

October 22, 1995

TO: Senator Dole  
FROM: Janet Sena  
SUBJECT: Cosponsor Grain Elevator/Clean Air amendment

Earlier this year, Sen. Grassley introduced S. 490, a bill to exempt agriculture related facilities from certain Clean Air Permits. He is now seeking cosponsors. Sen. Grassley held a subcommittee hearing on this issue earlier this year, highlighting the problems grain elevator operators face. The bill would accomplish three things:

\*Requires EPA to determine permit requirements based on actual operating conditions. Currently, EPA assumes the facility operates 24 hours a day, 365 days a year as a basis for regulatory decisions.

\*Clarifies that emissions of grain dust that is 10 microns in size is what permit requirements should be based on. Anything heavier does not get dispersed in the atmosphere.

\*Clarifies that ag facilities are not automatically subject to permit requirements if they are subject to a different set of EPA regulatory requirements. Only if a facility is determined to have emissions at the statutory level would they have to comply with the permit requirements.

According to National Grain and Feed, which supports Grassley's bill, "EPA requires grain elevators to obtain a Clean Air Act operating permit regardless of the quantity of grain they handle, the amount of dust control equipment they use or the seasonal nature of their business".

Although doubtful this bill will be considered in EPW, given Chafee's reluctance to do a Clean Air bill, it is a good bill to cosponsor.

\_\_\_\_\_ Cosponsor

\_\_\_\_\_ Not at this time