

April 14, 2023

Mae Wu, Deputy Under Secretary of Marketing and Regulatory Programs  
Jimmy Dahman, Chief of Staff for the Rural Business-Cooperative Service  
U.S. Department of Agriculture

Dear Deputy Under Secretary Wu and Chief of Staff Dahman,

On behalf of our conservation and environmental organizations and their thousands of members across the country, we are writing to comment on [USDA's \\$500 million grant program](#) to boost meat and poultry processing (MPP) capacity.

MPP facilities are [significant sources of water pollution](#) - including high volumes of nitrates, which can contribute to toxic algal outbreaks and contaminate drinking water. This year, the U.S. Environmental Protection Agency (EPA) is finally [in the process of updating pollution control standards for MPP facilities](#), as indicated in its [Program Plan 15 \( Section 7-2\)](#), which notes that the agency will propose a new rule by the end of 2023. Despite requirements of the Clean Water Act, these technology-based pollution limits have not been revised since 2004 for the largest MPP facilities, and standards for smaller facilities date back to 1975. EPA is also finally reviewing pretreatment standards for facilities that send their waste to publicly owned treatment works.

Especially in this context, USDA's MPP grant program could either help reduce water pollution from the industry sector or exacerbate that pollution. To ensure the former and avoid the latter, we recommend that USDA adopt the following criteria in awarding remaining grants under this or similar programs:

- 1) **Invest in projects using the best pollution control equipment available:** there are much better technologies available for MPP facilities to reduce the flow of nitrates and other pollutants in their wastewater. This is evidenced by the fact that some existing facilities have much lower pollution releases than others of similar size and capacity. It would be contrary to the public interest for USDA to subsidize facilities that release major water pollution because the grants are made before the EPA's new ELGs are promulgated. Instead, USDA should only award grants to MPP facilities using the best pollution control technology and promote stewardship in the sector.
- 2) **Invest in facilities committed to serving producers raising livestock with least-polluting methods:** In addition to direct discharges, the pollution footprint of MPP facilities extends to their supply chain of producers. It is well-documented that Concentrated Animal Feeding Operations (CAFOs) generate huge volumes of manure that all too often wind up in America's waterways. In contrast, livestock raised on rotational pasture minimizes water pollution impacts and restores soil health. Moreover, these smaller, more sustainable producers need easier access to MPP facilities so their

businesses can survive and thrive. USDA can nurture this sustainable producer sector by targeting its MPP grants to facilities serving them.

- 3) **Avoid expanding MPP capacity in watersheds already overburdened by pollution from the livestock sector.** From toxic algae in Lake Erie to the dead zone in the Chesapeake Bay, there are several watersheds across the country already overburdened by pollution, including from meat and poultry production. When new MPP facilities significantly expand processing capacity in a region, that typically brings an expansion of CAFOs and the attendant pollution they bring. So with the exception of grants to facilities under Criteria #2 above (serving producers raising livestock on rotational pasture), USDA should avoid awarding MPP grants in watersheds already overburdened by pollution. Fortunately, under Section 303(d) of the Clean Water Act, states submit information to the EPA on waterways impaired by pollution. USDA can find those 303d impaired waterways listings on EPA's website [here](#).

Regardless of region or political leanings, Americans care deeply about clean water. The rivers and creeks where we fish, the lakes and ponds where we swim, and the countless other waterways that provide safe drinking water - we know that the Biden-Harris administration is committed to protecting these waters for all Americans. Going forward, we hope that USDA will adopt the criteria recommended herein for the MPP grant program, so it enhances rather than conflicts with the administration's broad clean water goals. Thank you for your consideration.

Respectfully submitted,

John Rumpler  
Environment America  
Research & Policy Center

Colton Fagundes,  
American Sustainable  
Business Network

Rachel Conn,  
Amigos Bravos

Dan Silver,  
Endangered Habitats  
League

Rob Michaels  
Environmental Law &  
Policy Center

Tyler Lobdell,  
Food & Water Watch

Liz Kirkwood,  
For Love of Water (FLOW)

Maritza Mendoza,  
GreenLatinos

Sandy Bihn,  
Lake Erie Waterkeeper

Rudy Arredondo  
Latino Farmers &  
Ranchers International

Jon Devine,  
Natural Resources  
Defense Council

Rich Cogen,  
Ohio River Alliance

April Ingle,  
River Network

Blakely E. Hildebrand,  
Southern Environmental  
Law Center

Robin Broder,  
Waterkeepers  
Chesapeake