

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

SEP 28 2010

REPLY TO THE ATTENTION OF:

Douglas Scott, Director
Illinois Environmental Protection Agency
1021 North Grand Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276

Subject: Petition to Withdraw the Illinois NPDES Program

Dear Mr. Scott:

The U.S. Environmental Protection Agency, Region 5, recently completed an initial investigation of the program that the Illinois Environmental Protection Agency (Illinois EPA) administers for concentrated animal feeding operations (CAFOs). The investigation was carried out in response to a petition submitted by the Illinois Citizens for Clean Air & Water and the Environmental Integrity Project. The petitioners allege that Illinois EPA is not properly implementing the program for CAFOs.

Based on our initial investigation, it appears that Illinois EPA's CAFO program fails to comply with Section 402(c)(2) of the Clean Water Act. Section VI of the enclosed report describes the findings in detail. That Section also identifies required and recommended actions to improve the quality of the program.

Within 30 days of receipt of this letter, please reply in writing and submit a description of the actions Illinois EPA has taken or will take to ensure that its NPDES permitting, compliance and enforcement program for CAFOs complies with the Clean Water Act. After we receive your reply, U.S. EPA will provide an opportunity for public comment on the adequacy of the Illinois CAFO program.

Thank you for your personal attention to this serious matter. I look forward to receiving your reply.

Sincerely,

A handwritten signature in blue ink, appearing to be 'S. Hedman', with a long horizontal flourish extending to the right.

Susan Hedman
Regional Administrator

Enclosure

cc: Ms. Marcia Willhite, Illinois EPA
Ms. Danielle Diamond, ICCAW