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To Group A-AND-R-DOCKET@EPA
cc
bcc
Subject Greenhouse Gas Comments

December 4, 2008

Air & Radiation Docket & Information Center
Environmental Protection Agency, Mailcode: 2822T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

RE: Docket ID No. EPA-HQ-OAR-2008-0318

Dear Sir or Madam:

Georgia Farm Bureau is the largest general farm organization in the state, and we have more than 400,000 members in Georgia. We are also affiliated with the American Farm Bureau Federation headquartered in Washington, D.C.

We appreciate the opportunity to submit comments relative to the Advance Notice of Proposed Rulemaking (ANPR) for regulating greenhouse gases under the Clean Air Act. We do not believe the Clean Air Act. We do not believe the Clean Air Act is an appropriate mechanism for regulating greenhouse gases because automatic regulatory triggers lead to consequences which we believe were unintended by Congress. These consequences will prove disastrous for the vast majority of the nation's livestock producers.

It is our understanding the ANPR was published in response to the Supreme Court decision (Massachusetts v. EPA) dealing with a petition to regulate auto emissions under the Clean Air Act, EPA must make a finding that greenhouse gases endanger public health or welfare. Once such an endangerment finding is made by EPA, several provisions of the Clean Air Act are automatically triggered which would have wide ranging repercussions.

An example is the Title V permit program. Title V requires that any entity that emits, or might emit, 100 tons of a regulated pollutant must obtain a permit to continue to operate. That requirement is mandatory and carries a government fee.

For pollutants already under regulation, the 100-ton threshold is high enough to exclude most emitters. However, for greenhouse gases, there are literally hundreds of thousands of entities emitting more than 100 tons per year, and livestock producers would be adversely affected by this proposal.

It is our understanding the USDA has stated that any farming operation with more than 25 dairy cows, 50 beef cattle, or 200 hogs will emit more than 100 tons of the carbon equivalent. If the envisioned ANPR were to go into effect, nearly all livestock operations in the United States will have to get a permit under Title V to continue to operate.

Some estimates are available on the fee structure of the permits and are based on EPA's "presumptive minimum rate" and USDA statistics. These estimates range as high as \$175 per dairy cow per year, \$87.50 per beef animal per year; and \$20 per hog per year! Farmers cannot afford such a punitive tax!

We believe the imposition of this rule would lead to less livestock production in the United States. Less production in this country would lead to more importation of livestock products from other countries. The end results would be more greenhouse gas production countries where livestock practices are not as environmentally sound as in this country. The bottom line might very well be that a segment of American agriculture is dismantled while greenhouse gases, on a global scale, are increased.

It makes no sense to reduce a ton of greenhouse gases in Georgia by putting a livestock producer out of business while two additional tons of greenhouse gases are emitted by a livestock operation in China working to increase production for the U.S. grocery market.

There are many unintended consequences from Clean Air Act regulation of greenhouse gases. However, the automatic triggering of Title V threatens the viability of many Georgia livestock producers.

Thank you for the opportunity to express our concerns.

Sincerely,

Wayne Hurley
Chattooga County Farm Bureau President

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