
Reporting Hazardous Substances to Air from Farm Animal Waste

On December 12, 2008, the U.S. Environmental Protection Agency issued a final rule which provides a full exemption for reporting air releases of hazardous substances from animal waste at farms to the federal government and a partial exemption of reporting the releases to state and local governments.

Animal waste is a source of ammonia and hydrogen sulfide air emissions. These are hazardous substances that, when released into the environment above certain quantities, trigger notification responsibilities under federal regulations. The reportable quantity for each of these substances is 100 pounds of chemical released within any 24-hour period. Prior to the exemption, operations that had releases exceeding the reportable quantity were required to notify the federal government under CERCLA, and state, and local governments under EPCRA. The new rule exempts all smaller animal feeding operations from the reporting requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and only requires larger animal feeding operations to report reportable quantity releases to local and state response agencies under the Emergency Planning and Community Right-to-Know Act (EPCRA).

Q. Who is exempt from this air reporting requirement?

A. The new rule exempts farm that confine fewer than the following

- 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 is 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 other than a liquid manure handling system)

Q: Where can I find information pertaining to the CAFO exemption?

A: The full text of the new rule exemption for smaller operations can be found at:
http://www.epa.gov/emergencies/docs/chem/CERCLA_EPCRA_final_rule_unsigned.pdf