

## To be released in its entirety 2/8/05: **RESOLUTION**

**Passed** by the Board of Directors of The Northeast Dairy Producers Assn., Inc  
(NEDPA) on Tuesday, February 1, 2005

### *Whereas :*

The NEDPA Board of Directors

- 1) Recognizes that while it does not endorse the application of the clean air laws to American animal agriculture, it understands that the dairy industry must comply with federal law and EPA regulations, and
- 2) Has worked closely since April 2004 with Cornell's PRO-DAIRY team members Curt Gooch and Karl Czymmek to extensively research the history and content of the EPA Air Quality Compliance Agreement, and
- 3) Has engaged the services of the law firm of Nixon Peabody LLP (Rochester NY) during this time period to develop a legal understanding of language contained in the EPA Air Quality Compliance Agreement, and
- 4) Has authorized Nixon Peabody LLP to aid Gooch and Czymmek in the composition and submission of comments to EPA, which led to somewhat improved language in the EPA Air Quality Compliance Agreement, as well as a more informed view of modern dairy herd practices and management on the part of the EPA, and
- 5) Has worked in tandem with Gooch, Czymmek, Nixon Peabody LLP, and Cayuga Marketing to network with industry contacts across the country, resulting in a cross-section of national dairy industry groups adding their signatures to the comment document submitted to EPA on August 23, 2004, and
- 6) Has authorized Nixon Peabody LLP to aid Gooch and Czymmek in completing several face-to-face meetings with EPA, and
- 7) Has invested considerable time and funds in this quest for information, and
- 8) Has commissioned Gooch, Czymmek, and Nixon Peabody LLP to prepare revised comments for submission to EPA during the 30-day comment period (Feb. 1 to March 2, 2005), and
- 9) Has recognized that this is a national challenge faced by the whole dairy industry regardless of herd size, production methods, and geography so has supported the appointment of Gooch and NEDPA member Doug Young to the National Air Quality Task Force, a group working to foster development of accurate data for regulation of air emissions from dairy farms and to identify cost-effective mitigation technologies which could be used to reduce emissions, and

10) Has received the recommendation from Nixon Peabody LLP that it would be prudent for dairy farms to sign the consent agreement.

*Therefore NEDPA's Board of Directors hereby recommends :*

- 1) That all member producers invite their non-member neighbors to join them in registering for \* and attending the March 1, 2005 NEDPA Annual Meeting in Liverpool, NY where a dynamic panel of national experts will thoroughly examine the EPA Air Quality Compliance Agreement and Final Order and its impact on the Northeast and national dairy industries, and
- 2) That all member producers encourage other dairy producers to support the effort to develop air quality monitoring data for dairies nationwide as a way to reduce the risk of lawsuits and the uncertainty of compliance that now exists, and
- 3) That all dairies encourage cooperatives and the National Milk Producers Federation to provide supplemental funds for the air emissions monitoring research so as to reduce the cost to individual producers and to ensure reliable research results, and
- 4) That all dairies sign the voluntary Compliance Agreement with EPA so as to assist the process of producing sound science that can properly quantify air emissions from modern animal feeding operations.

\* **Contact** NEDPA's Executive Director, Caroline Potter, 315.683.9268, [cjh42@cornell.edu](mailto:cjh42@cornell.edu) to register for the Annual Meeting. Meeting agenda and registration are available on NEDPA's website [www.ansci.cornell.edu/nedpa/](http://www.ansci.cornell.edu/nedpa/).

***NEDPA urges every dairy producer to become fully informed on this issue. The cost of participating and other information can be found at these websites:***

<http://www.epa.gov/fedrgstr/EPA-AIR/2005/January/Day-31/a1536.htm>

[www.prodairyfacilities.cornell.edu](http://www.prodairyfacilities.cornell.edu) (click on "air emissions" in upper left corner)

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