



Defending Agriculture

Legal, environmental hot button issues that impact U.S. farmers.

EPA: Gunning for Agriculture?

Posted on October 18, 2010 at 10:24 AM

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The election is just a few days away. Rural Americans, according to the polls, disapprove of President Obama and the way EPA (Environmental Protection Agency) is dealing with rural America. An article in the American Spectator on September 30, 2010 declared there is "...the belief widespread among Farm Belt residents, that Obama administration environmental regulators are gunning for them."

This anger boiled over in a Senate Agriculture Committee hearing on September 23, 2010 which was examining the impact EPA regulations for agriculture.

As you know from reading this column, EPA is taking regulatory actions against agriculture using the Clean Air Act, Clean Water Act, Superfund Act, Community Right to Know Act, Pesticide Act, and Solid Waste Act.

Having served as first Chief of Staff of EPA and assisted in organizing the agency, my belief is that EPA simply does not understand agriculture. The present Administrator has no background or training to even remotely understand the impact of the agency on agriculture. The Administrator claims much of her work is required by law or court decision but does not address the cozy relationship which exists between the agency and environmental groups and their lawyers.

Surprises ahead? EPA has many surprises in store for agriculture. At the recent USDA Agricultural Air Quality Task force meeting in Research Triangle Park, North Carolina, EPA staff provided an outline of new regulations facing agriculture. A review of these proposed regulations show why America's farmers, ranchers and foresters are becoming increasingly angry and outraged by the vague, overreaching and burdensome EPA regulations.

A U.S. Senator at the September 23rd hearing claimed EPA will be issuing "...at least a dozen new regulatory requirements, each of which will add to their costs, making it harder for them to compete..."

The American Spectator article quotes Sen. Blanche Lincoln, D-Ark., attacking EPA's intrusions such as "...unworkable "spray drift" pesticide regulations; proposed ambient air-quality standards that would impose impossible dust-reduction requirements on farmers; "wetlands" regulations that put even bone-dry areas off-limits to agriculture use; and ideological bias toward environmentalists when resolving Clean Water Act lawsuits."

So what is EPA cooking up for farmers? The following is a summary of what EPA staff discussed in North Carolina:

--There is a new Solid Waste definition, and there will be a new rule on January 16, 2011, which will include on-farm incineration units, animal crematories, disposal of animals, and agricultural waste.

--EPA is coming up with new stationary engine regulations which will regulate existing stationary diesel engines that are larger than 500 horsepower and will regulate non-emergency diesel engines less than 500 hp at major sources constructed before December 19, 2002. The compliance date for this new regulation will be May 3, 2013. EPA will have a new Source Performance Standard for stationary engines, and that rule is expected to be final May 22, 2011.

--EPA is seeking information so it can regulate bioenergy/biogenic emissions. EPA's objective here is to determine the greenhouse gas emissions from bioenergy and biogenic sources.

--EPA advised USDA in North Carolina that the PM10 or dust standard is taking into account a new expanded body of thoracic coarse particle health evidence which surely suggests a tightening of the dust standard impacting agriculture. EPA's presentation said recent dust storm studies report associations between mortality and exposure to dust from non-urban areas.

--EPA also told USDA that it is likely to change the standards for ground level ozone because EPA is concerned not only about ozone's effect on people but also on sensitive trees and plants. A seasonal secondary standard will likely be set to increase protection for sensitive vegetation and forested ecosystems but not agricultural crops.

The Agricultural Air Quality Task Force was deeply concerned regarding

EPA's proposed particulate standard matter revisions. There is a concern that EPA may regulate where there is a serious lack of monitoring data.

Notwithstanding these concerns, it appears EPA is proceeding against agriculture and that is why the American Spectator headline for its story was "Where EPA is Public Enemy #1."

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Posted by Len on October 18 at 12::17 PM
Thanks for stepping up and pointing out what EPA is really up to, Gary. Their ignorance is unending. The general scary thing is that EPA seems bent on sending food production offshore. And a review of where we now sit with China and other places where we did that same thing with non-ag industries, should scare us all! Animal agriculture, especially, has a major stake here. And all of us in animal agriculture have to stop thinking that we can ride this one out. Won't work. With the efforts of the animal welfare (HSUS, et al) AND the EPA, animal ag has a series of serious challenges. We HAVE to do a better job of communicating our message, and informing the public about what we do, the quality way that we do it and that animal agriculture people are seriously interested in protecting the environment! Keep on keepin on, Gary!

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