

## LEGISLATIVE ALERT!!

### EPCRA REPORTING REQUIREMENTS IN EFFECT FOR LARGE FEEDING OPERATIONS—JANUARY 20, 2009 INITIAL REPORTING REQUIREMENT

#### EXECUTIVE SUMMARY

Last month, the EPA determined that all large CAFOs, including operations with more than 1,000 cattle must notify state and local emergency response officials about ammonia and hydrogen sulfide emissions from their operations if they emit 100 pounds or more of these substances during any 24 hour period. This requirement was issued under the EPCRA law (Emergency Planning and Community Right to Know Act of 1986.)

**On or before January 20, 2009**, any cattle feeding operation with a capacity 1,000 head or more that emits 100 pounds or more of ammonia or hydrogen sulfide during any 24-hour period must report these emissions by a telephone call to state emergency response committee (SERC) and your local emergency planning committee (LEPC).

A written report must be submitted within 30 days after the telephone call was made.

**Smaller AFOs and ranching operations are not required to submit notifications.**

#### REPORTING DETAILS

**From:** Elizabeth Bostdorff [mailto:ebostdorff@beef.org]  
**Sent:** Fri 1/16/2009 5:39 PM  
**To:** Elizabeth Bostdorff  
**Cc:** Tamara McCann Thies  
**Subject:** NCBA Environmental Reporting Webinar Follow-up

Thank you for participating in yesterday's webinar to discuss the new environmental regulations requiring all large CAFOs (beef operations with over 1000 head) to report ammonia and hydrogen sulfide emissions to state and local emergency response officials under the Emergency Planning and Community Right-to-know Act (EPCRA).

**\*\* AS A REMINDER – ALL INITIAL REPORTING PHONE CALLS MUST BE MADE TO YOUR STATE AND LOCAL EMERGENCY RESPONDERS NO LATER THEN JANUARY 20th.** \*\* Failure to do so could result in a \$25,000/day fine. A follow-up written report is due no later than 30 days from when you make the phone call.

Attached are the documents that were discussed during yesterday's webinar including a fact sheet that describes how to comply under the new regulations, and gives a suggested script to be used when making the telephone calls. The script includes all information required under the regulation. The following documents are also attached:

\* a suggested pre-written cover letter to include with the filed report

\* a suggested report form to be filled out by a producer and mailed, using a verifiable mail service, to the state's State Emergency Response Committee (SERC) and local Local Emergency Planning Committee (LEPC), and

\* a worksheet to calculate emission levels.

All of these documents and a recording of yesterday's webinar are available on the BeefUSA website by visiting: <http://www.beefusa.org/goveEPCRAReportingRequirements.aspx>

\*\* TO VIEW THE WEBINAR – please click on the link titled “EPCRA Reporting Requirements”

To find the telephone numbers, addresses, and contact names (if appropriate) for the SERC and appropriate LEPC reporting agencies please visit the below websites.

For SERC Information visit: [www.epa.gov/oem/content/epcra/serc\\_contacts.htm](http://www.epa.gov/oem/content/epcra/serc_contacts.htm)

For LEPC Information visit: <http://yosemite.epa.gov/oswer/lepddb.nsf/HomePage?openForm>

If you have any questions, or need any additional information, please feel free to contact me, Elizabeth Bostdorff, at 202 879 9128 or [ebostdorff@beef.org](mailto:ebostdorff@beef.org).

Both Elizabeth Bostdorff and Jordan Lamb will be presenting at the WCA Winter Conference on Saturday, February 7th, during the Legislative Issues discussion beginning at 3:00 p.m.