From: Randy Deitz
To: Lynn Beasley
Subject: Air reporting emissions
Date: 12/06/2011 06:11 PM

Hi Lynn. I am trying to finalize the one pager Larry Elworth had asked for regarding farms and CERCLA/EPCRA reporting. He asked if we could simplify the paragraph below. I don't find it confusing, but he did ask whether the CAFO regulations we reference are a subset of more than one CWA CAFO regulatory definitions? Not sure where he is going with the question, but I told him that I would check. Thank you!

- The exemption became effective on January 20, 2009. The final rule *exempts* all farms that release hazardous substances from animal waste to the air that meet or exceed their RQ from reporting under CERCLA section 103. The final rule also *exempts* farms that release hazardous substances from animal waste to the air that meet or exceed their RQ from reporting under the Emergency Planning and Community Right to Know Act (EPCRA) section 304 if they stable or confine *fewer* than the number of animal species than the large CAFO threshold as defined in Clean Water Act National Pollutant Discharge Elimination System (NPDES) program regulations.