



Defending Agriculture

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

CAFO Ammonia Emissions Blamed for Infant Deaths!

Posted on May 02, 2011 at 12:28 AM

[Click here](#) to view [recent posts](#)

"After controlling for numerous variables and potential sources of bias...a 100,000 animal unit increase at the county level corresponds to 123 more infant deaths per thousand births," asserts a new petition filed with EPA to regulate ammonia as a criteria pollutant under two sections of the Clean Air Act. Further, "Given the robustness of the data set, this demonstrates a 'statistically significant' correlation between livestock and infant death."

The petition, filed on April 6, 2011 by environmental groups, seems to be claiming that producers running Concentrated Animal Feeding Operations kill infants!

Approximately 20 environmental organizations, including Robert Kennedy's Waterkeeper Alliance, the Humane Society of the United States, Sierra Club, the Environmental Integrity Project, Center for Food Safety and citizen groups from Illinois and Iowa petitioned EPA to regulate ammonia emitted by CAFOs.

Petitioners claim that the ammonia emissions from CAFOs meet the criteria of the Clean Air Act because ammonia from CAFOs "...cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare." This is language used by the environmentalists and others to get EPA to regulate carbon dioxide. EPA is now in the process of promulgating a vast regulatory program to regulate CO2 and its equivalents. The petitioners seek to impose the same type of draconian regulatory program on CAFOs.

The petition (http://www.environmentalintegrity.org/04_06_2011.php.) is a 60-page document which should be read by any producer in this country who is operating a CAFO. This is a serious attempt to grab CAFOs by the throat and choke off their existence.

Even the Johns Hopkins Center for a Livable Future is a petitioner. The Johns Hopkins Center claims to have over a decade of experience regarding the public health impacts of industrial food animal production. Johns Hopkins claims there is strong evidence that CAFO emitted air pollutants impact the health of surrounding communities. (My experience in trying these cases does not support Johns Hopkins' assertions.)

Nonetheless, this is a dangerous petition and should be taken seriously.

There is not time in this column to review EPA's legal authority for regulating ammonia. Suffice it to say, EPA has the authority, and if it believes ammonia emissions "...may reasonably be anticipated to endanger public health and welfare..." then we will see EPA regulating ammonia from CAFOs as a criteria pollutant under the Clean Air Act.

The environmental petitioners attempt to demonstrate that ammonia from CAFOs pose threats to public health from the ambient air. Ammonia in the ambient air increases the risk of "...respiratory symptoms, eye and nose irritation, and other physical discomfort, as well as more severe health effects." It is claimed there are studies that establish ammonia emissions endanger human health. The petition declares that exposure to ammonia from CAFOs "...cause a range of effects including odor detection, nasal, throat, and eye irritation, burns, scarring, and even death."

Former Iowa Governor and current U.S. Secretary of Agriculture, Tom Vilsack requested a study from Iowa State University and the University of Iowa on air emissions from CAFOs in 2002. According to the petition, the conclusion reached by the Iowa study was that EPA should regulate ammonia and other pollutants from CAFOs.

In 2008, the Pew Commission on Industrial Farm Animal Production and the Johns Hopkins Bloomberg School of Public Health also recommended that EPA should develop an approach to regulate air pollution from CAFOs under the Clean Air Act.

The environmental groups clearly urge EPA to regulate ammonia from CAFOs under the Clean Air Act because the public in this country are experiencing unsafe ambient levels of ammonia and those levels, they claim, currently threaten public health. They further claim that ammonia levels cause unsafe air "...even at significant distances from [a] facility." (Evidence in my cases does not support these claims!)

The environmental petitioners make the case in their petition that EPA simply lacks any reasonable ground on which to make a finding that ammonia does not endanger public health. The petitioners basically threaten EPA saying "...a failure to initiate a rule making that proposes an endangerment finding for ammonia would be arbitrary and capricious." You can be assured that if EPA denies this petition, there will be a court case similar to the CO2 case that went all the way to the U.S. Supreme Court.

Some may hope this petition will quietly languish at EPA. The environmentalists behind this petition are unlikely to allow EPA to ignore this petition to regulate ammonia. This petition is a mortal threat aimed at the producers of this country operating CAFOs.

[Add a Comment](#)

Recent Posts

[Back to Top](#)

[CAFO Ammonia Emissions Blamed for Infant Deaths!](#)

Posted on May 02, 2011 at 12:28 AM

Another lawsuit by environmental groups takes aim at large-scale livestock farms.

Category: [Issues](#)