



Illinois Fertilizer & Chemical Association's "News Under the Dome"



Calendar Info

- IFCA Golf Outing, Pontiac Elk's Golf Course.
July 30, 2020
- IFCA Golf Outing, Edgewood Golf Club, Auburn, IL
Aug 6, 2020
- 2020 MAGIE Show, Aug 26-27, 2020.
- IFCA Convention and Trade Show
Jan 19-21, 2021

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JERRY COSTELLO II APPOINTED ILLINOIS DIRECTOR OF AG

Governor J.B. Pritzker has appointed Jerry Costello II to serve as the Director of the Illinois Department of Agriculture.

Born and raised in southern Illinois, Costello and his family have a small farm in Franklin County where they farm and raised cattle.

Governor Pritzker says "With farming playing an important role in Costello's family history and having a career in public service there is no better person to lead the department at this time."

Pending confirmation from the Illinois Senate, Costello will succeed former Director John Sullivan who resigned in January.

Costello will leave his role as Director of Law Enforcement for Illinois Department of Natural Resources, which he began in May 2019. Prior to that he served the 116th district in Illinois' House of Representatives for eight years. Costello also worked as assistant chief of police, held a position on the Pritzker-Stratton ag transition committee and served in the US Army during Operation Desert Storm in Iraq.



Costello is the son of 12-term U.S. Congressman Jerry Costello, was born and raised in Belleville, to a family with a rich agricultural history in southern Illinois. His great grandfather operated a dairy farm in Sesser, while his grandfather ran an orchard and raised beef cattle.

Bolstering the Democrat's ag experience is the nearly eight years he spent in the Illinois House of Representatives, which included more than five years working with farmers and agriculture groups as chairman of the Agriculture and Conservation Committee.

IFCA has a long and positive working relationship with Jerry over the years. We look forward to working with Jerry in the coming years on all the issues that are facing Illinois agriculture.

IFCA Heads to Capitol Hill

IFCA and more than 150 agricultural retailers, distributors and suppliers headed to Capitol Hill in February for the Agribusiness Congressional Fly-in.

Hosted by the Agricultural Retailers Association (ARA), the fly-in garnered participation from ARA members from across the country and several state agribusiness groups.

The Illinois group of retailers and suppliers visited with most of the Illinois congressional delegations and their staff to discuss key policy issues including the Chemical Facility Anti-Terrorism Standards reauthorization (CFATS), and transportation and rural infrastructure investment (locks/dams and ag hours of service). The Illinois delegation was recognized for their support of the passage of USMCA trade deal.

IFCA's major push was for the reauthorizing of the CFATS . The CFATS program ensures facilities that possess certain Chemicals of Interest (COI) have security measures in place to reduce the security risks associated with these chemicals. Earlier this year, Congress passed a 15-month extension. The program will now sunset on April 18, 2020, unless Congress acts.

Agricultural retailers and the fertilizer industry sell certain fertilizers, necessary for food production, that have been identified by the Department of Homeland Security (DHS) as having potential security risks. As such, these fertilizers are listed in CFATS Appendix A. A facility must comply with CFATS regulations if a COI listed in Appendix A is held at the site above a certain quantity. Thousands of agricultural retailers and fertilizer industry sites are regulated by CFATS.

The CFATS program provides the industry with regulatory certainty and a positive cooperative relationship to prevent terrorist attacks at chemical facilities.

IFCA also asked for support of Houses of Service exemptions for planting and harvesting for ALL states. Right now only 30 states have this exemption—Illinois does have a year-round exemption from HOS thanks to efforts by IFCA years ago when we worked with Illinois DOT to enact the year-round exemption for our state.



Cong. LaHood, Sen. Anderson, and Rep Unes Receives IFCA “Friend of Ag” Award. Kessler Receives “Babe Woodyard” Leadership Award

IFCA has recognized Congressman Darin LaHood, Senator Neil Anderson and Representative Mikes Unes with the “Friend of Agriculture” award at IFCA’s annual convention and trade show in Peoria.

The award is given out annually by IFCA to legislators based on their voting record in Congress and in the Illinois General Assembly, which shows their understanding of the Illinois ag retail and supply industry.

Congressman LaHood represents the 18th congressional district, which covers western Illinois. Senator Neil Anderson represents the 36th senate district. Rep Mike Unes represents the 91st house district. They have all been great friends of IFCA and the ag input industry and IFCA looks forward to working with them in the future.

IFCA and the AG-SOLVE PAC presented Carl Kessler of Syngenta with the “Babe Woodyard” Leadership Award. This award goes to an individual that has consistently supported the AG-SOLVE PAC and IFCA’s government affairs program.



Cong. LaHood receives his “Friend of Ag” Award.



Senator Anderson receives his “Friend of Ag” Award.



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Carl Kessler receives his “Babe Woodyard Leadership” Award.

Governor Pritzker Budget Lays Out \$40.7B Budget Plan

Gov. JB Pritzker proposed a \$40.7 billion state budget during an address in February.

The spending plan would provide more money for education and social services, but it would also incorporate additional spending if his graduated income tax plan gets voter approval in November. That has raised some red flags.

While the governor received a bipartisan round of applause as he entered the House chamber, his budget was not as equally well received.

The budget includes \$225 million in what he called “operational efficiencies and consolidations” as well as \$46 million in projected revenue from the sale of recreational cannabis.

There will also be new spending on education, including a proposal of free community college tuition for families making less than \$45,000 a year, and free tuition to the University of Illinois for families making less than \$67,000.

There will also be a 20 percent increase in spending for the troubled office of the Department of Children and Family Services.

But the governor is also looking to spend an additional \$1.4 billion if voters pass his graduated income tax plan in November.

Now that the governor has laid out his budget, Republicans and Democrats will spend the days and weeks ahead dissecting it, with much work ahead to come to a balanced budget.



Agriculture Budget

The Illinois Department of Agriculture’s budget is similar to the previous and current year budgets. The Governor’s detailed budget proposal is very straight forward. It lays out in the budget the “protection and promotion of the state’s agricultural and natural resources” while maintaining “effective regulation and continued funding the Illinois State Fair in Springfield.”

Line Item	FY 2019 Actual Expenditure	FY 2020 Enacted Appropriation	FY 2020 Estimated Expenditure	FY 2021 Proposed Budget
Cover Crop	-	\$300,000	\$300,000	\$600,000
Cook County Extension	\$2,449,200	\$2,449,200	\$2,449,200	\$2,449,200
State Cooperative Extension Service Trust Fund	\$10,944,700	\$10,994,700	\$10,994,700	\$10,994,700
Ag Extension - 4-H	\$786,400	\$786,400	\$786,400	\$786,400
SWCD Cost Share	\$4,500,000	\$3,000,000	\$3,000,000	\$3,000,000
SWCD District Operations	\$3,000,000	\$4,500,000	\$4,500,000	\$4,500,000
Co. Fair and Exposition Authorities	\$900,000	\$900,000	\$900,000	\$900,000
Co. Fair Rehabilitation	\$1,301,000	\$1,301,000	\$1,301,000	\$1,301,000
Co. Fair & Agriculture Societies	\$1,798,600	\$1,798,600	\$1,798,600	\$1,798,600
Viticulture/Enologist	\$150,000	\$150,000	\$150,000	\$150,000
Administration of the Pesticide Act	\$5,993.7	\$7,150,900	\$6,327,000	\$7,400,000
Pesticide Control Act	\$626,300	\$650,900	\$650,900	\$670,000
Animal Disease Labs Act	\$13,600	40,000	16,000	\$40,000
Livestock Management Facilities Act Administration	\$50,000	\$50,000	\$50,000	\$50,000
Agricultural Education	\$4,946,000	\$5,000,000	\$5,000,000	\$5,000,000
Food Safety Modernization Initiative	\$14,400	\$200,000	\$140,000	\$200,000

IFCA Annual Legislative Breakfast Held in Springfield.

The annual IFCA Legislative Breakfast brings together legislators, state agency personnel, ag retailers, fertilizer and chemical manufacturers, agricultural commodity organizations, and other diverse agriculture interest groups to the state capitol to speak to state lawmakers in Springfield about the issues facing the ag input industry. 42 legislators attended the IFCA breakfast held on March 4, 2020.

This year, IFCA was honored to have the newly named Illinois Director of Agriculture, Jerry Costello, address the audience at the breakfast. He stressed the importance of the ag groups sticking together in these tough times facing Illinois agriculture. He also discussed expanding broadband internet to everyone in rural Illinois.

IFCA's KJ Johnson gave legislators and attendees at the breakfast an update of all the legislation that will be coming up this spring session that could affect the ag input industry. Much of the discussion was on the Pesticide Penalty bill (SB2507) and the Neonicotinoid legislation (HB4381) to seeks to ban on all state of Illinois property. IFCA stressed to the legislators attending that both SB2507 and HB4381 could have a negative effect on ag retailers and agriculture as a whole in Illinois.



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State to Release First \$50 Million of Broadband Expansion Funding

The state is accepting applications for the first \$50 million in disbursements of a \$420 million grant program aimed at increasing internet access across the state.

Gov. JB Pritzker announced the release of funding in February, noting that the rights to health care and education and economic opportunity are all tied to digital connectivity in the 21st century.

The program, known as Connect Illinois, is part of the \$45 billion capital infrastructure plan that the General Assembly passed last year.

Applications for the first \$50 million can be submitted through Friday, April 3. Applicants can receive up to \$5 million per project as part of the first round of funding, but they must provide at least 50% of the project's funding.



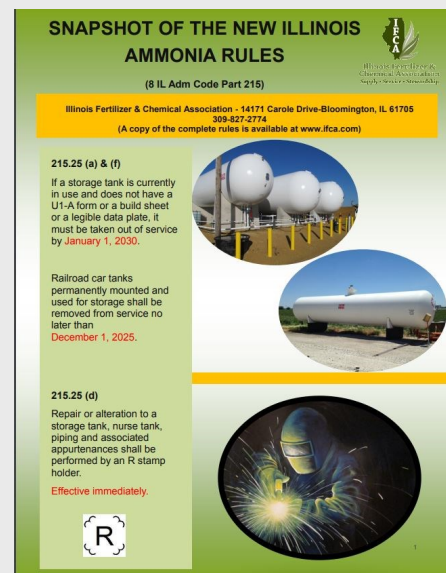
New Illinois Ammonia Rule Deadline Approaching Quickly

IFCA has communicated over the last few years of several important compliance requirements for Illinois ammonia facilities and nurse tanks that **go into effect on December 31, 2020**. To see IFCA's "Snapshot of the New Illinois Ammonia Rules" compliance guide, please go to www.ifca.com. If you have not started upgrading your NH₃ facility to meet the new Illinois ammonia rules, IFCA strongly recommends you start today.

Here is an overview of some of the requirements:

- Each facility shall provide the minimum protection at each non-refrigerated storage tank opening by:
 - A) the installation of an internal valve with a manual shutoff or
 - B) An approved excess flow valve, a manual shutoff valve, & an approved ESV located within 3 feet of the opening of the manual shutoff valve.
 - C) Reliable actuation system for ESV's or internal valve (s).
- Bulkheads shall provide protection during transport unloading.
- Container pressure relief valves shall not be used over 5 years past the manufacture date.
- Nurse tank withdrawal valves shall be protected by an excess flow valve matched to the designed flow rate. Flow capacity of the excess flow valves shall not exceed 45 GPM for 1¼" connections & 60 GPM for 1½" connections.
- Nurse tanks that are pulled in tandem a breakaway coupling device or other means of protection shall be installed at each point where the hose crosses a hitching point.
- Adequate hose length to allow breakaway couplers to articulate freely but prevent contact with the nurse tank tongue. This shall be achieved without securing the hose mechanically through the use of chains, elastomeric straps, wire ties or other means.
- Farmer-owned storage tanks are also subject these same regulatory requirements.

If you have any questions about the ammonia rules, please contact John Rebholz, IFCA's Director of Safety & Education, at 309.827.2774 or john@ifca.com



Legislation IFCA is Tracking for the 2020 Spring Session

February 14, 2020 was the deadline for bills to be introduced in the Illinois Senate and House. Below are bills that have the most impact on the ag input industry. IFCA is actively meeting with the bill sponsors on these pieces of legislation. We are unsure of the impact of the coronavirus on the schedule of the General Assembly, but we will stay actively engaged in the process even if we have to do that remotely!

PESTICIDE BILLS

Pesticide Penalties Bill --- SB2507 and HB4971

Amends the Illinois Pesticide Act. Increases administrative penalties based on stated ranges of total violation points. Provides that beginning January 1, 2021 and each January 1 thereafter, the amounts of administrative penalties shall be adjusted by the Department of Agriculture based on the annual change in the Consumer Price Index. Requires the updated penalty amounts to be made available to the public on the Department's website. **[IFCA Opposes SB2507 and HB4971](#)**



Pesticide Application Around Schools --- SB2932

Amends the Illinois Pesticide Act. Provides that, no later than January 1, 2022, the Department of Agriculture shall develop a drift monitoring study to evaluate pesticide drift at 3 schools within the State and shall submit a report of its findings and recommendations to the General Assembly no later than January 1, 2023. Repeals the provisions regarding the drift monitoring study on January 1, 2024. Provides that it is unlawful to apply a restricted use pesticide on or within 500 feet of a school property during normal hours, except for whole structure fumigation, unless the pesticide application information listed on the pesticide label is more restrictive, in which case the more restrictive provision shall apply. Directs the Department of Public Health to adopt rules necessary to implement the restriction. Defines "normal school hours". **[IFCA is Monitoring SB2932 and visiting with the Bill Sponsor to better determine the issues that led to introduction of this bill.](#)**

Applicator to Notify Beekeeper of Pesticide Application --- SB2943

Amends the Environmental Protection Act. Provides that a pesticide applicator shall notify a beekeeper if the pesticide is applied within 3 miles of the beekeeper's colony registered with the Department of Agriculture under the Bees and Apiaries Act. **[IFCA Opposes to SB2943](#)**

Chlorpyrifos Ban --- HB5608

Amends the Environmental Protection Act. Provides that, on or before December 31, 2020, the Agency shall propose, and shall adopt, rules banning all use of the pesticide chlorpyrifos. **[IFCA Opposes HB5608](#)**

Banning Neonicotinoid Pesticide on State of Illinois Lands --- HB4381

Amends the Illinois Pesticide Act. Authorizes the Director of the Department of Agriculture to classify a pesticide as a restricted use pesticide. Includes pesticides containing a neonicotinoid as a restricted use pesticide. Defines "neonicotinoid." Provides that no pesticide containing a neonicotinoid may be used outdoors on any public land owned or maintained by the State, except for use in structural pest control or abatement of *Agrilus planipennis* (emerald ash borer). [***IFCA Opposes HB4381***](#)

NUTRIENT BILLS

Anhydrous Ammonia Training for Farmers --- HB5172

Amends the Illinois Fertilizer Act of 1961. Requires the Department of Agriculture to develop and implement a farmer training program for the safe handling of anhydrous ammonia. Provides that a grower must complete the training program before using anhydrous ammonia. Provides that upon completion of the training program, a grower shall be designated a certified competent attendant and provided with documentation attesting to his or her completion of the training program. Allows growers to complete equivalent training programs that have been approved by the Department. Requires anhydrous ammonia training every 3 years. Provides for the adoption of rules. Defines terms. [***IFCA Supports HB5172 Note: IFCA is currently working with IDA and the farm groups to support a rulemaking \(instead of legislation\) to implement a mandatory farmer ammonia training program.***](#)

Phosphorous Soil Testing on Livestock Waste --- SB2998

Provides that livestock waste may continue to be applied to the soil if the average Bray P1 or Mehlich test result for soil phosphorous is 70 pounds (rather than 300 pounds) or less of elemental phosphorous per acre. Provides further that if the test result for soil phosphorous for an application field is greater than 70 pounds (rather than 300 pounds) of elemental phosphorous per acre, the owner or operator shall apply livestock waste until the test results indicate that there is less than 70 pounds (rather than 300 pounds) of elemental phosphorous per acre. States that the Illinois Department of Agriculture may reduce the application field to less than 70 pounds (rather than 300 pounds) of elemental phosphorous per acre in any county if the Department determines that this change is necessary to protect local waterways. [***IFCA is Monitoring SB2998***](#)

Wetland Protection Bill --- SB3447

Amends the Interagency Wetland Policy Act of 1989. Sets forth that State agencies shall avoid adverse impacts to unprotected wetlands by requiring the issuance of a license signed by the Director of the Department of Natural Resources and authenticated by the seal thereof. Provides that State agencies shall work to prevent or reduce overall net loss of the State's existing wetland acres or their functional value due to State-licensed activities. Adds the definitions of "unprotected wetland", "protective county program", and "nonprohibited discharge of dredged fill or materials" to the Act. Creates the State Wetland Conservation Fund. Provides that the Department of Natural Resources shall grant a license for certain activities in unprotected wetlands to applicants who pay a fee per acre of wetland to be adversely impacted by such activities. Provides that the fee shall be progressive and based on the quality of the wetland or wetlands to be adversely impacted. Provides that revenues raised from the fees shall be placed in the State Wetland Conservation Fund. Makes a corresponding change in the State Finance Act. [***IFCA Opposes SB3447***](#)

Nutrient Loss Reduction Funding --- SB3462

Changes the name of the Partners for Conservation Fund to the Partners for Nutrient Loss Reduction Fund and makes conforming changes throughout the Act. Provides that moneys in the Fund may be used to implement the State's Nutrient Loss Reduction Strategy, including funding for specified needs. Provides that the State Comptroller shall automatically transfer moneys to the Fund through June 30, 2026 (currently, 2021). Provides that the amount of moneys transferred from 2021 through 2026 (currently, only for 2021) shall be \$35,075,000 (currently, \$14,000,000). [**IFCA Supports SB3462**](#)



OTHER BILLS

Weights and Measures Act / Continuing Education --- SB3448

Amends the Weights and Measures Act. Provides continuing education requirements for persons registered to install, service, recondition, or repair a weighing or measuring devices used in trade or commerce. Provides for phase-in process to apply continuing education requirements for persons currently registered to install, service, recondition, or repair a weighing or measuring devices used in trade or commerce. Changes the annual registration fee for servicepersons and special sealers in years in which the continuing education course must be completed. Provides that applications and reports shall be filed in a manner prescribed by the Director of Agriculture (currently, in writing). Defines "continuing education course". [**IFCA Supports SB3448**](#)

Environmental Justice --- HB4606

Creates an environmental justice program to ensure enhanced public outreach procedures for permitting actions that affect areas of environmental justice concern. Requires the Environmental Protection Agency adopt rules within one year of the amendatory Act's effective date that implement the program and are consistent with the findings presented. [**IFCA Opposes HB4606**](#)

Small Trailer Fee Cut — HB 4096, HB4302, HB4931, and HB5306

Reduces the flat weight trailer fee from \$118 to \$18 on trailers of 3,000 lbs. or less. [**IFCA supports these bills.**](#)

Leaf Blower Ban— SB 3313

SB 3313 would ban the sale and operation of gas-powered leaf blowers starting in 2022. The bill defines a gas-powered leaf blower as a two-stroke or four-stroke engine using gasoline or a gasoline and oil blend as fuel. A violation under the bill would be subject to a \$500 penalty.

[**IFCA is opposed to SB 3313.**](#)

