDEN FARM	SHANNON	Swine, each weighing 55 pounds or more
L	TAZEWELL	JECKEL PORK FARM	DELAVAN	Swine, each weighing 55 pounds or more
L	TAZEWELL	RICH PORK FARM	DEER CREEK	Swine, each weighing 55 pounds or more
L	VERMILION	Rob Wood Farms, Inc.	Potomac	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	WARREN	DANIEL REEDER SWINE FARM	Little York	Swine, each weighing 55 pounds or more
L	WASHINGTON	BOESTER, DEAN HOG FARM	HOYLETON	Swine, each weighing 55 pounds or more
L	Washington	Brazinski Pork Farm Facility	Coulterville	Swine, each weighing 55 pounds or more
L	WASHINGTON	Fay-Bla-Mar Farm, Inc.	Oakdale	Mature dairy cows, whether milked or dry
L	WASHINGTON	HECKERT HOG/DAIRY FARM	VENEDY	Swine, each weighing 55 pounds or more
L	WASHINGTON	Maschhoff Pork (Georgla)	HOYLETON	Swine, each weighing less than 55 pounds
L	WASHINGTON	MASCHHOFF PORK (NEW MINDEN FACILITY)	HOYLETON	Swine, each weighing 55 pounds or more
L	Washington	Meier Pork	Okwaville	Swine, each weighing 55 pounds or more
L	WASHINGTON	SCHWARTZKOPF FARMS	NASHVILLE	Swine, each weighing 55 pounds or more
L	Wayne	Double E Farms	Wayne City	Swine, each weighing 55 pounds or more
L	WAYNE	GROTE STOCK FARM	FAIRFIELD	Swine, each weighing 55 pounds or more
L	WAYNE	Murphy Farms Sow Facility Elm River	Mt. Erie	Swine, each weighing 55 pounds or more
L	WAYNE	Murphy Farms Sow Facility Lakeview	Mt. Erie	Swine, each weighing 55 pounds or more
L	WAYNE	Murphy Farms Sow Facility Mt. Erie	Mt. Erie	Swine, each weighing 55 pounds or more
L	WHITESIDE	Dail Farms	Erie	Swine, each weighing 55 pounds or more
L	WHITESIDE	JET Farm	Prophetstown	Swine, each weighing 55 pounds or more
L	WHITESIDE	MILLS HOG FARM	MORRISON	Swine, each weighing 55 pounds or more

L	WHITESIDE	PFUNDSTEIN, DALE	Sterling	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	WHITESIDE	PHIL VOCK FARM	MORRISON	Swine, each weighing 55 pounds or more
L	WILLIAMSON	Berg, Leon Hog Farm	Carterville	Swine, each weighing 55 pounds or more
L	WOODFORD	FEHR BROTHERS SWINE FARM-NEISLER FAC.	Minonk	Swine, each weighing 55 pounds or more
L	WOODFORD	FEHR BROTHERS SWINE FARM-RED FINISHER	PANOLA	Swine, each weighing 55 pounds or more
L	WOODFORD	JANSSEN FARM	MINONK	Swine, each weighing 55 pounds or more
L	Wordford	Lone Willow USA, Inc.	Roanoke	Swine, each weighing 55 pounds or more

Illinois Program Work Plan for Calendar Years 2014-2016

Agreement Between

Illinois Environmental Protection Agency and Region 5, U.S. Environmental Protection Agency

Pursuant to federal assistance statutes, the Illinois Environmental Protection Agency (Illinois EPA) and Region 5, U.S. Environmental Protection Agency (EPA Region 5) work together to implement authorized, delegated, and/or approved environmental programs within the State of Illinois in a timely, appropriate, and effective manner. Together we establish priorities, negotiate program commitments and work sharing, and evaluate program performance.

Illinois EPA and EPA Region 5 are replacing the previous Work Plan Agreement as a means to continue our partnership to strengthen Illinois' NPDES permitting for CAFOs and to significantly reduce the Clean Air Act Permit Program permit backlog. The Work Plan for 2014-2016 includes activities and commitments for both Agencies relating to the Clean Water Act National Pollutant Discharge Elimination System (NPDES) and Clean Air Act Title V permitting program.

Illinois EPA and EPA Region 5 will monitor progress under the Work Plan Agreement via existing program-to-program communications, as well as during the annual joint senior management planning meeting. The Work Plan may be adjusted by mutual agreement.

The execution of this Agreement demonstrates our continuing commitment to environmental improvement through a strong partnership and shared responsibility for meeting our regulatory obligations.

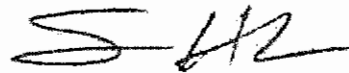
Entered into on 9/5/2014.

For Illinois EPA:



Lisa Bonnett, Director
Illinois Environmental Protection Agency

For EPA Region 5:



Susan Hedman
Regional Administrator

Illinois Program Work Plan
For Calendar Years 2014 -2016
Water Programs

In March 2008, the Illinois Citizens for Clean Air & Water (Illinois Citizens) submitted a petition to the U.S. Environmental Protection Agency (U.S. EPA) requesting the withdrawal of Illinois' authorized Clean Water Act National Pollutant Discharge Elimination System (NPDES) program. Illinois Citizens contend that the Illinois Environmental Protection Agency (Illinois EPA) was not properly administering the NPDES program for concentrated animal feeding operations (CAFOs). In February 2009, Illinois Citizens, joined by the Environmental Integrity Project, provided additional information in a supplementary petition to U.S. EPA.

U.S. EPA conducted an informal investigation of the petitioners' allegations and issued a report in September 2010¹. The report discusses U.S. EPA's initial findings for the various program areas, and the actions that Illinois EPA must take to comply with Clean Water Act requirements for authorized state NPDES programs. In particular, Illinois EPA must accomplish the following:

NPDES Permitting for CAFOs

- Issue NPDES permits to CAFOs that are required to be permitted under NPDES regulations.
- Develop and maintain a comprehensive inventory of CAFOs and evaluate their regulatory status.
- Establish technical standards for nutrient management by Large CAFOs and revise title 35 of the Illinois Administrative Code, Subtitle E, as necessary to be consistent with the federal CAFO rules.
- Ensure that sufficient resources are maintained to issue or deny permits.

NPDES Compliance Monitoring and Enforcement for CAFOs

- Revise the inspection process for livestock and poultry facilities to enable Illinois EPA to determine and track whether inspected facilities are CAFOs that are required to have NPDES permits and whether they are in compliance with NPDES requirements.
- Develop standard operating procedures and properly investigate, track, and respond to citizen complaints reporting potential violations of NPDES requirements.
- Take timely and appropriate enforcement action to address noncompliance by CAFOs.

¹ See the "Initial Results of an Informal Investigation of the National Pollutant Discharge Elimination System Program for Concentrated Animal Feeding Operations in the State of Illinois" (Initial Results), available at: <http://www.epa.gov/region5/illinoisworkplan/>.

- Require that Illinois EPA enforcement actions address CAFOs failing to apply for an NPDES permit, where a facility has discharged, is discharging, or is designed, constructed, operated, or maintained such that it will discharge.
- Ensure that sufficient resources are maintained for inspections and enforcement of NPDES requirements for CAFOs.

Progress to date and plan forward

- Since February 2011, Illinois EPA has hired and trained new CAFO staff; made progress on issuing, reinvestigating and tracking CAFO permits; has developed an inventory of large CAFOs; has made progress on conducting and tracking CAFO inspections; has issued violation notices and referred actions to the Illinois Attorney General Office; has submitted proposed amendments to Title 35 of the Illinois Administrative Code to the Illinois Pollution Control Board; has developed and implemented standard operating procedures; and has developed and implemented its Enforcement Response Guidelines related to inspections and enforcement.
- Both Illinois EPA and U.S. EPA agree to extend the Work Plan Agreement through calendar year 2016 to continue the progress to meet the Objectives established in the 2011 and 2013 Work Plan Agreements.

The following are specific actions that Illinois EPA and U.S. EPA will continue to take to address the initial findings in U.S. EPA's report:

1. To ensure consistency with the Clean Water Act requirements, Illinois EPA will devote sufficient staff to implementation of the CAFO NPDES permitting and enforcement programs. At all times, Illinois EPA will ensure that sufficient resources are maintained to issue or deny permits expeditiously.
2. Within 60 days of receipt of U.S. EPA's review of Illinois EPA's final workload assessment, Illinois EPA will submit a revised final workload assessment.
3. Illinois EPA will continue to provide U.S. EPA with a bi-monthly status report on each CAFO permit application. Any future changes to the current version of the status report shall be mutually agreed upon by Illinois EPA and U.S. EPA.
4. Within 90 days following publication of amendments to 35 Ill. Adm. Code, subtitle E, Illinois EPA and U.S. EPA will jointly identify permit conditions that Illinois EPA could modify and practices that Illinois EPA could adopt, consistent with the 2003 and 2008 federal rules for CAFOs, to streamline the process for review of Nutrient Management Plans (NMPs) and incorporation of NMP terms into permits. For any conditions or practices so identified, Illinois EPA will act to modify the conditions or adopt the practices in accordance with a mutually agreed upon schedule.

5. Within 90 days following publication of amendments to 35 Ill. Adm. Code, subtitle E, Illinois EPA will submit to U.S. EPA for approval or approval with modification revisions to the March 2013 Standard Operating Procedure (SOP) for CAFO NPDES Permits so the SOP is consistent with the published amendments.
6. For permit applications submitted prior to March 31, 2011, Illinois EPA will either issue or deny permits to applicants or refer the matter to the Illinois Attorney General's office for formal enforcement or to U.S. EPA for an information collection order by December 31, 2014. For all other permit applicants, Illinois EPA will take action in accordance with its approved SOP for CAFO NPDES Permits
7. Within 90 days after publication of amendments to 35 Ill. Adm. Code, subtitle E, Illinois EPA will inform the owner of each Large CAFO in the State's inventory, in writing, about the unpermitted discharge prohibition and the duty to apply for a permit, and the potential consequences for discharge without a permit. Illinois EPA will provide a draft of the letter to U.S. EPA for review and approval or approval with modification.
8. Within 60 days after the amendatory rulemaking becomes effective, Illinois EPA will submit the final amendments to U.S. EPA for action under 40 C.F.R. §123.62.
9. Within 120 days after the effective date of the amendatory rulemaking, Illinois EPA will revise its permit application forms and formally ask the public to comment on draft modifications to general permit ILLA01, as appropriate, based on the amendments and the federal regulations.
10. Illinois EPA will update and submit to U.S. EPA its Large CAFO inventory by August 31 and February 28 each year. By these same dates, Illinois EPA will ensure that the updated inventory is available to all Illinois EPA staff and the public in an easily accessible format. The inventory will include all confirmed Large and permitted CAFO sites identified by Illinois EPA based on information in permit applications, citizen tips and complaints, U.S. EPA, the Illinois Department of Agriculture, and the Illinois Department of Public Health.
11. By October 31, 2014, Illinois EPA will submit a plan to maintain the inventory. The plan will specify how Illinois EPA will maintain the inventory including a process of confirming sizes and whether discharges are occurring at unpermitted large and medium livestock facilities and documenting the determinations. The plan will also include the process to get updates from the Illinois Department of Agriculture and Illinois Department of Public Health. Within 60 days of receipt of U.S. EPA's review of Illinois EPA's plan, Illinois EPA will submit a final plan.
12. Each year between October 1 and September 30, U.S. EPA will conduct 2 oversight inspections of Illinois EPA NPDES CAFO inspections to evaluate the effectiveness of the

Illinois EPA inspection program. U.S. EPA inspectors will document their findings, and evaluate the thoroughness and scope of prior Illinois EPA inspections as well as the appropriateness of the record-keeping and reporting associated with the inspections. U.S. EPA will provide copies of these inspection reports to Illinois EPA within 60 days of completion.

**Illinois Program Work Plan
For Calendar Years 2014 -2016
Clean Air Act Program**

EPA Region V and Illinois EPA agree to this work plan for calendar years 2014 - 2016 (2014 work plan), with the following objectives:

- Significantly reduce the Clean Air Act Permit Program (CAAPP) permit backlog, as identified in the EPA Region V's Title V Operating Permit System (TOPS) database;
- Work toward lifting the stays of initial CAAPP permits issued to the coal-fired power plants;
- Upon rendering each coal-fired power plant initial CAAPP permit effective, work toward issuing CAAPP permit significant revisions for the subject source to address appeal issues and toward the permit reopening process to update the permit to incorporate all applicable CAA requirements.

Objective 1: To reduce permit issuance backlog of CAAPP permit renewals

Approach:

- Illinois EPA will review, propose and issue CAAPP permits following the framework established in the Memorandum of Understanding (MOU) between EPA Region V and Illinois EPA (2014 MOU).
- Illinois EPA management will work with Illinois EPA permit staff, and EPA Region V management (as needed), to identify and address barriers preventing the issuance of CAAPP permits.
- EPA Region V will review draft CAAPP permits and accompanying Statements of Basis and provide comments in accordance with the 2014 MOU.
- For the permits included in Schedule A, attached, Illinois EPA will provide to EPA Region V at the time it provides each proposed permit for EPA Region V's 45-day review² a Responsiveness Summary addressing any U.S. EPA comments and any significant comments from the public on the permit.
- EPA Region V will support Illinois EPA with training and help with permit-specific issues including addressing actual and perceived barriers that could delay permit issuance, and assist with applicability determinations where appropriate. In addition to EPA Region V's database of Title V petitions, orders and other guidance documents, which is accessible by states, EPA Region V's commits to provide on-going assistance as needed.

² Illinois EPA and EPA Region V commit to resolving the issue of the timing of Responsiveness Summaries for significant comments on other permits. However, for purposes of this work plan, Illinois EPA commits to providing Responsiveness Summaries for permits not on Schedule A no later than at the time of permit issuance.

- EPA Region V and Illinois EPA will comply with this 2014 work plan, the 2014 MOU, the October 14, 2009 Memorandum of Agreement, and the May 3, 2011 Memorandum of Agreement. In cases where any enumerated document is inconsistent with this 2014 work plan, this 2014 work plan supersedes the inconsistent document.

Indicia of Progress: The following table summarizes Illinois EPA's and EPA Region V's permitting goals for calendar years 2014 - 2016 for the current CAAPP permit backlog.³ Illinois EPA will track its progress in meeting these goals. Illinois EPA will track its progress in meeting these goals on a monthly basis. Illinois EPA will timely process pending applications received after January 1, 2014, while achieving these goals.

CAAPP permit backlog table

Date	Backlog as reported in TOPS
June 30, 2014	380
December 31, 2014	326
June 30, 2015	254
December 31, 2015	188
June 30, 2016	116
December 31, 2016	52

Objective 2: To issue effective CAAPP permits to coal-fired power plants.

Approach:

- Illinois EPA will work toward lifting the stays of the remaining initial CAAPP permits for coal-fired power plants following the approach agreed to by EPA Region V and Illinois EPA for the Ameren-Coffeen Generating Station permit as documented in the September 25, 2012 letter from the Illinois EPA to U.S. EPA.
- Upon rendering each initial permit effective, Illinois EPA will prioritize CAAPP permit significant revisions for the subject source to address appeal issues, and shall reopen the CAAPP permit in accordance with Schedule A, attached, to incorporate all CAA requirements that have become applicable to the individual source since 2005.
- Illinois EPA will comply with the attached Schedule A for issuing final effective and updated CAAPP permits to the remaining coal-fired power plants.

Indicia of Progress: A CAAPP permit that contains all requirements applicable to the source is issued for each of the remaining coal-fired power plants within the timeframes specified in Schedule A. Timeframes between case milestones are tracked to monitor progress. Barriers to complying with the permit processing schedule are timely communicated to U.S. EPA.

³ For purposes of this work plan, the backlog shall be defined as extended plus expired permits from the TOPS semiannual report.

Schedule A

Company Name:	CWLP	Coffeen	Kincaid, NRG Energy, SIPCO, Dynegy, Illinois Power ⁴	
Number of Permits:	1	1	6 ⁵	8 ⁶
Issue Appealed CAAPP Permits By: ⁷	10/18/2013	10/17/2013	04/01/2015 or 07/01/2015 ⁸	06/30/2015 or 09/30/2015 ⁸
Issue Reopened Permits By: ⁹	12/31/2014 or 03/31/2015 ⁸	06/30/2015 or 09/30/2015 ⁸	04/01/2016 or 07/01/2016 ⁸	06/30/2016 or 09/30/2016 ⁸

⁴ Includes the following fourteen utilities: Enviropower – Kincaid; Midwest Generation (NRG) – Powerton; Midwest Generation (NRG) – Will County; Midwest Generation (NRG) – Joliet; Midwest Generation (NRG) – Waukegan; and Southern Illinois Power. Includes: Ameren (Illinois Power) - Duck Creek; Ameren (Illinois Power) – Edwards; Ameren (Illinois Power) – Newton; Ameren (Illinois Power) - Electric Energy; Dynegy - Wood River; Dynegy – Baldwin; Dynegy – Havana; and Dynegy - Hennepin.

⁵ Any six (6) of the utilities listed in footnote ⁴.

⁶ The remaining eight (8) utilities listed in footnote ⁴ for which initial permits have not yet been made effective and for which had not yet undergone significant modification.

⁷ Permit modification addresses resolution of all issues appealed to Illinois Pollution Control Board.

⁸ Later date applies if a public hearing is held. If EPA Region V agrees circumstances beyond the control of the Illinois EPA occurred that would necessitate an extended issuance date, such extended issuance date shall not exceed 12/31/2016.

⁹ Permit reopening incorporates all requirements that have become applicable to source since 2005.

12/03/2014 - R12023(A), TEPA Answers Attachments

CAFO Designation	County	Facility Name	Facility City	Permit Number	CAFO Type
L	KNOX	NELSON FARMS, INC.	ALTONA		Swine, each weighing 55 pounds or more
L	KNOX	4TH MERIDIAN FARM	Rio		Swine, each weighing 55 pounds or more
L	Clinton	AI Farms Inc.	Brease		Swine, each weighing 55 pounds or more
L	CLAY	Andy Skull Inc	Louisville		Swine, each weighing 55 pounds or more
L	KNOX	APEX PORK, LLC	RIO		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 1 (UNITS 1 & 3 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 27 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 28 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 3 (UNITS 1 & 3 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 4 (UNITS 4, 27, & 28 COMBINED LARGE CAFO)	NEWMANSVILLE		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 5	CHANDLERVILLE		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNIT 9 (UNITS 2/12 & 9 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	CASS	APPLEWOOD FARMS, LLC - UNITS 2/12 (UNITS 2/12 & 9 COMBINED LARGE CAFO)	OAKFORD		Swine, each weighing 55 pounds or more
L	JEFFERSON	BALTOZER, THOMAS HOG/TURKEY FARM	BLUFORD		Swine, each weighing 55 pounds or more
L	CLINTON	BEER, STANLEY HOG FARM	Bartons		Swine, each weighing 55 pounds or more
L	WILLIAMSON	Berg, Leon Hog Farm	Cartersville		Swine, each weighing 55 pounds or more
L	CLAY	Bible Finisher	Louisville	LA010041	Swine, each weighing 55 pounds or more
L	CLAY	Bible Pork #2	Louisville	LA010046	Swine, each weighing 55 pounds or more
L	CLAY	BIBLE, MATT HOG FARM 4	LOUISVILLE	LA010047	Swine, each weighing 55 pounds or more
L	CLAY	BIBLE, MATT HOG FARM III	LOUISVILLE	LA010042	Swine, each weighing 55 pounds or more
L	MERCER	BIDDLE SWINE FARM - SEATON FACILITY	SEATON		Swine, each weighing 55 pounds or more
L	RICHLAND	Billington, Hog Farm II (LARRY BILLINGTON OPER)	CISNE		Swine, each weighing 55 pounds or more
L	STEPHENSON	Birchen Farms; Birchen Farms Inc./Rodney Birchen; Birchen Farms Inc	Pearl City	LA010080	Mature dairy cows, whether milked or dry
L	MACOUPIN	BITTER FARMS, INC.	Litchfield		Swine, each weighing 55 pounds or more
L	FULTON	BLACK GOLO CATTLE COMPANY	VERMONT		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	KNOX	BLOCK FARMS	KNOXVILLE		Swine, each weighing 55 pounds or more
L	WASHINGTON	BOESTER, DEAN HOG FARM	HOYLETON		Swine, each weighing 55 pounds or more
L	HAMILTON	Bond Family Farms	McLeansboro		Swine, each weighing 55 pounds or more
L	PEORIA	BONTZ PORK FARM	MAPLETON		Swine, each weighing 55 pounds or more
L	CLINTON	Book Pork Farms	Breese		Swine, each weighing 55 pounds or more
L	MONTGOMERY	BORGIC FARMS, INC.	Nokomis		Swine, each weighing 55 pounds or more
L	PIKE	BORROWMAN BROS. HOG FARM	KINDERHOOK		Swine, each weighing 55 pounds or more
L	BROWN	BRADLEY, BRIAN HOG FARM	TIMEWELL		Swine, each weighing 55 pounds or more
L	DOUGLAS	Bradshaw Enterprises, LLC - Newman	New Salem	LA010100	Swine, each weighing 55 pounds or more
L	PIKE	BRADSHAW FINISHERS SITE 2	PERRY		Swine, each weighing 55 pounds or more
L	PIKE	BRADSHAW, PHILIP	GRIGGSVILLE		Swine, each weighing 55 pounds or more
L	WASHINGTON	Brazinski Pork Farm Facility	Coulterville		Swine, each weighing 55 pounds or more
L	HENRY	BREWER PORK ENTERPRISE	CAMBRIDGE		Swine, each weighing 55 pounds or more
L	FRANKLIN	Brubaker, James (Miller) Hog/Turkey Farm	Ewing		Swine, each weighing 55 pounds or more
L	ST. CLAIR	C.D. Bell Swine Facility	New Athens		Swine, each weighing 55 pounds or more
L	HANCOCK	CARLISLE FARMS - CATTLE BARN SWINE FINISHER	CARTHAGE		Swine, each weighing 55 pounds or more
L	HANCOCK	CARLISLE FARMS - CONNOR FINISHING	CARTHAGE		Swine, each weighing 55 pounds or more
L	HANCOCK	CARLISLE FARMS - HOME FINISHING FACILITY	CARTHAGE		Swine, each weighing 55 pounds or more
L	LAWRENCE	Cassarotto, Matt Hog Farm	Claremont		Swine, each weighing 55 pounds or more
L	FULTON	CEDARCREST, LLC	TABLE GROVE		Swine, each weighing 55 pounds or more
L	HENDERSON	CHRIS FREDRICKSON SWINE FARM	BALD BLUFF		Swine, each weighing 55 pounds or more
L	EDGAR	Christiansen Farms Midwest, LLC - P Hill	Kansas		Swine, each weighing 55 pounds or more
L	OGLE	Circle G Farms	Oregon		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	JO DAVIESS	Cold Springs Farm	Hanover	LA010058	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	LOGAN	COOPER FARMS	MT. PULASKI		Swine, each weighing 55 pounds or more
L	HENRY	CRANBROOK FARM (SOUTH FINISHING)	Annawan		Swine, each weighing 55 pounds or more
L	STEPHENSON	CWMF, LLC	Freeport	IL0048909	Swine, each weighing 55 pounds or more
L	WHITESIDE	Dall Farms	Erie		Swine, each weighing 55 pounds or more
L	WARREN	DANIEL REEDER SWINE FARM	Little York		Swine, each weighing 55 pounds or more
L	FULTON	Dare Farms Henry	CANTON	LA010083	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	HANCOCK	DARRELL CARROLL SWINE FARM	CARTHAGE		Swine, each weighing 55 pounds or more
L	MERCER	DaBlock Farms	Viola		Swine, each weighing 55 pounds or more
L	ROCK ISLAND	DECLERCK BROTHERS SWINE FARM	TAYLOR RIDGE	LA010062	Swine, each weighing 55 pounds or more
L	HANCOCK	DEER VIEW, LLC	STILLWELL - West Point		Swine, each weighing 55 pounds or more
L	HENRY	DIERCKS SWINE FARM	ATKINSON		Swine, each weighing 55 pounds or more
L	HENRY	DIERCKS SWINE FARM #2-Homo Site	ATKINSON		Swine, each weighing 55 pounds or more
L	WAYNE	Double E Farms	Wayne City		Swine, each weighing 55 pounds or more
L	PIKE	DOUBLE H PORK	PITTSFIELD		Swine, each weighing 55 pounds or more
L	BUREAU	Doubletree Farms	Princeton	LA010019	Swine, each weighing 55 pounds or more
L	KANE	Dumoulin Swine Farm	Hampshire		Swine, each weighing 55 pounds or more
L	PIKE	E & C PORK (EUGENE MYERS/BAY CREEK #4)	NEW SALEM		Swine, each weighing 55 pounds or more
L	FULTON	Eagle Point Farms, LLC	Table Grove - Vermont		Swine, each weighing 55 pounds or more
L	BUREAU	EHNLE, GARY	Buda		Swine, each weighing 55 pounds or more
L	WASHINGTON	Elm Farms, Inc.	Okawville	LA010097	Swine, each weighing 55 pounds or more
L	PEORIA	ELMWOOD FARMS, LLC	ELMWOOD	LA010079	Mature dairy cows, whether milked or dry
L	MCLEAN	EROMAN LIVESTOCK FACILITY	Chenoa		Swine, each weighing 55 pounds or more
L	MONTGOMERY	EVERGREEN FARMS, INC. (RUNDQUIST)	BUTLER		Swine, each weighing 55 pounds or more
L	LAWRENCE	F & M Hogs	Sumner	IL0076872	Swine, each weighing 55 pounds or more
L	WASHINGTON	Fay-Bla-Mar Farm, Inc.	Oakdale		Mature dairy cows, whether milked or dry
L	WOODFORD	FEHR BROTHERS SWINE FARM-NEISLER FAC.	Mionok		Swine, each weighing 55 pounds or more
L	WOODFORD	FEHR BROTHERS SWINE FARM-RED FINISHER	PANOLA		Swine, each weighing 55 pounds or more
L	LOGAN	FITZGIBBONS, GERALD	ELKHART		Swine, each weighing 55 pounds or more

Attachment I

LA SALLE	Flanders Swine Farm North	Dane		Swine, each weighing 55 pounds or more
LA SALLE	Flanders Swine Farm South	Dane		Swine, each weighing 55 pounds or more
MACCUPIN	FRAGRANT 40	GREENFIELD	ILA010101	Swine, each weighing 55 pounds or more
MENARD	FRANK FARMS, INC.	ATHENS		Swine, each weighing 55 pounds or more
FULTON	FULTON SELECT SWINE	ASTORIA		Swine, each weighing 55 pounds or more
MONTGOMERY	Funderburk Holding LTD	Montgomery		Swine, each weighing 55 pounds or more
MCLEAN	FUNK FARMS TRUST CATTLE FARM	SHIRLEY		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
Champaign	Furtney Farms	Champaign		Swine, each weighing 55 pounds or more
HENRY	GENESED PORK, INC. - ATKINSON	ATKINSON		Swine, each weighing 55 pounds or more
HANCOCK	GLENVIEW PORK, LLC	PLYMOUTH		Swine, each weighing 55 pounds or more
LAKE	Golden Daks Farm, LLC	Wauconda		Mature dairy cows, whether milked or dry
CUNTON	GREENVILLE LIVESTOCK INC	CENTRALIA	ILA010061	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
WAYME	GROTE STOCK FARM	FAIRFIELD		Swine, each weighing 55 pounds or more
LA SALLE	Hagenbuch North	Utica		Swine, each weighing 55 pounds or more
GREENE	HANOR COMPANY, INC. (APPLE CREEK)	WHITE HALL		Swine, each weighing 55 pounds or more
GREENE	HANOR COMPANY, INC. (BLUFFDALE)	ELDRED		Swine, each weighing less than 55 pounds
LIVINGSTON	Hartman Swine Facility	Fairbury		Swine, each weighing 55 pounds or more
WASHINGTON	HECKERT HOG/DAIRY FARM	VENEY		Swine, each weighing 55 pounds or more
CLINTON	Hempen, David Hog & Cattle Farm	Carlyle		Swine, each weighing 55 pounds or more
HENDERSON	Henco Hogs LLC - Fall Creek Farm	BIGGSVILLE	ILA010003	Swine, each weighing 55 pounds or more
PIKE	HENDRICKS, GREG	NEW SALEM		Swine, each weighing 55 pounds or more
LOGAN	HERITAGE PORK	LINCOLN		Swine, each weighing 55 pounds or more
JEFFERSON	HICKORY HILL FARM (Brubaker, Amos & Nathan)	INA		Swine, each weighing 55 pounds or more
STEPHENSON	HIGH PLAINS PORK, Inc.	WINSLOW		Swine, each weighing 55 pounds or more
ADAMS	HIGH POWER PORK LLC	LA PRAIRIE	ILA010060	Swine, each weighing 55 pounds or more
ISCHUYLER	HILLTOP FARM LLC	RUSHVILLE		Swine, each weighing 55 pounds or more
HENRY	HOGGY BOTTOM, LLC	Yorktown		Swine, each weighing 55 pounds or more
FULTON	HOLLIS SHAFER SWINE FARM	ASTORIA	ILA010104	Swine, each weighing 55 pounds or more
DE KALB	Hufalin Swine Farm	Malta		Swine, each weighing 55 pounds or more
STEPHENSON	HUNTER HAVEN FARMS	PEARL CITY		Mature dairy cows, whether milked or dry
KNOX	ILLINI MANAGEMENT, INC. SWINE FARM	VICTORIA		Swine, each weighing 55 pounds or more
DE KALB	Independence Pork	Waterman		Swine, each weighing 55 pounds or more
SHELBY	J B V Probat	Sigel		Swine, each weighing 55 pounds or more
WHITESIDE	Jakobs Base Jakobs, David - Base Feedlot	Sterling	ILA010065	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
WHITESIDE	Jakobs, David - Blacktop Feedlot	Sterling	ILA010064	Cattle (All except Mature Dairy Cattle and Veal Calves); Beef cattle feedlots
WOODFORD	JANSEN FARM	MINONK		Swine, each weighing 55 pounds or more
MACCUPIN	JARDEN FARMS PARTNERSHIP	BUNKER HILL		Mature dairy cows, whether milked or dry
HANCOCK	JD PORK, LLC	LAHARPE		Swine, each weighing 55 pounds or more
TAZEWELL	JECKEL PORK FARM	DELAVAN		Swine, each weighing 55 pounds or more
WHITESIDE	JET Farm	Prophetstown		Swine, each weighing 55 pounds or more
Hancock	Jim Scheetz Swine Farm	Colusa		Swine, each weighing 55 pounds or more
DE KALB	JOHNSON FARMS	DEKALB	ILA010005	Swine, each weighing 55 pounds or more
LAWRENCE	JRT FARMS INC.	LAWRENCEVILLE		Swine, each weighing 55 pounds or more
MACCUPIN	KALLAL BROS.	CHESTERFIELD		Swine, each weighing 55 pounds or more
CUNTON	Kampwerth Pork	Breese		Swine, each weighing 55 pounds or more
DE KALB	KAUFMAN TURKEY FARM	WATERMAN		Turkeys
KNOX	KINGSDALE FARMS, INC.	VICTORIA		Swine, each weighing 55 pounds or more
CLAY	KITLEY, KENT - SWINE FACILITY	FLORA	ILA010010	Swine, each weighing 55 pounds or more
CLAY	KITLEY, TRACY - SWINE FARM - GDU	CLAY CITY	ILA010010	Swine, each weighing 55 pounds or more
ST. CLAIR	KIMM Pork and Grain - Range Farm	Martisa	ILA010102	Swine, each weighing 55 pounds or more
ADAMS	KNUFFMAN FAMILY FARM	LIBERTY		Swine, each weighing 55 pounds or more
BOND	Kruckeberg	Shoal Creek		Swine, each weighing 55 pounds or more
SCOTT	LAKAMP, BRAD	CHAMPI		Swine, each weighing 55 pounds or more
CHRISTIAN	LANHAM, INC	EDINBURG		Swine, each weighing 55 pounds or more
DE KALB	LARSON FARMS PARTNERSHIP	MAPLE PARK		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
LEE	LEFFELMAN FARMS MAYTOWN	SUBLETTE		Swine, each weighing 55 pounds or more
LOGAN	LINCOLN FARM CORP. - HOME FARM	LINCOLN		Swine, each weighing 55 pounds or more
DE KALB	LINCOLNLAND HOG FARM	Kingston	IL0067059	Swine, each weighing 55 pounds or more
HENRY	LINDBOM SWINE FARM	Kewanee		Swine, each weighing 55 pounds or more
HANCOCK	LITTLE TIMBER, LLC	CARTHAGE		Swine, each weighing 55 pounds or more
MASSAC	LOGEMAN, KEVIN HOG FARM	METROPOLIS	ILA010084	Swine, each weighing 55 pounds or more
WOODFORD	Lone Willow USA, Inc.	Roanoke		Swine, each weighing 55 pounds or more
CLINTON	Luebbers, Edwin Hog Farm	Carlyle		Swine, each weighing 55 pounds or more
HENDERSON	MARK RAY CATTLE FARM	Berwick		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
JEFFERSON	Maschoff Pork - KUIAWA FACILITY	ASHLEY	ILA010044	Swine, each weighing 55 pounds or more
FRANKLIN	Maschoff Pork (Florida Facility)	MULKETOWN	ILA010043	Swine, each weighing 55 pounds or more
WASHINGTON	Maschoff Pork (Gaorgia)	HOYLETON	ILA010053	Swine, each weighing less than 55 pounds
WASHINGTON	MASCHHOFF PORK (NEW MINOEN FACILITY)	HOYLETON		Swine, each weighing 55 pounds or more
CLINTON	Maschoff Pork Farm (HOME)	Carlyle		Swine, each weighing 55 pounds or more
LOGAN	MASCHHOFFS - ARMINGTON	ATLANTA		Swine, each weighing 55 pounds or more
PIKE	MASCHHOFFS - BAY CREEK #1	BARRY	ILA010035	Swine, each weighing 55 pounds or more
PIKE	MASCHHOFFS - BAY CREEK #2 / #3	NEBO	ILA010036	Swine, each weighing 55 pounds or more
CHRISTIAN	MASCHHOFFS - CAMPBELL FARMS	EDINBURG		Swine, each weighing 55 pounds or more
PIKE	MASCHHOFFS - EAST RIDGE	PEARL	ILA010032	Swine, each weighing 55 pounds or more
BROWN	MASCHHOFFS - LANNING 1	MT. Sterling		Swine, each weighing 55 pounds or more
PIKE	MASCHHOFFS - OLD SCHOOL PORK	NEBO		Swine, each weighing 55 pounds or more
LEE	Maytown Pork	Amboy		Swine, each weighing 55 pounds or more
LAWRENCE	McClure Farms	St Francisville		Swine, each weighing 55 pounds or more

HENDERSON	MCCLURE SWINE FARM - MEDIA FACILITY	MEDIA		Swine, each weighing 55 pounds or more
BUREAU	MCCUNE FARM #1	Sheffield		Swine, each weighing 55 pounds or more
WASHINGTON	Meier Pork	Olweaville	IL0077143	Swine, each weighing 55 pounds or more
IROQUOIS	MIDWEST POULTRY SERVICES HI GRADE EGG	LODA	ILA010069	Chickens (Layers); Poultry
SANGAMON	MILLER FARMS	WAYERLY		Swine, each weighing 55 pounds or more
WHITESIDE	MILLS HOG FARM	MORRISON		Swine, each weighing 55 pounds or more
JO DAVISS	MONTICELLO PORK EAST- APPLE RIVER	Shullburg		Swine, each weighing 55 pounds or more
JO DAVISS	MONTICELLO PORK WEST L.L.C.-SCALES MOUND	Scales Mound		Swine, each weighing 55 pounds or more
PIKE	MOSS FARMS, INC.	BAYLIS		Swine, each weighing 55 pounds or more
CLINTON	MASSA HOG FACILITY - BREESE	BREESE		Swine, each weighing 55 pounds or more
WAYNE	Murphy Farms Sow Facility Elm River	Mt. Erie		Swine, each weighing 55 pounds or more
WAYNE	Murphy Farms Sow Facility Lakeview	Mt. Erie		Swine, each weighing 55 pounds or more
WAYNE	Murphy Farms Sow Facility Mt. Erie	Mt. Erie		Swine, each weighing 55 pounds or more
KANKAKEE	Musman's Back Acres, Inc.	Grant Park		Laying hens, if the AFO uses other than liquid-manure handling system
CASS	NEW DOMINION FARMS - ARCHERY BALD EAGLE	Beardstown	ILA010025	Swine, each weighing 55 pounds or more
SCHUYLER	NEW DOMINION FARMS - DEER RUN	HUNTSVILLE	ILA010040	Swine, each weighing 55 pounds or more
CARROLL	Newcomer, John	Lanark		Swine, each weighing 55 pounds or more
OGLE	NORDMAN FEEDLOTS, INC.	OREGON	ILA010016	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
HANCOCK	NORTH FORK PORK, LLC	WEST POINT	ILA010085	Swine, each weighing 55 pounds or more
CARROLL	Northwest Illini Feedlot	Lanark	ILA010093	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
HANCOCK	OAK GROVE, LLC	BURNSIDE		Swine, each weighing 55 pounds or more
OGLE	PARAGON PORK	Chana		Swine, each weighing 55 pounds or more
LOGAN	PAULUS FARM	LINCOLN		Swine, each weighing 55 pounds or more
STEPHENSON	Pearl Valley Egg	Pearl City		Laying hens, if the AFO uses other than liquid-manure handling system
STARK	PEUGH SWINE FARM - SHANER SITE	BRADFORD		Swine, each weighing 55 pounds or more
WHITESIDE	PFUNDSTEIN, DALE	Sterling		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
WHITESIDE	PHIL VOCK FARM	MORRISON		Swine, each weighing 55 pounds or more
ADAMS	PINE RIDGE FARMS	MENDON		Swine, each weighing 55 pounds or more
MCDONOUGH	PINNACLE GENETICS, LLC	COLCHESTER	ILA010002	Swine, each weighing less than 55 pounds
KNOX	Pordna Farms, LLC	Galesburg		Swine, each weighing 55 pounds or more
KNOX	PORK HILL FARM	ALTONA		Swine, each weighing 55 pounds or more
MONTGOMERY	PRAIRIE LAND PORK - HOME SITE	RAYMOND		Swine, each weighing 55 pounds or more
MONTGOMERY	PRAIRIE LAND PORK - NORTH SITE	FARMERSVILLE		Swine, each weighing 55 pounds or more
SCHUYLER	PRAIRIE STATE GILTS, LTD.	LITTLINGTON		Swine, each weighing 55 pounds or more
DE KALB	PRIME PORK, Inc.	DEKALB		Swine, each weighing 55 pounds or more
HENRY	PROPHETSTOWN PORK, LLC	PROPHETSTOWN		Swine, each weighing 55 pounds or more
PIKE	R & J GRAIN & LIVESTOCK	ROCKPORT		Swine, each weighing 55 pounds or more
IROQUOIS	R3E Pork LLC	THAWVILLE	ILA010070	Swine, each weighing 55 pounds or more
STEPHENSON	Rancho Cantera	Kent	ILA010086	Mature dairy cows, whether milked or dry
CLINTON	Ratamann Bros.	GermanTown	IL0076953	Swine, each weighing 55 pounds or more
IROQUOIS	Revens Livestock and Farms, Inc.	Milford		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
PIKE	RED OAK HILLS LLC	NEW SALEM		Swine, each weighing 55 pounds or more
TAZEWELL	RICH PORK FARM	DEER CREEK		Swine, each weighing 55 pounds or more
CLINTON	RICH-LANE DAIRY FARM	Highland	IR0077020	Mature dairy cows, whether milked or dry
CLAY	RLH Farms Inc	LOUISVILLE	ILA010014	Swine, each weighing 55 pounds or more
VERMILION	Rob Wood Farms, Inc.	Potomac		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
RICHLAND	Rodgers, John - Swine	Mobile		Swine, each weighing 55 pounds or more
IROQUOIS	ROSE ACRE FARMS, L.L.C. - DONOVAN	DONOVAN		Chickens (Layers); Poultry
CLINTON	ROSE ACRES EGG (GERMANTOWN)	GERMANTOWN	ILA010103	Laying hens, if the AFO uses other than liquid-manure handling system
HENRY	SAND RIDGE PORK LLC	ANNAWAN		Swine, each weighing 55 pounds or more
SCOTT	SAND STONE NORTH LLC	BLUFFS		Swine, each weighing 55 pounds or more
SCOTT	SAND STONE SOUTH LLC	BLUFFS		Swine, each weighing 55 pounds or more
SANGAMON	SANGAMON PRAIRIE PORK, INC.	WILLIAMSVILLE		Swine, each weighing 55 pounds or more
OGLE	Schabecher Swine farm	Chana		Swine, each weighing 55 pounds or more
STEPHENSON	Schledary Farms	Freeport		Mature dairy cows, whether milked or dry
SANGAMON	SCHLEYHANN PORK FARMS	PLEASANT PLAINS		Swine, each weighing 55 pounds or more
WASHINGTON	SCHWARTZKOPF FARMS	NASHVILLE		Swine, each weighing 55 pounds or more
MONTGOMERY	SEABAUGH PORK	WALSHVILLE	ILA010001	Swine, each weighing 55 pounds or more
BOND	Seabaugh Pork Farms	Greenville		Swine, each weighing 55 pounds or more
CLINTON	Seabaugh Pork-Breese	Breese	ILA010096	Swine, each weighing 55 pounds or more
CASS	SEAMAN PORK	BEARDSTOWN		Swine, each weighing 55 pounds or more
HENDERSON	SF VENTURES, LLC	GLADSTONE	ILA010020	Swine, each weighing 55 pounds or more
Stephenson	Sheffey Farms, Inc.	Pearl City		Swine, each weighing 55 pounds or more
ROCKISLAND	SIMPSON FARMS, INC.	PORTBYRON		Swine, each weighing 55 pounds or more
Adams	Sims Enterprises, Inc.	Liberty		Swine, each weighing 55 pounds or more
STEPHENSON	SNETCHER, LYNDEN FARM	SHANNON		Swine, each weighing 55 pounds or more
CALHOUN	SOGGY BOTTOM SDW FACILITY	PLEASANT HILL		Swine, each weighing 55 pounds or more
BUREAU	STEAK CITY	WALNUT		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
MCLEAN	Stone Ridge Dairy Facility	Mansfield		Mature dairy cows, whether milked or dry
CASS	STRIBLING HOG FARM	ASHLAND		Swine, each weighing 55 pounds or more
PIKE	STROUT CROSSING LLC	NEBO	ILA010087	Swine, each weighing 55 pounds or more
CARROLL	Sturtevant Hog Farms	Shannon		Swine, each weighing 55 pounds or more
White	Sutton Farms	Norris City		Swine, each weighing 55 pounds or more
CASS	TAYLOR, CHARLES	VIRGINIA		Swine, each weighing 55 pounds or more
KNOX	THE HIGHLANDS, LLC	WILLIAMSFIELD	IL0076503	Swine, each weighing 55 pounds or more
HAMILTON	THOMAS, JEFF HOG FARM II	SPRINGERTON	ILA010067	Swine, each weighing 55 pounds or more
SCHUYLER	TIMBERLINE LLC - PSM	Rushville		Swine, each weighing 55 pounds or more
CLINTON	Timmermann, Ron Hog Farm	Carlyle	IL0077291	Swine, each weighing 55 pounds or more

L	MACOUPIN	Triple D Farms, Inc.	CARLINVILLE		Swine, each weighing 55 pounds or more
L	CLINTON	Triple V Farms	Breese	ILAD10099	Swine, each weighing 55 pounds or more
L	LEE	ULRICH, ELMER FARM	Harmon		Swine, each weighing 55 pounds or more
L	CLINTON	VAREL DAIRY	BARTLSO	ILAD10075	Mature dairy cows, whether milked or dry
L	FORD	VEATCH AND SONS, INC. LIVESTOCK FARM	ROBERTS		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	CUMBERLAND	Walk Stock Farm, Inc. - Unit #2	Neoga		Swine, each weighing 55 pounds or more
L	PIKE	WEBEL, RICHARD R. FARMS INC	VERSAILLES		Swine, each weighing 55 pounds or more
L	HENRY	WEBER BEEF, INC I	GENESD		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	PIKE	WEBSTER, MARK A., FARMS INC.	PLEASANT HILL		Swine, each weighing 55 pounds or more
L	HANCOCK	WESTERN CREEK FARMS, LLC	LAHARPE		Swine, each weighing 55 pounds or more
L	MONROE	Westridge Dairy LLC #1: West Ridge Dairy LLC	RED BUD	ILAD10072	Mature dairy cows, whether milked or dry
L	DE KALB	WEYDERT HOG CONFINEMENT	DEKALB		Swine, each weighing 55 pounds or more
L	HANCOCK	WILDCAT FARMS, LLC	CURHAM	ILAD10090	Swine, each weighing 55 pounds or more
L	FAYETTE	Wilder Farms (Miller-Davis)	Ramsay	ILAD10051	Swine, each weighing 55 pounds or more
L	FAYETTE	Wilder Farms Elevator	VANDALLA		Swine, each weighing 55 pounds or more
L	PEORIA	WILLIAM DUBOIS SWINE FARM	LAURA		Swine, each weighing 55 pounds or more
L	CASS	WIN PRODUCTIONS - BEARDSTOWN	BEARDSTOWN		Swine, each weighing 55 pounds or more
L	SCOTT	Win Productions, LLC - Winchester	Winchester		Swine, each weighing 55 pounds or more
L	MERCER	WINTERS CREEK, INC.	IDY		Swine, each weighing 55 pounds or more
L	MACOUPIN	WONDERLAND RANCH	CARLINVILLE		Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
L	SANGAMON	YOUNG, BOB LIVESTOCK FARM	ROCHESTER		Swine, each weighing 55 pounds or more
M	HENDERSON	Bigger Farms and Feedlot	BIGGSVILLE	ILAD10023	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
M	CLINTON	BUEHNE, GERVASE DAIRY FARM I	BRESE	ILAD10105	Mature dairy cows, whether milked or dry
M	CLINTON	C.D. & R FARMS, INC.	BRESE	ILAD10077	Mature dairy cows, whether milked or dry
M	JO DAVISS	Car-Mer Farm; Car-Mer Farms/Timmerman, Merin	Galena	ILAD10078	Mature dairy cows, whether milked or dry
M	STEPHENSON	Eugene Meier	DAKOTA	ILAD10071	Cattle (All except Mature Dairy Cattle and Veal Calves); Beef cattle feedlots
M	CLINTON	J. B. Timmermann Farms, Inc.	BRESE	ILAD10007	Mature dairy cows, whether milked or dry
M	BRDWN	MASCHHOFFS - LANING 2	MT. STERLING	ILAD10024	Swine, each weighing 55 pounds or more
M	CLINTON	Mondt Dairy	AVISTON	ILAD10089	Mature dairy cows, whether milked or dry
M	HENRY	RANDY EDMUNDS SWINE FARM	CAMBRIDGE	ILAD10076	Swine, each weighing 55 pounds or more
M	LASALLE	Timber Ridge Pork	SHERIDAN	ILAD10095	Swine, each weighing 55 pounds or more
S	PERRY	Gene Bank of North America	DUQUOIN	ILAD10012	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
S	CLINTON	Maschhoffs Riverview Genetics, Ltd.	CENTRALIA	ILAD10081	Swine, each weighing 55 pounds or more

DWPC/FOS Ag Program Inspection Strategy

August 2014

Prompted by the USEPA Region 5 DRAFT "Illinois Program Work Plan for Calendar Years 2014 – 2016" (DRAFT 2014 – 2016 Work Plan), this document summarizes the DWPC/FOS inspection strategy as it pertains to the assessment of AFOs/CAFOs compliance with the applicable regulatory requirements.

Adherence to CAFO Field Procedures Manual

DWPC/FOS Ag Program staff professional conduct and performance of field assignments shall be in accordance with the DWPC/FOS CAFO Field Procedures Manual, current edition.

Emergency Response

DWPC/FOS Ag Program staff will respond promptly to emergency incidents involving livestock waste that cause or threaten to cause water pollution including Illinois Emergency Management Agency (IEMA) and National Response Center (NRC) Incident Reports and Livestock Management Facilities Act (LMFA) notifications.

FFY 2015 CMS

Per the July 21, 2014 National Compliance Monitoring Strategy (CMS), "Part 2: Compliance Monitoring Frequency Goals for NPDES Sources", "Part 2.D. Concentrated Animal Feeding Operations", DWPC/FOS will base its FFY CAFO inspection commitments on the following targets:

- Compliance inspections at 20-percent of the facilities listed in the Illinois EPA CAFO Inventory, current edition (Refer to **Updating CAFO Inventory**)
- Compliance inspections at 20-percent of the CAFOs with a NPDES Permit

Twenty-percent of these inspections will be performed during or after precipitation events to assess the livestock facility's wet weather compliance.

Inspection Schedule

Mirroring other inspection schedules, DWPC/FOS Ag Program staff will develop a quarterly inspection schedule to ensure FFY Performance Partnership Agreement (PPA) inspection commitments and their reports are completed in a timely manner. Similar to other FFY commitments, DWPC/FOS may substitute an alternate CAFO inspection(s) if warranted, but yet strive to adhere to the FFY CAFO inspection frequency targets.

Updating CAFO Inventory

The 2014 – 2016 Work Plan requires the submission of the updated Large CAFO Inventory by February 28th and August 31st each year. During the year, DWPC/FOS will follow its established SOP on the "Procedures for Updating the DWPC CAFO Inventory" and as appropriate, the CAFO Inventory will be amended and then transmitted to USEPA Region 5 at the frequency requested.

Other Inspection Priorities

DWPC/FOS will also conduct on-site assessments at medium-sized and small AFOs to determine 35 Ill. Adm. Subtitle E compliance and the need for NPDES Permit coverage prompted by information from the following sources:

- Citizen Complaints* and/or Governmental Inquiries
- DWPC/NPDES Permit files (CAFO Applications and Construction Stormwater NOIs)
- Illinois Department of Agriculture (IDOA) Bureau of Environmental Programs – Livestock Waste Management Program
- Illinois Department of Public Health (IDPH) Division of Food, Drugs & Dairies

*Regions will employ their existing complaint tracking system in compliance with the DWPC/FOS “Complaint Inspection SOP”, March 2013.

DWPC/FOS Ag Program staff will also support other Bureau of Water (BOW) programs and initiatives through inspections at CAFO/AFOs, such as:

- Facilities upstream of PWS surface intakes or PWS groundwater sources under the direct influence of surface water
- Priority watersheds with nutrient impairment
- DWPC/Surface Water Section Stream Surveys particularly in watersheds with high CAFO/AFO density
- DWPC/CAS on compliance schedule matters for a CCA or other enforcement action.
- DWPC/Permit for matters pertinent to NPDES Permit or pending applications

In these instances, DWPC/FOS staff may perform a reconnaissance inspection and when applicable, return to conduct a comprehensive, compliance inspection that includes the CAFO Checklist and supportive documentation.

ICIS Reporting

In conformance with the CMS dictates, starting with FFY 2015, DWPC/FOS Ag Program (CAFO/AFO) inspections will be entered into ICIS using the listed Monitoring Type Code(s) and program codes, i.e., CWACAFO and WW – CAFO Regional Initiative Area. [NOTE: For Small AFOs, the ICIS entries will be limited to facilities larger than 50 Animal Units.]

FOS Determination:

Upon completion of the report, the DWPC/FOS staff will make a determination on the merits of adding the facility to the CAFO Inventory; deletion of a facility from the CAFO Inventory; or amending the existing information. This determination will be predicated on the same criteria for facilities currently listed in the CAFO Inventory, that is, whether the livestock facility meets the definition of a "Large" CAFO (permitted or unpermitted) or a "Medium" or "Small" CAFO that is required to apply for and obtain NPDES Permit coverage. Prior to initiating any modification to the CAFO Inventory, an independent assessment will be conducted to confirm this FOS determination.

When the inspection warrants this assessment, DWPC/FOS staff will forward a copy of the inspection report (CAFO Checklist and supportive documentation) via a Memorandum to the DWPC/FOS Manager, example attached. If confirmed, assigned DWPC personnel will modify the CAFO Inventory as appropriate.

Attachment – CAFO Inventory Revision Memorandum



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

MEMORANDUM

DATE:

TO: NAME, DWPC/FOS Manager

FROM: NAME, DWPC/FOS – NAME Region

SUBJECT: FACILITY NAME REVISION to the CAFO INVENTORY
Location (County) BOW ID: WXXXXXXXXX
IF Applicable: NPDES Permit ILA01XXXX

In conformance with the SOP for "Updating the DWPC CAFO Inventory Database", BOW Document Control No. ###, attached is a copy of the report and supplemental information for the DATE inspection of LIVESTOCK FACILITY NAME located in NME County, and operated by NAME.

Based on the inspection and subsequent file review, the following action is recommended:

- Add the Livestock Facility to the CAFO Inventory
- Delete this Facility from the existing CAFO Inventory
- Edit the Facility information in the existing CAFO Inventory

Attachments

- CAFO Livestock Facility Inspection Checklist
- Inspection Report Narrative
- Digital Photographs
- [List Any Additional Supplemental Information]

cc: DWPC/FOS/RU (Transmittal Memo only)
DWPC/FOS - Region (Transmittal Memo only)

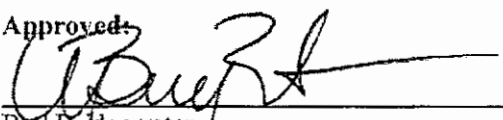
Illinois Environmental Protection Agency

Bureau of Water

Document Control Number 211

**Standard Operating Procedure for
Updating the DWPC CAFO Inventory Database**

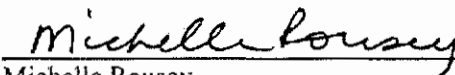
Water Pollution Control, Field Operations Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Approved: 

Bud Bridgewater

IEPA Bureau of Water, WPC Field Operations Section Manager

10/20/2014
Date



Michelle Rousey

IEPA Bureau of Water, Quality Assurance Officer

10-20-14
Date

Annual Review (no changes):

	2015	2016	2017	2018	2019
Initials/Date					Full review and approval needed
Initials/Date					

The controlled version of this document is the electronic version viewed on the IEPA Intranet/Internet. If this is a printed copy of the document or an electronic version not viewed on the IEPA Intranet/Internet, it is an uncontrolled version and may or may not be the version currently in use.

FOR INTERNAL USE ONLY

Purpose:

This Standard Operating Procedure (SOP) outlines the procedures for updating the Illinois Environmental Protection Agency (EPA) Division of Water Pollution Control (DWPC) Concentrated Animal Feeding Operations (CAFO) Inventory Database.

This SOP has been prepared by the Field Operations Section (FOS) solely for internal use by Illinois EPA personnel.

Information Sources:

The Illinois EPA acquires information on livestock facilities from various sources that can warrant update(s) to the existing DWPC/FOS CAFO Inventory Database (CAFO Inventory). These sources include but are not limited to:

- Citizen Complaints and/or Inquiries
- Facility Contacts
- DWPC/FOS Inspection Reports
- Bureau of Water/DWPC/(National Pollutant Discharge Elimination System (NPDES) Permit files
- Illinois Department of Agriculture, Bureau of Environmental Programs – Livestock Waste Management Program
- Illinois Department of Public Health, Division of Food, Drugs & Dairies
- DWPC/Surface Water Section Stream Surveys
- Illinois Emergency Management Agency and National Response Center Incident Reports

Initial Review:

DWPC staff will review the available facility information to ensure that the information is not duplicative of an existing entry in the CAFO Inventory and if warranted, to establish inspection priorities.

Field Verification:

As staffing and priorities allow, DWPC/FOS will conduct an inspection of the identified livestock facility for potential inclusion into the CAFO Inventory. During the site inspection, FOS will employ the CAFO Livestock Facility Inspection Checklist (CAFO Inspection Checklist) to verify the species, size and other pertinent information on the facility. The CAFO Inspection Checklist and supportive documentation will then be compiled into a written inspection report that is routed to the Division of Records Management.

CAFO/AFO Information from the Illinois Departments of Agriculture and the Illinois Department of Public Health

October 2014

This document summarizes the information on livestock facilities that the Illinois EPA receives from the Illinois Departments of Agriculture and Public Health and is available for DWPC/FOS Ag Program staff use in their inspection planning.

Illinois Department of Agriculture (IDOA) – An Interagency Agreement exists between Illinois EPA and IDOA for the sharing of information concerning livestock facilities. Weekly, IDOA submits three (3) hard copy Livestock Management Facilities Act (LMFA) documents. These documents include the “Acknowledgement of Setback Compliance”, “Initial Notice of Construction Completeness”, and “Final Notice of Construction Completeness”. The LMFA information within is compiled and accessible through an internal network system for review by the DWPC/FOS Ag Program staff.

Illinois Department of Public Health (IDPH) - The Illinois EPA is in the process of establishing an Interagency Agreement with IDPH for the routine sharing of information concerning dairy facilities. At present, the IDPH list of operating dairies is received on an intermittent basis. The data is compiled from semi-annual field inspections by IDPH’s Office of Health Protection, Food, Drugs and Dairy Division staff and includes information such as, the name, facility type, county, IDPH Region, latitude, and longitude. This information is compared to known dairy facilities in the State, and any changes are provided to the DWPC/FOS Ag Program staff to review.

Document Control No. 219
IEPA BOW SOP024-00-1114
Revision No. 0
Effective Date 11/20/14
Page 1 of 2

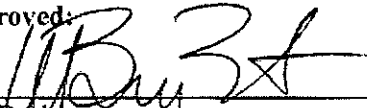
Illinois Environmental Protection Agency

Bureau of Water

Document Control Number 219

**Standard Operating Procedure for
Periodic Review of AFO/CAFO Information Provided by the
Illinois Departments of Agriculture and Public Health**

Water Pollution Control, Field Operations Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Approved: 

Bud Bridgewater
IEPA Bureau of Water, WPC Field Operations Section Manager

11/20/2014
Date



Michelle Rousey
IEPA Bureau of Water, Quality Assurance Officer

11-20-14
Date

Annual Review (no changes):

	2015	2016	2017	2018	2019
Initials/Date					Full review and approval needed
Initials/Date					

The controlled version of this document is the electronic version viewed on the IEPA Intranet/Internet. If this is a printed copy of the document or an electronic version not viewed on the IEPA Intranet/Internet, it is an uncontrolled version and may or may not be the version currently in use.

Document Control No. 219
IEPA BOW SOP024-00-1114
Revision No. 0
Effective Date 11/20/14
Page 2 of 2

FOR INTERNAL USE ONLY

Purpose:

This Standard Operating Procedure (SOP) outlines the procedures for the periodic review by the Division of Water Pollution Control (DWPC)/Field Operations Section (FOS) Agriculture Program staff of the information received from the Illinois Departments of Agriculture and Public Health regarding Animal Feeding Operations (AFOs) and Concentrated Animal Feeding Operations (CAFOs).

This SOP has been prepared by the FOS solely for internal use by Illinois Environmental Protection Agency (EPA) personnel.

Illinois Department of Agriculture (IDOA)

The IDOA's Bureau of Environmental Program's Livestock Waste Management Program acquires information on livestock facilities that through an Interagency Agreement, IDOA shares with the Illinois EPA. Weekly, IDOA submits four (4) Livestock Management Facilities Act (LMFA) documents. These documents include the "Notice of Intent to Construct", "Acknowledgement of Setback Compliance", "Initial Notice of Construction Completeness", and the "Final Notice of Construction Completeness". Monthly, the DWPC designee compiles this information in a Microsoft Access database program that is accessible to the DWPC/FOS Agriculture Program staff through the Agency's internal network system.

Illinois Department of Public Health (IDPH)

The Illinois EPA also periodically receives a list of operating dairy facilities in the State from the IDPH. The data is compiled from semi-annual field inspections by IDPH's Office of Health Protection, Food, Drugs and Dairy Division staff. Upon receipt, the DWPC designee compares this information to the previously submitted IDPH list of dairy facilities, and any changes are compiled in an Excel spreadsheet and provided to the DWPC/FOS Agriculture Program staff.

Staff Review and Inspection Planning

At a minimum, quarterly, DWPC/FOS Agriculture program staff will review the above information and if necessary, conduct a reconnaissance inspection to verify the facility information provided by IDOA and/or IDPH. When applicable, staff will return to the facility and conduct a comprehensive inspection to assess 35 IL Admin. Code Subtitle E: Agriculture Related Pollution compliance, complete the CAFO Checklist, and acquire supportive documentation.

Per the CAFO Field Procedures Manual, all inspection reports will be forwarded to the Division of Records Management. In addition, the information from the inspection reports will be entered into the CAFO Database from where the CAFO Inventory is generated.

The controlled version of this document is the electronic version viewed on the IEPA Intranet/Internet. If this is a printed copy of the document or an electronic version not viewed on the IEPA Intranet/Internet, it is an uncontrolled version and may or may not be the version currently in use.

INTERAGENCY AGREEMENT
between the
DEPARTMENT OF AGRICULTURE
and the
ENVIRONMENTAL PROTECTION AGENCY

1. Purpose and Intent

The purpose of this Interagency Agreement is to set forth the respective responsibilities of the Illinois Department of Agriculture, (the "Department"), and the Illinois Environmental Protection Agency, (the "Agency") regarding the administration of regulations for livestock management facilities and livestock waste handling facilities, promulgated pursuant to the Livestock Management Facilities Act (LMFAct; 510 ILCS 77/1) and the Environmental Protection Act (EPAct; 415 ILCS 5/1). It is in the interest of the citizens of the state of Illinois that the Department and the Agency cooperate to the greatest extent possible in carrying out their responsibilities related to the implementation of livestock waste regulations. It is also in the interest of all parties that pollution is prevented to the maximum extent possible, and that the need for resource-intensive activities involved with environmental damage assessment and remediation be averted whenever possible through implementation of proper preventative measures.

The intent of this agreement is to coordinate the oversight and inspection processes and to maximize the effective and efficient utilization of staff and technical capability required for the state's regulation of livestock facilities. The Agency has had extensive experience with the prevention and remediation of environmental damage resulting from improper livestock waste management, and seeks to work with the Department in pollution prevention activities. The Department has a broad knowledge of agricultural production systems and experience in working with the agricultural community which may result in more effective implementation of programs than either state agency could achieve working alone.

2. Responsibilities of the Department

a. Lagoons

The Department shall review the design of new and modified livestock waste lagoons, determine compliance with applicable design standards, conduct field investigations, and administer the registration and certification program for livestock waste lagoon design, construction, modification, and closure.

b. Waste Management Plans

The Department shall review and approve waste management plans prepared pursuant to the LMFAct and regulations thereunder.

c. Operator Certification

The Department shall operate a program for the certification of livestock managers pursuant to the LMFAct and regulations thereunder.

d. Violation Notification

The Department shall notify the Agency as soon as reasonably possible when it receives information indicating an actual or potential discharge of livestock waste to surface water, and within five working days when it receives information indicating other related violations or possible violations of the EPAct or regulations thereunder.

e. Public Outreach

The Department shall participate in education and training programs for livestock facility managers intended to prevent water and air pollution.

f. Dead Animal Disposal

The Department shall continue administration of the Dead Animal Disposal Act.

3. Responsibilities of the Agency

a. Surface Water Pollution

The Agency shall investigate incidents of livestock waste discharges and surface water contamination. The Agency shall initiate any necessary follow up action pursuant to the EPAct and regulations thereunder, and the Clean Water Act (33 U.S.C. 1251) and regulations thereunder.

b. Air Pollution

The Agency shall investigate incidents of air pollution resulting from livestock waste odors. The Agency shall initiate any necessary follow up action pursuant to the EPAct and regulations thereunder.

c. Violation Notification

The Agency shall notify the Department within five working days when it receives information indicating a violation or possible violation of the LMFA or regulations thereunder.

d. Public Outreach

The Agency shall participate in education and training programs for livestock facility managers intended to prevent water and air pollution.

e. Related Rules and Regulations

The Agency shall continue to administer provisions of the EAct related to landfilling, unpermitted incineration or open burning of dead animals, potentially infectious medical (veterinary) waste, and Clean Water Act requirements including NPDES permits.

4. Joint responsibilities of the Department and the Agency

a. Setbacks

The Department and the Agency shall administer livestock facility setback requirements pursuant to the LMFA and the EAct, respectively, and shall communicate frequently to resolve any conflicts which may arise between the two sets of requirements.

b. Groundwater Pollution

The Department and the Agency shall coordinate investigations of groundwater contamination involving livestock waste lagoons, and any necessary follow up or remedial action. Groundwater contamination involving livestock facilities other than lagoons shall continue to be handled by the Agency.

c. Waste Management Plans

Deficiencies in waste management plans and the implementation thereof resulting in air or water pollution shall be addressed by:

- the Department if the Department has approved the plan pursuant to the LMFA;
- the Department and the Agency jointly if the plan is required by the LMFA but not reviewed or approved by the Department;
- the Agency if a plan is not required by the LMFA.

The Agency may seek from any facility operator a waste management plan to resolve air or water pollution violations pursuant to the EPAct. This may include waste management plans sought as a result of an enforcement action or a condition of an NPDES Permit.

d. Dead Animal Disposal

Provisions of 2 (f) and 3 (e) notwithstanding, investigations of wastewater discharges and air pollution (odors) from dead animal composting facilities shall be coordinated between the Department and the Agency.

e. Regulatory Materials

The Department and the Agency shall each provide to the other all regulatory material developed by each (rules, rule interpretations, policies, etc.) to enable both to communicate in an informed manner with the regulated community.

f. Meetings with Facility Operators

When appropriate, meetings with applicants and field inspections of major new facilities and significant modifications of existing facilities shall be coordinated between the Department and the Agency.

g. Biosecurity

The Department and the Agency shall comply with biosecurity provisions of the LMFAct and the EPAct during field inspections.

5. Sharing of Information

Effective joint implementation of the state's livestock waste programs requires open and frequent communication between the Department and the Agency. The following are examples of information which may be shared on a regular basis:

- a. Complaints received and investigated regarding facilities of mutual jurisdiction
- b. Department acknowledgments of "notices of intent to construct"
- c. Initial Department notifications of lagoon registration completeness
- d. Department notices of completion of lagoon construction certification
- e. Groundwater monitoring information
- f. Response actions proposed to mitigate impacts to groundwater

- g. Listing of waste management plans filed with the Department (facility name, size, and location) and plan preparation certifications received by the Department
- h. Inspection reports prepared by Department and Agency staff for facilities under mutual jurisdiction
- i. Violation notices, compliance commitment agreements, and enforcement referrals prepared under Section 31 of the EPAct
- j. Notices of deficiency, administrative warning letters, and compliance agreements prepared under the LMFAct
- k. Listing of livestock manager certifications
- l. List of livestock facility NPDES Permits issued by the Agency

6. Interagency Meetings

Staff of IDOA and IEPA shall meet on a periodic basis for the following purposes:

- a. Exchange of information as described in Section 5 above
- b. Coordination of compliance/enforcement activities
- c. Discussion of policies and interpretations to ensure consistency of information provided to field staff and the public
- d. Preparation and distribution of informational materials for the public
- e. Coordination of efforts to resolve conflicts between Parts 501-505 and Part 506 of Subtitle E

7. Changes in Agreement

Any changes or amendments to this agreement must be mutually agreed to in writing by the Department and the Agency prior to such changes or amendments becoming effective and binding on either party.

8. Term of Agreement

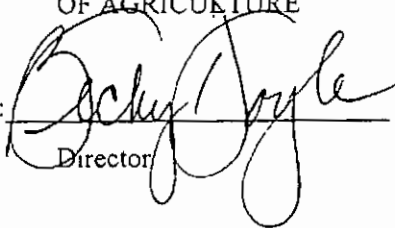
This agreement shall take effect upon signing by both parties and shall be automatically renewed each July 1 thereafter. Either party may revoke this agreement by giving written notice to the other party at least sixty (60) days prior to the date that the agreement is to be revoked.

WITNESS, the signature and authority of the Department and the Agency, this 21ST day of November, 1997.

ILLINOIS DEPARTMENT
OF AGRICULTURE

By: _____

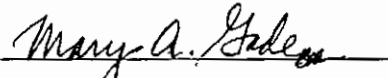
Director



ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: _____

Director



Office Use Only



NOTICE OF INTENT TO CONSTRUCT APPLICATION FORM

Pursuant to the Livestock Management Facilities Act (510 ILCS 77/1 et seq.) (we), the undersigned, do hereby file with the Illinois Department of Agriculture a Notice of Intent to Construct a Livestock Management Facility or Livestock Waste Handling Facility as follows:

A) Legal description of the land on which the livestock facility will be constructed —

Quarter-Quarter	Quarter	Section	Township	Range	P.M.
<i>Example: NE</i>	<i>NW</i>	<i>19</i>	<i>12-North</i>	<i>3-West</i>	<i>3rd</i>

County Name _____

A) Name(s) and addresses of the facility and owner(s) or operator(s) of the facility —
(Please check the appropriate box to indicate the address for mailing correspondence.)

Facility Name _____

Facility Address _____
(Specify the actual facility address, if one exists.)

City, State, Zip _____

Telephone _____

Owner or Operator Name _____

Address _____

City, State, Zip _____

Telephone _____ Mobile Phone _____

Fax # _____

(ATTACH ADDITIONAL SHEETS IF NECESSARY)

B) Type and size of the facility and number of animal units —

Proposed facility is an entirely new facility

Proposed facility is an expansion of an existing facility

Expansion classifies facility as a "New Facility"

Expansion does not classify facility as a "New Facility"

IMPORTANT NOTICE: This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Livestock Management Facilities Act (510 ILCS 77et seq.). Failure to provide this information shall prevent this form from being processed. This form has been approved by the State Forms Management Center. IL 406-1596 (1-02)

**** "New Facility"**-means a livestock management facility or a livestock waste handling facility the construction or expansion of which is commenced on or after May 21, 1996 (the effective date of the Livestock Management Facilities Act). Expanding a facility where the fixed capital cost of the new components constructed within a 2 year period does not exceed 50% of the fixed capital cost of a comparable entirely new facility shall not be deemed a new facility as used in the Livestock Management Facilities Act.

ANIMAL UNITS (based on the maximum design capacity of the facility):
(CHECK AND COMPLETE ALL THAT APPLY)

Number of Existing Animal Units (if applicable) = _____

Number of Proposed Additional Animal Units:

	# of Head	x	Animal Unit Factor	=	# of Animal Units
<input type="checkbox"/> Beef	_____	x	1.0	=	_____
<input type="checkbox"/> Milking Dairy	_____	x	1.4	=	_____
<input type="checkbox"/> Dairy (young stock)	_____	x	0.6	=	_____
<input type="checkbox"/> Laying hens or broilers	_____	x	0.005	=	_____
<input type="checkbox"/> Laying hens or broilers	_____	x	0.01	=	_____
(With continuous overflow watering)					
<input type="checkbox"/> Laying hens or broilers	_____	x	0.03	=	_____
(With liquid manure handling systems)					
<input type="checkbox"/> Sheep	_____	x	0.1	=	_____
<input type="checkbox"/> Swine (>55lbs)	_____	x	0.4	=	_____
<input type="checkbox"/> Swine (<55lbs)	_____	x	0.03	=	_____
<input type="checkbox"/> Turkeys	_____	x	0.02	=	_____
<input type="checkbox"/> Ducks	_____	x	0.02	=	_____
<input type="checkbox"/> Horses	_____	x	2.0	=	_____
<input type="checkbox"/> Other: _____	_____	x	_____	=	_____

Number of Proposed Additional Animal Units = _____

Total Number of Animal Units = _____
(existing + proposed additional)

C) Type and size of the facility and number of animal units (continued) —

TYPE OF PROPOSED LIVESTOCK MANAGEMENT FACILITY:

(CHECK ALL THAT APPLY)

- | | |
|---|--|
| <input type="checkbox"/> Breeding | <input type="checkbox"/> Gestation |
| <input type="checkbox"/> Farrowing | <input type="checkbox"/> Nursery |
| <input type="checkbox"/> Grower | <input type="checkbox"/> Finisher |
| <input type="checkbox"/> Freestall Barn | <input type="checkbox"/> Feed Lot / Yard |
| <input type="checkbox"/> Milking Parlor | <input type="checkbox"/> Other: |

TYPE OF PROPOSED LIVESTOCK WASTE HANDLING FACILITY

(CHECK ALL THAT APPLY):

- Waste storage structure under building (pit storage structure)
- Above-ground waste storage structure
- In-ground waste storage structure
- Earthen lagoon
- Runoff holding pond
- Other:

** *A construction plan of each waste handling structure with design specifications of the structure noted as prepared by or for the owner or operator must also be submitted to and approved by the Department prior to the commencement of construction.*

EXISTING AND PROPOSED FACILITY SIZE:

(List the size of each building or structure, by facility type) (Specify "proposed" or "existing")

*Example: Farrowing building with concrete under building pit (proposed) – 40 feet x 80 feet x 8 feet deep
Finishing building with shallow pit to a lagoon (existing) – 300' x 100' x 2' deep
Earthen Lagoon (existing) – 400 feet x 360 feet x 10 feet deep*

- D) Names and addresses of the owners, including local, State and federal governments, of the property located within the setback area (both the residence and populated area setback areas) — *** Applicable only to facilities which meet the definition of a "new facility"*

(LIST HERE AND/OR ATTACH ADDITIONAL SHEETS AS NECESSARY)

E) Distance to the nearest town, residence, occupied residence, non-farm business, and common place of assembly —

Town	_____ (name)	_____ feet
Residence	_____ (name)	_____ feet
Occupied residence	_____ (name)	_____ feet
Non-Farm business	_____ (name)	_____ feet
Common place of assembly	_____ (name)	_____ feet

F) Map or sketch showing the proposed facility and setbacks —
(CHECK ALL THAT APPLY)

All Facilities

Plat Map, Topographic Map or sketch attached.

Locations of **all** residences, populated areas, non-farm businesses and common places of assembly within or near the setback boundaries have been clearly identified on the map or sketch.

“New Facilities”

Setback distances (both residence and populated area setback distances) have been clearly identified on the map or sketch or in the case of an existing facility, the distances between the proposed construction and the existing facility as well as the distance to nearest residences has been identified.

“Expansion Facilities”

Plot plan depicting all existing and proposed structures. Plot plan also indicates: the distance from the proposed structure(s) to the existing structure(s), the distance from proposed structure(s) to the owner/operator’s residence (if on site), the distance from the proposed structure(s) to the nearest non-owned residence.

G) A statement identifying whether a request for decrease in setbacks, pursuant to (510 ILCS 77/35 (g)), has been sought and whether the request has been granted or denied —
(CHECK ALL THAT APPLY)

No request for a setback decrease has been sought.

A request(s) for a setback decrease is being submitted to the Illinois Department of Agriculture.

Waiver(s) attached

Waiver(s) not attached

- A request for a setback decrease has been submitted to the Illinois Department of Agriculture and no action relative to its acceptance or denial has been received.
- A request for a setback decrease has been submitted to the Illinois Department of Agriculture and has been granted by the Department.

H) Property owner notification

Within 10 calendar days after receipt of the Department's acknowledgment of setback compliance, owners or operators of "new" livestock management or "new" livestock waste handling facilities **not subject to the public informational meeting process** are required to mail by certified mail, return receipt requested, a copy of the complete notice of intent to construct to the owners of the property located within the setback areas.

Within 10 calendar days after receipt of the Department's notification that all information concerning the notice of intent to construct is complete, owners or operators of "new" livestock management or "new" livestock waste handling facilities **subject to the public informational meeting process** are required to mail by certified mail, return receipt requested, a copy of the complete notice of intent to construct to the owners of the property located within the setback areas.

I, the undersigned, certify that the information contained in this application form is true and correct to the best of my knowledge.

Owner or Authorized Agent (*PRINTED*)

Date

Signature of Owner or Authorized Agent

Title

Questions relative to the filing of Notices of Intent to Construct may be directed to the Illinois Department of Agriculture at 217/785-2427 (Voice/TDD).

Completed forms and all documentation should be submitted to:

Livestock Waste Program, Illinois Department of Agriculture, Bureau of Environmental Programs, P.O. Box 19281, Springfield, Illinois 62794-9281



Pat Quinn, Governor
Thomas E. Jennings, Director

Bureau of Environmental Programs
State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

RECEIVED

MAR 12 2011

LIVESTOCK WASTE PROGRAM
INITIAL NOTICE OF CONSTRUCTION PLAN COMPLETENESS
Non-Lagoon Livestock Waste Handling Facility

DIVISION OF
Water Pollution Control

Registrant:



Facility Location:



Facility ID#



Date Issued: March 11, 2011

A Notice of Non-Lagoon Construction Plan Completeness is hereby granted to the above-designated registrant to construct a single livestock waste handling facility *as stated in the construction plan application submitted to the Department as follows:*

Construction of a single livestock waste handling facility that shall have the following dimensions:

- Maximum Length = 205 feet
- Maximum Width = 59 feet
- Maximum Depth = 10 feet
- Total Design Capacity = 109,000 ft³

Pursuant to 35 Illinois Administrative Code 506.304 (c), this structure shall include a perimeter foundation drain, which must include a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511.

The construction plan for the aforementioned structure has been reviewed and deemed complete by the Illinois Department of Agriculture pursuant to the Livestock Management Facilities Act (Act), 510 Illinois Compiled Statutes 77/13.

Pursuant to 510 ILCS 77/13(g), an initial site inspection was conducted by a representative of the Department on February 28, 2011.

Please be advised that pursuant to the Act and rule, the Department shall make additional site inspections during the construction and post-construction phase and shall require modifications when necessary to ensure the project shall be in compliance with the requirements of the regulation. Please notify the Department at least 5 days prior to the commencement of construction.

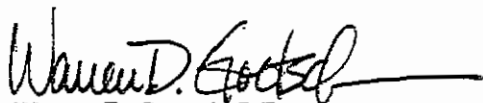
Further, pursuant to 510 ILCS 77/13(f), upon completion of construction but prior to the placing of the structure in service, the owner or operator shall certify to the Department that the structure has been constructed or modified in accordance with the requirements of the Act and rule and that the information

provided during the submittal process is correct. The Department, upon receipt of the completion of construction certification shall inspect the construction site to determine compliance with the construction standards of the Act and rule. Upon completion of this inspection, the Department shall send an official written notice to the owner or operator of the facility, indicating that the structure has met the standards of the Act and rule and that it may be placed into service or identifying the remedial measures necessary to enable the structure to be in compliance.

Please be advised that this letter is not to be construed as a release from any other federal, state or local laws or regulations. If you have any questions or comments relative to this notification or if the Department may be of service to you, please feel free to contact the Department at Livestock Waste Program, Illinois Department of Agriculture, Bureau of Environmental Programs, P.O. Box 19281, Springfield, IL 62794-9281, (217/785-2427).

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE



Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs



Brad A. Beaver
Manager, Livestock Waste Program

cc: File
Bruce Yurdin, IEPA

LF0570140002cpack



Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

**LIVESTOCK WASTE PROGRAM
FINAL NOTICE OF CONSTRUCTION PLAN COMPLETION
Non-Lagoon Livestock Waste Handling Facility**

Registrant:



Facility Location:



Facility ID#:



RECEIVED

MAR 24 2011

DIVISION OF
Water Pollution Control

Date Issued: March 10, 2011

The Department has received a certification notice from the owner or operator relative to the completion of construction of a non-lagoon livestock waste handling structure at the aforementioned facility. The certification indicates that the waste handling structure has been constructed or modified in accordance with the requirements of the Livestock Management Facilities Act (Act) (510 ILCS 77/1 et seq.) and rules and that the information provided during the registration process is correct.

On March 10, 2011, Department representatives conducted a final inspection at the facility pursuant to the Livestock Management Facilities Act (510 ILCS 77/13 (g)). No deviations from the construction plan were noted during the inspection. Inspections of the facility were also conducted prior to and during the construction phase of the project.

Pursuant to the Section 13 of the Livestock Management Facilities Act, the construction plan and certification requirements of the Act have been met. The owner or operator of the livestock waste handling facility may proceed to place the structure into service.

Pursuant to 35 Illinois Administrative Code 506.304 (c), this structure was required to install a perimeter foundation drain that included a sampling port to allow for quarterly sampling pursuant to 8 Illinois Administrative Code 900.511. The samples must be analyzed for the following items: nitrate-nitrogen, phosphate-phosphorus, chloride, sulfate and ammonia-nitrogen. **The quarterly sampling period assigned to your facility is as follows: January, April, July and October.** Please be advised that sample results must be submitted to the Department within 30 days after sample collection and must contain a discussion relative to the significance of the results.

If you have any questions or if the Department may be of service to you, please feel free to contact us at 217/785-2427.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE

Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs

Brad A. Beaver
Manager, Livestock Waste Program

cc: file
Bruce Yurdin, IEPA

11/1770/kcpfinal



Pat Quinn, Governor
Thomas E. Jennings, Director

Bureau of Environmental Programs

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/785-2427 (voice/TDD) • Fax 217/524-4882
Pesticide Misuse Hotline 1-800-641-3934 (voice/TDD)

**LIVESTOCK WASTE PROGRAM
ACKNOWLEDGMENT OF "SETBACK COMPLIANCE"**

Registrant:



Facility Location:



Facility Identification Number:



RECEIVED

MAR 24 2011

DIVISION OF
Water Pollution Control

March 16, 2011

Dear Facility Owner/Operator:

Your notice of intent to construct was received by the Department and reviewed for compliance with the provisions of the Livestock Management Facilities Act (510 ILCS 77/1 et seq.) and associated rules (8 Illinois Administrative Code Part 900). Pursuant to 510 ILCS 77/11, the Department hereby provides notice to Ratermann Bros. that the setback provisions of the Livestock Management Facilities Act have been met.

Please be advised that this Acknowledgment of "Setback Compliance" is applicable only to the project specifically described in the notice filed with the Department. Also, please be advised that, pursuant to 8 IAC 900.304, the date the Department issued the acknowledgment of setback compliance pursuant to 8 IAC 900.303 (b)(3) or notified the owner or operator that all information had been submitted pursuant to 8 IAC 900.303(c)(1), [March 16, 2011], shall be considered as the base date for setback determination purposes. The base date shall expire within one year, unless the conditions of 8 IAC 900.304 (b) have been met.

Please be advised that the construction of said facility shall not begin until all other applicable requirements of the Livestock Management Facilities Act as well as any other applicable laws and regulations have been met. This includes approval of construction plans for the livestock waste handling facility.

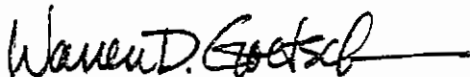
Please also be advised that the scope of this acknowledgment is expressly limited to compliance with the setback provisions of 510 ILCS 77/11 and associated rules. Thus, no statements relative to compliance with other applicable federal, state or local requirements

are expressed or implied. The registrant is directed to inquire with appropriate local or county officials relative to the applicability of any other requirements prior to project initiation.

If you should have any questions or if the Department may be of service to you, please feel free to contact us at (217) 785-2427.

Sincerely,

ILLINOIS DEPARTMENT OF AGRICULTURE



Warren D. Goetsch, P.E.
Bureau Chief, Environmental Programs



Brad A. Beaver
Manager, Livestock Waste Program

cc: file
Bruce Yurdin, IEPA

LF0270460002noitcack

Date Issued: _____ Facility Identification Number: _____

Information Form Not Provided

A) Legal description of the land on which the livestock facility will be constructed---

Quarter-Quarter	Quarter	Section	Township	Range	P.M.

County Name _____

B) Name(s) and addresses of the owner(s) or operator(s) of the facility ---
 (Please Check the appropriate box to include the address for mailing correspondences.)

Facility Name _____
 Address _____
 City _____ State IL _____ Zip _____
 Telephone _____ Cell Phone _____

Owner or Operator Name _____
 Address _____
 City _____ State IL _____ Zip _____
 Telephone _____ Cell Phone _____

C) Type and size of the facility and number of animal units ---

- Proposed facility is an expansion of an existing facility
- Proposed facility is an entirely new facility
- Expansion classifies facility as a "New Facility"
- Expansion does not classify facility as a "New Facility"

ANIMAL UNITS (based on the maximum design capacity of the facility):

Number of Existing Animal Units (if applicable) = 0

Number of Proposed Additional Animal Units:

	# of Head	x	Animal Unit Factor	=	# of Animal Units
<input checked="" type="checkbox"/> Beef	0	x	1.0		0
<input type="checkbox"/> Dairy (adults)	0	x	1.4		0
<input type="checkbox"/> Dairy (young)	0	x	0.6		0
<input type="checkbox"/> Poultry (w/continuous overflow watering)	0	x	0.01		0
<input checked="" type="checkbox"/> Poultry (w/liquid manure handling systems)	0	x	0.03		0
<input type="checkbox"/> Sheep	0	x	0.1		0
<input type="checkbox"/> Swine (>55lbs)	0	x	0.4		0
<input type="checkbox"/> Swine (<55lbs)	0	x	0.03		0
<input type="checkbox"/> Turkeys	0	x	0.02		0
<input type="checkbox"/> Other:	0	x	0	=	0

Number of Proposed Additional Animal Units

Electronic Filing - Received, Clerk's Office :

Total Number of Animal Units

12/03/2014 - R12023(A), IEPA Answers Attachments

Predominate Species

TYPE OF PROPOSED LIVESTOCK MANAGEMENT FACILITY

(CHECK ALL THAT APPLY)

- Breeding
- Gestation
- Farrowing
- Nursery
- Grower
- Finisher
- Freestall Barn
- Feed Lot / Yard
- Milking Parlor
- Other

TYPE OF PROPOSED LIVESTOCK WASTE HANDLING FACILITY

(CHECK ALL THAT APPLY)

- Waste Storage structure under building (pit storage structure)
- Above-ground waste storage structure
- Earthen lagoon
- In-ground waste storage structure
- Runoff holding pond
- Earthen lagoon
- Other

EXISTING AND PROPOSED FACILITY SIZE

- Structure 1 _____
- Structure 2 _____
- Structure 3 _____
- Structure 4 _____
- Structure 5 _____
- Structure 6 _____
- Structure 7 _____
- Structure 8 _____
- Structure 9 _____
- Structure 10 _____

D) Distance to nearest town, residence, occupied residence, non-farm business and common place of assembly ---

- Town _____ feet
- Residence _____ feet
- Occupied Residence _____ feet
- Non-Farm business _____ feet
- Place of Assembly _____ feet

Input Data

Edit Today's Data

Return

Final Notice of Construction Plan Completeness

Date Issued:

Date Inspected:

Registrant:

Facility Location:

City:

State:

Address:

Facility ID#:

City:

State:

Zip:

FIPS_CNTY:

COUNTYNAME:

REGION:

Comments:

Initial Notice of Construction Plan Completeness

12/03/2014 - P12822(A) JEDA Answers Attachments

Date Issued: _____

Registrant: _____

Facility Location: _____

City: _____

State: IL _____

Address: _____

Facility ID#: _____

City: _____

State: IL _____

Zip: _____

Project Description:

Structure 1

Maximum Length = _____ ft
Maximum Width = _____ ft
Maximum Depth = _____ ft
Maximum Capacity = _____ ft³

Structure 2

Maximum Length = _____ ft
Maximum Width = _____ ft
Maximum Depth = _____ ft
Maximum Capacity = _____ ft³

Structure 3

Maximum Length = _____ ft
Maximum Width = _____ ft
Maximum Depth = _____ ft
Maximum Capacity = _____ ft³

Structure 4

Maximum Length = _____ ft
Maximum Width = _____ ft
Maximum Depth = _____ ft
Maximum Capacity = _____ ft³

Structure 5

Maximum Length = _____ ft
Maximum Width = _____ ft
Maximum Depth = _____ ft
Maximum Capacity = _____ ft³

Structure 6

Maximum Length = _____ ft
Maximum Width = _____ ft
Maximum Depth = _____ ft
Maximum Capacity = _____ ft³

Comments: Pursuant to 35 Illinois Administrative Code 506.304 (c),

[Input Info](#)

[Edit Today's Data](#)

[Return to Start](#)

ID	Name	Entity Type	County	Address	Mailing County	Mailing Address	Billing Address	Geographic Region	Phone	Latitude	Longitude	Receiver State Id
502778	G S Farms, Inc.	Grade A Dairy Farm	Montgomery	[REDACTED]	Montgomery	[REDACTED]	[REDACTED]	Edwardsville	[REDACTED]	[REDACTED]	[REDACTED]	102024
500018	Abels, Gary, Joanne & Chad	Grade A Dairy Farm	Ogle	[REDACTED]	Ogle	[REDACTED]	[REDACTED]	Rockford	[REDACTED]	[REDACTED]	[REDACTED]	102115
503362	Aberle Farms, Inc.	Grade A Dairy Farm	Tazewell	[REDACTED]	Tazewell	[REDACTED]	[REDACTED]	Peoria	[REDACTED]	[REDACTED]	[REDACTED]	102026
502085	Adam Lang	Grade A Dairy Farm	Vermillion	[REDACTED]	Vermillion	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	102047
707637	Adams County Fair - Dairy Barn	Manufactured Dairy Farm	Adams	[REDACTED]	Adams	[REDACTED]	[REDACTED]	Peoria	[REDACTED]	[REDACTED]	[REDACTED]	102018
503501	Adams, Stanley W.	Grade A Dairy Farm	Effingham	[REDACTED]	Effingham	[REDACTED]	[REDACTED]	Marion	[REDACTED]	[REDACTED]	[REDACTED]	102019
503688	Adlai V. and Nelson R. Miller	Grade A Dairy Farm	Moultrie	[REDACTED]	Moultrie	[REDACTED]	[REDACTED]	Champaign	[REDACTED]	[REDACTED]	[REDACTED]	102027
502694	Ainger Farms	Grade A Dairy Farm	McHenry	[REDACTED]	McHenry	[REDACTED]	[REDACTED]	West Chicago	[REDACTED]	[REDACTED]	[REDACTED]	102040
501507	Akins, Joseph and Brenda	Grade A Dairy Farm	Ogle	[REDACTED]	Ogle	[REDACTED]	[REDACTED]	Rockford	[REDACTED]	[REDACTED]	[REDACTED]	102115
503215	Anthony D. Siddens and/or Alonzo Shoaf.	Grade A Dairy Farm	Effingham	[REDACTED]	Effingham	[REDACTED]	[REDACTED]	Marion	[REDACTED]	[REDACTED]	[REDACTED]	102022
502721	Arentsen Bros. Dairy	Grade A Dairy Farm	Clinton	[REDACTED]	Clinton	[REDACTED]	[REDACTED]	Edwardsville	[REDACTED]	[REDACTED]	[REDACTED]	102023
500126	Aves, Kevin and Julie	Grade A Dairy Farm	Boone	[REDACTED]	Boone	[REDACTED]	[REDACTED]	Rockford	[REDACTED]	[REDACTED]	[REDACTED]	102030
502229	Aves, Todd	Grade A Dairy Farm	Boone	[REDACTED]	Boone	[REDACTED]	[REDACTED]	Rockford	[REDACTED]	[REDACTED]	[REDACTED]	102030
500073	B & B Farms	Grade A Dairy Farm	Pulaski	[REDACTED]	Pulaski	[REDACTED]	[REDACTED]	Marion	[REDACTED]	[REDACTED]	[REDACTED]	102136
504835	B & B Farms Kurt Brink	Grade A Dairy Farm	Washington	[REDACTED]	Washington	[REDACTED]	[REDACTED]	Edwardsville	[REDACTED]	[REDACTED]	[REDACTED]	102016
501275	B. Willenborg Farms, Inc.	Grade A Dairy Farm	Fayette	[REDACTED]	Fayette	[REDACTED]	[REDACTED]	Marion	[REDACTED]	[REDACTED]	[REDACTED]	102132
504511	Bade, Dean	Grade A Dairy Farm	Marshall	[REDACTED]	Marshall	[REDACTED]	[REDACTED]	Peoria	[REDACTED]	[REDACTED]	[REDACTED]	102026
502477	Baker, Chad	Grade A Dairy Farm	Washington	[REDACTED]	Washington	[REDACTED]	[REDACTED]	Edwardsville	[REDACTED]	[REDACTED]	[REDACTED]	102021
500475	Baker's Acres - Mark Baker	Grade A Dairy Farm	Stephenson	[REDACTED]	Stephenson	[REDACTED]	[REDACTED]	Rockford	[REDACTED]	[REDACTED]	[REDACTED]	102030
502437	Ball, Scott	Grade A Dairy Farm	Mercer	[REDACTED]	Mercer	[REDACTED]	[REDACTED]	Peoria	[REDACTED]	[REDACTED]	[REDACTED]	102026



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Livestock Facility Inspection Checklist

GENERAL INFORMATION

BOW ID # W	TYPE OF INSPECTION: <input type="checkbox"/> CAFO <input type="checkbox"/> COMPLAINT <input type="checkbox"/> RECONNAISSANCE <input type="checkbox"/> ERU FOLLOW UP <input type="checkbox"/> OPERATOR REQUEST <input type="checkbox"/> OTHER: _____
----------------------	---

FACILITY NAME (LLC, Inc., Corp, Partnership, sole proprietorship, etc.)	INSPECTION DATE	ARRIVAL TIME	DEPARTURE TIME
---	-----------------	--------------	----------------

ADDRESS	LATITUDE (Decimal) N 00.000	LONGITUDE (Decimal) W 00.000	GPS Measured <input type="checkbox"/> Google Earth <input type="checkbox"/>
---------	---------------------------------------	--	--

CITY	STATE IL	ZIP CODE	INSPECTOR(S)	ACCOMPANIED BY (if applicable)
------	--------------------	----------	--------------	--------------------------------

COUNTY	SECTION	TOWNSHIP	RANGE	POLITICAL TOWNSHIP	TEMP.	PRECIP. TYPE / AMT LAST 24HR
--------	---------	----------	-------	--------------------	-------	------------------------------

Facility Owner(s): <input type="checkbox"/> Same as Facility	NAME	CONTACTED <input type="checkbox"/> YES <input type="checkbox"/> NO	PHONE	MOBILE
	ADDRESS	CITY	STATE	ZIP CODE
	NAME	CONTACTED <input type="checkbox"/> YES <input type="checkbox"/> NO	PHONE	MOBILE
	ADDRESS	CITY	STATE	ZIP CODE

Facility Operator(s): <input type="checkbox"/> Same as above	NAME	CONTACTED <input type="checkbox"/> YES <input type="checkbox"/> NO	PHONE	MOBILE
	ADDRESS	CITY	STATE	ZIP CODE
	NAME	CONTACTED <input type="checkbox"/> YES <input type="checkbox"/> NO	PHONE	MOBILE
	ADDRESS	CITY	STATE	ZIP CODE

NPDES PERMIT INFORMATION (If no NPDES Permit, skip this section)

1. What type of NPDES permit has been issued? <input type="checkbox"/> No NPDES Permit <input type="checkbox"/> Individual NPDES Permit <input type="checkbox"/> General NPDES Permit	NPDES #
2. What date was the NPDES permit issued?	
3. What date does the NPDES permit expire?	
4. Is a copy of the NPDES permit onsite?	<input type="checkbox"/> YES <input type="checkbox"/> NO
5. Permitted number of animals (no. & specie)?	
6. Does the NPDES Permit contain a compliance schedule?	<input type="checkbox"/> YES <input type="checkbox"/> NO
7. Have there been any changes made to the production area since the permit was issued?	<input type="checkbox"/> YES <input type="checkbox"/> NO

If "YES", provide a detailed description of those changes.

FACILITIES WITH NMP – NUTRIENT MANAGEMENT INFORMATION - IF NO NMP GO TO PAGE 3

1. How many TOTAL acres are available for land application under NMP? _____ acres		
2. How many acres are READILY available for land application at the time of inspection? _____ acres		
3. NMP estimated annual quantities of liquid waste _____ gallons		
4. NMP estimated annual quantities of solid waste _____ tons		
5. Does the facility have a contractor perform land application? If "YES", Name of Contractor: _____		<input type="checkbox"/> YES <input type="checkbox"/> NO
6. What type of land application equipment is available to the facility? <input type="checkbox"/> Umbilical Injection <input type="checkbox"/> Honeywagon Injection <input type="checkbox"/> Honeywagon Surface <input type="checkbox"/> Irrigation <input type="checkbox"/> Rotational Gun <input type="checkbox"/> Manure Spreader <input type="checkbox"/> Vegetative Filter <input type="checkbox"/> Other _____		
7. NON-Permitted CAFOs ONLY - NMP must address the following to receive ag storm water exemption :		
<input type="checkbox"/> A storm water pollution prevention plan	<input type="checkbox"/> A spill control and prevention plan	
<input type="checkbox"/> Expected crop yields for land application areas	<input type="checkbox"/> Inspection & Maintenance of Waste Handling System	
<input type="checkbox"/> Animals not in Direct Contact with Waters of US	<input type="checkbox"/> Clean Water Diverted from Waste Handling System	
<input type="checkbox"/> Site Specific Buffers & Conservation Practices	<input type="checkbox"/> Protocols for Soil & Manure Testing	
<input type="checkbox"/> Land Application Protocols for Nutrient Utilization	<input type="checkbox"/> Winter time land application plan	
<input type="checkbox"/> Adequate land for waste application	<input type="checkbox"/> Inclement weather/conditions storage provisions	
<input type="checkbox"/> Calculations deriving livestock waste application rates do not exceed N or P crop removal rates		
<input type="checkbox"/> Chemicals, Contaminants, & Mortalities Properly Disposed - NOT Directly Disposed in Waste Handling System		
<input type="checkbox"/> A topographic map for production and land application including drainage, discharges, and waterways		
<input type="checkbox"/> Field tile/subsurface drainage systems plan for visual inspection during land application if applicable		
8. Permitted CAFOs ONLY - create, maintain for 5 yrs, and make available upon request, the following records :		
<input type="checkbox"/> Date, time, & est. volume of any discharges	<input type="checkbox"/> Deficiencies and corrective actions w/in 30 days	
<input type="checkbox"/> Mortalities – quantity and disposal method	<input type="checkbox"/> Total N/P actually applied to each field & calculations	
<input type="checkbox"/> Results from livestock waste and soil sampling	<input type="checkbox"/> Subsurface drainage inspect during/after land app	
<input type="checkbox"/> Amount of waste transferred to another person	<input type="checkbox"/> Calculations deriving livestock waste application rates	
<input type="checkbox"/> Size, design, type, & days of storage for livestock waste storage structures		
Weekly facility inspection records:		
<input type="checkbox"/> Stormwater diversion devices	<input type="checkbox"/> Runoff diversion structures	
<input type="checkbox"/> Livestock waste diversions to containment structure	<input type="checkbox"/> Depth of livestock waste in storage structures	
Daily facility inspection records:		
<input type="checkbox"/> Inspection of water lines in the production areas, including drinking water or cooling water lines		
Daily land application records:		
<input type="checkbox"/> Amount of livestock waste is applied per acre	<input type="checkbox"/> Soil conditions at time of application	
<input type="checkbox"/> Precip 24 hr prior & 24 hr after land application	<input type="checkbox"/> Leak inspection of application equipment	
<input type="checkbox"/> Date & location of the field livestock waste applied	<input type="checkbox"/> The method used to apply the livestock waste	
<input type="checkbox"/> Quantity of livestock waste removed when a manure storage area or waste containment area is dewatered		
<input type="checkbox"/> Weather – precip, temp, wind speed & direction, dew point, 24 hr prior, at land app, 24 hr post land app		
<input type="checkbox"/> Weather forecast 24 hr following land application		
9. Does the NMP reflect the current operational characteristics (number of animals, cropping, Animals not in direct contact with Waters of US, etc.)?		<input type="checkbox"/> YES <input type="checkbox"/> NO
10. Are the number of acres owned/leased consistent with those in the NMP?		<input type="checkbox"/> YES <input type="checkbox"/> NO
11. Is manure and wastewater being applied in accordance with setback/buffer requirements of the NMP?		<input type="checkbox"/> YES <input type="checkbox"/> NO
12. Are all of the records identified in the NMP being maintained and kept current?		<input type="checkbox"/> YES <input type="checkbox"/> NO
13. Are records being maintained at the required frequency?		<input type="checkbox"/> YES <input type="checkbox"/> NO
14. Are records being maintained onsite for the period required by NMP and/or NPDES permit?		<input type="checkbox"/> YES <input type="checkbox"/> NO

12/03/2014 - R12023(A), IEPA Answers Attachments

FACILITIES WITHOUT NMP – NUTRIENT MANAGEMENT INFORMATION - IF NMP PROCEED TO PAGE 4

1. How many TOTAL acres are available for land application? _____ acres		
2. How many acres are READILY available for land application at the time of inspection? _____ acres		
3. Estimated annual quantities of liquid waste _____ gallons		
4. Estimated annual quantities of solid waste _____ tons		
5. Does the facility have a contractor perform land application? If "YES", Name of Contractor: _____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. What type of land application equipment is available to the facility? <input type="checkbox"/> Umbilical Injection <input type="checkbox"/> Honeywagon Injection <input type="checkbox"/> Honeywagon Surface <input type="checkbox"/> Irrigation <input type="checkbox"/> Rotational Gun <input type="checkbox"/> Manure Spreader <input type="checkbox"/> Vegetative Filter <input type="checkbox"/> Other _____		
7. Does the facility calibrate the land application equipment? If "YES", What method is used?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
8. Does the facility land apply within the 150 foot setback from any water well? If "YES", Explain	<input type="checkbox"/> YES	<input type="checkbox"/> NO
9. Does the facility land apply within the 200 foot setback from any surface water? If "YES", Explain	<input type="checkbox"/> YES	<input type="checkbox"/> NO
10. Does the facility land apply near any residences? If "YES", Explain	<input type="checkbox"/> YES	<input type="checkbox"/> NO
11. Are records kept of land application?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
12. Are records kept of protocols for nutrient utilization in land application field?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
13. Are records kept of livestock waste transferred off-site to another party?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
14. Are records kept for routine soil and manure testing for land application?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
15. Are records kept of protocols for routine soil and manure testing for land application?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
16. Is there adequate land for livestock waste application for acres owned/leased?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
17. Is land application performed in accordance with setback/buffer/conservation practices?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
18. Chemicals, contaminants, & mortalities are <u>not</u> directly disposed in waste handling system?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
19. Do facility personnel perform routine visual inspections of waste handling system?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
20. Are records kept for inspection and maintenance of waste handling system?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
21. Are records kept of total N and P applied and removed from the land application fields?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
22. Does the facility have a spill prevention plan?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
23. Does the facility have a storm water pollution prevention plan?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
24. Are there aerial maps of land app fields showing waterways, buffers, and field tiles?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
25. Does the facility have inclement weather/condition waste storage provisions?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
26. Is clean water diverted from waste handling system?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
27. Are the animals kept from direct contact with Waters of US?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

LIVESTOCK FACILITY DESCRIPTION

Type of Animals	Number of Animals (currently)	Animal Capacity	Type of Confinement	Number of Structures

Does the facility have an Illinois Certified Livestock Manager (300 or greater animal units)?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If greater than 1000 animal units but less than 5000 animal units, does the facility have a waste management plan?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If greater than 5000 animal units, has the facility submitted a waste management plan to IDOA for review?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Does the facility have any other locations under common ownership, or where equipment and/or manure is shared, or where the other site shares land application sites? If so, put names and addresses below.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	

LIVESTOCK WASTE STORAGE

1. Does the facility have any existing livestock waste containment system? If NO, then proceed to question 10.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
2. General description of the waste containment system (include solid and liquid manure handling, mortality, and feed storage areas).		

Type of Storage	Total Storage Capacity (Specify Units)	
<input type="checkbox"/> Anaerobic Lagoon		
<input type="checkbox"/> Covered Lagoon		
<input type="checkbox"/> Holding Pond		
<input type="checkbox"/> Above Ground Storage Tank ("Slurrystore")		
<input type="checkbox"/> Below Ground Storage Tank		
<input type="checkbox"/> Settling Basin		
<input type="checkbox"/> Roofed Storage Shed		
<input type="checkbox"/> Concrete Pad		
<input type="checkbox"/> Impervious Soil Pad		
<input type="checkbox"/> Underfloor Pits		
<input type="checkbox"/> Anaerobic Digester		
<input type="checkbox"/> Manure Stacks		
<input type="checkbox"/> Vegetative Filter		
<input type="checkbox"/> Other _____		
<input type="checkbox"/> None		
3. Estimated days of storage in livestock waste storage structures _____.		
4. Do the storage structures have depth markers or staff gauges?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. Are levels of manure in the storage structures recorded and records kept?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. Do the storage structures have adequate freeboard?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
7. Estimated final stage storage structure freeboard _____ in. of total depth _____ in.		
8. Does facility utilize a temporary manure stack?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
9. Does the temporary manure stack have a cover, pad, and other control to prevent runoff?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
10. Does the system have an outfall or discharge point?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If "YES", please provide a description (overflow pipe, spill way, etc. Include a description the area receiving the discharge).		
11. Are there any portions of the production area where runoff is not controlled?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If "YES", provide a detailed description of the area(s) of concern:		
12. Is storm water is entering the production area or waste handling system?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If "YES", provide a detailed description of the area(s) of concern:		

MORTALITIES MANAGEMENT

1. How are mortalities managed? (Composted, buried, burned, rendering service, other)
2. Are mortalities managed so all runoff/leachate is contained? YES NO
3. Are mortalities documented and are records kept? YES NO

FACILITY WATER SOURCES

1. What type of method is used to provide drinking water for the animals?
 Overflow waters Tip Tanks Nipple waters Water Bowls Other _____
2. How is the water for animals obtained?
 Community PWS On-Site Well On-Site Impoundment Other _____
3. Is a mist cooling system used? YES NO
 How is mist water contained?

DAIRY OPERATION (If No Dairy, skip this section)

1. How many times per day are cows milked? _____
2. Describe how the dairy's non-contact cooling water is contained (Example: it is reused for drinking water for the animals).
3. Describe how the milking parlor is cleaned (hose or flush) and where the process wastewater goes and how it is contained.
4. Describe how the tank(s) are washed and where the process wastewater goes and how it is contained.
5. Describe where process wastewater from the plate cooler goes and how it is contained.

BEDDING (If No Bedding, skip this section)

1. Describe what type of bedding is used for the animals.
2. Describe how bedding is collected and how often.
3. What is done with the used bedding? Reused Land Applied

MANURE COLLECTION

1. How is manure collected?

- None Under Floor Pit [Scraped: Automatic Manual] Flush
 Solids Separator Other: _____

2. If manure collection system uses either clean or reused water to flush, describe where this water goes and how it is contained.

LAND APPLICATION AREA INSPECTION (IF FACILITY RECENTLY OR IS ACTIVELY LAND APPLYING)

1. What type of land application equipment is being utilized for land application?

- Umbilical Injection Honeywagon Injection Honeywagon Surface Irrigation
 Rotational Gun Manure Spreader Vegetative Filter Other _____

2. Is land application performed according to NMP?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO
3. Large unpermitted CAFO – Does facility meet agricultural stormwater exemption?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO
4. Surface Application – Is incorporation within 24-hours met?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. Is there a dry weather discharge into the Waters of the US from land application area?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. Is land application rate at a level to prevent over-saturation/pooling of livestock waste?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
7. Has limitation for land slope of land application been met?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
8. Has setback to residences been met?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
9. Has setback to waterways, tile inlets, drainage wells, or other conduits been met?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
10. Has setback to potable water well been met?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
11. Has setback to surface water been met?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
12. Has restrictions of precipitation forecast preceding land application been met?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
13. Has subsurface drainage monitoring been met?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO
14. Has 10-yr flood plain land application injection/incorporation restriction been met?		<input type="checkbox"/> YES	<input type="checkbox"/> NO
15. Unpermitted – Has land application on snow/frozen ground met requirements?	<input type="checkbox"/> N/A	<input type="checkbox"/> YES	<input type="checkbox"/> NO

FROZEN/SNOW COVERED LAND APPLICATION PROVISIONS (PERMITTED CAFO ONLY)

1. Has facility met <120 day storage, no alternative, IEPA notification prior 12/1?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
2. Has facility met of reduction of waste prior 12/1, deemed overflow, unable to incorporate?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
3. Has facility met liquid precipitation forecasts of < 0.25"-frozen ground / 0.1"-ice/snow?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
4. Has facility met high temperature forecasts <32° F next 7 days?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. Has buffers met 100'-drainage, 150'-potable well, 200' surface water for 0% slope?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. Has buffers met 2X above for 0%-2% slope & 3X above for 2%-5% slope?	<input type="checkbox"/> YES	<input type="checkbox"/> NO

FEED STORAGE CONTAINMENT

1. Describe how feed (silage, hay, etc) is contained.
 Bulk Bins Silage Pit Ag Bags Silo [Hay: Barn Outdoor]
 Other: _____
2. Describe how feed (silage, hay, etc) runoff is contained.
 None Not Applicable – Feed totally enclosed
 Other: _____

RECEIVING SURFACE WATERS

1. Provide a description of the flow path from the facility to the nearest named surface water.

2. What is the name of the receiving stream?

3. Status of the named surface water: Intermittent Perennial

4. Are any unnatural bottom deposits observed in the receiving stream? YES NO

If "YES", please provide a description of the deposits:

DISCHARGES

1. Have there been any documented discharges of livestock waste to surface water *in the past year*? If "NO" proceed to question 2. YES NO

a. If "YES", specify the date(s). _____

b. What was the reason for the discharge?

c. Was the discharge the result of a 25 year-24 hour rainfall event? YES NO

d. What was the precipitation amount? (if applicable)

e. Was IEMA notified of the discharge? YES NO

f. Has the facility taken corrective action to remedy the situation which caused the discharge(s)? YES NO

If "YES", describe actions taken:

2. Is the facility currently discharging livestock waste from the production area? If "NO" proceed to next section. YES NO

a. Was the discharge the result of a 25 year-24 hour rainfall event? YES NO

b. What was the precipitation amount? (if applicable)

12/03/2014 - R12023(A), IEPA Answers Attachments

c. What is the reason for the discharge?

d. Number of water quality samples taken: _____

e. Locations of Water Quality Samples Relative to Discharge Flow: Discharge Point/Flow Path
 Upstream Waters of US Confluence Waters of US Downstream Waters of US
 Other _____

f. What parameter(s) tested? pH Ammonia Nitrate Nitrite Phosphorus BOD₅
 Total Susp Solids Fecal Diss O₂ Other _____

g. Describe Flow Path to "Waters of US":

BIOSECURITY – Inspection Activities

- | | | |
|--|------------------------------|--|
| 1. Were biosecurity measures discussed with the facility prior to inspection? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 2. Has there been 24-hours downtime between inspections for all IEPA personnel present? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 3. Was the order of inspection conducted from high risk to low risk? | <input type="checkbox"/> N/A | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 4. Did all personnel stay outside livestock management and livestock waste handling facilities as defined in 35 IAC 501.285 and 35 IAC 501.300? If "YES" skip to question 7. | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

BIOSECURITY – Personal Protection Equipment

- | | | | |
|--|---|------------------------------|-----------------------------|
| 5. Was sanitary footwear donned prior to entering the livestock management/waste handling facility(s)? | <input type="checkbox"/> N/A
Did not Enter | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 6. Were disposable coveralls donned prior to entering the livestock management/waste handling facility(s)? | <input type="checkbox"/> N/A
Did not Enter | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 7. Was sanitary footwear used during the inspection? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| 8. Was disposable sanitary outerwear disposed at the facility? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |

BIOSECURITY – Vehicle

- | | | |
|---|------------------------------|--|
| 9. Was the vehicle parking location discussed with the facility prior to inspection? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 10. Was the vehicle washed since the inspection prior to current? If "YES" skip question 11. | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 11. Was the vehicle parked >300-feet from the livestock management/waste handling facility? Explain where vehicle was parked: | <input type="checkbox"/> N/A | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 12. Was IEPA vehicle used on site? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 13. Was facility vehicle used on site? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

BIOSECURITY – Inspection Equipment

- | | | |
|---|------------------------------|--|
| 14. Was all equipment wiped down with anti-bacterial wipes? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 15. Was sample cooler kept inside vehicle during inspection? If "YES" skip question 16. | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 16. Was sample cooler wiped down with antibacterial wipes before placing back into vehicle? | <input type="checkbox"/> N/A | <input type="checkbox"/> YES <input type="checkbox"/> NO |

OTHER COMMENTS/NOTES

The following were reviewed during inspection: CNMP / Records / Confinement Buildings / Feedlot / Milking Parlor / Feed Containment / Commodities Storage / Livestock Waste Containment System / Mortalities Management / Land Application / Receiving Stream

Attachments: Narrative Photos Site Plan Sample Results Other: _____

INSPECTOR'S SIGNATURE

REPORT DATE

BOWID	Currently being populated
IEPA ID	Proposed field currently not populates
LMFA ID	Used as reference, not currently populated
IDPH ID	Used as reference, not currently populated
USEPA Unique ID	Used as reference, not currently populated
Previous Facility Name	Replaced by BOWID
Facility Name	CAFO Inspection Checklist
Facility City	CAFO Inspection Checklist
Facility State	CAFO Inspection Checklist
Facility Zip	CAFO Inspection Checklist
Facility Owner/ Operator	CAFO Inspection Checklist
Facility Owner Address	CAFO Inspection Checklist
Facility Owner City	CAFO Inspection Checklist
Facility Owner State	CAFO Inspection Checklist
Facility Owner Zip	CAFO Inspection Checklist
Facility Owner Phone	CAFO Inspection Checklist
Facility Owner Cell	CAFO Inspection Checklist
Facility Owner 2	CAFO Inspection Checklist
Facility Owner 2 Address	CAFO Inspection Checklist
Facility Owner 2 City	CAFO Inspection Checklist
Facility Owner 2 State	CAFO Inspection Checklist
Facility Owner 2 Zip	CAFO Inspection Checklist
Facility Owner 2 Phone	CAFO Inspection Checklist
Facility Owner 2 Cell	CAFO Inspection Checklist
Facility Operator	CAFO Inspection Checklist
Facility Operator Address	CAFO Inspection Checklist
Facility Operator State	CAFO Inspection Checklist
Facility Operator Zip	CAFO Inspection Checklist
Facility Operator Phone	CAFO Inspection Checklist
Facility Operator Cell	CAFO Inspection Checklist
Facility Operator 2	CAFO Inspection Checklist
Facility Operator 2 Address	CAFO Inspection Checklist
Facility Operator 2 State	CAFO Inspection Checklist
Facility Operator 2 Zip	CAFO Inspection Checklist
Facility Operator 2 Phone	CAFO Inspection Checklist
Facility Operator 2 Cell	CAFO Inspection Checklist
Permit (Y/N)	Used as reference, not currently populated
Permit .	CAFO Inspection Checklist
Permit 2 .	Used as reference, not currently populated
Permit Issue Date	CAFO Inspection Checklist
Permit Expiration Date	CAFO Inspection Checklist
Permit Type	CAFO Inspection Checklist
Tracker Action	Reference Information used for Development
Tracker Action Date	Reference Information used for Development
Type of Inspection	CAFO Inspection Checklist
Last Inspection (Date)	Used as reference, not currently populated
Agency conducting last inspection	Used as reference, not currently populated

Lead Inspector for last inspection	Used as reference, not currently populated
Accompanied By	CAFO Inspection Checklist
Arrival Time	CAFO Inspection Checklist
Departure Time	CAFO Inspection Checklist
Enforcement Action Taken (Y/N)	Used as reference, not currently populated
Enforcement Type Taken	Used as reference, not currently populated
Facility Size Designation (L/M/S)	Designation made by Field Inspector
Confirmed Date	Used as reference, not currently populated
Confirmed By	Used as reference, not currently populated
Numeric Size IEPA	Reference Animal Type 1
Livestock Max Capacity (.)	CAFO Inspection Checklist (Cumulative)
IEPA Animal Type1	Used as reference, not currently populated
Animal Type 1	CAFO Inspection Checklist
Animal Number 1 (.)	Used as reference, not currently populated
IEPA Animal Type 2	Used as reference, not currently populated
Animal Type 2	CAFO Inspection Checklist
Animal Number 2 (.)	Used as reference, not currently populated
Containment Type	CAFO Inspection Checklist
Wastewater Storage Type 1	CAFO Inspection Checklist
Wastewater Storage Type 2	CAFO Inspection Checklist
Total Storage Volume	CAFO Inspection Checklist
Manure Type Liquid_Solid	CAFO Inspection Checklist
Volume of Manure Generated	CAFO Inspection Checklist
Is Manure Land Applied or Transferred?	CAFO Inspection Checklist
Manure Transfer Records Kept? (Y/N)	CAFO Inspection Checklist
NMP? (Y/N)	CAFO Inspection Checklist
Land Application BMPs	CAFO Inspection Checklist (Addressed thru questions)
Land Application - Acres (.)	CAFO Inspection Checklist
EMS Developed (Y/N)	Used as reference, not currently populated
Regional Office	Default Field
County	CAFO Inspection Checklist
Verified	Used as reference, not currently populated
LEGALDESC	Used as reference, not currently populated
DID	Used as reference, not currently populated
Facility Street Address	CAFO Inspection Checklist
Mailing Address	CAFO Inspection Checklist (Owner Address)
Mailing City	CAFO Inspection Checklist (Owner City)
Mailing State	CAFO Inspection Checklist (OwnerState)
Mailing Zip	CAFO Inspection Checklist (Owner Zip)
Lat Dec_Deg	CAFO Inspection Checklist
Long Dec_Deg	CAFO Inspection Checklist
Section	CAFO Inspection Checklist
Township	CAFO Inspection Checklist
Range	CAFO Inspection Checklist
Political Township	CAFO Inspection Checklist
Watershed	CAFO Inspection Checklist (Receiving Waters)
Temperature	CAFO Inspection Checklist

Precipitation Type	CAFO Inspection Checklist
Receiving water and distance to it (miles)	CAFO Inspection Checklist
Primary Source of Information	Used as reference, not currently populated
ImportSource	Used as reference, not currently populated
Contact Name	Reference Owner/Operator
Contact Phone	Reference Owner/Operator
Zip	Duplicate
Input Date	Default Field
Date of Last Name Change	Used as reference, not currently populated
Date of Last Owner Change	Used as reference, not currently populated
Date of Last Operator Change	Used as reference, not currently populated
Comments	Used as reference, not currently populated
BOW ID	Duplicate
Active	Used as reference, not currently populated

Facility Name	Facility Street Address	Facility City	County	Lat Dec Deg	Long Dec Deg	Section	Township
4 NELSON FARMS, INC.		ALTONA	KNOX				
4TH MERIDIAN FARM		Rio	KNOX				
Andy Shull Inc		Louisville	CLAY				Bible Grove TWP
APEX PORK, LLC		RIO	KNOX			19	Rio TWP
APPLEWOOD FARMS, LLC - UNIT 1 (UNITS 1 & 3 COMBINED LARGE CAFO)		OAKFORD	CASS				CHANDLERVILLE
APPLEWOOD FARMS, LLC - UNIT 27 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)		OAKFORD	CASS				CHANDLERVILLE
APPLEWOOD FARMS, LLC - UNIT 28 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)		OAKFORD	CASS				CHANDLERVILLE
APPLEWOOD FARMS, LLC - UNIT 3 (UNITS 1 & 3 COMBINED LARGE CAFO)		OAKFORD	CASS				CHANDLERVILLE
APPLEWOOD FARMS, LLC - UNIT 4 (UNITS 4,27,& 28 COMBINED LARGE CAFO)		NEWMANSVILLE	CASS				NEWMANSVILLE TWP
APPLEWOOD FARMS, LLC - UNIT 5		CHANDLERVILLE	CASS				CHANDLERVILLE
APPLEWOOD FARMS, LLC - UNIT 9 (UNITS 2/12 & 9 COMBINED LARGE CAFO)		OAKFORD	CASS				CHANDLERVILLE
APPLEWOOD FARMS, LLC - UNITS 2/12 (UNITS 2/12 & 9 COMBINED LARGE CAFO)		OAKFORD	CASS				CHANDLERVILLE
BALTOZER, THOMAS HOG/TURKEY FARM		BLUFORD	JEFFERSON				WEBBER TWP
BEER, STANLEY HOG FARM		Bartelso	CLINTON				Germantown TWP
Berg, Leon Hog Farm		Carterville	WILLIAMSON				Blairsville PREC
Bible Finisher		Louisville	CLAY				Bible Grove
Bible Pork #2		Louisville	CLAY				BLAIR
BIBLE, MATT HOG FARM 4		LOUISVILLE	CLAY				
BIBLE, MATT HOG FARM I		LOUISVILLE	CLAY				HOOSIER
BIBLE, MATT HOG FARM III		LOUISVILLE	CLAY				Hoosier
BIDDLE SWINE FARM - SEATON FACILITY		SEATON	MERCER			22	ABINGDON TWP
Bigger Farms and Feedlot		BIGGSVILLE	HENDERSON	0	0		
Billington, Hog Farm II (LARRY BILLINGTON OPER)		CISNE	RICHLAND				NOBLE TWP
Birchen Farms; Birchen Farms Inc./Rodney Birchen; Birchen Farms Inc		Pearl City	STEPHENSON				Jefferson
BITTER FARMS, INC.		Litchfield	MACOUPIN				Honey Point TWP
BLACK GOLD CATTLE COMPANY		VERMONT	FULTON			3	ASTORIA
BLOCK FARMS		KNOXVILLE	KNOX			13	HAW CREEK TWP
BOESTER, DEAN HOG FARM		HOYLETON	WASHINGTON				HOYLETON TWP
Bond Family Farms		McLeansboro	HAMILTON				Twiggs TWP
BONTZ PORK FARM		MAPLETON	PEORIA			36	
Book Pork Farms		Breese	CLINTON				BREESE TWP
BORGIC FARMS, INC.		Nokomis	MONTGOMERY				ROUNTREE TWP
BORROWMAN BROS. HOG FARM		KINDERHOOK	PIKE				PLEASANT VAL TWP
BP Pork		Tiskilwa	BUREAU				INDIANTOWN TWP
BRADLEY, BRIAN HOG FARM		TIMEWELL	BROWN				Lee TWP
Bradshaw Enterprises, LLC - Newman		New Salem	DOUGLAS				Sargent
BRADSHAW FINISHERS SITE 2		PERRY	PIKE				GRIGGSVILLE TWP
BRADSHAW, PHILIP		GRIGGSVILLE	PIKE				Griggsville TWP
Brazinski Pork Farm Facility		Coulterville	WASHINGTON				Lively Grove TWP
BREWER PORK ENTERPRISE		CAMBRIDGE	HENRY			22	ANDOVER
Brubaker, James (Miller) Hog/Turkey Farm		Ewing	FRANKLIN				Northern TWP
BUEHNE, GERVAASE DAIRY FARM I		BREESE	CLINTON				ST. ROSE
C.D. & R FARMS, INC.		BREESE	CLINTON				BREESE
C.D. Bell Swine Facility		New Athens	ST. CLAIR				Pr Du Long TWP

Facility Name	Facility Street Address	Facility City	County	Lat Dec 1 Deg	Long Dec 2 Deg	Section	Township
CARLISLE FARMS - CATTLE BARN SWINE FINISHER		CARTHAGE	HANCOCK			23	Montebello TWP
CARLISLE FARMS - CHARLIE FINISHING		CARTHAGE	HANCOCK			31	Prairie TWP
CARLISLE FARMS - CONNOR FINISHING		CARTHAGE	HANCOCK			32	Prairie TWP
CARLISLE FARMS - HOME FINISHING FACILITY		CARTHAGE	HANCOCK			24	Rock Creek TWP
Car-Mer Farm; Car-Mer Farms/Timmerman, Merlin		Galena	JO DAVIESS				
Cassarotto, Matt Hog Farm		Claremont	LAWRENCE				
CEDARCREST, LLC		TABLE GROVE	FULTON			33	FARMER TWP
CHRIS FREDRICKSON SWINE FARM		BALD BLUFF	HENDERSON			26	BALD BLUFF TWP
Christensen Farms Midwest, LLC - P Hill		Kansas	EDGAR			8	Kansas TWP
Circle G Farms		Oregon	OGLE				Marion TWP
Cold Springs Farm		Hanover	JO DAVIESS				HANOVER
COOPER FARMS		MT. PULASKI	LOGAN				MT PULASKI TWP
County Line Pork - Esmond		Esmond	OGLE				Lynnville TWP
Cowser Field and Feedlot, Inc.		Bradford	BUREAU				Milo TWP
CRANBROOK FARM (SOUTH FINISHING)		Annawan	HENRY			15	T17N
CWMF, LLC.		Freeport	STEPHENSON				Lancaster
D & D BIDDLE FINISHING FARM		JOY	MERCER			21	Millersburg TWP
D & D BIDDLE SWINE FARM		ALEDO	MERCER				
D.P.ENTERPRISES		PATTONSBURG	WOODFORD			2	Linn TWP
Dail Farms		Erie	WHITESIDE				Newton TWP
DANIEL REEDER SWINE FARM		Little York	WARREN			4	T12N
Dare Farms Henry		CANTON	FULTON			13	Canton
DARRELL CARROLL SWINE FARM		CARTHAGE	HANCOCK				
DeBlock Farms		Viola	MERCER			29	Greene TWP
DECLERCK BROTHERS SWINE FARM		TAYLOR RIDGE	ROCK ISLAND				
DEER VIEW, LLC		STILLWELL - West Point	HANCOCK				
DEFAUW SWINE FARM		GENESEO	HENRY			15	Edford TWP
Diekemper Brothers Dairy		Carlyle	Clinton				
DIERICKS SWINE FARM		ATKINSON	HENRY				
DIERICKS SWINE FARM #2-Home Site		ATKINSON	HENRY			34	
Double E Farms		Wayne City	WAYNE				Four Mile TWP
DOUBLE H PORK		PITTSFIELD	PIKE				PITTSFIELD TWP
Doubletree Farms		Princeton	BUREAU				Berlin
Dumoulin Swine Farm		Hampshire	KANE			20	Hampshire TWP
E & C PORK (EUGENE MYERS/BAY CREEK #4)		NEW SALEM	PIKE				New Salem TWP
Eagle Point Farms. LLC		Table Grove - Vermont	FULTON				
EHNLE, GARY		Buda	BUREAU				Macon TWP
Elm Farms, Inc.		Okawville	WASHINGTON				OKAWVILLE
ELMWOOD FARMS, LLC		ELMWOOD	PEORIA			29	
ERDMAN LIVESTOCK FACILITY		Chenoa	MCLEAN				YATES TWP
Eugene Meier		DAKOTA	STEPHENSON				
EVERGREEN FARMS, INC. (RUNDQUIST)		BUTLER	MONTGOMERY				Butler Grove TWP
F & M Hogs		Sumner	LAWRENCE				Christy
Farina Farms		Kinmundy	MARION				Meacham TWP

Facility Name	Facility Street Address	Facility City	County	Lat Dec Deg	Long Dec Deg	Section	Township
Fay-Bla-Mar Farm, Inc.		Oakdale	WASHINGTON				Johannisburg TWP
FEHR BROTHERS SWINE FARM-NEISLER FAC.		Minonk	WOODFORD				
FEHR BROTHERS SWINE FARM-RED FINISHER		PANOLA	WOODFORD			15	
FITZGIBBONS, GERALD		ELKHART	LOGAN				BROADWELL TWP
Flanders Swine Farm North		Dana	LA SALLE				Osage TWP
Flanders Swine Farm South		Dana	LA SALLE				Osage TWP
Four Beck Dairy		Bartelso	Clinton				
FRAGRANT 40		GREENFIELD	MACOUPIN				BARR
FRANK FARMS, INC.		ATHENS	MENARD				ATHENS PREC
FULTON SELECT SWINE		ASTORIA	FULTON			1	ASTORIA
FUNK FARMS TRUST CATTLE FARM		SHIRLEY	MCLEAN				FUNKS GROVE TWP
Furtney Farms		Champaign	Champaign				HENSLEY TWP
Gene Bank of North America		DUQUOIN	PERRY				
GENESEO PORK, INC. - ATKINSON		ATKINSON	HENRY			3	ATKINSON
Gibson Swine Farm		Erie	WHITESIDE				Erie TWP
GLENVIEW PORK, LLC		PLYMOUTH	HANCOCK				
Golden Oaks Farm, LLC		Wauconda	LAKE				Wauconda TWP
GREENVILLE LIVESTOCK INC		CENTRALIA	CLINTON				Brookside
GROTE STOCK FARM		FAIRFIELD	WAYNE				ARRINGTON TWP
Hagenbuch North		Utica	LA SALLE				Ophir TWP
HANOR COMPANY, INC. (APPLE CREEK)		WHITE HALL	GREENE				WRIGHTS TWP
HANOR COMPANY, INC. (BLUFFDALE)		ELDRED	GREENE				Bluffdale TWP
Hartman Swine Facility		Fairbury	LIVINGSTON				Indian Grove TWP
HAWKINSON BROTHERS, INC.		GALESBURG	KNOX			22	Henderson TWP
HECKERT HOG/DAIRY FARM		VENEDY	WASHINGTON				JOHANNISBURG TWP
Hempen, David Hog & Cattle Farm		Carlyle	CLINTON				Irishtown TWP
Henco Hogs LLC - Fall Creek Farm		BIGGSVILLE	HENDERSON				
HENDRICKS, GREG		NEW SALEM	PIKE				New Salem TWP
HERITAGE PORK		LINCOLN	LOGAN				CHESTER TWP
HICKORY HILL FARM (Brubaker, Amos & Nathan)		INA	JEFFERSON				MOORES PRAIR TWP
HIGH PLAINS PORK, Inc.		WINSLOW	STEPHENSON				WEST POINT TWP
HIGH POWER PORK LLC		LA PRAIRIE	ADAMS				NORTHEAST
HILLTOP FARM LLC		RUSHVILLE	SCHUYLER				OAKLAND TWP
HOGGY BOTTOM, LLC		Yorktown	HENRY				
HOLLIS SHAFER SWINE FARM		ASTORIA	FULTON				ASTORIA
Huftalin Swine Farm		Malta	DE KALB				South Grove TWP
HUNTER HAVEN FARMS		PEARL CITY	STEPHENSON				Cherry Grove
ILLINI MANAGEMENT, INC. SWINE FARM		VICTORIA	KNOX				
Independence Pork		Waterman	DE KALB				Victor TWP
J & V Probst		Sigel	SHELBY				Sigel TWP
J. B. Timmermann Farms, Inc.		BREESE	CLINTON				
Jakobs Base Jakobs, David - Base Feedlot		Sterling	WHITESIDE				Jordan
Jakobs, David - Blacktop Feedlot		Sterling	WHITESIDE				Jordan
JANSSEN FARM		MINONK	WOODFORD			30	Minonk TWP

Facility Name	Facility Street Address	Facility City	County	Lat Dec Deg	Long Dec Deg	Section	Township
JARDEN FARMS PARTNERSHIP		BUNKER HILL	MACOUPIN				BUNKER HILL TWP
JD PORK, LLC		LAHARPE	HANCOCK				
JECKEL PORK FARM		DELAVAN	TAZEWELL				
JET Farm		Prophetstown	WHITESIDE				Lyndon TWP
JOHNSON FARMS		DEKALB	DE KALB				AFTON
JRT FARMS INC.		LAWRENCEVILLE	LAWRENCE				ALLISON TWP
KALLAL BROS.		CHESTERFIELD	MACOUPIN				CHESTERFIELD TWP
Kampwerth Pork		Breese	CLINTON				Saint Rose TWP
KAUFMAN TURKEY FARM		WATERMAN	DE KALB				Clinton TWP
KINGSDALE FARMS, INC.		VICTORIA	KNOX				
KITLEY, KENT - SWINE FACILITY		FLORA	CLAY				
KITLEY, TRACY - SWINE FARM - GDU		CLAY CITY	CLAY				STANFORD
KJMM Pork and Grain - Range Farm		Marissa	ST. CLAIR				
KNUFFMAN FAMILY FARM		LIBERTY	ADAMS				LIBERTY TWP
Kruckeburg		Shoal Creek	BOND				Shoal Creek TWP
L & M PORK FARM		Secor	WOODFORD			1	Palestine TWP
LAKAMP, BRAD		CHAPIN	SCOTT				Merritt PREC
LANHAM, INC		EDINBURG	CHRISTIAN				BUCKHART TWP
LARSON FARMS PARTNERSHIP		MAPLE PARK	DE KALB				PIERCE TWP
LEFFELMAN FARMS MAYTOWN		SUBLETTE	LEE				MAY TWP
LINCOLN FARM CORP. - HOME FARM		LINCOLN	LOGAN				EAST LINCOLN TWP
LINCOLNLAND HOG FARM		Kingston	DE KALB				MAYFIELD
LINDBOM SWINE FARM		Kewanee	HENRY				
LITTLE TIMBER, LLC		CARTHAGE	HANCOCK			25	Carthage TWP
LOGEMAN, KEVIN HOG FARM		METROPOLIS	MASSAC				
Lone Willow USA, Inc.		Roanoke	WOODFORD				
LONESOME ACRES, LLC		CARTHAGE	HANCOCK				
Luebbers, Edwin Hog Farm		Carlyle	CLINTON				Irishtown TWP
MARK RAY CATTLE FARM		Berwick	HENDERSON			4	Berwick TWP
Maschhoff Pork - KUJAWA FACILITY		ASHLEY	JEFFERSON				BLISSVILLE
Maschhoff Pork (Florida Facility)		MULKEYTOWN	FRANKLIN				Tyrone
Maschhoff Pork (Georgia)		HOYLETON	WASHINGTON				Hoyelton
MASCHHOFF PORK (NEW MINDEN FACILITY)		HOYLETON	WASHINGTON				HOYLETON TWP
Maschhoff Pork Farm (HOME)		Carlyle	CLINTON				Lake TWP
MASCHHOFFS - ARMINGTON		ATLANTA	LOGAN				EMINENCE TWP
MASCHHOFFS - BAY CREEK #1		BARRY	PIKE				BARRY
MASCHHOFFS - BAY CREEK #2 / #3		NEBO	PIKE				SPRING CREEK
MASCHHOFFS - CAMPBELL FARMS		EDINBURG	CHRISTIAN				MOUNT AUBURN TWP
MASCHHOFFS - EAST RIDGE		PEARL	PIKE				HARDIN
MASCHHOFFS - LANING 1		MT. Sterling	BROWN				Ripley TWP
MASCHHOFFS - LANING 2		MT. STERLING	BROWN				RIPLEY
MASCHHOFFS - OLD SCHOOL PORK		NEBO	PIKE				HARDIN TWP
Maschhoffs Riverview Genetics, Ltd.		CENTRALIA	CLINTON				Lake
Maytown Pork		Amboy	LEE				East Grove TWP

Facility Name	Facility Street Address	Facility City	County	Lat Dec Deg	Long Dec Deg	Section	Township
McClure Farms		St Francisville	LAWRENCE				Denison TWP
MCCLURE SWINE FARM - MEDIA FACILITY		MEDIA	HENDERSON				
MCCUNE FARM #1		Sheffield	BUREAU				GOLD TWP
Meier Pork		Okwaville	WASHINGTON				
METZGER, STEVE URSA		URSA	ADAMS				Mendon TWP
MIDWEST POULTRY SERVICES HI GRADE EGG		LODA	IROQUOIS				Loda
MILLER FARMS		WAVERLY	SANGAMON				Talkington TWP
MILLS HOG FARM		MORRISON	WHITESIDE				LYNDON TWP
Mondt Dairy		AVISTON	CLINTON				
MONTICELLO PORK EAST- APPLE RIVER		Shullsburg	JO DAVIESS				APPLE RIVER TWP
MONTICELLO PORK WEST L.L.C-SCALES MOUND		Scales Mound	JO DAVIESS				Scales Mound TWP
MOSS FARMS, INC.		BAYLIS	PIKE				FAIRMOUNT TWP
MSSA HOG FACILITY - BREESE		BREESE	CLINTON				Wheatfield TWP
Murphy Farms Sow Facility Elm River		Mt. Erie	WAYNE				ELM RIVER TWP
Murphy Farms Sow Facility Lakeview		Mt. Erie	WAYNE				ZIF TWP
Murphy Farms Sow Facility Mt. Erie		Mt. Erie	WAYNE				ZIF TWP
Mussman's Back Acres, Inc.		Grant Park	KANKAKEE			14	Yellowhead TWP
NEW DOMINION FARMS - ARCHERY BALD EAGLE		Beardstown	CASS				
NEW DOMINION FARMS - DEER RUN		HUNTSVILLE	SCHUYLER				BROOKLYN
Newcomer, John		Lanark	CARROLL				Salem TWP
NORDMAN FEEDLOTS, INC.		OREGON	OGLE				OREGON
NORTH FORK PORK, LLC		WEST POINT	HANCOCK				
Northwest Illini Feedlot		Lanark	CARROLL				Rock Creek
OAK GROVE, LLC		BURNSIDE	HANCOCK				
O'LEARY SWINE FARM		REYNOLDS	ROCK ISLAND				
O'LEARY SWINE FARM - GILCHRIST NORTH		GILCHRIST	MERCER			21	Greene TWP
O'LEARY SWINE FARM - GILCHRIST SOUTH		GILCHRIST	MERCER				
PARAGON PORK		Chana	OGLE				Pine Rock TWP
PAULUS FARM		LINCOLN	LOGAN				WEST LINCOLN TWP
Pearl Valley Eggs		Pearl City	STEPHENSON				Jefferson TWP
PEUGH SWINE FARM - SHANER SITE		BRADFORD	STARK				
PFUNDSTEIN, DALE		Sterling	WHITESIDE				Jordan TWP
PHIL VOCK FARM		MORRISON	WHITESIDE				Mt Pleasant TWP
PHIL'S FRESH EGGS		FORRESTON	OGLE				Forreston TWP
PINE RIDGE FARMS		MENDON	ADAMS				MENDON TWP
PINNACLE GENETICS, LLC		COLCHESTER	MCDONOUGH				
Porcine Farms, LLC		Galesburg	KNOX				
PORK HILL FARM		ALTONA	KNOX				
PRAIRIE LAND PORK - HOME SITE		RAYMOND	MONTGOMERY				PITMAN TWP
PRAIRIE LAND PORK - NORTH SITE		FARMERSVILLE	MONTGOMERY				PITMAN TWP
PRAIRIE STATE GILTS, LTD.		LITTLETON	SCHUYLER				BROOKLYN TWP
PRIME PORK, Inc.		DEKALB	DE KALB				AFTON TWP
PROPHETSTOWN PORK, LLC		PROPHETSTOWN	HENRY				
R & J GRAIN & LIVESTOCK		ROCKPORT	PIKE				ATLAS TWP

Facility Name	Facility Street Address	Facility City	County	Lat Dec Deg	Long Dec Deg	Section	Township
R3E Pork LLC		THAWVILLE	IROQUOIS				Artesia
Rancho Cantera		Kent	STEPHENSON				
RANDY EDMUNDS SWINE FARM		CAMBRIDGE	HENRY				
Ratermann Bros.		Germantown	CLINTON				
Ravens Livestock and Farms, Inc.		Milford	IROQUOIS				LOVEJOY TWP
RED OAK HILLS LLC		NEW SALEM	PIKE				New Salem TWP
Rhett Byington		Plano	Kane			32	Big Rock TWP
RICH PORK FARM		DEER CREEK	TAZEWELL				
RICH-LANE DAIRY FARM		Highland	CLINTON				ST. ROSE
RLH Farms Inc		LOUISVILLE	CLAY				BIBLE GROVE
Rob Wood Farms, Inc.		Potomac	VERMILION				Middlefork TWP
Rodgers, John - Swine		Noble	RICHLAND				Decker TWP
ROSE ACRE FARMS, L.L.C. - DONOVAN		DONOVAN	IROQUOIS				BEAVER TWP
ROSE ACRES EGG (GERMANTOWN)		GERMANTOWN	CLINTON				BREESE
SAND RIDGE PORK LLC		ANNAWAN	HENRY			11	ALBA TWP
SAND STONE NORTH LLC		BLUFFS	SCOTT				NAPLES
SAND STONE SOUTH LLC		BLUFFS	SCOTT				NAPLES
SANGAMON PRAIRIE PORK, INC.		WILLIAMSVILLE	SANGAMON				BUFFALO HART TWP
Schabacher Swine farm		Chana	OGLE				Pine Rock TWP
Schiedary Farms		Freeport	STEPHENSON				Buckeye TWP
SCHLEYHAHN PORK FARMS		PLEASANT PLAINS	SANGAMON				CARTWRIGHT TWP
SCHWARTZKOPF FARMS		NASHVILLE	WASHINGTON				BEAUCOUP TWP
SEABAUGH PORK		WALSHVILLE	MONTGOMERY				HILLSBORO
Seabaugh Pork Farms		Greenville	BOND				Mulberry Grove
Seabaugh Pork-Breese		Breese	CLINTON				
SEAMAN PORK		BEARDSTOWN	CASS				BLUFF SPRING TWP
SF VENTURES, LLC		GLADSTONE	HENDERSON				
SIMPSON FARMS, INC.		PORTBYRON	ROCKISLAND				COE TWP
Sims Enterprises, Inc.		Liberty	Adams				Burton TWP
SNETCHER, LYNDEN FARM		SHANNON	STEPHENSON				Loran TWP
SOGGY BOTTOM SOW FACILITY		PLEASANT HILL	CALHOUN				BELLEVIEW PREC
STEAK CITY		WALNUT	BUREAU				WALNUT TWP
Stitzel Hog Farm		Shannon	CARROLL				Cherry Grove TWP
Stone Ridge Dairy Facility		Mansfield	MCLEAN				Belleflower TWP
STRIBLING HOG FARM		ASHLAND	CASS				ASHLAND
STROUT CROSSING LLC		NEBO	PIKE				
Sturtevant Hog Farms		Shannon	CARROLL				Cherry Grove TWP
TAYLOR, CHARLES		VIRGINIA	CASS				SANGAMON VAL TWP
THE HIGHLANDS, LLC		WILLIAMSFIELD	KNOX				
THOMAS, JEFF HOG FARM II		SPRINGERTON	HAMILTON				BEAVER CREEK
Timber Ridge Pork		SHERIDAN	LASALLE				
TIMBERLINE LLC - PSM		Rushville	SCHUYLER				Littleton TWP
Timmermann, Ron Hog Farm		Carlyle	CLINTON				
Triple D Farms, Inc.		CARLINVILLE	MACOUPIN				Carlinsville TWP

Facility Name	Facility Street Address	Facility City	County	Lat Dec_Deg	Long Dec_Deg	Section	Township
Triple V Farms		Breese	CLINTON				
ULRICH, ELMER FARM		Harmon	LEE				HAMILTON TWP
VAREL DAIRY		BARTELSON	CLINTON				Santa Fe
VEATCH AND SONS, INC. LIVESTOCK FARM		ROBERTS	FORD				LYMAN TWP
Walk Stock Farm, Inc. - Unit #2		Neoga	CUMBERLAND				Neoga TWP
WEBEL, RICHARD R. FARMS INC		VERSAILLES	PIKE				PERRY TWP
WEBER BEEF, INC I		GENESE	HENRY			18	
WEBSTER, MARK A., FARMS INC.		PLEASANT HILL	PIKE				PLEASANT HILL
WESTERN CREEK FARMS, LLC		LAHARPE	HANCOCK				
Westridge Dairy LLC #1; West Ridge Dairy LLC		RED BUD	MONROE				
WEYDERT HOG CONFINEMENT		DEKALB	DE KALB				PIERCE TWP
WILD ROSE FARMS, INC.		Gilson	KNOX				
WILDCAT FARMS, LLC		DURHAM	HANCOCK				
Wilder Farms (Miller-Davis)		Ramsey	FAYETTE				Shafter
Wilder Farms Elevator		VANDALIA	FAYETTE				Shafter TWP
WILLIAM DUBOIS SWINE FARM		LAURA	PEORIA			17	Millbrook TWP
WIN PRODUCTIONS - BEARDSTOWN		BEARDSTOWN	CASS				Beardstown TWP
Win Productions, LLC - Winchester		Winchester	SCOTT				Bloomfield PREC
WINTERS CREEK, INC.		JOY	MERCER			29	Duncan TWP
WONDER FARM		GALESBURG	FULTON			12	Union TWP
WONDERLAND RANCH		CARLINVILLE	MACOUPIN				BRUSHY MOUND TWP
YOUNG, BOB LIVESTOCK FARM		ROCHESTER	SANGAMON				COOPER TWP

Facility Name	Facility Owner/ Operator	Facility Owner Address	Facility Owner Phone
4 NELSON FARMS, INC.			
4TH MERIDIAN FARM			
Andy Shull Inc	Shull, Any		
APEX PORK, LLC			
APPLEWOOD FARMS, LLC - UNIT 1 (UNITS 1 & 3 COMBINED LARGE CAFO)			
APPLEWOOD FARMS, LLC - UNIT 27 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)			
APPLEWOOD FARMS, LLC - UNIT 28 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)			
APPLEWOOD FARMS, LLC - UNIT 3 (UNITS 1 & 3 COMBINED LARGE CAFO)			
APPLEWOOD FARMS, LLC - UNIT 4 (UNITS 4,27,& 28 COMBINED LARGE CAFO)			
APPLEWOOD FARMS, LLC - UNIT 5			
APPLEWOOD FARMS, LLC - UNIT 9 (UNITS 2/12 & 9 COMBINED LARGE CAFO)			
APPLEWOOD FARMS, LLC - UNITS 2/12 (UNITS 2/12 & 9 COMBINED LARGE CAFO)			
BALTOZER, THOMAS HOG/TURKEY FARM	Baltozer, Thomas		
BEER, STANLEY HOG FARM	Beer, Stanley		
Berg, Leon Hog Farm	Berg, Leon		
Bible Finisher	Bible, Matt		
Bible Pork #2	Bible, Matt		
BIBLE, MATT HOG FARM 4	Bible, Matt		
BIBLE, MATT HOG FARM I	Bible, Matt		
BIBLE, MATT HOG FARM III	Bible, Matt		
BIDDLE SWINE FARM - SEATON FACILITY			
Bigger Farms and Feedlot	Joe Bigger		
Billington, Hog Farm II (LARRY BILLINGTON OPER)	Billington, Larry		
Birchen Farms; Birchen Farms Inc./Rodney Birchen; Birchen Farms Inc	Birchen, Rodney & Mary		
BITTER FARMS, INC.	Mike Bitter		
BLACK GOLD CATTLE COMPANY	Steve Foglesong		
BLOCK FARMS			
BOESTER, DEAN HOG FARM	Boester, Dean		
Bond Family Farms	Gerry Bond		
BONTZ PORK FARM			
Book Pork Farms	Book, Brian		
BORGIC FARMS, INC.			
BORROWMAN BROS. HOG FARM			
BP Pork			
BRADLEY, BRIAN HOG FARM			
Bradshaw Enterprises, LLC - Newman			

Facility Name	Facility Owner/ Operator	Facility Owner Address	Facility Owner Phone
BRADSHAW FINISHERS SITE 2			
BRADSHAW, PHILIP			
Brazinski Pork Farm Facility	Brazinski,		
BREWER PORK ENTERPRISE			
Brubaker, James (Miller) Hog/Turkey Farm			
BUEHNE, GERVAASE DAIRY FARM I	Buehne, Gervase		
C.D. & R FARMS, INC.	Richter, Randall		
C.D. Bell Swine Facility	Schilling, Ludger		
CARLISLE FARMS - CATTLE BARN SWINE FINISHER			
CARLISLE FARMS - CHARLIE FINISHING			
CARLISLE FARMS - CONNOR FINISHING			
CARLISLE FARMS - HOME FINISHING FACILITY			
Car-Mer Farm; Car-Mer Farms/Timmerman, Merlin	Timmerman, Merlin		
Cassarotto, Matt Hog Farm			
CEDARCREST, LLC			
CHRIS FREDRICKSON SWINE FARM			
Christensen Farms Midwest, LLC - P Hill			
Circle G Farms			
Cold Springs Farm			
COOPER FARMS			
County Line Pork - Esmond			
Cowser Field and Feedlot, Inc.			
CRANBROOK FARM (SOUTH FINISHING)			
CWMF, LLC.			
D & D BIDDLE FINISHING FARM			
D & D BIDDLE SWINE FARM			
D.P. ENTERPRISES			
Dail Farms			
DANIEL REEDER SWINE FARM			
Dare Farms Henry	Dare, Henry & Phil		
DARRELL CARROLL SWINE FARM			
DeBlock Farms			
DECLERCK BROTHERS SWINE FARM			
DEER VIEW, LLC			
DEFAUW SWINE FARM			
Diekemper Brothers Dairy	Diekemper, Tony		

Facility Name	Facility Owner/ Operator	Facility Owner Address	Facility Owner Phone
DIERICKS SWINE FARM	Ralph Diericks		
DIERICKS SWINE FARM #2-Home Site			
Double E Farms	Lyndell Ensbach		
DOUBLE H PORK	Josh Kindle		
Doubletree Farms			
Dumoulin Swine Farm			
E & C PORK (EUGENE MYERS/BAY CREEK #4)			
Eagle Point Farms. LLC	several owner/operators		
EHNLE, GARY			
Elm Farms, Inc.	Larry Wayne, Norbert, Hadley hasheider		
ELMWOOD FARMS, LLC			
ERDMAN LIVESTOCK FACILITY			
Eugene Meier			
EVERGREEN FARMS, INC. (RUNDQUIST)			
F & M Hogs	Moan, Lonnie		
Farina Farms	Kline, Jerry, Manager		
Fay-Bla-Mar Farm, Inc.	Helbig, Marvin		
FEHR BROTHERS SWINE FARM-NEISLER FAC.			
FEHR BROTHERS SWINE FARM-RED FINISHER			
FITZGIBBONS, GERALD			
Flanders Swine Farm North			
Flanders Swine Farm South			
Four Beck Dairy	Becker, Stanley		
FRAGRANT 40			
FRANK FARMS, INC.			
FULTON SELECT SWINE			
FUNK FARMS TRUST CATTLE FARM			
Furtney Farms	Bob Furtney		
Gene Bank of North America	Pearl, David		
GENESE0 PORK, INC. - ATKINSON			
Gibson Swine Farm			
GLENVIEW PORK, LLC			
Golden Oaks Farm, LLC	Tom Patterson		
GREENVILLE LIVESTOCK INC	Hugo, Danny		
GROTE STOCK FARM	Grote, Terry		
Hagenbuch North			

Facility Name	Facility Owner/ Operator	Facility Owner Address	Facility Owner Phone
KJMM Pork and Grain - Range Farm	Schilling, Jared		
KNUFFMAN FAMILY FARM			
Kruckeburg	Kruckenberg, Jerry		
L & M PORK FARM			
LAKAMP, BRAD			
LANHAM, INC			
LARSON FARMS PARTNERSHIP			
LEFFELMAN FARMS MAYTOWN			
LINCOLN FARM CORP. - HOME FARM			
LINCOLNLAND HOG FARM			
LINDBOM SWINE FARM			
LITTLE TIMBER, LLC			
LOGEMAN, KEVIN HOG FARM	Logeman, Kevin		
Lone Willow USA, Inc.	Randy Lehman		
LONESOME ACRES, LLC			
Luebbers, Edwin Hog Farm	Luebbers, Edwin		
MARK RAY CATTLE FARM			
Maschhoff Pork - KUJAWA FACILITY	Maschhoff, Ken		
Maschhoff Pork (Florida Facility)	Maschhoff, Ken		
Maschhoff Pork (Georgia)	Maschhoff, Ken		
MASCHHOFF PORK (NEW MINDEN FACILITY)	Maschhoff, Ken		
Maschhoff Pork Farm (HOME)	Maschhoff, Ken		
MASCHHOFFS - ARMINGTON			
MASCHHOFFS - BAY CREEK #1			
MASCHHOFFS - BAY CREEK #2 / #3			
MASCHHOFFS - CAMPBELL FARMS			
MASCHHOFFS - EAST RIDGE			
MASCHHOFFS - LANING 1			
MASCHHOFFS - LANING 2			
MASCHHOFFS - OLD SCHOOL PORK			
Maschhoffs Riverview Genetics, Ltd.	Maschhoff, Ken		
Maytown Pork			
McClure Farms	McClure, Greg		
MCCLURE SWINE FARM - MEDIA FACILITY			
MCCUNE FARM #1			
Meier Pork	Chris Meier		

Facility Name	Facility Owner/ Operator	Facility Owner Address	Facility Owner Phone
METZGER, STEVE URSA			
MIDWEST POULTRY SERVICES HI GRADE EGG	Midwest Poultry Services		
MILLER FARMS			
MILLS HOG FARM			
Mondt Dairy	Mondt, Robert		
MONTICELLO PORK EAST- APPLE RIVER			
MONTICELLO PORK WEST L.L.C-SCALES MOUND			
MOSS FARMS, INC.			
MSSA HOG FACILITY - BREESE	Seaubach, Jeff		
Murphy Farms Sow Facility Elm River	Murphy Farms		
Murphy Farms Sow Facility Lakeview	Murphy Farms		
Murphy Farms Sow Facility Mt. Erie	Murphy Farms		
Mussman's Back Acres, Inc.			
NEW DOMINION FARMS - ARCHERY BALD EAGLE			
NEW DOMINION FARMS - DEER RUN			
Newcomer, John			
NORDMAN FEEDLOTS, INC.			
NORTH FORK PORK, LLC			
Northwest Illini Feedlot	WWNE, LLC		
OAK GROVE, LLC			
O'LEARY SWINE FARM			
O'LEARY SWINE FARM - GILCHRIST NORTH			
O'LEARY SWINE FARM - GILCHRIST SOUTH			
PARAGON PORK			
PAULUS FARM			
Pearl Valley Eggs			
PEUGH SWINE FARM - SHANER SITE			
PFUNDSTEIN, DALE			
PHIL VOCK FARM			
PHIL'S FRESH EGGS			
PINE RIDGE FARMS			
PINNACLE GENETICS, LLC	Pinnacle Genetics LLC; Pinnacle Genetics, LLC		
Porcine Farms, LLC	Brian Robison		
PORK HILL FARM			
PRAIRIE LAND PORK - HOME SITE			
PRAIRIE LAND PORK - NORTH SITE			

Facility Name	Facility Owner/ Operator	Facility Owner Address	Facility Owner Phone
PRAIRIE STATE GILTS, LTD.			
PRIME PORK, Inc.			
PROPHETSTOWN PORK, LLC			
R & J GRAIN & LIVESTOCK	Rick and Jackie Williams		
R3E Pork LLC			
Rancho Cantera			
RANDY EDMUNDS SWINE FARM			
Ratermann Bros.	Ratermann, Chad & Darin		
Ravens Livestock and Farms, Inc.	Glen Raven, Corp President		
RED OAK HILLS LLC			
Rhett Byington			
RICH PORK FARM			
RICH-LANE DAIRY FARM	Helbig, Blake		
RLH Farms Inc	Newby, Daniel		
Rob Wood Farms, Inc.			
Rodgers, John - Swine	Rodgers, John		
ROSE ACRE FARMS, L.L.C. - DONOVAN	Jim Hancock, Manager		
ROSE ACRES EGG (GERMANTOWN)	Kneipmann, Gerry, Manager		
SAND RIDGE PORK LLC			
SAND STONE NORTH LLC			
SAND STONE SOUTH LLC			
SANGAMON PRAIRIE PORK, INC.			
Schabacher Swine farm			
Schiedary Farms	Doug Scheider/Dan Scheider		
SCHLEYHAHN PORK FARMS			
SCHWARTZKOPF FARMS	Schwartzkopf, James		
SEABAUGH PORK			
Seabaugh Pork Farms	Seabach, Jeff		
Seabaugh Pork-Breese			
SEAMAN PORK	Mike and Laura Seaman		
SF VENTURES, LLC			
SIMPSON FARMS, INC.			
Sims Enterprises, Inc.	Randy and MaryAnn Sims		
SNETCHER, LYNDEN FARM			
SOGGY BOTTOM SOW FACILITY			
STEAK CITY			

Facility Name	Facility Owner/ Operator	Facility Owner Address	Facility Owner Phone
Stitzel Hog Farm			
Stone Ridge Dairy Facility			
STRIBLING HOG FARM			
STROUT CROSSING LLC			
Sturtevant Hog Farms			
TAYLOR, CHARLES			
THE HIGHLANDS, LLC			
THOMAS, JEFF HOG FARM II	Thomas, Jeff		
Timber Ridge Pork	Hintzsche Fertilizer Inc.		
TIMBERLINE LLC - PSM			
Timmermann, Ron Hog Farm	Timmermann, Ron		
Triple D Farms, Inc.	David and May Klause		
Triple V Farms	VonderHaar, Gary		
ULRICH, ELMER FARM			
VAREL DAIRY	Varel, Eric		
VEATCH AND SONS, INC. LIVESTOCK FARM			
Walk Stock Farm, Inc. - Unit #2			
WEBEL, RICHARD R. FARMS INC			
WEBER BEEF, INC I			
WEBSTER, MARK A., FARMS INC.			
WESTERN CREEK FARMS, LLC			
Westridge Dairy LLC #1; West Ridge Dairy LLC	Henry, Mike		
WEYDERT HOG CONFINEMENT			
WILD ROSE FARMS, INC.			
WILDCAT FARMS, LLC	Professional Swine Management, LLC; Carroll Farms - Sow		
Wilder Farms (Miller-Davis)	Maschhoff, Ken		
Wilder Farms Elevator	Maschhoff, Ken		
WILLIAM DUBOIS SWINE FARM			
WIN PRODUCTIONS - BEARDSTOWN			
Win Productions, LLC - Winchester	Brian Bradshaw		
WINTERS CREEK, INC.			
WONDER FARM			
WONDERLAND RANCH	BILL LEEFERS		
YOUNG, BOB LIVESTOCK FARM			

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
4 NELSON FARMS, INC.				
4TH MERIDIAN FARM				
Andy Shull Inc				
APEX PORK, LLC				
APPLEWOOD FARMS, LLC - UNIT 1 (UNITS 1 & 3 COMBINED LARGE CAFO)				
APPLEWOOD FARMS, LLC - UNIT 27 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)				
APPLEWOOD FARMS, LLC - UNIT 28 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)				
APPLEWOOD FARMS, LLC - UNIT 3 (UNITS 1 & 3 COMBINED LARGE CAFO)				
APPLEWOOD FARMS, LLC - UNIT 4 (UNITS 4,27,& 28 COMBINED LARGE CAFO)				
APPLEWOOD FARMS, LLC - UNIT 5				
APPLEWOOD FARMS, LLC - UNIT 9 (UNITS 2/12 & 9 COMBINED LARGE CAFO)				
APPLEWOOD FARMS, LLC - UNITS 2/12 (UNITS 2/12 & 9 COMBINED LARGE CAFO)				
BALTOZER, THOMAS HOG/TURKEY FARM				
BEER, STANLEY HOG FARM				
Berg, Leon Hog Farm				
Bible Finisher				
Bible Pork #2				
BIBLE, MATT HOG FARM 4				
BIBLE, MATT HOG FARM I				
BIBLE, MATT HOG FARM III				
BIDDLE SWINE FARM - SEATON FACILITY				
Bigger Farms and Feedlot				
Billington, Hog Farm II (LARRY BILLINGTON OPER)				
Birchen Farms; Birchen Farms Inc./Rodney Birchen; Birchen Farms Inc				
BITTER FARMS, INC.				
BLACK GOLD CATTLE COMPANY				
BLOCK FARMS				
BOESTER, DEAN HOG FARM				
Bond Family Farms				
BONTZ PORK FARM				
Book Pork Farms				
BORGIC FARMS, INC.				
BORROWMAN BROS. HOG FARM				
BP Pork				
BRADLEY, BRIAN HOG FARM				
Bradshaw Enterprises, LLC - Newman				
BRADSHAW FINISHERS SITE 2				
BRADSHAW, PHILIP				
Brazinski Pork Farm Facility				
BREWER PORK ENTERPRISE				

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
Brubaker, James (Miller) Hog/Turkey Farm				
BUEHNE, GERVAE DAIRY FARM I				
C.D. & R FARMS, INC.				
C.D. Bell Swine Facility				
CARLISLE FARMS - CATTLE BARN SWINE FINISHER				
CARLISLE FARMS - CHARLIE FINISHING				
CARLISLE FARMS - CONNOR FINISHING				
CARLISLE FARMS - HOME FINISHING FACILITY				
Car-Mer Farm; Car-Mer Farms/Timmerman, Merlin				
Cassarotto, Matt Hog Farm				
CEDARCREST, LLC				
CHRIS FREDRICKSON SWINE FARM				
Christensen Farms Midwest, LLC - P Hill				
Circle G Farms				
Cold Springs Farm				
COOPER FARMS				
County Line Pork - Esmond				
Cowser Field and Feedlot, Inc.				
CRANBROOK FARM (SOUTH FINISHING)				
CWMF, LLC.				
D & D BIDDLE FINISHING FARM				
D & D BIDDLE SWINE FARM				
D.P. ENTERPRISES				
Dail Farms				
DANIEL REEDER SWINE FARM				
Dare Farms Henry				
DARRELL CARROLL SWINE FARM				
DeBlock Farms				
DECLERCK BROTHERS SWINE FARM				
DEER VIEW, LLC				
DEFAUW SWINE FARM				
Diekemper Brothers Dairy				
DIERICKS SWINE FARM				
DIERICKS SWINE FARM #2-Home Site				
Double E Farms				
DOUBLE H PORK				
Doubletree Farms				
Dumoulin Swine Farm				

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
E & C PORK (EUGENE MYERS/BAY CREEK #4)				
Eagle Point Farms, LLC				
EHNLE, GARY				
Elm Farms, Inc.				
ELMWOOD FARMS, LLC				
ERDMAN LIVESTOCK FACILITY				
Eugene Meier				
EVERGREEN FARMS, INC. (RUNDQUIST)				
F & M Hogs				
Farina Farms				
Fay-Bla-Mar Farm, Inc.				
FEHR BROTHERS SWINE FARM-NEISLER FAC.				
FEHR BROTHERS SWINE FARM-RED FINISHER				
FITZGIBBONS, GERALD				
Flanders Swine Farm North				
Flanders Swine Farm South				
Four Beck Dairy				
FRAGRANT 40				
FRANK FARMS, INC.				
FULTON SELECT SWINE				
FUNK FARMS TRUST CATTLE FARM				
Furtney Farms				
Gene Bank of North America				
GENESEO PORK, INC. - ATKINSON				
Gibson Swine Farm				
GLENVIEW PORK, LLC				
Golden Oaks Farm, LLC				
GREENVILLE LIVESTOCK INC				
GROTE STOCK FARM				
Hagenbuch North				
HANOR COMPANY, INC. (APPLE CREEK)				
HANOR COMPANY, INC. (BLUFFDALE)				
Hartman Swine Facility				
HAWKINSON BROTHERS, INC.				
HECKERT HOG/DAIRY FARM				
Hempen, David Hog & Cattle Farm				
Henco Hogs LLC - Fall Creek Farm				
HENDRICKS, GREG				

27 05/2014 - R12025(A), TEPA ANS

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
HERITAGE PORK				
HICKORY HILL FARM (Brubaker, Amos & Nathan)				
HIGH PLAINS PORK, Inc.				
HIGH POWER PORK LLC				
HILLTOP FARM LLC				
HOGGY BOTTOM, LLC				
HOLLIS SHAFER SWINE FARM				
Huftalin Swine Farm				
HUNTER HAVEN FARMS				
ILLINI MANAGEMENT, INC. SWINE FARM				
Independence Pork				
J & V Probst				
J. B. Timmermann Farms, Inc.				
Jakobs Base Jakobs, David - Base Feedlot				
Jakobs, David - Blacktop Feedlot				
JANSSEN FARM				
JARDEN FARMS PARTNERSHIP				
JD PORK, LLC				
JECKEL PORK FARM				
JET Farm				
JOHNSON FARMS				
JRT FARMS INC.				
KALLAL BROS.				
Kampwerth Pork				
KAUFMAN TURKEY FARM				
KINGSDALE FARMS, INC.				
KITLEY, KENT - SWINE FACILITY				
KITLEY, TRACY - SWINE FARM - GDU				
KJMM Pork and Grain - Range Farm				
KNUFFMAN FAMILY FARM				
Kruckeburg				
L & M PORK FARM				
LAKAMP, BRAD				
LANHAM, INC				
LARSON FARMS PARTNERSHIP				
LEFFELMAN FARMS MAYTOWN				
LINCOLN FARM CORP. - HOME FARM				
LINCOLNLAND HOG FARM				

Waters Attachments

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
LINDBOM SWINE FARM				
LITTLE TIMBER, LLC				
LOGEMAN, KEVIN HOG FARM				
Lone Willow USA, Inc.				
LONESOME ACRES, LLC				
Luebbers, Edwin Hog Farm				
MARK RAY CATTLE FARM				
Maschhoff Pork - KUJAWA FACILITY				
Maschhoff Pork (Florida Facility)				
Maschhoff Pork (Georgia)				
MASCHHOFF PORK (NEW MINDEN FACILITY)				
Maschhoff Pork Farm (HOME)				
MASCHHOFFS - ARMINGTON				
MASCHHOFFS - BAY CREEK #1				
MASCHHOFFS - BAY CREEK #2 / #3				
MASCHHOFFS - CAMPBELL FARMS				
MASCHHOFFS - EAST RIDGE				
MASCHHOFFS - LANING 1				
MASCHHOFFS - LANING 2				
MASCHHOFFS - OLD SCHOOL PORK				
Maschhoffs Riverview Genetics, Ltd.				
Maytown Pork				
McClure Farms				
MCCLURE SWINE FARM - MEDIA FACILITY				
MCCUNE FARM #1				
Meier Pork				
METZGER, STEVE URSA				
MIDWEST POULTRY SERVICES HI GRADE EGG				
MILLER FARMS				
MILLS HOG FARM				
Mondt Dairy				
MONTICELLO PORK EAST- APPLE RIVER				
MONTICELLO PORK WEST L.L.C-SCALES MOUND				
MOSS FARMS, INC.				
MSSA HOG FACILITY - BREESE				
Murphy Farms Sow Facility Elm River				
Murphy Farms Sow Facility Lakeview				
Murphy Farms Sow Facility Mt. Erie				

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
Mussman's Back Acres, Inc.				
NEW DOMINION FARMS - ARCHERY BALD EAGLE				
NEW DOMINION FARMS - DEER RUN				
Newcomer, John				
NORDMAN FEEDLOTS, INC.				
NORTH FORK PORK, LLC				
Northwest Illini Feedlot				
OAK GROVE, LLC				
O'LEARY SWINE FARM				
O'LEARY SWINE FARM - GILCHRIST NORTH				
O'LEARY SWINE FARM - GILCHRIST SOUTH				
PARAGON PORK				
PAULUS FARM				
Pearl Valley Eggs				
PEUGH SWINE FARM - SHANER SITE				
PFUNDSTEIN, DALE				
PHIL VOCK FARM				
PHIL'S FRESH EGGS				
PINE RIDGE FARMS				
PINNACLE GENETICS, LLC				
Porcine Farms, LLC				
PORK HILL FARM				
PRAIRIE LAND PORK - HOME SITE				
PRAIRIE LAND PORK - NORTH SITE				
PRAIRIE STATE GILTS, LTD.				
PRIME PORK, Inc.				
PROPHETSTOWN PORK, LLC				
R & J GRAIN & LIVESTOCK				
R3E Pork LLC				
Rancho Cantera				
RANDY EDMUNDS SWINE FARM				
Ratermann Bros.				
Ravens Livestock and Farms, Inc.				
RED OAK HILLS LLC				
Rhett Byington				
RICH PORK FARM				
RICH-LANE DAIRY FARM				
RLH Farms Inc				

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
Rob Wood Farms, Inc.				
Rodgers, John - Swine				
ROSE ACRE FARMS, L.L.C. - DONOVAN				
ROSE ACRES EGG (GERMANTOWN)				
SAND RIDGE PORK LLC				
SAND STONE NORTH LLC				
SAND STONE SOUTH LLC				
SANGAMON PRAIRIE PORK, INC.				
Schabacher Swine farm				
Schiedary Farms				
SCHLEYHAHN PORK FARMS				
SCHWARTZKOPF FARMS				
SEABAUGH PORK				
Seabaugh Pork Farms				
Seabaugh Pork-Breese				
SEAMAN PORK				
SF VENTURES, LLC				
SIMPSON FARMS, INC.				
Sims Enterprises, Inc.				
SNETCHER, LYNDEN FARM				
SOGGY BOTTOM SOW FACILITY				
STEAK CITY				
Stitzel Hog Farm				
Stone Ridge Dairy Facility				
STRIBLING HOG FARM				
STROUT CROSSING LLC				
Sturtevant Hog Farms				
TAYLOR, CHARLES				
THE HIGHLANDS, LLC				
THOMAS, JEFF HOG FARM II				
Timber Ridge Pork				
TIMBERLINE LLC - PSM				
Timmermann, Ron Hog Farm				
Triple D Farms, Inc.				
Triple V Farms				
ULRICH, ELMER FARM				
VAREL DAIRY				
VEATCH AND SONS, INC. LIVESTOCK FARM				

Waters Attachments

Facility Name	Containment Type	Wastewater Storage Type 1	Wastewater Storage Type 2	Total Storage Volume
Walk Stock Farm, Inc. - Unit #2				
WEBEL, RICHARD R. FARMS INC				
WEBER BEEF, INC I				
WEBSTER, MARK A., FARMS INC.				
WESTERN CREEK FARMS, LLC				
Westridge Dairy LLC #1; West Ridge Dairy LLC				
WEYDERT HOG CONFINEMENT				
WILD ROSE FARMS, INC.				
WILDCAT FARMS, LLC				
Wilder Farms (Miller-Davis)				
Wilder Farms Elevator				
WILLIAM DUBOIS SWINE FARM				
WIN PRODUCTIONS - BEARDSTOWN				
Win Productions, LLC - Winchester				
WINTERS CREEK, INC.				
WONDER FARM				
WONDERLAND RANCH				
YOUNG, BOB LIVESTOCK FARM				

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal		
			Animal Type 1	Animal Type 2	
			Number 1	Number 2	
4 NELSON FARMS, INC.		L	Swine, each weighing 55 pounds or more	2,500	
4TH MERIDIAN FARM		L	Swine, each weighing 55 pounds or more	2,500	
Andy Shull Inc		L	Swine, each weighing 55 pounds or more	>2500	
APEX PORK, LLC		L	Swine, each weighing 55 pounds or more	2,500	
APPLEWOOD FARMS, LLC - UNIT 1 (UNITS 1 & 3 COMBINED LARGE CAFO)		L	Swine, each weighing 55 pounds or more	4,100	Swine, each weighing less than 55 pounds
APPLEWOOD FARMS, LLC - UNIT 27 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)		L	Swine, each weighing 55 pounds or more	2,900	Swine, each weighing less than 55 pounds
APPLEWOOD FARMS, LLC - UNIT 28 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)		L	Swine, each weighing 55 pounds or more	1,200	Swine, each weighing less than 55 pounds
APPLEWOOD FARMS, LLC - UNIT 3 (UNITS 1 & 3 COMBINED LARGE CAFO)		L	Swine, each weighing 55 pounds or more	3,000	Swine, each weighing less than 55 pounds
APPLEWOOD FARMS, LLC - UNIT 4 (UNITS 4, 27, & 28 COMBINED LARGE CAFO)		L	Swine, each weighing 55 pounds or more	690	Swine, each weighing less than 55 pounds
APPLEWOOD FARMS, LLC - UNIT 5		L	Swine, each weighing 55 pounds or more	10,500	
APPLEWOOD FARMS, LLC - UNIT 9 (UNITS 2/12 & 9 COMBINED LARGE CAFO)		L	Swine, each weighing 55 pounds or more	2,800	
APPLEWOOD FARMS, LLC - UNITS 2/12 (UNITS 2/12 & 9 COMBINED LARGE CAFO)		L	Swine, each weighing 55 pounds or more	3,450	
BALTOZER, THOMAS HOG/TURKEY FARM		L	Swine, each weighing 55 pounds or more	>2500	Turkeys
BEER, STANLEY HOG FARM		L	Swine, each weighing 55 pounds or more	6000	
Berg, Leon Hog Farm		L	Swine, each weighing 55 pounds or more	3000	
Bible Finisher		L	Swine, each weighing 55 pounds or more	>2500	
Bible Pork #2		L	Swine, each weighing 55 pounds or more	4238	
BIBLE, MATT HOG FARM 4		L	Swine, each weighing 55 pounds or more	6550	
BIBLE, MATT HOG FARM I		M	Swine, each weighing 55 pounds or more	1069	
BIBLE, MATT HOG FARM III		L	Swine, each weighing 55 pounds or more	2,500	
BIDDLE SWINE FARM - SEATON FACILITY		L	Swine, each weighing 55 pounds or more	2,500	
Bigger Farms and Feedlot		M	Cattle, other than mature dairy cows or veal calves	400	
Billington, Hog Farm II (LARRY BILLINGTON OPER)		L	Swine, each weighing 55 pounds or more	5400	
Birchen Farms; Birchen Farms Inc./Rodney Birchen; Birchen Farms Inc		L	Mature dairy cows, whether milked or dry	824	Cattle, other than mature dairy cows or veal calves 240
BITTER FARMS, INC.		L	Swine, each weighing 55 pounds or more	3,184	Swine, each weighing less than 55 pounds
BLACK GOLD CATTLE COMPANY		L	Cattle, other than mature dairy cows or veal calves	3150	
BLOCK FARMS		L	Swine, each weighing 55 pounds or more	2,500	
BOESTER, DEAN HOG FARM		L	Swine, each weighing 55 pounds or more	4800	
Bond Family Farms		L	Swine, each weighing 55 pounds or more	3888	
BONTZ PORK FARM		L	Swine, each weighing 55 pounds or more	2,500	Swine, each weighing less than 55 pounds 700
Book Pork Farms		L	Swine, each weighing 55 pounds or more	2,500	
BORGIC FARMS, INC.		L	Swine, each weighing 55 pounds or more	3,000	Swine, each weighing less than 55 pounds
BORROWMAN BROS. HOG FARM		L	Swine, each weighing 55 pounds or more	10,000	Swine, each weighing less than 55 pounds 4,800
BP Pork		M	Swine, each weighing 55 pounds or more	2000	
BRADLEY, BRIAN HOG FARM		L	Swine, each weighing 55 pounds or more	9,600	
Bradshaw Enterprises, LLC - Newman		L			
BRADSHAW FINISHERS SITE 2		L	Swine, each weighing 55 pounds or more	5,600	
BRADSHAW, PHILIP		L	Swine, each weighing 55 pounds or more	3,100	Swine, each weighing less than 55 pounds
Brazinski Pork Farm Facility		L	Swine, each weighing 55 pounds or more	2,500	
BREWER PORK ENTERPRISE		L	Swine, each weighing 55 pounds or more	2,500	
Brubaker, James (Miller) Hog/Turkey Farm		L	Swine, each weighing 55 pounds or more	3800	
BUEHNE, GERVASE DAIRY FARM I		M	Mature dairy cows, whether milked or dry		
C.D. & R FARMS, INC.		M	Mature dairy cows, whether milked or dry	565	
C.D. Bell Swine Facility		L	Swine, each weighing 55 pounds or more	>2500	
CARLISLE FARMS - CATTLE BARN SWINE FINISHER		L	Swine, each weighing 55 pounds or more	2,000	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.) ~400
CARLISLE FARMS - CHARLIE FINISHING		M	Swine, each weighing 55 pounds or more	2,500	

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal Type 1	Animal	
				Number	Animal Type 2
CARLISLE FARMS - CONNOR FINISHING		L	Swine, each weighing 55 pounds or more	2,500	
CARLISLE FARMS - HOME FINISHING FACILITY		L	Swine, each weighing 55 pounds or more	2,500	
Car-Mer Farm; Car-Mer Farms/Timmerman, Merlin		M	Mature dairy cows, whether milked or dry	530; 262; 129	
Cassarotto, Matt Hog Farm		L	Swine, each weighing 55 pounds or more	2800	
CEDARCREST, LLC		L	Swine, each weighing 55 pounds or more	6500	
CHRIS FREDRICKSON SWINE FARM		L	Swine, each weighing 55 pounds or more	3600	
Christensen Farms Midwest, LLC - P Hill		L	Swine, each weighing 55 pounds or more	29,500	Swine, each weighing less than 55 pounds
Circle G Farms		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	2000	
Cold Springs Farm		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	2200	
COOPER FARMS		L	Swine, each weighing 55 pounds or more	6,285	Swine, each weighing less than 55 pounds
County Line Pork - Esmond		S	Swine, each weighing 55 pounds or more	300	
Cowser Field and Feedlot, Inc.		M	Swine, each weighing 55 pounds or more	2,250	
CRANBROOK FARM (SOUTH FINISHING)		L	Swine, each weighing 55 pounds or more	>2,500	
CWMF, LLC.		L	Swine, each weighing 55 pounds or more	3400	Swine, each weighing less than 55 pounds
D & D BIDDLE FINISHING FARM		M	Swine, each weighing 55 pounds or more	2350	
D & D BIDDLE SWINE FARM		S	Swine, each weighing 55 pounds or more	10	
D.P. ENTERPRISES		M	Swine, each weighing 55 pounds or more	2250	
Dail Farms		L	Swine, each weighing 55 pounds or more	8400	
DANIEL REEDER SWINE FARM		L	Swine, each weighing 55 pounds or more	>2,500	
Dare Farms Henry		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1000	
DARRELL CARROLL SWINE FARM		L	Swine, each weighing 55 pounds or more	>2,500	
DeBlock Farms		L	Swine, each weighing 55 pounds or more	4000	
DECLERCK BROTHERS SWINE FARM		L	Swine, each weighing 55 pounds or more	2,500	Swine, each weighing less than 55 pounds
DEER VIEW, LLC		L	Swine, each weighing 55 pounds or more	>2,500	NA
DEFAUW SWINE FARM		M	Swine, each weighing 55 pounds or more	1000	
Diekemper Brothers Dairy		M	Mature dairy cows, whether milked or dry	560	
DIERICKS SWINE FARM		L	Swine, each weighing 55 pounds or more	3300	
DIERICKS SWINE FARM #2-Home Site		L	Swine, each weighing 55 pounds or more	3,300	
Double E Farms		L	Swine, each weighing 55 pounds or more	4200	
DOUBLE H PORK		L	Swine, each weighing 55 pounds or more	4,800	
Doubletree Farms		L	Swine, each weighing 55 pounds or more	2,500	
Dumoulin Swine Farm		L	Swine, each weighing 55 pounds or more	2,500	
E & C PORK (EUGENE MYERS/BAY CREEK #4)		L	Swine, each weighing 55 pounds or more	6,048	Swine, each weighing less than 55 pounds
Eagle Point Farms, LLC		L	Swine, each weighing 55 pounds or more	6500	
EHNLE, GARY		L	Swine, each weighing 55 pounds or more	2,500	
Elm Farms, Inc.		L	Swine, each weighing 55 pounds or more	13,500	Mature dairy cows, whether milked or dry
ELMWOOD FARMS, LLC		L	Mature dairy cows, whether milked or dry	1200	
ERDMAN LIVESTOCK FACILITY		L	Swine, each weighing 55 pounds or more	2,500	Mature dairy cows, whether milked or dry
Eugene Meier		M	Cattle (All except Mature Dairy Cattle and Veal Calves); Beef cattle feedlots	550	
EVERGREEN FARMS, INC. (RUNDQUIST)		L	Swine, each weighing 55 pounds or more	4,750	Swine, each weighing less than 55 pounds
F & M Hogs		L	Swine, each weighing 55 pounds or more	3600	

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal Type 1	Animal	
				Number	Animal Type 2
Farina Farms		M	Laying hens, if the AFO uses other than liquid-manure handling system	60,651	
Fay-Bla-Mar Farm, Inc.		L	Mature dairy cows, whether milked or dry	800	
FEHR BROTHERS SWINE FARM-NEISLER FAC.		L	Swine, each weighing 55 pounds or more	>2,500	
FEHR BROTHERS SWINE FARM-RED FINISHER		L	Swine, each weighing 55 pounds or more	2,500	
FITZGIBBONS, GERALD		L	Swine, each weighing 55 pounds or more	4,400	
Flanders Swine Farm North		L	Swine, each weighing 55 pounds or more	2,500	
Flanders Swine Farm South		L	Swine, each weighing 55 pounds or more	2,500	
Four Beck Dairy		M	Mature dairy cows, whether milked or dry	650	
FRAGRANT 40		L	Swine, each weighing 55 pounds or more	4,500	
FRANK FARMS, INC.		L	Swine, each weighing 55 pounds or more	4,000	
FULTON SELECT SWINE		L	Swine, each weighing 55 pounds or more	2,500	
FUNK FARMS TRUST CATTLE FARM		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1,000	Horses 20
Furtney Farms		L	Swine, each weighing 55 pounds or more	5200	
Gene Bank of North America		S	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	725; 200	
GENESE0 PORK, INC. - ATKINSON		L	Swine, each weighing 55 pounds or more	> 2,500	
Gibson Swine Farm		M	Swine, each weighing 55 pounds or more	1500	
GLENVIEW PORK, LLC		L	Swine, each weighing 55 pounds or more	>2,500	
Golden Oaks Farm, LLC		L	Mature dairy cows, whether milked or dry	>700	
GREENVILLE LIVESTOCK INC		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	3200	
GROTE STOCK FARM		L	Swine, each weighing 55 pounds or more	5400	
Hagenbuch North		L	Swine, each weighing 55 pounds or more	2,500	
HANOR COMPANY, INC. (APPLE CREEK)		L	Swine, each weighing 55 pounds or more	70,400	
HANOR COMPANY, INC. (BLUFFDALE)		L	Swine, each weighing less than 55 pounds	35,200	
Hartman Swine Facility		L	Swine, each weighing 55 pounds or more	2,500	
HAWKINSON BROTHERS, INC.		M	Swine, each weighing 55 pounds or more	2150	Swine, each weighing less than 55 pounds 2000
HECKERT HOG/DAIRY FARM		L	Swine, each weighing 55 pounds or more	4200	
Hempen, David Hog & Cattle Farm		L	Swine, each weighing 55 pounds or more	7,200	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
Henco Hogs LLC - Fall Creek Farm		L	Swine, each weighing 55 pounds or more	>2,500	
HENDRICKS, GREG		L	Swine, each weighing 55 pounds or more	4,800	
HERITAGE PORK		L	Swine, each weighing 55 pounds or more	6,448	Swine, each weighing less than 55 pounds
HICKORY HILL FARM (Brubaker, Amos & Nathan)		L	Swine, each weighing 55 pounds or more	>2,500	
HIGH PLAINS PORK, Inc.		L	Swine, each weighing 55 pounds or more	2,500	
HIGH POWER PORK LLC		L	Swine, each weighing 55 pounds or more	8,000	Swine, each weighing less than 55 pounds
HILLTOP FARM LLC		L	Swine, each weighing 55 pounds or more	7,800	Swine, each weighing less than 55 pounds
HOGGY BOTTOM, LLC		L	Swine, each weighing 55 pounds or more	>2,500	
HOLLIS SHAFER SWINE FARM		L	Swine, each weighing 55 pounds or more	>2,500	
Huftalin Swine Farm		L	Swine, each weighing 55 pounds or more	2,500	
HUNTER HAVEN FARMS		L	Mature dairy cows, whether milked or dry	700	
ILLINI MANAGEMENT, INC. SWINE FARM		L	Swine, each weighing 55 pounds or more	11,600	

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal Type 1	Animal	
				Number 1	Number 2 (#)
Independence Pork		L	Swine, each weighing 55 pounds or more	2,500	
J & V Probst		L	Swine	2,500	NA
J. B. Timmermann Farms, Inc.		M	Mature dairy cows, whether milked or dry	775; 100	
Jakobs Base Jakobs, David - Base Feedlot		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1,000	
Jakobs, David - Blacktop Feedlot		L	Cattle (All except Mature Dairy Cattle and Veal Calves); Beef cattle feedlots	1000	
JANSSEN FARM		L	Swine, each weighing 55 pounds or more	2,500	Beef
JARDEN FARMS PARTNERSHIP		L	Mature dairy cows, whether milked or dry	700	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
JD PORK, LLC		L	Swine, each weighing 55 pounds or more	2,500	
JECKEL PORK FARM		L	Swine, each weighing 55 pounds or more	>2,500	
JET Farm		L	Swine, each weighing 55 pounds or more	2,500	
JOHNSON FARMS		L	Swine, each weighing 55 pounds or more	2,500	
JRT FARMS INC.		L	Swine, each weighing 55 pounds or more	8500	
KALLAL BROS.		L	Swine, each weighing 55 pounds or more	3,250	Swine, each weighing less than 55 pounds
Kampwerth Pork		L	Swine, each weighing 55 pounds or more	28,000	
KAUFMAN TURKEY FARM		L	Turkeys	55,000	
KINGSDALE FARMS, INC.		L	Swine, each weighing 55 pounds or more	>2,500	
KITLEY, KENT - SWINE FACILITY		L	Swine, each weighing 55 pounds or more	2,500	
KITLEY, TRACY - SWINE FARM - GDU		L	Swine, each weighing 55 pounds or more	2,500	
KJMM Pork and Grain - Range Farm		L	Swine, each weighing 55 pounds or more	6,500	
KNUFFMAN FAMILY FARM		L	Swine, each weighing 55 pounds or more	6000	
Kruckeberg		L	Swine, each weighing 55 pounds or more	2,500	
L & M PORK FARM		M	Swine, each weighing 55 pounds or more	1000	
LAKAMP, BRAD		L	Swine, each weighing 55 pounds or more	3,000	
LANHAM, INC		L	Swine, each weighing 55 pounds or more	11,575	
LARSON FARMS PARTNERSHIP		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1,000	
LEFFELMAN FARMS MAYTOWN		L	Swine, each weighing 55 pounds or more	2,500	
LINCOLN FARM CORP. - HOME FARM		L	Swine, each weighing 55 pounds or more	4,000	
LINCOLNLAND HOG FARM		L	Swine, each weighing 55 pounds or more	2,500	
LINDBOM SWINE FARM		L	Swine, each weighing 55 pounds or more	>2,500	
LITTLE TIMBER, LLC		L	Swine, each weighing 55 pounds or more	2,500	Swine, each weighing less than 55 pounds
LOGEMAN, KEVIN HOG FARM		L	Swine, each weighing 55 pounds or more		
Lone Willow USA, Inc.		L	Swine, each weighing 55 pounds or more	>2500	
LONESOME ACRES, LLC		M	Swine, each weighing 55 pounds or more	2,400	
Luebbers, Edwin Hog Farm		L	Swine, each weighing 55 pounds or more	>2500	
MARK RAY CATTLE FARM		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1,000	
Maschhoff Pork - KUJAWA FACILITY		L	Swine, each weighing 55 pounds or more	4500	
Maschhoff Pork (Florida Facility)		L	Swine, each weighing 55 pounds or more	2,500	
Maschhoff Pork (Georgia)		L	Swine, each weighing less than 55 pounds	13200	
MASCHHOFF PORK (NEW MINDEN FACILITY)		L	Swine, each weighing 55 pounds or more	2,500	

12/03/2014 - R12023(A), IEP Answers Attachments

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal Type 1	Animal	
				Number 1 (#)	Number 2 (#)
Maschhoff Pork Farm (HOME)		L	Swine, each weighing 55 pounds or more	14573	
MASCHHOFFS - ARMINGTON		L	Swine, each weighing 55 pounds or more	9,000	
MASCHHOFFS - BAY CREEK #1		L	Swine, each weighing 55 pounds or more	4,023	Swine, each weighing less than 55 pounds
MASCHHOFFS - BAY CREEK #2 / #3		L	Swine, each weighing 55 pounds or more	6,944	Swine, each weighing less than 55 pounds
MASCHHOFFS - CAMPBELL FARMS		L	Swine, each weighing 55 pounds or more	10,200	
MASCHHOFFS - EAST RIDGE		L	Swine, each weighing 55 pounds or more	6,086	Swine, each weighing less than 55 pounds
MASCHHOFFS - LANING 1		L	Swine, each weighing 55 pounds or more	7,200	
MASCHHOFFS - LANING 2		M	Swine, each weighing 55 pounds or more	2,400	
MASCHHOFFS - OLD SCHOOL PORK		L	Swine, each weighing 55 pounds or more	4,800	
Maschhoffs Riverview Genetics, Ltd.		S	Swine, each weighing 55 pounds or more		
Maytown Pork		L	Swine, each weighing 55 pounds or more	2,500	
McClure Farms		L	Swine, each weighing 55 pounds or more	2,500	
MCCLURE SWINE FARM - MEDIA FACILITY		L	Swine, each weighing 55 pounds or more	>2,500	
MCCUNE FARM #1		L	Swine, each weighing 55 pounds or more	2,500	
Meier Pork		L	Swine, each weighing 55 pounds or more	7200	
METZGER, STEVE URSA		M	Swine, each weighing 55 pounds or more	2,100	
MIDWEST POULTRY SERVICES HI GRADE EGG		L	Chickens (Layers); Poultry	1600000; 9830	
MILLER FARMS		L	Swine, each weighing 55 pounds or more	6,600	Swine, each weighing less than 55 pounds
MILLS HOG FARM		L	Swine, each weighing 55 pounds or more	2,500	
Mondt Dairy		M	Mature dairy cows, whether milked or dry	617; 350; 30; 14	
MONTICELLO PORK EAST- APPLE RIVER		L	Swine, each weighing 55 pounds or more	2,500	
MONTICELLO PORK WEST L.L.C-SCALES MOUND		L	Swine, each weighing 55 pounds or more	2,500	
MOSS FARMS, INC.		L	Swine, each weighing 55 pounds or more	12,000	
MSSA HOG FACILITY - BREESE		L	Swine, each weighing 55 pounds or more	2,500	
Murphy Farms Sow Facility Elm River		L	Swine, each weighing 55 pounds or more	2,500	
Murphy Farms Sow Facility Lakeview		L	Swine, each weighing 55 pounds or more	2,500	
Murphy Farms Sow Facility Mt. Erie		L	Swine, each weighing 55 pounds or more	2,500	
Mussman's Back Acres, Inc.		L	Laying hens, if the AFO uses other than liquid-manure handling system	82,000	
NEW DOMINION FARMS - ARCHERY BALD EAGLE		L	Swine, each weighing 55 pounds or more	2,500	
NEW DOMINION FARMS - DEER RUN		L	Swine, each weighing 55 pounds or more	5,192	Swine, each weighing less than 55 pounds
Newcomer, John		L	Swine, each weighing 55 pounds or more	2,500	
NORDMAN FEEDLOTS, INC.		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1,000	
NORTH FORK PORK, LLC		L	Swine, each weighing 55 pounds or more	>2,500	
Northwest Illini Feedlot		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1,000	
OAK GROVE, LLC		L	Swine, each weighing 55 pounds or more	>2,500	
O'LEARY SWINE FARM		M	Swine, each weighing 55 pounds or more	<2,500	
O'LEARY SWINE FARM - GILCHRIST NORTH		M	Swine, each weighing 55 pounds or more	>2,500	
O'LEARY SWINE FARM - GILCHRIST SOUTH		M	Swine, each weighing 55 pounds or more	1000	
PARAGON PORK		L	Swine, each weighing 55 pounds or more	2,500	
PAULUS FARM		L	Swine, each weighing 55 pounds or more	4,044	Swine, each weighing less than 55 pounds
Pearl Valley Eggs		L	Laying hens, if the AFO uses other than liquid-manure handling system	82,000	
PEUGH SWINE FARM - SHANER SITE		L	Swine, each weighing 55 pounds or more	>2,500	

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal Type 1	Animal	
				Number	Animal Type 2
PFUNDSTEIN, DALE		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	1,000	
PHIL VOCK FARM		L	Swine, each weighing 55 pounds or more	2,500	
PHIL'S FRESH EGGS		M	Chickens (other than laying hens), if the AFO uses other than a liquid-manure handling system	60,000	
PINE RIDGE FARMS		L	Swine, each weighing 55 pounds or more	7,200	
PINNACLE GENETICS, LLC		L	Swine, each weighing less than 55 pounds	2735	Swine, each weighing 55 pounds or more
Porcine Farms, LLC		L	Swine, each weighing 55 pounds or more	4500	
PORK HILL FARM		L	Swine, each weighing 55 pounds or more	>2,500	
PRAIRIE LAND PORK - HOME SITE		L	Swine, each weighing 55 pounds or more	2,990	Swine, each weighing less than 55 pounds
PRAIRIE LAND PORK - NORTH SITE		L	Swine, each weighing 55 pounds or more	5,000	Swine, each weighing less than 55 pounds
PRAIRIE STATE GILTS, LTD.		L	Swine, each weighing 55 pounds or more	2,500	Swine, each weighing less than 55 pounds
PRIME PORK, Inc.		L	Swine, each weighing 55 pounds or more	2,500	
PROPHETSTOWN PORK, LLC		L	Swine, each weighing 55 pounds or more	>2,500	
R & J GRAIN & LIVESTOCK		L	Swine, each weighing 55 pounds or more	3200	Swine, each weighing less than 55 pounds
R3E Pork LLC		L	Swine, each weighing 55 pounds or more	4400	
Rancho Cantera		L	Mature dairy cows, whether milked or dry	700	
RANDY EDMUNDS SWINE FARM		M	Swine, each weighing 55 pounds or more	2400	Swine under 55 lbs.
Ratermann Bros.		L	Swine, each weighing 55 pounds or more	8800	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)
Ravens Livestock and Farms, Inc.		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	4100	
RED OAK HILLS LLC		L	Swine, each weighing 55 pounds or more	5,600	Swine, each weighing less than 55 pounds
Rhett Byington		M	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	850	
RICH PORK FARM		L	Swine, each weighing 55 pounds or more	>2,500	
RICH-LANE DAIRY FARM		L	Mature dairy cows, whether milked or dry	750	
RLH Farms Inc		L	Swine, each weighing 55 pounds or more	2,500	
Rob Wood Farms, Inc.		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	2400	
Rodgers, John - Swine		L	Swine, each weighing 55 pounds or more	2,500	
ROSE ACRE FARMS, L.L.C. - DONOVAN		L	Chickens (Layers); Poultry	210,000	
ROSE ACRES EGG (GERMANTOWN)		L	Laying hens, if the AFO uses other than liquid-manure handling system	950000	
SAND RIDGE PORK LLC		L	Swine, each weighing 55 pounds or more	2,500	
SAND STONE NORTH LLC		L	Swine, each weighing 55 pounds or more	7,500	
SAND STONE SOUTH LLC		L	Swine, each weighing 55 pounds or more	7,500	
SANGAMON PRAIRIE PORK, INC.		L	Swine, each weighing 55 pounds or more	5,027	Swine, each weighing less than 55 pounds
Schabacher Swine farm		L	Swine, each weighing 55 pounds or more	2,500	
Schiedary Farms		L	Mature dairy cows, whether milked or dry	700	
SCHLEYHAHN PORK FARMS		L	Swine, each weighing 55 pounds or more	3,600	
SCHWARTZKOPF FARMS		L	Swine, each weighing 55 pounds or more	6,000	
SEABAUGH PORK		L	Swine, each weighing 55 pounds or more	9,200	

12/03/2014 - R12023(A), TELAVS Swine Attachments

2100

100

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal		Animal Number 2 (#)
			Animal Type 1	Animal Type 2	
Seabaugh Pork Farms		L	Swine, each weighing 55 pounds or more		2,600
Seabaugh Pork-Breese		L	Swine, each weighing 55 pounds or more		
SEAMAN PORK		L	Swine, each weighing 55 pounds or more		4000
SF VENTURES, LLC		L	Swine, each weighing 55 pounds or more		>2,500
SIMPSON FARMS, INC.		L	Swine, each weighing 55 pounds or more		>2,500
Sims Enterprises, Inc.		L	Swine, each weighing 55 pounds or more	Swine, each weighing less than 55 pounds	
SNETCHER, LYNDEN FARM		L	Swine, each weighing 55 pounds or more		2,500
SOGGY BOTTOM SOW FACILITY		L	Swine, each weighing 55 pounds or more	Swine, each weighing less than 55 pounds	
STEAK CITY		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)		1,000
Stitzel Hog Farm		L	Swine, each weighing 55 pounds or more		2,500
Stone Ridge Dairy Facility		L	Mature dairy cows, whether milked or dry		3500
STRIBLING HOG FARM		L	Swine, each weighing 55 pounds or more		7,400
STROUT CROSSING LLC		L	Swine, each weighing 55 pounds or more	Swine under 55 lbs.	10,540
Sturtevant Hog Farms		L	Swine, each weighing 55 pounds or more		2,500
TAYLOR, CHARLES		L	Swine, each weighing 55 pounds or more		3,000
THE HIGHLANDS, LLC		L	Swine, each weighing 55 pounds or more		>2,500
THOMAS, JEFF HOG FARM II		L	Swine, each weighing 55 pounds or more		5000
Timber Ridge Pork		M	Swine, each weighing 55 pounds or more		680
TIMBERLINE LLC - PSM		L	Swine, each weighing 55 pounds or more	Swine, each weighing less than 55 pounds	
Timmermann, Ron Hog Farm		L	Swine, each weighing 55 pounds or more		2,500
Triple D Farms, Inc.		L	Swine, each weighing 55 pounds or more		6,500
Triple V Farms		L	Swine, each weighing 55 pounds or more	Mature dairy cows, whether milked or dry	92
ULRICH, ELMER FARM		L	Swine, each weighing 55 pounds or more		2,500
VAREL DAIRY		L	Mature dairy cows, whether milked or dry	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	960 585
VEATCH AND SONS, INC. LIVESTOCK FARM		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)		1,000
Walk Stock Farm, Inc. - Unit #2		L	Swine, each weighing 55 pounds or more		2,500
WEBEL, RICHARD R. FARMS INC		L	Swine, each weighing 55 pounds or more		3,045
WEBER BEEF, INC 1		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)		2,000
WEBSTER, MARK A., FARMS INC.		L	Swine, each weighing 55 pounds or more	Swine, each weighing less than 55 pounds	5,700
WESTERN CREEK FARMS, LLC		L	Swine, each weighing 55 pounds or more		>2,500
Westridge Dairy LLC #1; West Ridge Dairy LLC		L	Mature dairy cows, whether milked or dry	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.)	860 250
WEYDERT HOG CONFINEMENT		L	Swine, each weighing 55 pounds or more		2,500
WILD ROSE FARMS, INC.		M	Swine, each weighing 55 pounds or more		<2,500
WILDCAT FARMS, LLC		L	Swine, each weighing 55 pounds or more		>2,500
Wilder Farms (Miller-Davis)		L	Swine, each weighing 55 pounds or more		7200
Wilder Farms Elevator		L	Swine, each weighing 55 pounds or more		5000
WILLIAM DUBOIS SWINE FARM		L	Swine, each weighing 55 pounds or more		2,500
WIN PRODUCTIONS - BEARDSTOWN		L	Swine, each weighing 55 pounds or more	Swine, each weighing less than 55 pounds	2,570

Facility Name	Livestock Max Capacity (#)	Facility Size Designation (L/M/S)	Animal	
			Animal Type 1	Animal Type 2
			Number 1 (#)	Number 2 (#)
Win Productions, LLC - Winchester		L	Swine, each weighing 55 pounds or more 2,500	Swine, each weighing less than 55 pounds
WINTERS CREEK, INC.		L	Swine, each weighing 55 pounds or more 3000	Swine, each weighing less than 55 pounds 1000
WONDER FARM		M	Swine, each weighing 55 pounds or more 1200	Swine, each weighing less than 55 pounds 1000
WONDERLAND RANCH		L	Cattle, other than mature dairy cows or veal calves (Cattle includes but is not limited to heifers, steers, bulls, and cow/calf pairs.) 1,800	
YOUNG, BOB LIVESTOCK FARM		L	Swine, each weighing 55 pounds or more 3,650	

12/03/2014 - R12022(A); TEPA Answers Attachments

Facility Name	Input Date
4 NELSON FARMS, INC.	30-Nov-12
4TH MERIDIAN FARM	30-Nov-12
Andy Shull Inc	30-Nov-12
APEX PORK, LLC	30-Nov-12
APPLEWOOD FARMS, LLC - UNIT 1 (UNITS 1 & 3 COMBINED LARGE CAFO)	30-Nov-12
APPLEWOOD FARMS, LLC - UNIT 27 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)	30-Nov-12
APPLEWOOD FARMS, LLC - UNIT 28 (UNITS 4, 27 & 28 COMBINED LARGE CAFO)	30-Nov-12
APPLEWOOD FARMS, LLC - UNIT 3 (UNITS 1 & 3 COMBINED LARGE CAFO)	30-Nov-12
APPLEWOOD FARMS, LLC - UNIT 4 (UNITS 4,27,& 28 COMBINED LARGE CAFO)	30-Nov-12
APPLEWOOD FARMS, LLC - UNIT 5	30-Nov-12
APPLEWOOD FARMS, LLC - UNIT 9 (UNITS 2/12 & 9 COMBINED LARGE CAFO)	30-Nov-12
APPLEWOOD FARMS, LLC - UNITS 2/12 (UNITS 2/12 & 9 COMBINED LARGE CAFO)	30-Nov-12
BALTOZER, THOMAS HOG/TURKEY FARM	30-Nov-12
BEER, STANLEY HOG FARM	30-Nov-12
Berg, Leon Hog Farm	30-Nov-12
Bible Finisher	30-Nov-12
Bible Pork #2	30-Nov-12
BIBLE, MATT HOG FARM 4	30-Nov-12
BIBLE, MATT HOG FARM I	30-Nov-12
BIBLE, MATT HOG FARM III	30-Nov-12
BIDDLE SWINE FARM - SEATON FACILITY	30-Nov-12
Bigger Farms and Feedlot	30-Nov-12
Billington, Hog Farm II (LARRY BILLINGTON OPER)	30-Nov-12
Birchen Farms; Birchen Farms Inc./Rodney Birchen; Birchen Farms Inc	30-Nov-12
BITTER FARMS, INC.	30-Nov-12
BLACK GOLD CATTLE COMPANY	30-Nov-12
BLOCK FARMS	30-Nov-12
BOESTER, DEAN HOG FARM	30-Nov-12
Bond Family Farms	30-Nov-12
BONTZ PORK FARM	30-Nov-12
Book Pork Farms	30-Nov-12
BORGIC FARMS, INC.	30-Nov-12
BORROWMAN BROS. HOG FARM	30-Nov-12
BP Pork	30-Nov-12
BRADLEY, BRIAN HOG FARM	30-Nov-12
Bradshaw Enterprises, LLC - Newman	30-Nov-12
BRADSHAW FINISHERS SITE 2	30-Nov-12
BRADSHAW, PHILIP	30-Nov-12

Facility Name	Input Date
Brazinski Pork Farm Facility	30-Nov-12
BREWER PORK ENTERPRISE	30-Nov-12
Brubaker, James (Miller) Hog/Turkey Farm	30-Nov-12
BUEHNE, GERVAASE DAIRY FARM I	30-Nov-12
C.D. & R FARMS, INC.	30-Nov-12
C.D. Bell Swine Facility	30-Nov-12
CARLISLE FARMS - CATTLE BARN SWINE FINISHER	30-Nov-12
CARLISLE FARMS - CHARLIE FINISHING	30-Nov-12
CARLISLE FARMS - CONNOR FINISHING	30-Nov-12
CARLISLE FARMS - HOME FINISHING FACILITY	30-Nov-12
Car-Mer Farm; Car-Mer Farms/Timmerman, Merlin	30-Nov-12
Cassarotto, Matt Hog Farm	30-Nov-12
CEDARCREST, LLC	30-Nov-12
CHRIS FREDRICKSON SWINE FARM	30-Nov-12
Christensen Farms Midwest, LLC - P Hill	30-Nov-12
Circle G Farms	30-Nov-12
Cold Springs Farm	30-Nov-12
COOPER FARMS	30-Nov-12
County Line Pork - Esmond	30-Nov-12
Cowser Field and Feedlot, Inc.	30-Nov-12
CRANBROOK FARM (SOUTH FINISHING)	30-Nov-12
CWMF, LLC.	30-Nov-12
D & D BIDDLE FINISHING FARM	30-Nov-12
D & D BIDDLE SWINE FARM	30-Nov-12
D.P.ENTERPRISES	30-Nov-12
Dail Farms	30-Nov-12
DANIEL REEDER SWINE FARM	30-Nov-12
Dare Farms Henry	30-Nov-12
DARRELL CARROLL SWINE FARM	30-Nov-12
DeBlock Farms	30-Nov-12
DECLERCK BROTHERS SWINE FARM	30-Nov-12
DEER VIEW, LLC	30-Nov-12
DEFAUW SWINE FARM	30-Nov-12
Diekemper Brothers Dairy	30-Nov-12
DIERICKS SWINE FARM	30-Nov-12
DIERICKS SWINE FARM #2-Home Site	30-Nov-12
Double E Farms	30-Nov-12
DOUBLE H PORK	30-Nov-12

Facility Name	Input Date
Doubletree Farms	30-Nov-12
Dumoulin Swine Farm	18-Jan-13
E & C PORK (EUGENE MYERS/BAY CREEK #4)	30-Nov-12
Eagle Point Farms, LLC	30-Nov-12
EHNLE, GARY	30-Nov-12
Elm Farms, Inc.	30-Nov-12
ELMWOOD FARMS, LLC	30-Nov-12
ERDMAN LIVESTOCK FACILITY	30-Nov-12
Eugene Meier	30-Nov-12
EVERGREEN FARMS, INC. (RUNDQUIST)	30-Nov-12
F & M Hogs	30-Nov-12
Farina Farms	30-Nov-12
Fay-Bla-Mar Farm, Inc.	30-Nov-12
FEHR BROTHERS SWINE FARM-NEISLER FAC.	30-Nov-12
FEHR BROTHERS SWINE FARM-RED FINISHER	30-Nov-12
FITZGIBBONS, GERALD	30-Nov-12
Flanders Swine Farm North	30-Nov-12
Flanders Swine Farm South	30-Nov-12
Four Beck Dairy	30-Nov-12
FRAGRANT 40	30-Nov-12
FRANK FARMS, INC.	30-Nov-12
FULTON SELECT SWINE	30-Nov-12
FUNK FARMS TRUST CATTLE FARM	30-Nov-12
Furtney Farms	30-Nov-12
Gene Bank of North America	30-Nov-12
GENESEO PORK, INC. - ATKINSON	30-Nov-12
Gibson Swine Farm	30-Nov-12
GLENVIEW PORK, LLC	30-Nov-12
Golden Oaks Farm, LLC	30-Nov-12
GREENVILLE LIVESTOCK INC	30-Nov-12
GROTE STOCK FARM	30-Nov-12
Hagenbuch North	30-Nov-12
HANOR COMPANY, INC. (APPLE CREEK)	30-Nov-12
HANOR COMPANY, INC. (BLUFFDALE)	30-Nov-12
Hartman Swine Facility	30-Nov-12
HAWKINSON BROTHERS, INC.	30-Nov-12
HECKERT HOG/DAIRY FARM	30-Nov-12
Hempen, David Hog & Cattle Farm	30-Nov-12

Facility Name	Input Date
Henco Hogs LLC - Fall Creek Farm	30-Nov-12
HENDRICKS, GREG	30-Nov-12
HERITAGE PORK	30-Nov-12
HICKORY HILL FARM (Brubaker,Amos&Nathan)	30-Nov-12
HIGH PLAINS PORK, Inc.	30-Nov-12
HIGH POWER PORK LLC	30-Nov-12
HILLTOP FARM LLC	30-Nov-12
HOGGY BOTTOM, LLC	30-Nov-12
HOLLIS SHAFER SWINE FARM	30-Nov-12
Huftalin Swine Farm	30-Nov-12
HUNTER HAVEN FARMS	30-Nov-12
ILLINI MANAGEMENT, INC. SWINE FARM	30-Nov-12
Independence Pork	30-Nov-12
J & V Probst	30-Nov-12
J. B. Timmermann Farms, Inc.	30-Nov-12
Jakobs Base Jakobs, David - Base Feedlot	30-Nov-12
Jakobs, David - Blacktop Feedlot	30-Nov-12
JANSSEN FARM	30-Nov-12
JARDEN FARMS PARTNERSHIP	30-Nov-12
JD PORK, LLC	30-Nov-12
JECKEL PORK FARM	30-Nov-12
JET Farm	30-Nov-12
JOHNSON FARMS	30-Nov-12
JRT FARMS INC.	30-Nov-12
KALLAL BROS.	30-Nov-12
Kampwerth Pork	30-Nov-12
KAUFMAN TURKEY FARM	30-Nov-12
KINGSDALE FARMS, INC.	30-Nov-12
KITLEY, KENT - SWINE FACILITY	30-Nov-12
KITLEY, TRACY - SWINE FARM - GDU	30-Nov-12
KJMM Pork and Grain - Range Farm	30-Nov-12
KNUFFMAN FAMILY FARM	30-Nov-12
Kruckeburg	30-Nov-12
L & M PORK FARM	30-Nov-12
LAKAMP, BRAD	30-Nov-12
LANHAM, INC	30-Nov-12
LARSON FARMS PARTNERSHIP	30-Nov-12
LEFFELMAN FARMS MAYTOWN	30-Nov-12

Facility Name	Input Date
LINCOLN FARM CORP. - HOME FARM	30-Nov-12
LINCOLN LAND HOG FARM	30-Nov-12
LINDBOM SWINE FARM	30-Nov-12
LITTLE TIMBER, LLC	30-Nov-12
LOGEMAN, KEVIN HOG FARM	30-Nov-12
Lone Willow USA, Inc.	30-Nov-12
LONESOME ACRES, LLC	30-Nov-12
Luebbers, Edwin Hog Farm	30-Nov-12
MARK RAY CATTLE FARM	30-Nov-12
Maschhoff Pork - KUJAWA FACILITY	30-Nov-12
Maschhoff Pork (Florida Facility)	30-Nov-12
Maschhoff Pork (Georgia)	30-Nov-12
MASCHHOFF PORK (NEW MINDEN FACILITY)	30-Nov-12
Maschhoff Pork Farm (HOME)	30-Nov-12
MASCHHOFFS - ARMINGTON	30-Nov-12
MASCHHOFFS - BAY CREEK #1	30-Nov-12
MASCHHOFFS - BAY CREEK #2 / #3	30-Nov-12
MASCHHOFFS - CAMPBELL FARMS	30-Nov-12
MASCHHOFFS - EAST RIDGE	30-Nov-12
MASCHHOFFS - LANING 1	30-Nov-12
MASCHHOFFS - LANING 2	30-Nov-12
MASCHHOFFS - OLD SCHOOL PORK	30-Nov-12
Maschhoffs Riverview Genetics, Ltd.	30-Nov-12
Maytown Pork	30-Nov-12
McClure Farms	30-Nov-12
MCCLURE SWINE FARM - MEDIA FACILITY	30-Nov-12
MCCUNE FARM #1	30-Nov-12
Meier Pork	30-Nov-12
METZGER, STEVE URSA	30-Nov-12
MIDWEST POULTRY SERVICES HI GRADE EGG	30-Nov-12
MILLER FARMS	30-Nov-12
MILLS HOG FARM	30-Nov-12
Mondt Dairy	30-Nov-12
MONTICELLO PORK EAST- APPLE RIVER	30-Nov-12
MONTICELLO PORK WEST L.L.C-SCALES MOUND	30-Nov-12
MOSS FARMS, INC.	30-Nov-12
MSSA HOG FACILITY - BREESE	30-Nov-12
Murphy Farms Sow Facility Elm River	30-Nov-12

Facility Name	Input Date
Murphy Farms Sow Facility Lakeview	30-Nov-12
Murphy Farms Sow Facility Mt. Erie	30-Nov-12
Mussman's Back Acres, Inc.	18-Jan-13
NEW DOMINION FARMS - ARCHERY BALD EAGLE	09-Jan-13
NEW DOMINION FARMS - DEER RUN	30-Nov-12
Newcomer, John	30-Nov-12
NORDMAN FEEDLOTS, INC.	30-Nov-12
NORTH FORK PORK, LLC	30-Nov-12
Northwest Illini Feedlot	30-Nov-12
OAK GROVE, LLC	30-Nov-12
O'LEARY SWINE FARM	30-Nov-12
O'LEARY SWINE FARM - GILCHRIST NORTH	30-Nov-12
O'LEARY SWINE FARM - GILCHRIST SOUTH	30-Nov-12
PARAGON PORK	30-Nov-12
PAULUS FARM	30-Nov-12
Pearl Valley Eggs	30-Nov-12
PEUGH SWINE FARM - SHANER SITE	30-Nov-12
PFUNDSTEIN, DALE	30-Nov-12
PHIL VOCK FARM	30-Nov-12
PHIL'S FRESH EGGS	30-Nov-12
PINE RIDGE FARMS	30-Nov-12
PINNACLE GENETICS, LLC	30-Nov-12
Porcine Farms, LLC	30-Nov-12
PORK HILL FARM	30-Nov-12
PRAIRIE LAND PORK - HOME SITE	30-Nov-12
PRAIRIE LAND PORK - NORTH SITE	30-Nov-12
PRAIRIE STATE GILTS, LTD.	30-Nov-12
PRIME PORK, Inc.	30-Nov-12
PROPHETSTOWN PORK, LLC	30-Nov-12
R & J GRAIN & LIVESTOCK	30-Nov-12
R3E Pork LLC	30-Nov-12
Rancho Cantera	30-Nov-12
RANDY EDMUNDS SWINE FARM	30-Nov-12
Ratermann Bros.	30-Nov-12
Ravens Livestock and Farms, Inc.	30-Nov-12
RED OAK HILLS LLC	30-Nov-12
Rhett Byington	18-Jan-13
RICH PORK FARM	30-Nov-12

Facility Name	Input Date
RICH-LANE DAIRY FARM	30-Nov-12
RLH Farms Inc	30-Nov-12
Rob Wood Farms, Inc.	30-Nov-12
Rodgers, John - Swine	30-Nov-12
ROSE ACRE FARMS, L.L.C. - DONOVAN	30-Nov-12
ROSE ACRES EGG (GERMANTOWN)	30-Nov-12
SAND RIDGE PORK LLC	30-Nov-12
SAND STONE NORTH LLC	30-Nov-12
SAND STONE SOUTH LLC	30-Nov-12
SANGAMON PRAIRIE PORK, INC.	30-Nov-12
Schabacher Swine farm	30-Nov-12
Schiedary Farms	30-Nov-12
SCHLEYHAHN PORK FARMS	30-Nov-12
SCHWARTZKOPF FARMS	30-Nov-12
SEABAUGH PORK	30-Nov-12
Seabaugh Pork Farms	30-Nov-12
Seabaugh Pork-Breese	30-Jan-14
SEAMAN PORK	30-Nov-12
SF VENTURES, LLC	30-Nov-12
SIMPSON FARMS, INC.	30-Nov-12
Sims Enterprises, Inc.	30-Nov-12
SNETCHER, LYNDEN FARM	30-Nov-12
SOGGY BOTTOM SOW FACILITY	30-Nov-12
STEAK CITY	30-Nov-12
Stitzel Hog Farm	30-Nov-12
Stone Ridge Dairy Facility	30-Nov-12
STRIBLING HOG FARM	30-Nov-12
STROUT CROSSING LLC	30-Nov-12
Sturtevant Hog Farms	30-Nov-12
TAYLOR, CHARLES	30-Nov-12
THE HIGHLANDS, LLC	30-Nov-12
THOMAS, JEFF HOG FARM II	30-Nov-12
Timber Ridge Pork	30-Nov-12
TIMBERLINE LLC - PSM	30-Nov-12
Timmermann, Ron Hog Farm	30-Nov-12
Triple D Farms, Inc.	30-Nov-12
Triple V Farms	30-Nov-12
ULRICH, ELMER FARM	30-Nov-12

Facility Name	Input Date
VAREL DAIRY	30-Nov-12
VEATCH AND SONS, INC. LIVESTOCK FARM	30-Nov-12
Walk Stock Farm, Inc. - Unit #2	30-Nov-12
WEBEL, RICHARD R. FARMS INC	30-Nov-12
WEBER BEEF, INC I	30-Nov-12
WEBSTER, MARK A., FARMS INC.	30-Nov-12
WESTERN CREEK FARMS, LLC	30-Nov-12
Westridge Dairy LLC #1; West Ridge Dairy LLC	30-Nov-12
WEYDERT HOG CONFINEMENT	30-Nov-12
WILD ROSE FARMS, INC.	30-Nov-12
WILDCAT FARMS, LLC	30-Nov-12
Wilder Farms (Miller-Davis)	30-Nov-12
Wilder Farms Elevator	30-Nov-12
WILLIAM DUBOIS SWINE FARM	30-Nov-12
WIN PRODUCTIONS - BEARDSTOWN	30-Nov-12
Win Productions, LLC - Winchester	30-Nov-12
WINTERS CREEK, INC.	30-Nov-12
WONDER FARM	30-Nov-12
WONDERLAND RANCH	30-Nov-12
YOUNG, BOB LIVESTOCK FARM	30-Nov-12