



TAD News

November 2009

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Next TAD Board Meeting:
1 p.m., Dec. 3
Grapevine, Texas

Dairies off the hook on EPA rule – for now

Dairy producers are getting a reprieve – the Final Mandatory Reporting of Greenhouse Gases Rule by animal management systems has been put on hold for at least one year.

On Sept. 22, the Environmental Protection Agency (EPA) administrator signed the final rule requiring reporting of greenhouse gas (GHG) emissions from large sources and suppliers.

The rule stipulated that facilities that emit 25,000 metric tons or more of CO₂ equivalent gases per year must submit annual reports to the EPA.

Based on those criteria, dairies with 3,200 cows or more should run calculations as directed by the rule to determine if their operation would be required to report. The final rule would have been effective Dec. 29.

However, a recent amendment to the Department of Interior/EPA 2010 Appropriations Bill by Rep. Tom Latham (R-IA) deletes funding for the implementation of any rule mandating the reporting of GHG from manure management systems.

Another amendment by Rep. Todd Tiahrt (R-KS) and Sen. Sam Brownback (R-KS) will prevent the EPA from implementing any regulation of GHG emissions under Title V of the Clean Air Act (commonly referred to as the “cow tax”).

These amendments remain in effect for one year.

The GHG emissions reporting rule still will apply to other sources, which will report their 2010 estimates in 2011.

What will happen a year from now? Will the dairy industry get a continuance of its reporting reprieve?

We don't know the answer to that question, and TAD will be watching this issue closely in 2010.

Dairy owners/operators also need to watch this moving forward and begin to factor how they can integrate into their operations any beneficial management system modifications intended to mitigate air emission concerns. ■

Manager's Update

John Cowan

Capitol Report

Jockeying underway to see which party will control the Texas House

By Shayne Woodard

With much of the media coverage for the 2010 elections devoted to the probable Republican gubernatorial battle between incumbent Rick Perry and U.S. Sen. Kay Bailey Hutchison, equally important battles are brewing further down the ballot.

With the start on Dec. 3 of candidate filing, Capitol observers are wondering if the 2010 election will change which party will control the Texas House of Representatives when a very important legislative session convenes in January 2011.

That session will take up the matter of legislative redistricting, which could further define the balance of political power for the coming decade both in the legislature and in the U.S. Congress. In addition to this duty, done every 10 years after the census, the party that controls the Texas House will determine who will serve as its Speaker.

Currently, Republicans have a slim edge in the Texas House with 77 of the 150 seats. Democrats hope to gain seats in 2010 to take control.

But Democrat Rep. Chuck Hopson of Jacksonville recently announced a party switch, becoming a Republican. And Rep. David Farabee (D-Wichita Falls), announced he will not run for re-election in a very Republican-leaning district. In addition, there are four other open seats, where the incumbent will not be seeking re-election. Of those, three are currently held by Republicans and one by Democrats.

In the Texas Senate, Sens. Steve Ogden (R-Bryan) and Elliot Shapleigh (D-El Paso) have announced their intent to not run again.

The last day to file for a place on the ballot is Jan. 4, and the primary election will be March 2. ■



Texas Association of Dairymen
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TAD to help evaluate brucellosis plan

The Texas Association of Dairymen is part of a working group to help the Texas Animal Health Commission evaluate the state's cattle brucellosis program and recommend changes.

"TAD and the TAHC want to make sure that proper steps are taken to protect the health of herds so that the disease is not reintroduced in Texas dairy and beef cattle, causing the state to lose its free status," said Darren Turley, TAD assistant manager, who represents TAD on the working group.

Texas was declared cattle brucellosis-free in February 2008, the last state to achieve the status.

If no infected herds are detected for two years after the "free" declaration, first-point testing of cattle may be stopped. If such testing is curtailed, the TAHC believes many valuable aspects of the program will be lost, such as laboratory capacity, personnel, funding, the regulatory framework on which the program is structured, and the identification of adult breeding cattle.

As part of the working group, TAD will help determine whether these components should be preserved. ▪

TAD talks water with state leaders

Texas Association of Dairymen officials in November attended a two-day statewide water issues conference in Fort Worth convened by state Sen. Kip Averitt (R-Waco), and state Rep. Allan Ritter, (D-Nederland), chairmen of the Senate and House committees on natural resources.

"With water expected to be a major issue during the next legislative session, TAD wants to make sure dairy producers are part of the discussion as lawmakers look at water usage and demands across the state," said TAD Manager John Cowan.

The conference was an opportunity for TAD to listen to some of the debate on the state's water plan, learn about potential legislation and talk to lawmakers and other policy leaders. ▪

EPA releases final SPCC rule

Cattle producers will be impacted by a change to the final revisions of the Environmental Protection Agency's Spill Prevention Control and Countermeasure (SPCC) Rule. The EPA removed a provision that excluded farms from loading/unloading rack requirements.

The rule will become effective Jan. 14, and all farms must be in compliance by Nov. 10, 2010. Farms in operation before Aug. 16, 2002, are required to maintain their plans in the interim until revisions under the new amendments are made by the compliance deadline.

The rule requires farms, except in certain circumstances, to have a Facility Response Plan certified by a professional engineer that details equipment, workforce, procedures and training to prevent, control and provide adequate counter measures in the event of an oil discharge. Any facility that has aggregate above ground storage capacity of 10,000 gallons or less can self-certify its SPCC plan under certain circumstances.

Farms with higher than 10,000 gallon aggregate capacity must prepare a PE-certified plan.

For more information, visit:

www.epa.gov/oem/content/spcc/index.htm. ▪

Got chocolate milk? Maybe not for long

In attempts to improve the nutritional quality of school meals, some schools and lunch advocates are calling for the removal of low fat chocolate milk from the lunch line.

The nation's milk processors (through the Milk Processor Education Program) and dairy farmers (through the National Dairy Council) have teamed up to launch www.raiseyourhand4milk.com to provide the latest facts and science on chocolate milk's role in children's diets.

The campaign maintains that chocolate milk is the most popular milk choice in schools and kids will drink less milk (and get fewer nutrients) if it's taken away.

The Web site also includes an online petition to show support to keep chocolate milk on school menus. ▪