

Large Concentrated Animal Feeding Operation (CAFO) Emission Reporting

The U.S. Environmental Protection Agency recently finalized a new rule that affects the Concentrated Animal Feeding Operations (CAFOs) under the Emergency Planning Community Right-to-Know Act (EPCRA). The final rule was published on December 18, 2008 and will be in effect as of **January 20, 2009**. The intent of the rule is to establish reporting criteria and requirements that pertain to the release of, but not limited to, ammonia and hydrogen sulfide from the animal waste at the CAFO's. Each has a reporting threshold of 100 pounds in any 24-hour period. The final rule clarified and quantified the reporting thresholds in terms of animal numbers at the affected CAFO. Affected facilities must report to the State Emergency Response Commission (SERC) and their county based Local Emergency Planning Committee (LEPC). The release(s) from a CAFO may very well be stable in quantity and concentration by reporting the release as a "continuous release", the owner or operator then has a simple notification telephone call to the SERC that is followed up by a written report within a 30-day time period. Continuous releases occur without interruption, or are routine and anticipated. They are part of normal everyday operations. Continuous releases can qualify for reduced reporting requirements whereby instead of reporting the release every day that it exceeds the threshold, you can report at one time. No further report is needed unless a change in the operation would lead to a statistically significant change in the bounds, or better data become available that indicate a different good faith estimate is more accurate. After that, CAFO's are to re-evaluate their status every year from their initial January/February report date. The states in Region 5 (OH, IN, IL, WI, MN, and MI) have adopted a generic reporting form for the CAFO's to use. The form was set up at this point to enable the CAFO's to make good-faith estimates of the reporting emissions due to the number of variables and/or little information availability involved in estimating air emissions from animal agricultural facilities. The form has upper and lower bounds of emissions and we have provided instructions that walk the CAFO through the reporting elements. CAFO's can use the current available formulas to estimate their emissions with the understanding that the estimate could be substantially above or below the actual emission rate. Completed forms can be e-mailed to SERC@epa.state.oh.us or mailed to SERC-DAPC/SERC, 50 West Town Street, Columbus, OH 43215. Questions are directed to 1-888-644-2260.

Note: If your CAFO signed the 2005 or 2006 EPA Air Emissions Compliance Consent Agreement to make a good faith estimate of your emissions, you are bound by the terms of that agreement and have agreed to estimate your emissions within 18 months of the conclusion of the current National Air Emissions

Monitoring Study and report emissions as necessary at that time. The Agreement was signed by 2,568 agricultural operations representing 6,267 farms who received a covenant not to be sued for CERCLA, EPCRA, and Clean Air Act violations in exchange for their participation in the Agreement. \$2,500 per farm was assessed for the National Air Emissions Monitoring Study. EPA will announce the results of the National Air Emissions Monitoring Study at some time in the future (2011), and will determine after that whether and how the participants in the Agreement need to report emissions. For more information on the Agreement and study www.epa.gov/gov/compliance/resources/agreements/caa/cafo-agr.html

What is a CAFO and who is qualified as a CAFO?

Concentrated Animal Feeding Operations are operations that stable or confine animals in numbers **greater than or equal to** the numbers of animals specified for each category below:

700	Mature dairy cows, whether milked or dry
1,000	Veal calves
1,000	Cattle other than mature dairy cows or veal calves. ("Cattle" includes, but it not limited to, heifers, steers, bulls and cow/calf pairs.)
2,500	Swine each weighing 55 pounds or more.
10,000	Swine each weighing less than 55 pounds
500	Horses
10,000	Sheep or Lamb
55,000	Turkeys
30,000	Laying hens or broilers, if the farm uses a liquid manure handling system
125,000	Chickens (other than laying hens) if the farm uses other than a liquid manure handling system
82,000	Laying hens, if the farm uses other than a liquid manure handling system
30,000	Ducks, if the farm uses other than a liquid manure handling system
5,000	Ducks, if the farm uses a liquid manure handling system

Animals that are not stabled or confined and graze on pastures are not counted toward the threshold.

This new rule does not change the reporting requirements where the source is not animal waste at farms or is to any medium other than air. Accidental releases of pesticides or anhydrous ammonia must still be

reported regardless of the size of the farm.

How to report:

Simple Steps to Reporting Large CAFO Emissions:

1. Immediately notify the State Emergency Response Commission (SERC) 1-800-282-9378 and Local Emergency Planning Committee (LEPC) by telephone. Indicate that you are reporting a non-emergency continuous release of ammonia and hydrogen sulfide from a CAFO. List of LEPC Information Coordinators can be found at <http://epa.ohio.gov/dapc/serc/manual.aspx>
2. Within 30 days after the initial phone notification, a written report should be submitted to SERC and LEPC. SERC address: Ohio EPA-DAPC/SERC, 50 West Town Street, Columbus, OH 43215. Use the emission forms as provided or can be downloaded via internet at <http://epa.ohio.gov/dapc/serc/documents.aspx>
3. One year after the initial written notification, you need to reassess and confirm the accuracy of your calculations to the SERC and the LEPC in writing.

CAFO
Continuous Release Reporting
Under
Emergency Planning and Community Right-to-Know Act

The release notification for 24-hour reporting of spills in the State of Ohio is:

1-800-282-9378

614-224-0946

When a CAFO makes the initial phone notification, you will be asked for information that pertains to the CAFO. Below is an example of the general type of information that will be asked:

Date of Notification:_____

Company Name:

Address, City, State, Zip Code:

County:

Contact Name:

Phone Number:

Source: CAFO fixed facility

Quantity Released: Unknown at this time

Date of Release: Continuous release

Time and Duration of Release: Continuous release

Chemical(s) Released: Ammonia, Hydrogen Sulfide

Remark: This is the initial notification for EPCRA continuous release reporting at CAFO.