



ARIZONA CATTLEMEN'S ASSOCIATION

Nov. 28, 2011

The Honorable Fred Upton
Chairman
House Energy & Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Henry Waxman
Ranking Member
House Energy & Commerce Committee
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman and Mr. Ranking Member,

The Arizona Cattlemen's Association (ACA) writes to you in support of the *Farm Dust Regulation Prevention Act of 2011*, H.R. 1633. ACA represents more than 2,000 cattle producers in the state of Arizona. Our members urge you to support H.R. 1633 because it would remove a heavy financial burden from the backs of hardworking Americans who produce this nation's food supply.

The current Coarse Particulate Matter National Ambient Air Quality Standard (PM₁₀ NAAQS) is set at 150 µg/m³ at the 99th percentile form. It is extremely difficult to meet in the Southwestern United States. In Arizona, our average annual rainfall is around 13 in., which is much less than the national average of around 30 in. per year. Our arid climate makes dust a fact of life, especially when raising or feeding cattle. Because of our arid climate, it is not surprising there have been a number of nonattainment designations. Based on these designations, cattle producers are now subject to a mandatory suite of Best Management Practices (BMPs) for Beef Feed Yards. One of the most effective, and costly, BMPs for reducing dust in our arid climate is watering. That's correct; we use our precious water resources in Arizona to reduce the naturally occurring dust in the air because of EPA's PM₁₀ NAAQS. At the Oct. 25th Energy and Power Subcommittee hearing, EPA's Gina McCarthy refused to admit that EPA is the direct cause of dust regulations in states like Arizona. This is blatantly misleading and untrue. If not for the PM₁₀ NAAQS which is set by the Administrator of the EPA, Arizona producers would not be facing watering costs of hundreds of thousands of dollars. In fact, some producers have spent as much as \$400,000 in a single year on dust mitigation measures. Our members believe this *is* regulation, whether the EPA believes it or not.

ACA believes government regulation should be scientifically defensible and economically feasible. The PM₁₀ NAAQS is neither. As you heard in the Oct. 25th hearing, EPA has no evidence that rural dust causes adverse health effects; yet this burdensome regulation is imposed upon rural America just as it is in other parts of the country. In Arizona, studies have shown as much as fifty percent of the dust in Arizona is derived from agriculture. Any mandatory reductions to meet the PM₁₀ NAAQS have and will continue to fall on the backs of farmers and ranchers, despite this lack of science.

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Arizona's organization of
cattle growers and
cattle feeders



As applied, the NAAQS for dust does not make logical sense, but H.R. 1633 attempts to correct that shortfall. H.R. 1633 would allow the state of Arizona the power to determine whether dust is causing a problem to the health and welfare of its people, and confides in it the sole authority to address the problem as it sees fit. This bill would allow resources to be allocated to their highest and most beneficial use, instead of a use mandated by Washington, D.C. bureaucrats who have never experienced a naturally-occurring dust storm in the arid Southwest. ACA urges the committee to quickly pass H.R. 1633 out of committee and bring some regulatory relief to Arizona cattlemen.

Sincerely,



Andy Groseta
ACGA President



Norman Hinz
ACFA President

Cc: Arizona Congressional Delegation