

Message

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Sent: 7/24/2018 5:36:00 PM
To: Bennett, Tate [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1fa92542f7ca4d01973b18b2f11b9141-Bennett, El]
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Subject: FW: Acting Administrator Wheeler Codifies Latest Animal Waste Report Exemptions Under CERCLA

ICYMI

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, July 24, 2018 1:34 PM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Acting Administrator Wheeler Codifies Latest Animal Waste Report Exemptions Under CERCLA



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Acting Administrator Wheeler Codifies Latest Animal Waste Report Exemptions Under CERCLA

WASHINGTON (July 24, 2018) - Yesterday, U.S. Environmental Protection Agency (EPA) Acting Administrator Andrew Wheeler signed a final rule that made changes in regulations to conform to the FARM Act. The final rule also removes the regulatory text of EPA's 2008 rule that provided an exemption to farms from reporting.

"EPA is taking action to reflect Congress's direction in the FARM Act that removed an undue reporting burden on American agriculture," said EPA Acting Administrator Andrew Wheeler. **"EPA is committed to providing regulatory clarity and certainty to farmers and ranchers — hardworking Americans invested in conserving the land and environment."**

"Over the years, we've seen too many harmful federal regulations make it harder for Nebraska agriculture producers to feed the world," said Senator Deb Fischer. **"That's why I worked to pass legislation exempting farmers and ranchers from reporting requirements meant for toxic superfund sites. I thank Acting**

Administrator Wheeler for signing this final rule to implement the law that will provide our nation's producers with the relief they deserve."

Background

The rule responds to the vacatur of the CERCLA/EPCRA reporting exemption from the U.S. Court of Appeals for the D.C. Circuit. On December 18, 2008, EPA published a final rule that exempted many farms from reporting air releases of hazardous substances from animal waste. On April 11, 2017, the D.C. Circuit Court vacated this final rule.

Farms, however, remained exempt because of legislative changes in the Fair Agricultural Reporting Method (FARM) Act, which was signed into law on March 23, 2018. The final rule makes regulatory revisions to reflect changes to CERCLA enacted in the FARM Act. The Agency also removed the 2008 definitions of "farm" and "animal waste" from its regulations and added revised definitions of these terms to CERCLA regulations that correspond with the FARM Act.

For more information, please see our webpage at www.epa.gov/animalwaste.

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