



The University of Georgia

Cooperative Extension Service

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BROILER TIP . . .

EPA AIR CONSENT AGREEMENT FOR ANIMAL FEEDING OPERATIONS: A POULTRY PERSPECTIVE

Poultry and livestock producers currently have before them the option to participate in a voluntary program to evaluate air emissions from animal feeding operations. EPA's Air Consent Agreement (ACA) and accompanying emissions monitoring program is an outcome of growing public concern over national air quality and the National Academy of Science (NAS) air emissions report. In 2002, the NAS submitted to EPA a comprehensive report that emphasized the need for improved, scientifically credible technologies to better estimate the air emissions from animal feeding operations (AFOs) from each livestock sector. The NAS report concluded that:

- 1) No reliable emissions factors or estimation methodologies currently exist for AFOs in the U.S.
- 2) Current methods for estimating emissions are inconsistent and often yield conflicting results.
- 3) Additional research is needed to develop emission estimating technologies that yield consistent results.

As an outcome of the NAS report, EPA is proposing the implementation of the ACA and AFO air emissions monitoring program. The purpose of the monitoring study is to gather data for developing more reliable emission estimating technologies and guidelines for the major livestock and poultry industries. In particular, the study will monitor particulate matter (dust), hydrogen sulfide, ammonia, and volatile organic compounds (common components of "odor") emitted from animal production and manure storage facilities. Once it begins, the monitoring study will last for 2 years and conclude with a publicly accessible report. For the poultry industry, two broiler, two layer and one turkey farm will be monitored. EPA will use the study results to develop methods to estimate emissions from poultry operations in all geographical regions across the country. The emission estimates will then be used to determine what AFOs will be the focus of emission reduction strategies and whether they are in compliance with threshold limits of the Clean Air Act, the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), and the

PUTTING KNOWLEDGE TO WORK

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Emergency Planning & Community Right to Know Act (EPCRA). CERCLA and EPCRA are congressionally enacted laws created in the 1980's to provide the statutory basis for reporting releases or threatened releases of hazardous or extremely hazardous substances into the environment. The monitoring program will be funded through the Air Consent Agreement and under the agreement, participating AFOs will pay into a fund that will provide the research dollars needed to conduct the emissions monitoring study. EPA is asking AFOs to sign up for the program in return for exemption from past or current violations of the Clean Air Act. EPA will not pursue legal action against producers for past violations during the period of the agreement if the AFO complies with the consent agreement terms. However, this action will not protect against lawsuits from private citizen or activist groups. Producers that choose to sign the agreement will pay a "civil penalty" fee in addition to a pro rata assessment up to \$2,500 to help fund the study. Producers who sign the agreement will also be required to make their operations available for possible monitoring, and make any required changes to their operation if it is found to be in violation of air emission regulations that are an outcome of the study findings.

Producers need to carefully consider each component of the agreement and may want to seek legal council before making the decision to sign. The decision to participate in the program must be made by July 1, 2005.

Additional information on the EPA Air Consent Agreement can be found at:

www.poultry.uga.edu/extension

www.epa.gov/compliance/resources/agreements/caa/cafo-agr-0501.html

www.access.gpo.gov/su_docs/aces140.html

<http://cnmp.unl.edu/consentagreement.html>



Extension Poultry Scientist

Extension County Coordinator/Agent

Consult with your poultry company representative before making management changes.

"Your local County Extension Agent is a source of more information on this subject"