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Autore	Lauterbach, Albert
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According to the Environmental Protection Agency, the release of waste from animal feedlots to surface water, groundwater, soil, and air is associated with a range of human health and ecological impacts and contributes to degradation of the nation's surface waters. The most dramatic ecological impacts are massive fish kills. A variety of pollutants in animal waste can affect human health, including causing infections of the skin, eye, ear, nose, and throat. Contaminants from manure can also affect human health by polluting drinking water sources. Although agricultural activities are generally not subject to requirements of environmental law, discharges of waste from large concentrated animal feeding operations (CAFOs) into the nation's waters are regulated under the Clean Water Act. In the late 1990s, the Environmental Protection Agency (EPA) initiated a review of the Clean Water Act rules that govern these discharges, which had not been revised since the 1970s, despite structural and technological changes in some components of the animal agriculture industry that have occurred during the last two decades. A proposal to revise the existing rules was released by the Clinton Administration in December 2000. The Bush Administration promulgated final revised regulations in December 2002; the rules took effect in February 2003. The final rules are generally viewed as less stringent than the proposal, a fact that strongly influences how interest groups have responded to them. Agriculture groups have said that the final rules are workable, and they are pleased that some of the proposed requirements were scaled back, such as changes that would have made thousands more CAFOs subject to regulation. However, some continue to question EPA's authority to issue portions of the rules. Many states had been seeking more flexible approaches than EPA had proposed and welcomed the fact that the final rules retain the status quo to a large extent. Environmentalists contend that the rules rely too heavily on voluntary measures and fail to require improved technology. This report describes the revised environmental rules, the background of previous Clean Water Act rules and the Clinton Administration proposal, and perspectives of key interest groups on the proposal and final regulations. It also identifies several issues likely to be of congressional interest as implementation of the revised rules proceeds. Issues include adequacy of funding for implementing the rules, research needs, oversight of implementation of the rules, and possible need for legislation. The report is intended to provide background and will not be updated. The revised CAFO rules were challenged by multiple parties, and in February 2005, a federal court issued a ruling that upheld major parts of the rules, vacated other parts, and remanded still other parts to EPA for clarification. In June 2006, EPA proposed revisions to the rules in response to the 2005 court decision; for information on the status of this proposal, see CRS Report RL33656, Animal Waste and Water Quality: EPA's Response to the "Waterkeeper Alliance" Court Decision on Regulation of CAFOs, which will be updated as warranted by developments.
