

Oct. 17, 2011

The Honorable Ed Whitfield
Chairman
Subcommittee on Energy & Power
House Energy & Commerce Committee
2368 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bobby Rush
Ranking Member
Subcommittee on Energy & Power
House Energy & Commerce Committee
2268 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman and Mr. Ranking Member,

The undersigned organizations would like to express our strong support for the Farm Dust Regulation Prevention Act of 2011, H.R. 1633, which would bring some much needed certainty to agriculture and other rural resource-based industries during these current perilous economic and regulatory times. Our organizations request the Committee's support for keeping jobs in rural America by passing H.R. 1633 as quickly as possible.

The regulation of U.S. farmers, ranchers and rural resource-based industries has been a focal point of this Administration's Environmental Protection Agency (EPA) since President Obama took office in 2009. Such regulation has often lacked a scientific or legal foundation. From questionable legal analysis and scientific modeling that resulted in EPA requiring unattainable water quality standards in Florida and the Chesapeake Bay area, to possible dust regulation that would effectively require much of rural America to stop working in the soil, their actions are making it harder for family farmers, ranchers and others to make a living, and sending America down a path toward food, infrastructure, and energy insecurity.

The EPA's Policy Assessment for the Review of the Particulate Matter National Ambient Air Quality Standards made two recommendations with regard to revising the 24-hr coarse particulate matter (i.e. dust, PM_{10}) standard: (1) if the Administrator were to place more weight on the uncertainties in the science, she would be justified in retaining the current standard; or (2) if the Administrator were to place little weight on the uncertainties in the science, she would be justified in revising the standard down to a level within the range of 65-85 $\mu\text{g}/\text{m}^3$ with a revised 98th percentile form. Revising the level from the current 150 $\mu\text{g}/\text{m}^3$ to 65-85 $\mu\text{g}/\text{m}^3$, despite the revised form, would bring much of rural America into nonattainment, or to the brink of nonattainment where a slight shift in climate could result in a nonattainment designation.

As you are aware, farming and other resource-based industries are dusty professions. From tilling fields, to driving on dirt roads, to extracting resources, rural Americans deal with dust every day. Working in the soil is where they derive their livelihoods, and where the world derives much of its food and other essential resources. If the EPA were to revise the dust standard to 65-85 $\mu\text{g}/\text{m}^3$, states would be put in a position of having to impose regulatory restraints on rural operations, increasing the cost of production when that cost is already at historically high levels. And, for what purpose? Scientific studies have never shown rural dust to be a health concern at ambient levels.

Thankfully, this Congress and your Committee have the opportunity to ease this potential burden on rural America. H.R. 1633 would exempt rural "nuisance dust" from regulation under the Clean Air Act (CAA) if states and localities regulate it on their own. In the event a state or locality does not regulate rural dust, the Administrator could regulate it only if scientific studies show that there is a significant health effect from such dust in that particular area, and show that the costs to the local economy associated with dust regulation would not outweigh any benefits. H.R. 1633 is common sense legislation that retains the protections of the CAA and, at the same time, would stop EPA's regulatory overreach.

Thank you for holding a hearing on the Farm Dust Regulation Prevention Act. It's important legislation that the undersigned strongly support and urge passage of as soon as possible.

Sincerely,

Agribusiness Association of Iowa
Agribusiness Council of Indiana
Agricultural Retailers Association
Agri-Mark Inc.
Alabama Agribusiness Council
Alabama Cattlemen's Association
American Farm Bureau Federation
American Feed Industry Association
American Horse Council
American-International Charolais Association
American Seed Trade Association
American Soybean Association
American Sugar Alliance
American Sugarbeet Growers Association
American Veal Association
Arizona Cattle Feeders Association
Arizona Cattlemen's Association
Arkansas Cattlemen's Association
Association of National Grasslands
California Cattlemen's Association
Colorado Cattlemen's Association
Colorado Livestock Association
Colorado Wool Growers Association
Cooperative Network
CropLife America
Dairy Farmers of America
Dairy Producers of New Mexico
Dairy Producers of Utah
Dairylea Cooperative
Delaware Maryland Agribusiness Association
Far West Agribusiness Association
Florida Cattlemen's Association
Georgia Agribusiness Council
Georgia Cattlemen's Association
Grain and Feed Association of Illinois
Idaho Cattle Association
Illinois Beef Association
Illinois Fertilizer & Chemical Association
Independent Cattlemen's Association of Texas
Indiana Beef Cattle Association
Iowa Cattlemen's Association
Iowa Institute for Cooperatives
Kansas Cooperative Council
Kansas Grain and Feed Association
Kansas Livestock Association
Kentucky Cattlemen's Association

Louisiana Cattlemen's Association
Michigan Agri-Business Association
Michigan Cattlemen's Association
Minnesota Crop Production Retailers
Minnesota State Cattlemen's Association
Mississippi Cattlemen's Association
Missouri Agribusiness Association
Missouri Cattlemen's Association
Montana Agricultural Business Association
Montana Stockgrower's Association
National Association of Wheat Growers
National Cattlemen's Beef Association
National Chicken Council
National Corn Growers Association
National Cotton Council
National Cotton Ginners' Association
National Council of Farmer Cooperatives
National Federation of Independent Business
National Grain and Feed Association
National Livestock Producers Association
National Meat Association
National Milk Producers Federation
National Mining Association
National Oilseed Processors Association
National Pork Producers Council
National Renderers Association
National Sorghum Producers
National Stone, Sand & Gravel Association
National Turkey Federation
Nebraska Agri-Business Association
Nebraska Cattlemen's Association
Nevada Cattlemen's Association
New Mexico Cattle Growers Association
New Mexico Wool Growers Inc.
North American Limousin Association
North Carolina Cattlemen's Association
Northeast Dairy Farmers Cooperative
Oklahoma Agribusiness Retailers Association
Oklahoma Cattlemen's Association
Oklahoma Grain and Feed Association
Oklahoma Seed Trade Association
Oregon Cattlemen's Association
Pennsylvania Cattlemen's Association
Pennsylvania Cattlewomen's Association
Public Lands Council
Rocky Mountain Agribusiness Association
Select Milk Producers, Inc.

South Carolina Cattlemen's Association
South Dakota Association of Cooperatives
South Dakota Cattlemen's Association
South Dakota Corn Growers Association
South Dakota Farm Bureau
South Dakota Sheep Growers Association
South Dakota Soybean Association
Southeastern Livestock Network
Southern Crop Production Association
St. Albans Cooperative Creamery
Tennessee Cattlemen's Association
Texas Ag Industries Association
Texas Agricultural Cooperative Council
Texas and Southwestern Cattle Raisers Association
Texas Cattle Feeders Association
Texas Grain & Feed Association
The Fertilizer Institute
United Egg Producers
United Fresh Produce Association
Upstate Niagara Cooperative
USA Rice Federation
US Beet Sugar Association
US Chamber of Commerce
US Poultry & Egg Association
Virginia Cattlemen's Association
Virginia Poultry Federation
Washington Cattle Feeders Association
Washington Cattlemen's Association
Western Business Roundtable
West Virginia Cattlemen's Association
Wisconsin Agri-Service Association
Wisconsin Crop Production Association
Wyoming Stock Grower's Association

cc'd

The Honorable Fred Upton
The Honorable Henry Waxman