



News Release

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"Connecting Cows, Cooperatives, Capitol Hill, and Consumers"

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NMPF Endorses Legislation Protecting Dairy Farms from Litigation under Solid Waste Law

ARLINGTON, VA – The National Milk Producers Federation (NMPF) expressed its support for new bipartisan legislation introduced in the House of Representatives that would clarify the exemption of dairy farms and other livestock producers from being subject to the Resource Conservation and Recovery Act (RCRA), which governs the safe disposal of solid waste.

The Farm Regulatory Certainty Act (H.R. 5685), sponsored by Rep. Dan Newhouse (R-WA), would spell out that the RCRA law, enacted in 1976 to govern solid wastes in landfills, is not intended to regulate agricultural operations like dairy farms. The RCRA statute has been used to inappropriately target agriculture, specifically dairy and livestock producers, even if they have demonstrated that they have been following approved plans for using manure as a fertilizer. The Farm Regulatory Certainty Act will also protect farmers from citizen suits if they are undergoing efforts to comply with federal orders.

The new measure comes in response to a federal court ruling last year in lawsuits brought against several dairies in Washington state. The litigation claimed that farms had inappropriately handled and stored animal manure under the RCRA law, even though RCRA was not intended to focus on farming practices or the management of livestock manure. The U.S. District Court for the Eastern District of Washington determined the amount of manure deposited exceeded approved limits and constituted environmental and human endangerment.

“This legislation would help end the confusion among farmers about environmental regulations, especially those who practice responsible waste management,” said Jim Mulhern, president and CEO of NMPF. “The RCRA law was not intended to govern farms, and Congress needs to enact this bipartisan legislation to reinforce that point.”

NMPF supports the use of safe and efficient environmental practices – such as anaerobic digesters and nutrient recovery – to help dairy operations remain stewards of a healthy ecosystem.

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The National Milk Producers Federation (NMPF), based in Arlington, VA, develops and carries out policies that advance the

well-being of dairy producers and the cooperatives they own. The members of NMPF's cooperatives produce the majority of the U.S. milk supply, making NMPF the voice of dairy producers on Capitol Hill and with government agencies. For more on NMPF's activities, visit our website at www.nmpf.org.