

March 3, 2005

Air Docket
Environmental Protection Agency
6102T
1200 Pennsylvania Ave, NW
Washington, DC 20460

Re: Docket number OAR-2004-0237 “Animal Feeding Operations Consent Agreement and Final Order”

Dear Sir/Madam,

I wish to comment on the Animal Feeding Operations Consent Agreement final order, which regards an air emissions monitoring study for animal feeding operations (AFOs). I believe it is important to study air emissions from AFOs in order to better regulate their compliance with environmental laws. However, the Agreement would exempt AFOs from penalties for violating environmental law for a period of several years while a monitoring study is being implemented. This is unacceptable. Air emissions from AFOs should be better regulated according to current rules in the Clean Air Act (CAA); the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); and the Emergency Planning and Community Right-To-Know Act (EPCRA). But, air quality should not be compromised while regulation is purportedly being strengthened.

EPA already has the authority to require AFOs to monitor their emissions, provide the agency with data, and comply with federal law. So, there is no need for this Agreement, which simply delays the enforcement of regulations, and puts the environment and public health at risk. Without the threat of penalties, AFOs have little incentive to limit their emissions, which can be harmful to human health. More than 25 studies of AFO workers show that 25-30% of workers report serious respiratory problems, some of which are due to toxins (e.g., endotoxin, glucans) from inhaled microbes. According to researchers at the University of Iowa, “medical problems commonly associated with inhaled agents include respiratory diseases (asthma, hypersensitivity pneumonitis, industrial bronchitis), cardiovascular events (sudden death associated with particulate air pollution), and neuropsychiatric conditions (due to odor as well as delayed effects of toxic inhalations). All polluters should be subject to current federal law regarding air quality.

Additionally, the Agreement’s offer of immunity in exchange for a comparatively small one-time financial contribution (a maximum of just several thousand dollars per AFO) to the study is meaningless. EPA can already fine polluters \$27,000 a day for violations.

This Agreement is unnecessary and merely sacrifices public health and corporate accountability.

Sincerely,

Monique