

December 8, 2011

Environmental Protection Agency
Water Docket Mail Code: 28221T
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Docket ID No. EPA-HQ-OW-2011-0188

Re: Request for 60-Day Extension to the Comment Period for *National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) Reporting Rule*

The undersigned organizations that represent U.S. livestock farmers and ranchers who will be directly impacted by EPA's proposed National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) Reporting Rule request a 60-day extension, from December 20, 2011, until February 20, 2012, to the comment period.

While EPA has been working on the rule since prior to May 25, 2010, the actual contents of the proposed rule were only made available to our combined membership, the stakeholders most directly affected by the proposed rulemaking, on October 21, 2011 when the rule was published in the Federal Register. The rule is extremely complex, solicits a wide variety of comments on new topics in light of the numerous, substantial changes made to the rule relative to the May 25, 2010 settlement agreement in which EPA first publically raised the possibility of this rulemaking. For these and other reasons discussed below, additional time is necessary for our organizations to give you informed comments that properly reflect the range of views and concerns of our membership.

For many of our members this comment period conflicts directly with the fall and early winter harvest of crops. Soliciting detailed information from farmers and ranchers at this time is highly impractical and as a general rule our own associations limit such requests to our memberships during this extremely busy time. A meaningful response to EPA's proposed regulation will require a substantial amount of farmer and rancher outreach and development of facts and data on its impact, as well as a complex review and analysis of the relevant civil and criminal legal standards and case law currently in place, and in each of the states where our members have farms located. Furthermore, EPA specifically requested comments on the biosecurity, biohazard and bioterrorism implications of gathering this detailed information from CAFOs and making that available to the public.

In recognition of their fall and early winter harvest schedules, our members generally hold their state-level annual meetings in December or January, in advance of our national meetings in January or February. These state-level meetings are one of our key avenues for introducing new material to our members and securing their views on policy matters or their approval of policy positions.

By granting a 60 day extension on the comment period, EPA will allow those stakeholders most likely to be affected by the rule the opportunity to fully understand the rulemaking and its impact on their farms. We can use this 60 day extension to consult with our counterparts and practitioners in the veterinary and biosecurity communities, and then conduct outreach and seek

policy approval from our farmer and rancher membership during our state level winter meetings. Accordingly, we request a 60-day extension, consistent with the Administrative Procedures Act and Executive Orders 12866 and 13563, from December 20, 2011, until February 20, 2012, for filing of comments.

Sincerely,

National Pork Producers Council
National Cattlemen's Beef Association
National Chicken Council
National Council of Farmer Cooperatives
National Milk Producers Federation
United Egg Producers
U.S. Cattlemen's Association
U.S. Poultry & Egg Association
Idaho Dairywomen's Association
Southeast Dairy Farmers Association
Virginia Poultry Federation
Western United Dairywomen