

SERC-TERC Flash Update – October 26, 2017



Here is a late-breaking / time-sensitive item of interest:

Hot Topic: EPA Provides Guidance for Farmers for Reporting Animal Waste

- On October 25, 2017, EPA released guidance to assist farmers in reporting air releases of hazardous substances from animal waste at farms.
 - EPA is making this information available to provide time for farmers to review and prepare for the reporting obligation, which could become effective as early as November 15, 2017.
- On December 18, 2008, EPA published a final rule that exempted certain farms from reporting air releases of hazardous substances from animal waste.
 - On April 11, 2017, the DC Circuit Court vacated this final rule.
 - In response to a request from EPA, the DC Circuit Court extended the date on which its ruling would become effective to November 15, 2017.
 - Unless the court further extends this date, farms (including those previously exempted by EPA's rule) that release hazardous substances to the air from animal wastes equal to or greater than the reportable quantities for those hazardous substances within any 24-hour period must comply with applicable statutory reporting requirements.
- The EPA guidance information includes links to resources that farmers can use to calculate emissions tailored to specific species of livestock.
- View EPA's guidance and Frequently Asked Questions on reporting air emissions from animal waste: <https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>
 - EPA will revise this guidance, as necessary, to reflect additional information to assist farm owners and operators to meet reporting obligations.
 - Interested parties may submit comments or suggestions by November 24, 2017.