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Congress of the United States

House of Representatives

Washington, DC 20515-1604

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The Honorable Michael S. Regan
Administrator
United States Environmental Protection Agency
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Regan,

I am writing to you with serious concerns over your agency's proposed expansion of the Meat and Poultry Products Effluent Guidelines and Standards. The information already collected by EPA has shown that these proposed standards will impose onerous compliance costs on small and independent producers, increasing the already out-of-control food inflation affecting Kansas families.

I am deeply troubled by the lack of scientific reasoning behind the EPA's proposed inclusion of required phosphate and nitrogen testing into the Meat and Poultry Products Effluent Guidelines. EPA's initial phosphate and nitrogen testing focused exclusively on large-scale meat-processing operations, whose levels of these compounds do not reflect the levels present at smaller-scale operations. Further, many smaller processors do not have the technical expertise to assess their wastewater output and composition, leading to inaccurate and unrepresentative information. The levels of phosphate and nitrogen in smaller-scale operations wastewater discharge have not been measured sufficiently to justify EPA's proposed expansion of regulation to cover these compounds.

Additionally, the EPA's cost-benefit analysis of the compliance cost of these regulations on small businesses has been abysmal in accuracy and practicality. EPA's compliance calculations range from \$5,000 to \$4,000,000 in upfront costs for technology, material, and training, with anywhere from \$5,000 to \$700,000 in annual recurring fees. Struggling small processors whose margins are already shrinking with out-of-control inflation and increasing labor costs would be forced to shut down if the EPA enforced these costs. Further, even if a small processor could absorb these regulatory costs, many are in rural areas and tied into water infrastructure that could not accommodate the proposed phosphate and nitrogen testing. Small processors would then be forced to pay for testing and technology impractical for their location, potentially bankrupting them.

Recent years have shown how critical small meat processors are for the security of our country's food supply chain. Imposing this heavy-handed, one-size-fits-all regulation on small, locally owned and operated processors will force many to close and encourage further consolidation in the meat processing industry. EPA's proposed imposition of these onerous regulations would lead to losing good jobs in rural areas, reduce choices for farmers and ranchers for processing livestock, and raise food prices for Kansas families. EPA must reconsider this radical initiative.

Sincerely,

A handwritten signature in blue ink that reads "Ron Estes". The signature is written in a cursive, slightly slanted style.

Congressman Ron Estes
Member of Congress