

STATEMENT OF MICHELE MERKEL
SENIOR COUNSEL
ENVIRONMENTAL INTEGRITY PROJECT
September 14, 2004

Good morning. My name is Michele Merkel and I am senior counsel for the Environmental Integrity Project or EIP. EIP is a nonpartisan, nonprofit organization that was established in March of 2002 to advocate for more effective enforcement of environmental laws.

Why am I here today?

I want to make sure that Iowans know that the EPA will soon finalize a backroom deal with the livestock industry that will shield polluters from Clean Air Act and Superfund hazardous waste laws. All the EPA will get in exchange is limited information about air emissions – and this is a lousy deal, because the EPA already has the right and the authority to get that information. The agreement with the livestock industry was drafted without consulting those in Iowa and elsewhere who suffer from the pollution caused by poorly managed livestock operations, and with only minimal input from the scientific and environmental communities.

A wide range of concerned parties have told EPA that they object to this sweetheart deal because of the lack of public participation in the process to date, the sweeping nature of the liability shield, and the scientific flaws in the proposed monitoring program.

Recently, sources inside EPA have indicated that the agency now is finalizing the deal, possibly without seeking public comment -- a move that breaks a written promise made to Congress in October 2003.

EPA's deal with the livestock industry will put many communities at risk by stalling air pollution controls for almost a decade. The American Public Health Association and the National Academy of Sciences have stated that pollution from livestock operations jeopardizes public health in rural communities across the nation. EPA's unwillingness to exercise its authority to address this public health problem is a disservice to the American public.

And that brings us to today's news event.

Since EPA won't hold livestock operations accountable for their air emissions, Iowans' have to protect themselves. I encourage Iowans to contact IDNR and their legislators and tell them that they want protective and enforceable air regulations for livestock operations. They should also contact EPA officials in Washington and tell them to use their existing authority to gather emissions data and to enforce clean air laws.

This is your environment – and your health – that the EPA is putting at risk. They need to know that you won't stand still for that.

