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### [Illinois Taps CAFO's to Fund Regulation of CAFO's](#)



By Sean Minahan on June 19th, 2012 Posted in [Government Regulations](#)

Owners of concentrated animal feeding operations (CAFO's) in Illinois will be partially funding their own pollution permits if the Governor Pat Quinn signs the recently passed [Clean Water Funding Fairness Act](#). The Act would require CAFO's that discharge or intend to discharge pollutants to pay an annual fee for their permits under the National Pollution Discharge Elimination System (NPDES). The fee amount is determined by the size of your CAFO: \$750 for CAFO's with over 1,000 animals; \$350 for CAFO's of 300-999 animals; and \$150 for CAFO's of less than 300 animals. Per Illinois Times article [Manure Rules](#).

The Act is the result of a 2008 complaint filed by the [Illinois Citizens for Clean Air and Water](#) (ICCAW) to the United States Environmental



Protection Agency (USEPA) against the Illinois Environmental Protection Agency (IEPA), alleging that the IEPA failed to enforce NPDES permits for livestock operations. The USEPA found the IEPA was not properly enforcing the Clean Water Act against CAFO's and threatened to rescind the IEPA's authority to regulate and issue NPDES permits to CAFO's and all other industries. I reported on a similar situation happening in Iowa in my blog [Who's Regulating Iowa CAFO's](#).

The IEPA emphasized the failure to enforce pollution permits against CAFO's was caused by a lack of funding. Historically, farming operations had been exempt from paying permit fees while other industries like municipal waste facilities and industrial processing plants paid fees and essentially subsidized the costs of enforcement against CAFO's. The initial bill drafted by the Illinois Citizens for Clean Air and Water, [Prairie Rivers Network](#), and [Environment Illinois](#) was rejected due to the high permit fees in the range of \$1,800. Through a year of negotiations, the bill was submitted with the above three-tiered fee system.

Paying to be regulated may soon be just another cost of doing business for CAFO operators in Illinois.