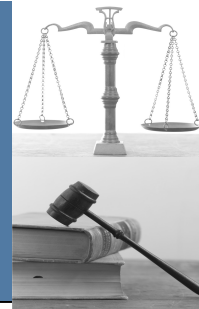




# Agribusiness Association of Iowa

## REGULATORY COMPLIANCE UPDATE



November 23, 2011

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### Work on Farm Bill to Continue Despite Super Committee Stalemate

On Monday, November 21, leaders of the Joint Select Committee on Deficit Reduction announced that they were unable to reach an agreement to cut federal spending. This bipartisan group, also known as the Super Committee, had been charged to reduce the federal deficit by \$1.2 trillion over ten years. This development ended the initial work on a revised farm-bill proposal crafted by House and Senate Agriculture Committees.

The farm bill proposal had outlined plans to reduce federal spending by \$23 billion. The Agriculture Committee chairs pledged to continue the process of reauthorizing the farm bill in the coming months in a joint statement. "We are pleased we were able to work in a bipartisan way with committee members and agriculture stakeholders to generate sound ideas to cut spending by tens of billions while maintaining key priorities to grow the country's agriculture economy. We will continue the process of reauthorizing the farm bill in the coming months, and will do so with the same bipartisan spirit that has historically defined the work of our committees," said Chairman of the House Agriculture Committee Frank Lucas (R-OK) and Chairwoman of the Senate Agriculture Committee Debbie Stabenow (D-MI) in their statement.

If the Super Committee would have reached an agreement, the proposed farm bill would have been inserted into their legislation and would have avoided being amended on the House and Senate floor. Due to the Super Committee breakdown, a new farm bill proposal will be open to greater scrutiny.

The possibility that the farm bill most likely will be stand-alone legislation was welcomed news to Senate Agriculture Committee Ranking Member Pat Roberts (R-KS), who commented in a statement on Monday that the Super Committee's failure "means that a farm bill will now be written in regular order as it should be."

"I know that Chairwoman Stabenow and Chairman Lucas have worked hard to put together a recommendation to the Joint Committee. However, this process was not the way to write the Farm Bill. I call on the Senate Committee on Agriculture, Nutrition, and Forestry to hold open, public hearings where policy ideas are discussed and debated on their merits, followed by a markup that allows input by all committee members. Farm Bills have always been done this way, in a bipartisan manner."

AAI will continue to monitor this evolving legislation and keep you informed of developments over the upcoming months.

### Federal No Action Assurance for the Prepared Feeds Manufacturing NESHAP

The EPA recently issued a No Action Assurance (NAA) letter regarding the air toxics regulations for prepared feeds manufacturing. The regulations to issue are the National Emissions Standards for Hazardous Air Pollutants (NESHAP): Area Source Standards for Prepared Feeds Manufacturing found at 40 C.F.R. Part 63, Subpart DDDDDDD. This rule requires that large prepared feeds facilities with pelleting operations install particulate matter (PM) control devices designed to achieve 95% or greater reduction of total PM emissions. Information has been provided to EPA to show existing devices used by the industry cannot meet

the control efficiency requirement. Replacing existing control equipment was not EPA's intention of the rule and they plan to change the rule with a direct final amendment next month.

Since the compliance date for this rule is January 5, 2012, and it could take months to finalize the amendment, EPA issued the NAA to exercise its enforcement discretion to allow affected sources to continue operating. The NAA is specific to this one requirement and affected sources must comply with all other requirements in the rule.

For questions please contact Brian Hutchins  
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## Upcoming AAI Meetings & Events

### AAI Office Closed

November 25 & 26

### District 1 Meeting

Tuesday, December 6

8 a.m.

The Family Table

745 N Second Street

Cherokee, IA

### Executive Cmte.

Wednesday, December 7

9 a.m.

### Transportation Cmte.

Wednesday, December 7

1 p.m.

### District 2 Meeting

Thursday, December 8

8 a.m.

Hagie Manufacturing Co.

721 Central Ave W

Clarion, IA

### District 3 Meeting

Friday, December 2

8 a.m.

Ricky's

2 S. Frederick Avenue

Oelwein, IA

### District 4 Meeting

Tuesday, December 20

8 a.m.

West Side Diner

604 West 7th Street

Atlantic, IA

### District 5 Meeting

Friday, December 16

8 a.m.

Mr. C's Steakhouse

1107 West Larson Street

Knoxville, IA

### District 6 Meeting

Tuesday, December 13

8 a.m.

Four Corners Restaurant

3112 Iowa 92

Ainsworth, IA

## AAI Supports Comment Period Extension & Agrees to Comments

AAI has joined over 60 organizations in support of extending the comment period regarding the Department of Labor's proposed Child Labor rule that affects the agriculture industry by 60 days. AAI has also agreed to sign the coalition's comments that sites six specific reasons why the new rule is unnecessary.

The current deadline is December 1. An extension will allow more time for parties who will be affected by this change to voice their opinions. Shannon Latham, vice president of Latham Seeds, a regional seed company based in Alexander and AAI member company, represents one business that will be affected. Latham shared her concerns on this proposed rule with Brownfield News this week.

Latham told Brownfield reporter, Ken Anderson, that the proposed rule could—conceivably—prevent her own pre-teen children from working in their family-owned business.

"Although we are a family-owned business, it's a family-owned business between husband, wife and brother—in my case, brother-in-law," Latham says, "and in this specific instance, the proposed changes say that kids under 16 would be

prohibited from working in cultivation or harvesting of crops. A lot of what we do in the summer is pull weeds from our plots and take care of research acres—our kids wouldn't be able to do that."

"Some people have said, 'What? You're part of a family farm.' Well, our family farm is structured as part our business as well."

Latham is concerned beyond her own situation. She says farm jobs such as picking rock, hauling bales, and detasseling are important to many young people in rural areas—as well as the farmers and agribusiness owners who employ them.

"In rural areas, where we live, there is a limited workforce pool. So it provides jobs for kids, but it's also a win-win because farmers need that extra help as well," Latham says, "and lots of times that means a neighbor—it doesn't necessarily mean your own son or daughter."

Visit [www.regulations.gov](http://www.regulations.gov) and click on [Child Labor Regulations, Orders and Statements of Interpretation: Violations-Civil Money Penalties](#) to submit a comment on this issue.

## EPA Pesticide General Permit Information

On October 31, 2011, the EPA issued a final National Pollutant Discharge Elimination System (NPDES) Pesticide General Permit for point source discharges from the application of pesticides to waters of the United States. EPA's general permit covers operators who apply pesticides that result in discharges into waters of the U.S. from mosquito and other flying insect pest control; aquatic weed control, such as cattails and algae control; aquatic animal pest control, such as zebra mussels; and forest canopy pest control. Most farmers in EPA Region 7, which consists of Iowa, Kansas, Missouri, Nebraska and nine tribal nations, are not involved in these types of pesticide applications.

EPA has taken the initiative to develop a general permit to provide permit coverage for this broad group of applicators rather than have each applicator apply for an individual permit. EPA will use this permit for tribes in Region 7 where EPA implements the NPDES program.

As a result of the court's decision, NPDES permits are generally required for these types of discharges beginning on October 31, 2011. However, EPA Region 7 will provide compliance assistance until January 12, 2012.

## Seeking Volunteer for Rural Health Advisory Board

The Governor's office is seeking a volunteer to serve on the Rural Health Advisory Board. Volunteers must be a registered Republican. Residents in NE or NW Iowa are preferred.

**Farmers planting row crops will not likely notice a change in their practices or need for permit coverage when applying pesticides, as long as they follow the pesticide label instructions.** These instructions typically advise turning off spray jets and/or avoiding spray drift when over water. Farming activities most likely affected would be those in which pesticides are applied to crops immersed in water, such as rice. It is more likely that the state general permits will affect agricultural districts, irrigation districts, homeowner associations, or larger municipalities that conduct the covered pesticide applications.

For more information on the NPDES requirements for discharges from pesticide applications, EPA's final federal permit and an interactive tool to help potential permittees determine their permitting requirements under the federal permit, go to: [www.epa.gov/npdes/pesticides](http://www.epa.gov/npdes/pesticides).

The state of Iowa issues their own pesticide general permits. For more information on R7 state specific requirements contact Courtney Cswercko, Iowa DNR, at 515-281-7206 or [cswercko@dnr.iowa.gov](mailto:cswercko@dnr.iowa.gov).

Board members meet quarterly in Des Moines and do not have terms; they serve at the pleasure of the Governor. Please contact Carmine Boal at 515-725-3504 if you are interested.