

**NEWS**

# Coalition of 22 advocacy groups ask Oregon to regulate dairy air pollution

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A coalition of 22 advocacy groups is asking Oregon to begin regulating air pollution from large dairies.

Recent research from one of the groups, Food & Water Watch, found that Oregon's mega dairies collectively release more than 17 million kilograms of methane each year, equivalent to the emissions from 318,000 cars.

Large dairies, or confined animal feeding operations, also emit ammonia, hydrogen sulfide and particulate matter, all of which can cause health problems in people.

"These operations are subject to virtually no requirements to control or mitigate the numerous toxic air pollutants they release," the groups said in a petition for rulemaking filed Wednesday with the Oregon Environmental Quality Commission.

The commission now has 90 days to respond, by either denying the request or beginning rulemaking proceedings.

The Oregon Dairy Farmers Association did not respond to an interview request from the Statesman Journal on Thursday.

## Recommendations issued in 2008

Similar proposals have been floated for at least 15 years.

In 2007, the Oregon Legislature passed Senate Bill 235, directing the state Department of Environmental Quality to enter into an agreement with the Department of Agriculture to address the administration and enforcement of air quality laws applicable to agricultural operations. DEQ delegates its authority to regulate dairies to ODA.

DEQ has not yet entered into that agreement.

The bill also created the Oregon Dairy Air Quality Task Force to study the issue and make recommendations. Its report, published in 2008, explicitly called for DEQ and ODA to create a program to conduct further research and create interim regulatory measures for dairy air emissions.

But the Legislature never funded that program.

The Legislature debated further bills that would regulate dairy emissions in 2017 and 2019, but they did not pass.

“We are taking the task force recommendations and we’re asking that the agency implement them,” said Emily Miller, staff attorney for Food & Water Watch and lead author of the petition.

The number of mega dairies in Oregon has grown rapidly over the past few decades, driven in part by the growth of the Tillamook County Creamery Association, which makes Tillamook cheese and other Tillamook products.

In 1997, there were eight dairies in Oregon that had 1,000 cows or more, according to the petition.

By 2012, that had grown to 25. And as of August 2022, there were 68 dairies with 1,000 cows or more.

The federal government is not currently regulating dairy air emissions.

California has had a dairy air pollution regulatory program in place for at least a decade which focuses on volatile organic compounds and particulate matter, Miller said.

“It’s a really good model that Oregon could use,” she said.

Idaho regulates ammonia emissions from dairies.

## **Proposed rules**

The groups are asking the state to declare regulated dairies to be air contamination sources, just like factories or other air pollution sources.

They also are asking the state to declare that regulating dairy air emissions is necessary to comply with the federal Clean Air Act, to achieve state greenhouse gas reduction goals, and to

implement the recommendations of the Dairy Air Quality Task Force.

The proposed rule submitted by the groups would require new dairies as well as dairy expansions or modifications to obtain an air quality permit before construction even begins.

Existing dairies would have one year to obtain a permit.

Permits would only be required for large dairies — those with more than 700 cows. That's an estimated 91 dairies, or about 39% of all Oregon dairy operations.

The permitting process would require public comment be taken and considered.

Permits would require that, if certain emissions were exceeded, the dairy would have to take steps to achieve reductions.

Those could include things like keeping manure in dry, solid form rather than liquifying it; covering manure lagoons and treating vented air with a biofilter; applying liquid manure to fields with a low, rather than high pressure system; or creating natural windbreaks around production areas and lagoons.

The groups that signed on to the petition represent environmental, public health, sustainable agriculture, animal welfare and community interests.

They are: 350 Eugene, 350 Deschutes, Animal Legal Defense Fund, American Society for the Prevention of Cruelty to Animals, Beyond Toxics, Center for Biological Diversity, Center for Food Safety, Columbia Riverkeeper, Comunidades Amplifying Voices for Environmental and Social Justice, Environment Oregon, Humane Voters Oregon, Farm Forward, Farm Sanctuary, Food & Water Watch, Friends of the Columbia Gorge, Friends of Family Farmers, Mercy for Animals, Northwest Environmental Defense Center, Oregon Physicians for Social Responsibility, Pendleton Community Action Alliance, Public Justice Foundation and World Animal Protection.

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