

**Iowa DNR
Spencer Public Hearing - February 17, 2004
Ambient Air Quality Standards**

MODERATOR

Today is February 17th, and we are at Spencer, Iowa. I'm going to try to do the best I can when I call out names. Some of these are a little bit hard to read, so I'll be calling the town or city also. The first one I've got is Don, looks like Kass, Renson, Iowa. Please state your name, and your affiliation if you're here for a certain organization.

DON KASS

I'm Don Kass from Renson, Iowa, and I'm here on my own accord. For the record, I'm looking at from about 80 to 90 people. I want a show of hands. How many people here tonight really believe that the Department of Natural Resources' concern in this endeavor is really clean air? If you sincerely believe that this is all about having clean air in Iowa, raise your hand. For the record, I don't see one single hand, not one single hand.

Out of all these people, not one person has raised their hand who thinks that the DNR is sincere and this is about clean air or clean water. And my guess is that's because you've made a number of observations, and probably some of the same as the two I'll explain right now.

The Center for Disease Control of the federal government has placed its minimum bar for hydrogen sulfide emissions for health risks at 30 parts per billion on a time weighted average of 15 to 364 days. Now, that seems pretty lenient when you compare it to this proposed standard, which is 15 parts per billion or a time weighted average of one hour for more than seven days a year. That's like comparing an ant to an elephant.

Now the question that is conspicuously absent from your presentation, gentlemen – and I don't blame you; I know where the pressure is coming from on you, gentlemen, and you're just doing your job – but this is for the record. Okay? The 15 parts per billion standard came out of a time when the Iowa State University and the University of Iowa were combining ammonia with hydrogen sulfide. And since the time that that study was started, Iowa State University has said, wait a minute – that combination is no longer valid because the two aren't necessarily present all the time together and that that 15 parts per billion is no longer a valid standard.

So why wasn't the standard for the proposed rule changed to 30 parts per billion like it originally was? When one of the universities – and all due respect to all my Hawkeye colleagues in here – I believe Iowa State University. Why wasn't that standard raised to 30 parts per billion?

The observation I would like to make is – and it states rather clearly in the literature you handed out – that this in no way, shape, matter or form, these rules will in no way apply to other entities which emit hydrogen sulfide.

So my question is, for the Department of Natural Resources for the Environmental Protection Commission and for the legislators and the governor who are putting the pressure on you to have this rule, why don't they ask this one question? Why is the health of a rural resident living near a confined animal feeding operation more important than a child or a woman or a man who lives on the north end of, say, Lemars or in Sioux City or in any number of towns across this state which have sewage treatment systems, which I guarantee you are putting out more than 15 parts per billion for more than the time-weighted average of an hour and for more than eight days out of the year? Why is our health out in the country – I'm glad they're concerned about us – but, gee, why do you suppose they aren't concerned about the people living in town? It's absurd.

So the thing I'd like to say, and I have an example for you. Just recently the state of Iowa lost a lawsuit put forth by the casinos, by the racetracks in Iowa because the racetracks were at one point taxed at a greater rate than the other casinos in the state. Well, they won that lawsuit. Now the state has to come up with a way to come up with 126 million dollars.

So what I might suggest as a future plan of action, should these rules pass, is maybe those of us in the livestock feeding operations, or livestock industry, I should say, maybe we should go to court and insist that the same rules be applied to everybody in the state so everybody, every industry, every town that has an operation or a business or an industry that emits hydrogen sulfide. Fair is fair. Equal protection under the law. And then maybe the legislators and the governor and the Iowa Citizens for Community Improvement and the Sierra Club will be a little more careful about what they wish for, because they just might get it. And that's all I have to say.

EVAN VERMEER

Evan Vermeer, Sioux Center, Iowa. Thank you. Are there any Environmental Protection Commission members here tonight? These are the people that have to have these comments, and there's nobody here. Not a member, not one? There is a member? At least one? Nobody will admit to being on it. Okay. I'm disappointed in that, guys. If they're the ones going to make the decision and they can't be at five meetings around the state – I know they're busy – to hear this input... Tapes are nice, but it's not like seeing a room full of eighty or a hundred people whose living is depending on rulings they make. And I don't know how far you can go with this, but that is extremely disappointing to me.

There's another thing that's very disappointing to me, and that is that you've got these monitors, at least in some places, setting in illegal locations, with readings that are totally meaningless. According to the old law that is on the books, it is illegal to have them in some of these locations. We all know that. Or the new law – it's not even legal according to some of your new statutes, and you're taking readings off of these, and you're going to report these back to the EPC and you're going to be reporting to urbanites who think things are in trouble out in the country. And

that's a ridiculous situation, too, that those things aren't in the right places. The readings are giving you nothing except they create trouble for agriculture.

UNKNOWN PERSON

Jim, can I make a comment?

MODERATOR

No. At this time we're just taking comments from the public. There will be an opportunity after we turn the tape recorder off. You can ask questions, and we'll attempt to respond to them at that time.

EVAN VERMEER

Okay, well, okay. Livestock producers don't want unhealthy air. Basically, we live on our operations; we're the closest ones. We don't want unhealthy air. Fifteen parts per billion – as Don said, it's a created, formulated number with zero scientific basis. It sends an absolute false message to people in the state about possible health standards.

Iowa State has backed off of its support for that, and the legislature recognizes it, all last year when they threw your ideas out the door in the first place. And now you're back with the same numbers that they wouldn't agree to last year because there's no basis for it. You separated industry and agriculture, and that is nothing more in our opinion than a blatant attack on livestock producers.

If these standards go into effect, they will negatively affect the livestock industry in this state, and this will have a ripple effect on the economy of the state.

Thank you, thank you very much.

GENE VERMEER

Gene Vermeer, also Sioux Center, Iowa. First of all, I want to comment that I agree with the comments that are made. I support them one hundred percent. I'm Gene Vermeer, Sioux County cattle feeder from Sioux Center and president of Sioux County Cattle Feeders. I'm speaking on the part of Sioux County Cattle Feeders.

We're not into all the numbers and everything that come with it, but we do know we want clean air. On the other hand, we are more afraid of the rules and legislation that are coming up than we are of hydrogen sulfide in our air. We have not developed a fear of hydrogen sulfide. We know of no one that's been hurt by it, none of our relatives, and we haven't had a problem with it – until these rules started coming up pertaining to hydrogen sulfide. At that point we became scared of hydrogen sulfide – but we're not scared of the hydrogen sulfide. We're just afraid of the rules that are going to be developed to control it. That's all I had to say.

MODERATOR

Frank Hirschman, Kingsley, Iowa

FRANK HIRSCHMAN

Frank Hirschman from Kingsley, and I'm just a farmer, and I think this rule is unreasonable. I don't know what's right, but I know that, from everything I've read on it, it is not reasonable. The time they're trying to collect it over and evaluate it over doesn't seem to be right either. A much longer period of time would be more sensible. And the separation distance must be at least the minimum distance, not the minimum distance and then shortened up by 300 yards or whatever it is. That's all I have to say. Thank you.

MODERATOR

Kent Pruisman, Rock Valley, Iowa.

KENT PRUISMANN

My name is Kent Pruisman from Rock Valley, Iowa. I am a producer of cattle and hogs, and I totally support all the comments that have been made up to this point. I would like to thank the Department of Natural Resources for being as concerned about clean air as I am. But having said that, I really believe that the Department needs to take a much bigger view of what this involves.

Everything that we do in the state of Iowa can be done somewhere else except what we grow. The Department of Natural Resources can operate out of Washington, DC, but we can't move our ground where we grow corn and beans and raise livestock. And incidentally, we could raise livestock somewhere else, too. But I challenge the Department to look at the tax base in the counties that have a high concentration of livestock to see what it does, how much it contributes to the state government's budget.

I also challenge the Department, when they take this broader look at things, to take every problem we have in this state, for that matter take every problem we have in this world, you prioritize it, and I guarantee you when you get all finished, clean air is going to be near the top – but the last thing you will get rid of is your food supply. Thank you.

MODERATOR

Jay Hoffland?

JAY HOFFLAND

I'm Jay Hoffland. I'm a producer from Sandborn, Iowa. I've been farming for about ten years, third generation. And I guess my concern is, you know, we have talked, people here have talked about the impact of agriculture on the economy. We've invested over the last ten years in several hog units. We have been independent producers in those hog units, and I think, you know, we

have tried very hard in sitting our sites to be good neighbors, to look at prevailing winds, to get along with our neighbors and be responsible producers.

My concerns are that we have complied with every regulation put in place, and now these regulations come up, and the DNR has not set, or the EPC has not set a scientific basis for this. They can't, to nothing I have seen so far, can tell me what the impact will be on my operation. They cannot defend their levels with scientific standards. They discriminate against livestock producers because they're failing to make it applicable to all Iowans.

They're talking about putting these monitors anywhere from a hundred meters to 300 meters from a separated location. When I built my units, I complied with every setback on the books, and we made sure that we were at least that far from our neighbors. But yet they're talking about moving those monitors a hundred meters to 300 meters. It does not say, "and no closer than a separated location." So in other words, if I'm 1500 feet away from my closest neighbor, you can move that thing basically a thousand feet back towards me, and that is a very big concern, because there is a delusion factor with distance. So I realize that you maybe have to move your monitor away from a separated location to get out of wind lines or trees or obstacles, but I think the distance to the separated location is very important.

Also, in the presentation on the monitoring equipment, you mentioned that you have these standardized samples and you read them, use that to calibrate your machines. You say that your machines are accurate if you are within 15% of that standardized sample, and yet I didn't hear anything in here that says 15 parts per billion, which is too stringent, plus 15% for your machine's accuracy. And I think you cannot regulate more accurately than what your equipment should be.

We were so concerned about this that we turned around, and when our neighbor's acreage came up for sale, which was over a quarter mile away, we bought it, just so that we could make sure we did not have problems with these rules. That makes no sense, from a cashflow standpoint, it makes no sense, because our neighbors never complained about the smell, but we had no way of being able to assess the impact, and yet we know we're going to have to live with these rules. And I think, you know, when you look at the impact of these rules, it has to be laid out long term.

MODERATOR

Richard Miller, Algona.

RICHARD MILLER

Richard Miller from Algona. Most of my concerns have already been mentioned, but the sewer's plant in my hometown outstretches every hog confinement, and there's 5,000 people live in there, smelling this, fighting it continually.

You mentioned that the setback distances and moving in where there's already some homes or let's say something like that. I'm concerned – what about new public use areas moving into the area around a confinement operation, such as: community gardens, crop mazes and any other use that the anti-animal groups are thinking of.

MODERATOR

Jim Boyer, Ringstead.

JIM BOYER

Thanks Jim Boyer from Ringstead, Iowa. My wife and I are a third-generation farm in raising livestock in Emmett County. We take our responsibility to farm and raise livestock in a way that does not harm the environment or the health of our other Iowans, very seriously. After all, we raise our families and we live in the environment that we work hard to protect.

Since about 1995 Iowa livestock producers have seen a tremendous amount of increased regulations and standards that translate into additional cost to those producers, costs that we as producers cannot pass on to the end-users because of the current market situations.

I understand well that any industry needs some standards or regulations to abide by, as long as these standards are based on sound science and not on politics or uninformed outcry by people who do not understand the livestock industry. However, these ambient air quality standards that are being proposed are not based on acceptable standards or regulations such as those used by OSHA, the CDC, the National Institute for Occupational Health and Safety, for the U.S. Agency for Toxic Substance and Disease Registry, the American Industrial Hygiene Association, the American Conference of Governmental _____ Hygiene and the National Academy of Science.

I ask the Iowa DNR, Governor Vilsack and the legislators to base any new regulations on sound science and further study before passing on anymore additional cost to my family's livestock operations, any additional cost that could or will force our family out of business, which would in fact hurt Emmett County and the state of Iowa. Thank you.

MODERATOR

Kevin Wolfswinkel, Sibley, Iowa.

KEVIN WOLFSWINKEL

Kevin Wolfswinkel of Sibley, Iowa, pork and organic plant food producer. Little did I know 25 years ago when I decided pursue agriculture that I would have to stand here on my Tuesday nights defending my right to produce food in the state of Iowa. But again I agree with everything that has been said up to this point and would like to reiterate the fact that sensible standards have to be used and that common sense prevail instead of the political winds that are upon us. Thank you.

MODERATOR

Joe Grig, Estherville.

JOE GRIG

I'm Joe Grig. I'm a third-generation cattle farmer from Estherville, Iowa. Certainly I'm concerned about public health, and as a parent raising children on a livestock farm, the health of my children is very important. But also as a parent, a safe and wholesome and affordable food supply is very important. My concern with this rule is that no one seems to know what the health effect standards should really be. Every state and national health organization seems to have a different answer. In fact, most other standards use a much higher value. Furthermore, some that participated in the university study no longer support the assumptions made in the concentrated animal feeding operations air quality study.

I am concerned that this health effects value of 15 parts per billion would place an undue burden on Iowa's livestock producers and that no value should be set until much more is known about what level would in fact cause a material and verifiable adverse health effect. Thank you.

MODERATOR

Mike Ver Steeg, Inwood, Iowa

MIKE VER STEEG

I'm Mike Ver Steeg from Inwood, Iowa. I'm representing our family hog farm, and I agree with pretty much everything that's been said so far tonight. I was fortunate enough to be able to come back from college and farm with my dad, and I'd like my kids to have the same opportunity, and with all these rules and regulations that keep getting forced upon us, that may not be a reality for them.

I know we're just as concerned about the environment where we live as anybody else, and we do our best to maintain a good environment because that's what we live off of. Our farm is on a pretty busy highway, and right a mile south of town, so we've been doing some voluntary things on our farm to help out. We blow cornstalks over our lagoon every spring after we pump it down, and it's about a \$1300 cost to me every year, and I'm just doing it for the public good, and I'm not required to do it.

And I also believe that the outdoor regulations that are more stringent than the indoor quality standards adopted by the Center for Disease Control. I work inside the hog confinements over 40 hours a week, and I'm healthy as a whip. They're more diluted outside, and people seem to be getting sick from it. I don't understand that.

I also believe you're just trying to close down livestock operations by regulating them out of business, because the standards that you are imposing only apply to livestock and not to any other businesses that have these emissions.

And, lastly, I'd just like you to base all your recommendations upon sound science and just remember that less government is better government.

MODERATOR

Kermit Cruton, Storm Lake.

Terry Naig, _____, Iowa

TERRY NAIG

My name is Terry Naig, _____, Iowa. I am a part of a small, independent hog operation. I'd like to speak to the rulemaking that we have before us tonight. I'm not sure that the 15 parts per billion is the level that is commonly known or commonly supported. The research that was stated by the University of Iowa and Iowa State since has been, Iowa State has withdrawn their support of that information and that research.

I'm also concerned about the placing of the monitors from the 100- to 300-meter points from the separated site. It would seem to me that if you're trying to evaluate a health effect in a residence or in a place of use, why you would move the monitor 300 meters away from that spot. As we all know, in the country, a matter of feet can make a difference on the amount of odor that you have moving through a particular area at a particular time. I guess I would believe that having those monitors at a residence would be more effective.

In the comments that you made before, you said they were placed where the concentration was the highest. Because of air movements around groves and so forth on residence I believe that they may not be the highest in the actual residence.

That's the end of my comment. Thank you.

MODERATOR

Merlin Wagner, LeMars

MERLIN WAGNER

I'm Merlin Wagner from LeMars. I am the first one here that probably is sad to say I'm a first-generation removed farmer. The question I have is: I would like to see equal rights to cities compared to what farmers are going to have.

I live by LeMars, Iowa, and I'd be willing to live next to a 10,000 finish unit compared to living when I drive by LeMars sewer plant every day when I've got to go to LeMars. I mean, it's, if you want to smell something, just come to LeMars to the ice cream capital of the world, and we'll show you what stink is.

The other question is that I've had some friends that couldn't make this meeting but they wanted me to ask this question and go on record: What is the power the DNR has for making rules and their stuff, and we think that the Iowa State Legislature should be the ones to be setting the rules. Maybe the Department, the DNR should be recommending – this should be a rule, not saying this will be a rule.

Thank you.

MODERATOR

Jared Terpstra, Sioux Center.

JARED TERPSTRA

Hello. My name's Jared Terpstra. I'm from Sioux Center, Iowa, and I also want to go on record saying that I am 24 years old, and if these rules and regulations continue to go on the way they are and these types of enforcements and laws come into effect, where is the future? Where are the younger generations going to come into farming?

And I'd also like to say is that even the people that aren't here – the bankers, the other businessmen, you know, in our small rural communities – they're all focused around agriculture and not only agriculture but livestock operations. Your strongest communities are in areas where there's higher livestock operations.

And I would just like to go on record and say that if we push livestock out of Iowa, we're going to push our economy out of record also.

Thanks.

MODERATOR

Kraig Hulstein, Sioux Center

KRAIG HULSTEIN

Yeah, I'm Kraig Hulstein from Sioux Center. We run a cattle operation around there, and I just want to say ditto to a lot of the things that were said tonight. We're in the same boat, and we bought an acreage that's right across the road from our feedlot, just because we didn't know who would move in. We've been trying to buy another one down the road, but they still like it. I go down there and spray his flies, and I try and be a very good neighbor, and I think Iowa is really doing a good job of that with the farmers lately. I mean, everybody is trying so hard to be a good neighbor.

Back 30 years ago when my father put in the settling basin, well, now it's a lagoon – catch it all, take care of it all. And at that time one of the DNR guys that came down that gave it to us says, "You know, it used to be that those fish were 30 miles down away from your father's feedlot. Well, right now they're swimming right next to us." And they are swimming right next to us.

And as far as the air goes, it's good air. I mean, you ride by Supreme, then you ride by the egg plant – I've got to put up with rules that they don't have to. I don't understand. It's not fair.

Thank you.

MODERATOR

Henry Sandbutte, Sioux Center.

HENRY SANDBUTTE

I also agree with most of what's been said tonight. And I'd also like to add that I too am sick of the double standard. It not only goes to air quality, it also goes to like with say manure spills and stuff. Sioux City had a major sewage line bust, and they were having sewage draining right into the river – got a little slap on the wrist if you could even call it that. If a hog farmer or cattle farmer would have the same thing, they would have been put right out of business.

I don't know why the DNR is being so unfriendly to farmers. I too am a third-generation farmer. I have 4,000 head of pigs on my farm, and I can honestly say I've had several neighbors come to me and thank me because they do not smell my place. We're responsible, and I don't think the DNR gives us enough credit that we want to be responsible people.

I have a church within a mile that I go too, and there too I have people from my congregation that say they're amazed they can never smell my place, never. I have yet to have a negative comment. And I just think the DNR is going overboard; and, like I say, I'm sick of the double standard.

MODERATOR

Verlyn Regenmorter, Sioux City.

VERLYN REGENMORTER

I'm Verlyn Regenmorter. I'm a third-generation farmer. I raise hogs and cattle, and a little common sense would sure go a long ways. That's all I have.

MODERATOR

Jeremy Jansen, Sioux Center.

JEREMY JANSEN

I'm Jeremy Jansen from Sioux Center, Iowa, representing the Farmers Coop Society in Sioux Center. Manage a large cattle feedlot near that area. I'm very disappointed with the rules that are being proposed to us, feel that the 15 parts per billion is a standard that shows very little scientific data. There's five or six other organizations that have set standards quite a bit higher than that.

Our facility is one that is near a monitoring location, and the monitoring location is in an illegal position at this time. We have asked that it be moved, and it has not been moved, and we are going to set standards based on faulty data that has been collected at some of these locations. I'm very disappointed in that.

Thank you.

MODERATOR

Derrick Sleezer, Cherokee, Iowa.

DERRICK SLEEZER

Derrick Sleezer, Cherokee, Iowa. I want to relate that I'm agreeing with all the things said tonight. Just one thing I'd really like to know is: Why is the livestock industry different than any other industry? We're all here in Iowa, and we all breathe the same air... create problems, and they should be regulated the same.

MODERATOR

Tim Bierman, Laramie, Iowa.

TIM BIERMAN

I'm Tim Bierman from Laramie, Iowa, pork producer. I agreed with just about everything that has been said tonight. We need these standards that are based on science, and they've done very little work. That study that came out of Iowa State and Iowa looks like it was a bunch of junk, if you ask me. Iowa State went along with it at first, but then finally they've come around and decided that it wasn't so good.

I also agree that, you know, we need to be treated equally with other businesses. If they don't have to go by these standards, neither do we. And that's why last year at the legislature they nullified that by two thirds of a vote so that this didn't get passed last year.

In the federal government they say that 70 parts per billion is where it gets close to being a public health ..., and these people are trying to tell us that 15 parts per billion. That's quite a difference. And I don't understand why they're not paying much attention to the federal government. Maybe it's because they don't want our business in this state; maybe that's the reason.

And by doing that, setting it that low, we're sending the wrong message to other Iowans because they don't understand what hydrogen sulfide is and what 15 parts per billion means. They don't understand. And so we're sending a message to people that don't understand it that anything above that could be a public health. So we need to change that.

And definitely monitors need to be set at the separation distance where they're supposed to be. By doing this, you know, we're chasing independent pork producers out of business, and that's not what the state's about. We want independent pork producers here.

Also, you know, regulations have been changed seven or eight times in the last nine years. I mean, they change them almost every year. They don't even wait to see if they work before they change them. How are we supposed to know if regulations even work when they change them every year?

So thank you.

MODERATOR
Greg Lear, Spencer.

GREG LEAR

I agree also with the comments that have been made so far. I've been 25 years in this industry, producing livestock and involved in the ag economy. And it doesn't matter where you go – we've got stewards of the land, stewards of the air; everybody has done a... of a job taking care of things.

My dad raised me with one comment, and if we leave this meeting with this, remember – If the cities die, and the farms survive, the cities will rebuild. But if the farms die, grass will grow in the cracks of every sidewalk in this nation.

MODERATOR
Joel Hartman, Everly

JOEL HARTMAN

Thank you. I'm Joel Hartman. I raise cattle, corn and kids on a farm near Everly, and I'd like to thank the DNR for this opportunity to speak this evening.

I'm concerned that since the EPA is currently reviewing the rules that they administer the federal Clean Air Act under and that since the scientific community does not agree entirely – in fact some experts dispute the studies that the EPC's air quality standards are based on – it does not seem prudent that the EPC is to continue to establish questionable standards that may well be significantly different from the federal rules. The economic damage that will be inflicted by the EPC's unreasonable and unjustified standards will have a lasting and difficult-to-undo effect.

It would be prudent for the EPC to start with a standard that is more in line with the federal rules and then, working under the five-year review rule, make any necessary adjustments. This would certainly minimize the amount of damage that these rules would inflict on Iowa's livestock industry as well as on Iowa's overall economy.

Thank you.

MODERATOR
Glenn Gredd. Sorry, I can't read where you're from here – looks like Hayward.

GLENN GREDD

You've got to wonder why all these ... are up here talking to you guys. If it's any consolation, I'm one and the same thing. But I'm concerned about our livestock industry. I started feeding cattle in 1951, and I grew up with the industry in Sioux County. I know what it's done economically. The

activity that has been generated with the livestock industry in Sioux County is just unbelievable. It's a real concern to me to hear some of these gentlemen talk about what the proposed...

When I grew up or when I farmed, you know, when we ... for grass and then in an August or October evening, September evening it gets cool, the cattle will jump around in the yard, it raises a cloud of dust. That's air pollution; you've got to admit it – that's air pollution. Or when Aunt Bessie and Uncle John come out from town with their windows down and we've just been spreading manure all week long and they get a whiff of that, that's probably air pollution. But you know back in those days we didn't think anything about it. And you'd be surprised – I think the Commission would be surprised – we don't think that much about it now. The air – we all say, "Ah, it's good for your sinus." Well, that could easily be, and there might be some positive aspects about all this.

But I'm real concerned about what's happening, and I just want to leave the Commission with this thought in mind. If through this tape some way or other you could convey common sense from this point on down to the state legislature, that's what we're hoping for. We can live with change, but let's use realism and some common sense.

Thank you.

MODERATOR

Jeff Rehder, Hayward

JEFF REHDER

Jeff Rehder, Hayward, Iowa. I'm a fourth-generation farmer, and I would just as soon be at my fifth-generation's nephew's basketball game tonight, but I thought it was more important for him and for myself to be here tonight.

As you briefly went about how your rules were put together, I guess I've been very disappointed. This HEV, the Health Effects Values that might create health effects, established the 15 parts per billion. And, well, that doesn't mean anything until we do some research – so we're going to do some monitors, and we might set them up here, we might set them up there. But if it gets over 15, boy, we need some rules right away. And by the fact, we're going to implement after the legislature adjourns. Is that all coincidental? I don't think so.

And I guess if the governor really wants to shut down the livestock industry, he's going to have to create a lot bigger Iowa Values Fund, because there's no company in the nation that will replace the livestock industry. That's all I have to say.

MODERATOR

At this time that's everybody who had marked that they were willing to comment today. Is there anyone else who would like to come up and make comments at this time for the record? Yes, sir.

SCOTT SCHMIDT

Scott Schmidt, Sheldon, Sioux County. Home of Contented Hogs is our farm name ... here I know. There's a reason we have the farm name, "Home of Contented Hogs." Thirty-some years ago my dad put up the first confinement, kind of new at that time, confinements. We had open house. Disease was not a big deal at that time. People walked through and saw our hogs – "Oh, they look so content." Some years later we went and incorporated. Naturally, "Home of Contented Hogs" is the way it came.

I'm the third generation, my daughter is two; she's the fourth generation. She's out there with us, oh, off and on. She comes back in the house, yeah, she smells like pigs. Is she sick from it? No. Are our neighbors complaining? No. Are our neighbors complaining? No. So many times we get in the mail from DNR letters or whatever – "You now have to require from... or applicators. What's going to be next?"

How many more hours is a farmer going to have to put in for regulatory items? Two, three, four people can handle our operation. Soon it's going to be, add another to take care of all the regulations. I just would like the DNR and all involved to take that into consideration also.

Thank you.

ARLYN VALVICK

I'm Arlyn Valvick from Soy City, Iowa. I'm 42 years old, third-generation farmer. And you know it sure is funny. I grew up on a farm my entire life, and as a kid being on that farm, there was always a smell on our farm, but everywhere we went up and down the road every farm place had a smell because everyone raised livestock. Now we've confined it into more confined areas. It's still the same smell that was back there all them years. And, you know, another thing I don't remember – I don't ever remember seeing the DNR or anybody else out there trying to monitor this stuff.

I was fortunate to be able to utilize some different manure from three different sites in our area, and what I'm using it for is to help reduce my input costs so that I'm able to be more efficient and be able to continue to keep farming. I think it's the best thing since sliced bread myself.

We also in Kassouth County have started a program now, done through Iowa State in cooperation with Iowa State University where we're doing bus tours around our county, showing the city people, taking a lot of different people in the area out to hog sites and taking them to city lagoons, just to let people experience what the difference is in the smell. And you know it's pretty amazing, when these people come back from these bus trips, they all mention how the smell from the cities far outweighs anything that they're getting off those rural areas.

And in closing I guess the only thing I'd like to say is: If the DNR and EPC continue to keep regulating our livestock out of the state, all they're going to have left to do is watch all the deer that are taking over – and just don't forget to shut the lights off.

MODERATOR

Anybody else like to come up and make comments at this time? Does anyone have any written comments they'd like to submit? You can submit them anytime between now and the time you leave. You can also mail them to the contact person and address that's in the proposed rule or you can email also, which is in the proposed rule if you decide you want to send any comments to us.

Also, as Bryan mentioned early in his presentation, we have two other public hearings that will be near this area. We'll have one in Mason City next month, and we've got one in Atlantic on Wednesday. The exact days and times and locations of those are in the proposed rule, also available on our Web site too that I mentioned earlier. So if you decide you want to come to another public hearing and make comments then that's fine. You can also make comments. There are plenty of other opportunities.

Well, at this time I'm going to go ahead and shut off the tape recorder, and we'll go into question-and-answers. We've got the room reserved until nine, and we'll go ahead and attempt to answer questions and concerns you may have until that time.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud.

2. The second part of the document outlines the specific requirements for record-keeping, including the need to maintain original documents and to keep copies of all transactions. It also discusses the importance of regular audits and the need to report any discrepancies immediately.

3. The third part of the document discusses the consequences of failing to maintain accurate records, including the potential for legal action and the loss of trust in the financial system. It also discusses the importance of transparency and the need to provide clear and concise information to all stakeholders.

4. The fourth part of the document discusses the role of technology in record-keeping, including the use of electronic databases and the importance of ensuring the security and integrity of electronic records. It also discusses the need for regular updates and maintenance of the system.

5. The fifth part of the document discusses the importance of training and education for all staff involved in record-keeping, including the need for ongoing education and the importance of staying up-to-date on the latest developments in the field.

6. The sixth part of the document discusses the importance of collaboration and communication between all stakeholders, including the need for regular meetings and the importance of sharing information and best practices.

7. The seventh part of the document discusses the importance of monitoring and evaluation, including the need for regular reviews and the importance of using data to inform decision-making. It also discusses the need for flexibility and the ability to adapt to changing circumstances.

8. The eighth part of the document discusses the importance of transparency and the need to provide clear and concise information to all stakeholders. It also discusses the importance of accountability and the need to hold all staff responsible for their actions.

9. The ninth part of the document discusses the importance of the future of record-keeping, including the need for continued innovation and the importance of staying up-to-date on the latest developments in the field. It also discusses the need for ongoing education and the importance of staying up-to-date on the latest developments in the field.

**Iowa DNR
Atlantic Public Hearing - February 25, 2004
Ambient Air Quality Standards**

Today is February 25th, and we are in Atlantic, Iowa.

KEITH LEONARD

I'm Dr. Keith Leonard from Atlantic, Iowa. First comment I would like to ask the Commission is: What health problems are associated with hydrogen sulfide? To my knowledge, it causes no problems in animals, as a veterinarian. It smells bad, but outside of that, I know of no health problems. So if we're going to develop standards for health problems, I'd like to know what the health problems are in humans.

The second comment I would like to make is: If these standards are set too low, you're going to drive all the livestock producers out of the state of Iowa except those with two or three animals. Since our economy is so badly dependent on livestock feeding operations, I believe the Commission has a responsibility to the economics of the state of Iowa not to get the standards so low that a person cannot make a profitable living raising livestock in the state of Iowa. That's a selfish comment, since I'm a veterinarian and I work for livestock producers. But I think it's something the Commission needs to be fully aware of and very cognizant of.

Thank you.

MODERATOR
Bob Wood.

BOB WOOD

Yeah, my name's Bob Wood. I custom feed a few hogs for a guy up in Harlan, Iowa, and my primary concern was that, you know, the rules and regulations – I have no clue what 15 parts per billion mean, but it doesn't seem like a lot. I would hope that they would base their decisions on evidence like Dr. Leonard said a little bit ago – what specific health hazards have been related to hydrogen sulfide? And from a selfish point, what little I've been around it, it seems like a lot of the health hazards go away when there's big dollars involved. So I would caution the legislation to watch out for that.

And that's the only comment I had tonight. Thank you.

MODERATOR
LeRoy Merk.

LEROY MERK

I have lived in Audubon County for 45 years on my farm, and it wasn't too bad 'til about six years ago when they started building these CAFOs a quarter of a mile away from my farm. I didn't think the wind could get in the southeast and northeast as bad as it has in the last six years that they've put those in there. It just plain made a man physically sick to be around those. We've even had to leave home because of these CAFOs that have moved in. It's just plain bad. I've farmed for 60 years, and I've never smelled anything this bad in all my life.

Thank you.

MODERATOR

Doug Gronau? And I apologize ahead of time if I mispronounce your name.

DOUG GRONAU

My name's Doug Gronau, and I'm a farmer from Vale in Crawford County. I'm disappointed that the DNR and the Environmental Protection Commission has pursued unreasonable and scientifically flawed standards in the regulation of hydrogen sulfide in the state of Iowa.

Iowa State University has repudiated the joint Iowa State University / University of Iowa study on ammonia and hydrogen sulfide. Iowa State University said that 30 parts per billion for continuous exposure was a much more reasonable number to use for hydrogen sulfide standard. Iowa State also said that the federally recommended standard of 70 parts per billion for up to 14 days continuous exposure should be used. They also said that the 15 parts per billion standard as too restrictive and was aimed specifically at agriculture and would not protect all the citizens of the state of Iowa.

The legislature set the parameters for measurement of hydrogen sulfide and ammonia. There is still a concern whether the DNR followed the intent of the legislature regarding the placement of measuring devices used in the DNR study. This raises questions about how credible and valid the data really is.

Iowa livestock producers want clean air and environmental quality and are not against the setting of reasonable hydrogen sulfide / ammonia standards. But using scientifically flawed studies in setting Iowa's air quality standard is shortsighted at best and economically devastating and punitive to Iowa's livestock industry at worst.

The 15 parts per billion standard as proposed cannot be justified using sound science and is much too restrictive based on other recognized studies. The DNR should closely follow legislative intent with regard to the placement of monitors at separated distances during their field study.

The citizens of Iowa demand and deserve regulation based on common sense, legislative intent, and sound science.

Thank you for your time.

MODERATOR

Thank you. David Brandt.

DAVID BRANDT

My name is David Brandt, and I'm from southwest Pottawattamie County. I'm a third-generation farmer. I'll try to be brief here.

A few things – and I see a problem with the whole legislation – the main one being ISU has already stated that the original assumptions are wrong that have been used. The University of Iowa has not come out with their new standard, at least not to my knowledge anyway. It looks like the 70 parts per billion is what ISU has started to recommend should at least be a starting point. Again, what does the University of Iowa say? They've been pretty quiet.

We need to follow the required separation distances – nothing closer than that. Also, as the legislature did last year, they have called the standard too restrictive. It appears to me that the standard is still the same restrictive amount that it was last year when they refused it, so I think that's another thing that needs taken into consideration.

We keep talking about large operations. I'm yet to see anything that says what size that is. What is a "large operation"? It's kind of like, what is a family farm?

The other thing, it looks to me, as last year the bill was supposed to be around all businesses in Iowa. We seem to have concentrated on livestock, and I'm not sure that's a very fair thing to do, regardless.

Thank you for your time.

MODERATOR

Thank you. Verlene Larsen?

VERLENE LARSEN

Hi. I'm Verlene Larsen. We are pork producers. We have raised our family on the same farm for 26 years. We have four children. We have no health effects. All of our family has worked in our livestock facilities. We practice good management. We practice good manure management. We use common sense. We are in favor of clean air and a healthy environment.

I just want everybody to know that our family has no health effects. We breathe the same air whether we eat, sleep, work or play on our farm. Thank you.

MODERATOR

Dale Larsen.

DALE LARSEN

I'm Dale Larsen. I raise hogs in Cass County. I just want to say that, you know, if we lose the hog industry in the state of Iowa, we've just got to do something, and we can't... We've got to use common sense, but we also need to go along so everybody can make a living and still stay viable in their operation and stuff.

The 15 parts per billion in a one-hour period is not fair. It needs to be lower... Why not take the whole 24 hours instead of just taking one hour of the highest reading at all possible and stuff? It just puts all the disadvantages to the producers in what we're doing.

MODERATOR

Delbert Westphalen

DELBERT WESTPHALEN

I'm Delbert Westphalen, livestock producer, fourth-generation family farmer. Thank you for allowing me to address this group.

My family and I have raised livestock on the same farm for 120 years. We do not have any ill effects from raising livestock. We do not like the standards that are being proposed. We think they're too restrictive and not based on sound science. Sound science is what is going to govern this industry, and it should be not based on someone's or some group's emotions.

Thank you.

MODERATOR

Kevin Shilling

KEVIN SHILLING

Everybody hear me in the back? Okay. I'm Kevin Shilling up in southwest Adair County. I raise sheep, turkeys, chickens, and cats, which I really don't care about. But what I do care about is in the long run all of us have a common ground – that we want clean air. It's got to be established someplace. I don't think for the most part that the livestock industry is the responsible part for all this.

The history, from what I know of this deal – the tried to pass it last year, and what I got from my legislator was, the utility companies and everybody wanted it shut down.

The other thing I see is a lot of misinformation. There's a huge difference between ambient air quality and OSHA's quality for air standards. The 15 parts per billion established on hydrogen sulfide is for a 24-hour exposure – that's your ambient air quality. That's for somebody continuously exposed to it, not an eight-hour workday. And OSHA doesn't really apply to what we're doing.

But I think also it should include ammonia and odor. I believe that most of the people who raise livestock in this state care about their neighbors, and for the most part a lot of us don't have any troubles at all. But there's a few who are causing the problems, and those are the ones that should be dealt with. I do not know the regulations should apply to nonpermitted facilities at all, and I think we need to get back down to just some good common-sense rules about how to treat and work with our neighbors.

And we're going to wind up having an air quality standard eventually. Every state around us has air quality. Outfits from out of state are sending stuff into our state. Now, is that running the livestock industry out of their state where they have air quality standards? Or is it a matter of somebody who just wants to avoid and make it as quick as they possibly can, a fast buck, without the hassle. Along with earnings and responsibilities – that's what it should be, being responsible, not trying to dodge the responsibility.

I think... Do we have any legislators here? I don't see any of them here. I guarantee you, when the lobbyists are up there telling them what they need to know, they'll be there. Until we can get the government to work for us instead of the lobbyists, we're going to be right where we're at, with nothing.

Thank you.

MODERATOR

Thank you. Kurt Handlos.

KURT HANDLOS

I am Kurt Handlos from Audubon. I work on a family farm with my brother and dad, and I just want to let the Commission know that I'm opposed to the rules that the DNR is proposing and for a common-sense approach of more reasonable air standard. I have worked in confinements full time for about 20 years and suffer no ill health effects.

Thank you.

MODERATOR

Thank you. Brad Pellett.

BRAD PELLETT

I'm Brad Pellett from Atlantic, Iowa. I appreciate the opportunity to be here this evening. I represent the next generation of farmers here in the state of Iowa. I know that there's many of them here at this meeting with us. And these air quality standards as they're proposed are much too restrictive. We need to set them based on sound science.

I'm fortunate enough to have a lovely wife and two great kids. I am as concerned about clean air and water as anybody in the state, and if I'm going to continue to raise livestock, I have to have rules and regulations that are based on sound science and not on emotion.

Thank you.

MODERATOR
Cory Scholl

CORY SCHOLL

I'm Cory Scholl. Farmed here with my grandfather for 60 years, family farm. I just think the standards are set too low right now.

Thank you.

MODERATOR
John French

JOHN FRENCH

Yeah. My family and I are livestock producers from Cass County. I'd like the DNR to wait until their field study is all done before they set a proposed rule on hydrogen sulfide. I also think they're too strict. Let's wait until we get all the information. Iowa State University has also amended their rule. I'd like the DNR to take that into effect. And I guess that's all I have to say tonight.

MODERATOR
Fred Hunt

FRED HUNT

I'm Fred Hunt from here in Atlantic, Iowa. I feel that the DNR proposed regulations are unnecessarily stringent, and I think they're designed to be easily violated so that they can sell the public on the idea that the livestock industry is endangering the public health.

The lowest, most stringent concentration of hydrogen sulfide in the air allowed by any federal regulations that I've read about, OSHA would be 70 parts per billion, and I think that would be much more reasonable than the 15.

And that's all that I have.

MODERATOR
Doug Beckman

DOUG BECKMAN

Good evening. I'm Doug Beckman. I'm from Mills County, and I raise corn and soybeans. I don't have any livestock, but I know where the corn and soybeans go for the most part, so it is an important industry. And we've heard many people say we want it based on sound science.

According to the Oxford American Dictionary, "science" is a branch of knowledge requiring a systematic study and method, especially one of those dealing with substances, animals and vegetables, vegetable life, and natural laws.

"Scientific" is using careful and systematic study, observations and tests of conclusions.

"Method" – a procedure or way of doing something, which leads to scientific method, which every person in school has gone through a science class and had preached the scientific method is the way to do something. And it's the process by which scientists endeavor to construct an accurate, reliable, consistent and a nonarbitrary representation of the world.

And a scientific method is not long or cumbersome. You start with an observation. In our case here it's hydrogen sulfide is a problem. And then we form a hypothesis. In this case, we're saying that hydrogen sulfide at 15 parts per billion from livestock confinements is a health hazard to people. Now, if that's not what the DNR is saying, that's the public perception that is developing from it.

A "hypothesis" is an untested observation, and it may be right or it may be wrong. After you have your hypothesis, then you design a method to prove the hypothesis. You're collecting data, and it must be consistent and it must be unbiased.

The fourth step of a scientific method is the analysis of the information, and you come to a conclusion. Now, you can't do that before you have done multiple tests, preferably by many different sources of people. And you also can't do it, you can't come to a conclusion that's done before all the data is collected.

Common errors that happen with the scientific method are: faulty testing and ignoring data that does not support the hypothesis. The scientific method attempts to minimize the personal and cultural beliefs we have that may influence the outcome of our research.

A famous scientist once said, "Smart people can come up with very good explanations for mistaken points of view."

The state legislature defined a method of testing in a time period (at least we're supposed to be done) to collect the information. The proposed 15 parts per billion is flawed because we have too many variables. Indicated on the slides, that there are many different distances being used based on various reasons for not doing those distances the same. But in the end you have inconsistent results because of that plan. A standard is set, in this case, for 15 parts per billion before all that is collected and analyzed.

A regulation is warranted where there is a proven basis or need. But I wonder, does this proposed standard have a cultural bias involved in it? Is it against livestock producers in general? Is it against our corporate livestock production?

If the purpose is to save the family farm, and I know there's a lot of people that think that the family farm is the way that all farming ought to be done, whatever the definition of that is. However, the end result of this particular thing will be the opposite – the family farm will be the first to give up in the livestock industry. Or they will at the very least be at a competitive disadvantage, simply because of costs involved.

If the purpose is to get rid of livestock in Iowa, it will have a _____ effect on the state's economy. We think we've got budget problems at the state level now. If the livestock industry is driven out of Iowa, our economy is going to be in shambles. There's just no way that the livestock industry is hurting our economy – it is helping it.

If producers of livestock leave Iowa, where do you think you're going to get your meat for your groceries, at the _____? There's a lot of people that think maybe that's South America. How confident are you about the quality or the healthiness of the food that you're going to be getting if it is from outside our national borders?

Let's make some rational decisions before irreparable damage is done to our livestock industry. Thank you.

MODERATOR
Hubert Hagemann

HUBERT HAGEMANN

I'm Hubert Hagemann from Carroll, a livestock producer. I am very concerned that if emotions are used to set standards instead of sound science, we will lose the livestock industry in this state. That will have a devastating effect to the economic health of Iowa. Therefore, I would urge the DNR and the EPC to make certain that sound science be used.

I have been involved with swine feeding operations for over 50 years, and I nor my family have any health problems from exposure to the livestock.

Thank you.

MODERATOR
Leonard Baumhouer

LEONARD BAUMHOUER

I'm Leonard Baumhouer from Audubon County. I've noticed that nobody in the livestock business has got up here and said that the hogs or cattle do not smell. I happened to read in the Farm Bureau, I noticed some of them said they couldn't smell it when they were three-quarters of a mile away. Well, I can smell one that's 2,000 feet from me, and I can smell one that's 1300 feet from me. And in the, well, back in June on Father's Day hogs moved east of me about 2,000 feet away. I did not smell any hogs, have any hog smell until July 23rd, and then in August I had 11 days that I smelled it. And if there's smell, there more likely could be hydrogen sulfide.

And in talking to Dr. Bundy, he said this is political – ammonia is a political issue. Okay. But we found out it was a political issue when it got down to the legislature to set the rules. They overturned the DNR on their ammonia and hydrogen sulfide. It is a political issue.

Now, everybody's talking about the hydrogen sulfide 15 parts per billion is too stringent. I've looked at this map here where they were monitoring. I see no place here in Cass County that they were monitoring; I think the closest one was Woodbine. And I don't think any of us here know by our own standards what 15 parts per billion are.

I mean, like I said, in August I had 11 days I smelled it, and that was the one that was 2,000 feet from me. Now I've got one 1300 feet from me. I smelled it when they moved in on November 19th. I smelled it, first started smelling it December 3rd. And I had 12 days in December, I had 5 days in January. And I can go off to my garage in the morning, and my garage doors are shut, but yet I can have a hog smell in there. Now, I don't know if that's hydrogen sulfide or just ammonia. And I do not know if it's 15 parts per billion or 70 parts per billion, but I know it has a horrible smell.

Now, I'm no scientist, but 27 scientists had this, studied this rule and came up with this recommendation. Now, Iowa State backed off, and talking to Dr. Bundy, he said it was political, and the state legislature, they got involved and they backed off. Well, you know why they back off – it's money.

So I think you ought to hold the ambient air standard at 15 parts per billion. And most of you producers out here don't know if you're exceeding that or under that. You don't know. You haven't had a monitor there. I mean, you're concerned. I can see that. And I'm not trying to run the hog business or the cattle business out of the state of Iowa. We need it.

But years ago we used to put insecticides and herbicides on – we all did it, we all handled it improperly. I think it was the DNR or the Extension, I should say, that educated us what harm it was doing to us when we were handling it improperly. How many of us picked up a truck ____? Hey, 20 years ago, took the nozzle out, it plugged up, we blew it out. Now we take a brush, we wear gloves. We don't wear leather shoes anymore. So we've got probably the same thing here with ambient air standards. Fifteen parts may be causing harm. I don't know – but neither do you, and you're saying they're too stringent. But 27 scientists said they were, and 150 parts of ammonia.

So I would recommend that the DNR stick with their 15 parts per billion and their 150 parts of ammonia. Thank you.

MODERATOR

Janet Baumhouer, did you want to say anything? Okay. Kevin Hinnners.

KEVIN HINNERS

Thanks for having me. I'd just like to make a quick assumption. Since they're counting heads and the camera's here – how many people think there should be these air quality standards at 15 parts per million and who doesn't? I'd like you to stand, please. Who doesn't think these rules should be where they're at? Whoever doesn't like these rules – so the gentlemen can see how many people are against it – would you please stand up? Anybody that doesn't want these rules – so they can see how many people are here. Make sure the camera sees you.

I'd like to go one step further and say there shouldn't be any rules. I don't like to be regulated just to do business in Iowa.

Thank you.

And the only reason we're here – let's call a spade a spade – is 'cause ICCA is scaring people into pushing you guys and lobbying. So we've got all these restrictions, so I can't make a living. The only reason I'm doing this is to make a living. So that's... I'm upset, but I should be because I'm getting pushed out of my living, and I don't think it's right.

And I know this is all bull – it's all political. We're in a political year – and I'm politically active – and more people need to notice that because it's what's driving this is all the special interest groups. If you're going to let special interests push our state policies, then what's the use of us even being here. Like the man said, it's going to South America. It already has. People here doing business will tell you when they get out that it's already left the state. And, you know, if Mr. Vilsack wants some tax money, then we're paying it right now.

We're just taxpayers trying to make a living out here, and we don't want anybody in our yard doing any restrictions. I don't want any parts per million, billion, gazillion – I don't want any. I don't want anybody around. Thanks.

MODERATOR

Sam Carney.

SAM CARNEY

My name is Sam Carney. I'm a fourth-generation farmer. And we've heard a lot of importance to base these regulations on sound science and not emotions. And I believe that's pretty important right here. And we have some guidelines by the federal government that we're supposed to follow, and it's called an Agency for Toxic Substance and Disease Registry. And this data is used

as a screening tool to protect the most sensitive people, and right now it's at 70 parts per billion, not 15 parts per billion for one hour.

And so I think we're getting way carried away, and we've heard a lot of stories here how we're going to run the livestock industry out of the state – and I agree with that. If we keep doing this, we will run the livestock industry out of the state. In the last ten years we've took a beating. Every year we get another regulation, another, just inching us down, inching us down, inching us down. The livestock industry can't take much more, and it will leave the state.

And we talked about size, and we talked about the biggest ones today. Tell me – if neighbor complained, had a small operation, I bet you there'd be a monitor there if they wanted one. So I don't go by the size of these operations. I think they're out to get every operation, and I think we need to change this.

So if the state wants the state financially going – which they're in pretty bad shape right now – run the livestock industry out, there will be a sign. You better shut the lights off, because that's the way it'll be.

Thank you.

MODERATOR
Ron Beach

RON BEACH

I didn't come intending to speak, so my comments aren't very well prepared. But I'm a fifth-generation farmer, livestock producer in the state of Iowa, and prior to that I know the family was farming in Europe. So we've been in the livestock and farming for many generations.

And from what I can see in things that you have for handouts and your presentations here, it appears, proceeding to set a rule before studies are done. I didn't see things where you presented anything on the outcome of your studies. I didn't see that. I did see that the university was referenced, but as has been pointed out, Iowa State has backed away from that, and the University of Iowa hasn't stated, reaffirmed their support for it at this point either. So as far as being any studies to support this, I don't think they're there.

One of the slides you had up mentioned, "Commonly known to cause health effect." I didn't get it all down, but that was the standard, and I don't see where anything's been presented to support that. I do not think the DNR has done the studies that meet that standard. I've already mentioned the University of Iowa and Iowa State study, how Iowa State has backed off, and the University of Iowa when asked for a comment basically is at this point saying, "No comment."

In your handout it was stated why the OSHA standard shouldn't be used, but it didn't address all the other standards, like the Center for Disease Control, the ASTDA, the NIOSH, the IAHA, the

HECHT and all the other agencies that have studied this and come up with different standards than that are being proposed.

So I guess, you know, I think the issue should be studied, that any standards should be based on studies in science that I haven't seen presented, that it should be a fair and balanced proposal and avoid the emotion and kind of the anti-livestock political agenda that seems to have taken hold in the state, and base this on science.

MODERATOR
Virginia Hagemann

VIRGINIA HAGEMANN

I'm Virginia Hagemann, and I'm a livestock producer from Carroll County, and I'm also the parent of three daughters who all have their Ph D.'s in research areas, two in agriculture and one of those who have collaborated with scientists in other countries.

Being interested and a dutiful parent, I have read what seems to be a ton of their theses and published work. No question that the United States and in particular the work of the Midwest universities is looked up to across the world. That is why I am appalled and simply embarrassed that the Department and the Commission is not taking the time to develop and use the most recent cutting-edge, sound science to develop reasonable rules and regulations.

MODERATOR
Gary Weihs

GARY WEIHS

I'd like to thank the DNR for listening to public comments. I'm a third-generation pork producer. Six years ago my wife and I started a farrowing company. Our family lives a quarter of a mile from one of our farrowing facilities with 6,000 animals – no adverse health effects. My father has been around for over 80 years, all around hogs – no adverse health effects.

We're all in favor of clean, safe air and water – but we're really concerned that this is not based on sound science. One of the things, if you just look at, you know, we talked about potentially losing the livestock industry – in our business which is just based on farrowing, a lot of people don't realize that there used to be over two and a half million sows in the state of Iowa. Last year the number of sows _____ million. Okay?

If you talk about the jobs that have lost that have gone, many of them, to Canada, many of them to North Carolina – that's over 5,000 direct jobs, just in the sow buildings, and it's over 48 million bushels of corn, not to mention the soybeans, that aren't being consumed, versus when we hit our peak in sows in 1968.

We need to base this on sound science and not rush into this. Why would we want to overregulate the corn and soybean farmer's biggest customer and drive them out of the state? I just think it's preposterous. We may be the greatest hog-producing state today, but we probably won't be in the future if we let this go through.

Thank you.

MODERATOR

Virgil Henricksen, can't tell if you wanted to...? Nothing, okay. And Betty Henricksen, did you have anything?

BETTY HENRICKSEN

I'm Betty Henricksen from Audubon, Iowa, and I beg to differ with some of you. You all say that we're trying to run hogs out of Audubon County. We're not trying to run hogs out. We're trying to get everybody to follow the rules that the legislators put down, and I think we need people in Audubon too, the same as we need hogs.

MODERATOR

Ross Havens

ROSS HAVENS

I'd like to thank the DNR for letting make a comment tonight. I'm Ross Havens. I'm a cow/calf producer. I also work for one of the largest beef _____ company, based here in Cass County. I'm also the mayor of Wyota and serve on an economic development board here in Cass County, and I'm a director for the beef producers.

And would just like to say that I wish the DNR would base their findings on sound science, to go ahead and do field studies with proper sampling, monitoring in accordance with the law. And after the field studies are analyzed, to analyze the data and see that the actual plans and program needed to be developed.

As I represent a lot of people, the town of Wyota, and producers, you know, we've all got to live and have good standards, health standards, but it all needs to be based off of actual data and scientific research. So I'd like to ask the DNR to please do that.

MODERATOR

Wayne Nosbisch

WAYNE NOSBISCH

I'd like to thank you for the time and the opportunity to speak. I question an air quality standard that is at least twice as restrictive as any other national recognized standard. This proposal has a

15 parts per billion exposure for a one-hour timeframe. The Centers for Disease Control has a 30 parts per billion continuous exposure for a year as a standard.

I believe unreasonable standards put undue constraints on livestock production, which is a main plank of Iowa economy – paying taxes, paying jobs and providing a market for our crafts. Are we going to be twice as restrictive just to be sure or just to be safe? I think we should all consider this as we drive home tonight at 27-1/2 miles an hour.

MODERATOR

Louis Els

LOUIS ELS

I'm Louie Els from Taylor County. Thank you for letting me speak here. One question I have here is: What would the consequences be of the natural-occurring gases in the atmosphere in relationship to the parts per billion that they have chosen? And at this point I'm not in favor of the 15 parts per billion. I'd like to see a higher, maybe 30 or 70.

Thank you.

MODERATOR

Roy Johnson? Okay. Donna Larsen.

DONNA LARSEN

My name is Donna Larsen. I'm from Audubon County and a member of Iowa CCI. Thank you for letting me speak tonight. The American Public Health Association, which by the way is not a special interest group, passed a resolution just last month urging federal, state and local governments to impose a moratorium on any new CAFOs. Since our state legislature won't pass a moratorium or even give us local control, which several other states already have, it seems that these clean air rules that are being proposed are the only salvation folks living near these factory farms are likely to get anytime soon.

So it seems to me that these rules should be set as strict as possible so that they actually accomplish what they are designed for. When the Agency for Toxic Substances and Disease Registry recommends a mere 30 parts per billion for hydrogen sulfide standard, that's with no other gases present. So if there are many other dangerous gases being emitted that are not monitored, I feel the 15 parts per billion standard recommended by the joint university air quality study is very reasonable.

Not only do we need protection from hydrogen sulfide but also ammonia. You all read that the university study recommends a standard of 150 parts per billion in a dilution rate of 7 to 1 for odor. I feel very strongly that this should not be ignored, as they also affect the environment and people's lives.

_____ the DNR has stated that you are targeting the largest facilities, the ones that are over the permit threshold of 2,500 head of hogs in confinement at any one given time. These enormous numbers of animals _____ has what has increased the amount of hydrogen sulfide, ammonia and other pollutants to a level that could cause health risks to their neighbors.

And last, I would like to see the DNR purchase some portable air monitors. It is my understanding that you only have a few permanent ones. You need to be able to detect and regulate _____ farms at any given time and also respond to citizen complaints.

Thank you.

MODERATOR

Tom Shipley.

TOM SHIPLEY

Yes, I'm Tom Shipley. I live at Nodaway, Iowa, a feed department manager for United Farmers _____ Co-op and serve about nine counties _____ for livestock producers out of the Red Oak area, down through the Red Oak area. I want to thank the Department for giving us the opportunity to speak here this evening.

I guess I'm representing agri-business in some sense but also speaking on behalf of a lot of those, scores of people that I work with every day. Each and every one is concerned about their environment; however, they refer to that as their backyard.

I deal with administrative law very often, too, and more so than I would like to. It is very often full of good intent, but sometimes short on research, is often reactionary, and seldom makes us any safer or better off at the end of the day. It is specially bothersome to have one industry being asked to carry the burden when more politically powerful elements are allowed to go unrestricted.

You are fortunate to have some of the best minds in ag science working on this project with you - Iowa State University. That's been very well spoken by the lady from Carroll County. Any impact on animal agriculture affects all of agriculture, which affects rural Iowa and rural Iowa's economy. We all want Iowa to prosper, not just the golden circle. Metropolitan Iowa cannot really prosper until all of Iowa does.

Thank you for your time.

MODERATOR

Mark Davis

MARK DAVIS

I'm Mark Davis. I'm from Greene County, Iowa. I fully support the DNR's 15 parts per billion. I've read the science. I suggest anybody that would want to learn more about the science read Jay Kilburn's book, *Chemical Brain Injury*. He's done some twenty-some years of research into the chemical effects of hydrogen sulfide on the human mind.

As a footnote to that, people get up and they say that they have not been affected by hydrogen sulfide. Hydrogen sulfide hasn't been produced on farms for a lot of years. It's only since we've had lagoons and deep pits. If you were damaged by hydrogen sulfide, you would not know that unless you were tested.

There seems to be a myth. I'd like to address something I hear over and over, that agriculture seems to be extremely important to the state's economy. According to 2002 figures presented to the state's congress, agriculture, fisheries and the timber industry account for 4% of the state's economy. Hog production is, I would doubt, you know, it could not be 2% of the state's economy. By the way, I'm not interested in driving hogs out or beef production. I like to eat. So thank you.

MODERATOR
Maureen Davis?

MAUREEN DAVIS
I'll pass, because _____ Thank you.

MODERATOR
Okay. Karon Fein.

KARON FEIN

I'm Karon Fein, and from Creston, Iowa, in Union County. I'm not a farmer. I was raised as a farmer's daughter, and we had a small store in Creston for years and years. I got involved in this issue in 1997 because a lady I know came into the store and she said, "Hey," and she started crying and I said, "What's wrong?" She said, "Karon, I can't take it anymore." I said, "What do you mean?" She said there is 16, 16 confinements within a mile and a half of her, 16. And since that time they have added a place to wash the vehicles, and they've also added a dump site. Now, they were there first. They had their home there first.

Which one of you... You believe in standing up. Which one of you would stand up and be within one mile of 16 hog confinements and a place they wash them up and a dumping station? Tell me that - which one of you? Stand up... That's good. Then you must belong to Farm Bureau! You must belong to Farm Bureau, because I don't think that's true. I don't think any of you would want to put yourself through that, what she has put herself through. If you were there and you had 16 up against them and you had the confinement and you had the flies and you had the smell, I'm sorry, I don't think you were telling the truth when you stood up.

Also, I went to a Farm Bureau annual meeting in Afton two years ago. And there was a gentleman there that was a PR guy for the Farm Bureau. And he shared with them about the hog confinements and the grain and stuff in Brazil, and he told the farm members there, "You better teach your children the language of Brazil, because that's where industry is going." Now, this is the Farm Bureau that said this. They had a film, a tape of that. I've got a copy of that. So if you think Farm Bureau is your friend, you're wrong. I saw the tape, and they even said, your grain, your hogs – what, you think the Mississippi is so great that they just send _____? They've got a lot bigger river in Brazil.

You think your land is cheaper than theirs? No. You think it costs more money for them to clear their land and ____? No. The hog confinement people in North Carolina have been buying their grain from Brazil. Have they been buying it from the Midwest? You know that as well as I do.

And I hear the "sound science" all the time. Here's sound science. We want sound science. Okay. Iowa University and Iowa State University said, this is what we want. They both came out, they both agreed, they both put out the paper on it. Why do you think Iowa State backed down? You're smart people. You know why they backed down.

There's a gentleman I know, Gary _____. He said he went to a meeting in Des Moines about five years ago when Martin Jeske was the president of Iowa State University. And he came down there and these people were talking – "What can we do to help out the industry, the people, the agriculture and everything?" Martin Jeske _____, "Get out of here. Go back where you belong!" So they packed up and they left. These are professors of departments in Iowa State University. So you think there's not enough pressure to make them back down on _____ University of Iowa? I do. So sound science I guess means to, Iowa State University and the livestock people, what agrees with you. And it doesn't have anything to do with sound science.

So I think that if the agriculture, the small cattle owners, the small cattle people, want to keep raising their animals in Iowa, they're going to have to get together with environmentalists, the people in the towns – and that's the only way you're going to keep raising your animals. Because, guess what? Nebraska has forty-some percent more farmers in the last years than Iowa does, because they got Initiative 300 that protects the independent small farmers from the big corporations. Forty-some percent more than any other state in the U.S.

So wake up! Iowa and Iowa State came out with this plan, and the only reason Iowa State backed out is because they were politically forced to. You know that, I know that. Thank you.

MODERATOR

Jeff Clausen

JEFF CLAUSEN

Thank you. I'm Jeff Clausen from Pottawattamie County. I'm a farmer and cattle feeder. I'm very concerned about air and water quality because my family lives and works on just a few yards

from a feedlot, which we all operate. And if there is verifiable health effects there, we need to know about it. But that needs to be proven to us before we are regulated out of business.

The hearing, water quality regulations are, to me, it looks like small producers who are generally older producers throw up their hands and give up. And medium-size producers like myself are being forced to become larger to comply with those regulations. And I guess I just want to make sure that the Commission is thinking about that economic ramification that takes place there. The more regulations are placed on us, there's always more cost, and with the water quality thing it looks to me like we're going to have to get bigger to justify those costs.

Thank you for your time.

MODERATOR
Chris Perdue

CHRIS PERDUE

My name's Chris Perdue, and I'm proud to be an Iowa farmer. As you know, the meeting tonight is about the hydrogen sulfide emissions for livestock operations. As proposed, it's 15 parts per billion, and this is claimed to cause material and verifiable adverse health effects.

So what does this really mean? Tonight we should ask these questions that we want to be sure and be clear on. What does this mean? Who determines this? How is this determined? Scientific research needs to exist to prove potential significant health hazards. The DNR needs to be careful to set standards and regulations on unjustified science. Livestock is very important to Iowa economy, so be very fair on regulations imposed on our farmers. We don't want to lose the livestock industry at all.

And remember, Iowa farmers live on the land, and we do care about the air quality. And I like to farm, and I'd like to continue to farm here.

Thank you very much.

MODERATOR
Kelly Cunningham

KELLY CUNNINGHAM

My name is Kelly Cunningham. I'm a third-generation dairy producer. Thanks to the DNR for allowing us to comment here tonight. As a dairy producer, I care about the environment. My family and my 28 employees work every day on the dairy, and no one has experienced any negative health effects. In your comments, you're claiming that there are verifiable health effects – I'd like to know what those are and who determined them.

Secondly, I want to make it clear that ISU has refuted their original study and thinks the 15 part per billion level originally proposed is too restrictive. Let's try and complete the field study, then support a level that is supportable by sound science and a level that is backed up by detrimental health effects, if there are any. I, too, firmly believe that livestock helps make the rural economy strong. And regulating us out of business will have a dramatic effect on the state.

Thank you

MODERATOR
Bryan Karwal

BRYAN KARWAL

Just have a couple comments tonight. I just was thinking the other day – I've lived on the same section of land for, oh, in about a month it'll be 50 years. And just want to let everybody know and the people here that I feel it not only was one of the best places I could have raised my family but it was the best place – environmental ___ and the physical environment for my family and my parents and all my family.

Second comment I'd like to make is, being involved in agriculture, I see a lot of things come in for research. And the problem with research is, you've got something called environmental influence, and the only way to take care of that problem is to do repetitions and repetitions, and it just takes a long time to get proper research that is actually comes out with fact. So we have to have time and repetitions to make sure what we come with the conclusion is the actual reality of the situation.

Thank you for your time.

MODERATOR
Denise O'Brien

DENISE O'BRIEN

Thank you, DNR, for letting all of us speak tonight. And I'm Denise O'Brien. I've been on the farm for 28 years, since I married ____. We milked cows for 21 years until the prices were so low that we decided we couldn't afford to lose anymore money. We thought we had our management practices in good shape, but the price was so low – and I understand that it's lower now than it was when we finished farming. So we wish we could still be doing that, but we can't.

This proposal only starts the process of baseline data gathering, and I think that's really important. Everyone here tonight has talked about sound science, sound science and sound science. So I'm going to probably dream about sound science tonight. And if you read what it says in these regulations, there's nothing, there's no law in place yet. They're going to study this. Nothing can be acted upon until scientific data is gathered. We need baseline data to make

decisions to have our sound science. So the legislature can't do anything until things are gathered anyway.

I believe gathering data that we can have discussions based on facts and not on emotions, as everybody wishes that we wouldn't have arguments on emotions. This process will give us the facts.

I think that if we thought about what's gone on in our... I've been a farm activist since the early eighties, since the farm crisis. And I wasn't born into farmer but feel like I have a sense, a bit of a sense of it. I can't say I'm four or five generations, but I think that I've been doing it long enough to have a sense.

I started going to the legislature to work on farm issues in the eighties, and in the eighties we didn't have these problems. We didn't have these problems of dealing with what we're dealing with now. We've had these problems since we've allowed hog factories, factory farms to come into Iowa.

And I want to say I'm not a member of ICCL, so ICCL didn't put me up to this. I'm a member and a farmer in Cass County. I feel very strongly about family farm agriculture. We've lost a lot by letting the industry into our state. We have a veterinarian sitting in the front row. We used to have four veterinarians in Atlantic and in this area. We used to have those people that instead of being cat and dog veterinarians, they used to be animal livestock veterinarians. And I think that we've let our state get us into an industry that has put us all out of business, many of us out of business.

It grieves me to see that our real neighbors and communities are polarized by the issue of factory farms. All of us want to see a flourishing agriculture in Iowa. And in order to have agriculture we need farmers; we need more farmers, not fewer farmers. In order to have a thriving world community, we don't need the factory farms -- those are destroying our infrastructure and our tax base.

We are raising the same amount of hogs that we did in the state of Iowa since the 1950s. The numbers haven't changed. The farmers have decreased, and it's not because people don't want to farm. There's a lot of young people out there that would love to farm and love to be on our farms. We need smaller farms, not larger farms. We need to protect family farm agriculture in Iowa, not the factory farm structure of agri-business that destroys Iowa.

The legislature is a political football; whoever is in power gets to make the rules, and right now we have rules that many of us don't like. We have oversupply and we have low prices. If people would look at the federal farm policy, they would understand that that's what's putting us out of business.

MODERATOR
Oliver McFadden

OLIVER McFADDEN

I'm Oliver McFadden. I live south of Atlantic, and we've farmed in Cass County for 121 years. And I'm a beef farmer, and I work at a manufacturing plant that manufactures cattle feed equipment.

And I believe that these regulations that the DNR is proposing of 15 parts per billion are very stringent, and I think that if they were implemented at that level, that they would cause economic harm to the small farmers and larger farmers alike, plus also the manufacturing and other business-related industries in Iowa. And I do not support the 15 parts per billion level.

Thank you.

MODERATOR

Okay. That's everyone we have on our list that marked that they want to give a comment tonight. Is there anyone else that wishes to make a comment?

NICHOLAS HUNT

Thank you for allowing me to speak tonight. My name is Nicholas Hunt from Atlantic, and I'm a fourth-generation family farmer. We feed cattle in an open feedlot. I am opposed to setting air quality standards for hydrogen sulfide and ammonia for livestock operations.

My family lives near our feedlot. We have never had any negative health issues with air quality. The standard of 15 parts per billion is not realistic. Any monitoring should not be closer than the required separation distance.

I also feel regulations from DNR hurt all of us economically. The result of more rules, standards and/or regulations on our industry will only drive livestock jobs and money out of this state. This obviously would have a negative economic impact on Iowa.

Thank you.

LEE LITTLE

I'm Lee Little. I'm a Taylor County Supervisor. I came here with a prepared speech about problems in Taylor County. After listening repeatedly that we don't have sound science to set air quality standards in Iowa, we have a report from our two universities that jointly, two years ago, said 15 parts per billion air quality standard for hydrogen sulfide is needed.

I'm sure most of us in this room are not scientists. How can we sit here and dispute our two universities and their scientific knowledge and the effort they put into this study to protect the people of Iowa? This is not about eliminating farms. This is about air quality for us and for future generations. We cannot sit here and say our scientists are wrong when this paper has stood with no other large scientific group in the world to dispute it.

I'm speaking for hydrogen sulfide standards.

BETTY LITTLE

I'm Betty Little, and I am an Iowa CCI board member. I live in Taylor County. Our group has over 2,000 members in Iowa, both urban and rural, of which many are family livestock producers. We have been fighting for clean air standards and will continue to do so. We won't give up.

My home is surrounded by several large hog confinements, and believe me, it's not emotions but my nose that tells me the air is absolutely unbearable. There are many days and nights during the year we don't have the liberty to open our windows or work in the yard. We often prisoners in our own home.

The state of Iowa needs clean air rules. The sooner the air. We all have the right to breathe clean air.

VERN IIGGES

I'm Vern Iigges. I'm from Carroll, Iowa, and I'm the vice chair of Iowa CCI Board. I have heard several things tonight that I would like to dispel.

First of all, I'd like to say that Iowa CCI members are in support of the 15 parts per billion, and we'd also like to see the limit on ammonia and on odors. The DNR needs to include this ammonia and odor standard because it is also recommended by the joint study. We need a limit on this ammonia and odors that come out of the factory farms. There's absolutely no sound reason to back away from the recommendations in the joint Iowa Study.

There's several things I heard tonight – that these air quality rules will put small family farmers out of business, and they'll drive the hog industry out of the state. Well, prior to these large-scale factory farms moving in, Iowa was not impacted as it is today. It's the sheer quantity and concentration of animals and their waste from factory farms that has increased the amount of hydrogen sulfide.

In addition, this rule will not be aimed at family farmers. The DNR has limited resources and only ten monitors. The DNR has stated that they are targeting only the largest farms. Aside from that, other states including Minnesota, Nebraska, Illinois, Missouri and North Dakota already have air quality standards.

And when it comes right down to it, I think it was Mr. Henricksen said before that he was not for any standards at all, and I think that holds for the majority of you. This group here tonight is stacked with Farm Bureau, pork producers, cattlemen's association, and Iowa CCI members. It's about two thirds, ten percent, another ten percent, and another ten percent. So it is stacked tonight. That is why you saw so many stand up when some ridiculous question was asked.

A standard of 15 parts per billion for hydrogen sulfide is too strict? How about this? The World Health Organization is calling for 5 parts per billion. This could come down from the EPA. Fifteen parts would not sound too strict then, would it?

It has been determined that at 15 parts per billion over a 30-minute average has negative impacts on 22% of the population. And at 30 parts per billion for a 30-minute average, it had negative impacts of 40% of the population. So someone asked a while ago, we want it at 70%. How many percent of the population is that going to affect?

Another thing I heard tonight, that the joint university study is outdated. The rules are not based on sound science. Well, for years industry has tried to discount science when it wasn't what it wanted to hear, and I think that's what's happening tonight.

As you can see, I've got a prepared list, and it's shown that these questions are stacked, these comments are stacked. The same questions were asked at Spencer. The same questions were answered here tonight. They probably will be in the future.

The joint university study was a consensus when it was released, which means both universities supported its findings. Now Iowa State University appears to be backing away under the same pressure that you're probably getting tonight on the numerous amount of comments put up by the stacked comments tonight.

The fact that two thirds of state legislature voted to kill the DNR's clean air rules last year sent a message to the DNR not to move forward at all, that clean air rules should apply to all industry and not just factory farms. Last year industry and business representatives – and a lot of you probably were there – pressured state legislatures to kill the rules, claiming that the rules were too broad because they applied to all industry, not just factory farms. Because of this, the new DNR's proposed rule is targeted toward factory farms. The message came out at last year's _____ that the rules should be targeted at factory farms. Now you're saying just the opposite, that the rules are too specific.

Grass roots people and other people of the state, outside of Farm Bureau, pork producers and cattlemen's association, support these rules for all industry. They recognize that factory farms seem to be a major source of hydrogen sulfide and ammonia pollution. According to the EPA, 75% of all ammonia emissions are from agriculture. Factory farms have created a problem that needs to be fixed.

So with that, I would like to say that we might be 10% here tonight, but we're carrying a big stick, and we're going to continue pushing, and we will not give up.

CLIFFORD CARNEY

Clifford Carney, Guthrie County, fourth-generation farmer. I live within a two-mile radius of one dairy, four hog facilities and three cattle facilities.

Farmers have always adopted sound science. Example: seed corn. Fifteen parts per billion is not based on sound science, and the standards should be based on sound science.

Thank you for listening to me.

JOHN YOUNG

John Young, Montgomery County, fifth generation. Corn and soybeans, 14 years in hogs. You guys have just heard, a couple of speakers ago, that if you aren't proactive, they will be. If you don't get tough, they'll be tougher. If you don't contact your legislators and constantly lobby and talk to the DNR. They're talking to them all the time. When you're working your 18-hour days, Bryan Karwal and Fred Hunt and Nick Hunt, they've time to go talk to the DNR and the legislators and EPA. So you'd better take time. We'd better take time.

Otherwise we are going to be run out of this state and out of this country with livestock production and later on it will be grain production too, as Al Gore was stating four years ago during his campaign. And it wouldn't be so bad if all of our food was produced overseas.

The ICCI has been around putting articles in papers, buying space. I've seen it. Everybody better wake up. Like he said - we're coming at you. Well, folks, we might push back because we're pretty tough too, and you better understand that. I've got a wife and three kids, and my kids are planning to farm, and we're not going to be pushed out.

MODERATOR

Is there anyone else who wants to make a comment tonight but did not get a chance to do so? Okay. With that, it's nine o'clock. I'm going to conclude the hearing tonight. We certainly appreciate all the comments that we got tonight. And Gene and Doug and myself will stick around afterwards. If you have any questions, you can come up and ask us.

**Iowa DNR
Mason City Public Hearing - March 3, 2004
Ambient Air Quality Standards**

DNR
March 3, 2004, Mason City, Iowa.

When you come up, please state your name and your work and affiliation here tonight. Please state the affiliation, and we have a tape recorder running. It's recording all the comments.

TOM STOWAGER

My name's Tom Stowager, and I'm from Algona. I'm on the Iowa Cattlemen's Association Board of Directors. I'm also on the Kossuth County Cattlemen's Board of Directors. I do have my family farm over by Marcus. I've got a brother and a dad who feed quite a few cattle over there.

Obviously, this thing appears to be a hog issue, but it's not a huge issue. It's going to affect more thins than just the hogs. So for those of you who think that you're exempt, there's people here that want to take everybody as a prisoner.

So frankly I got a little bit of an education about this today. We have at the Iowa Cattlemen's Association a gal by the name of Carol Balvance who is on top of this about as much as anything, and I guarantee that Bryan probably knows her personally.

The first thing I want to address is the "university study." I guess I'm a little insulted. I went to school there for seven years, and frankly it's a crying shame that they call it a study. My understanding is that that thing could not stand peer review if it ever came out from another study. It was frankly "cooked" from the word go, and the 15 parts per billion has no scientific basis at all.

The CDC recommends 70 parts per billion, but their standards are based on an as-proposed Iowa Cattlemen's Association bill this year. The acute health effects are based on 70 parts per billion for a duration exceeding 14 consecutive days, not 15 parts per billion over an hour.

The second issue is a chronic health effect, a concentration exceeding 30 parts per billion for a duration of 364 consecutive days. So they're talking significant lower concentration levels than even the CDC is recommending as being a health effect.

So why is that? Why would the DNR want, or the University of Iowa, I'm sad to say, want something significant less than that? The only thing I can figure out is, frankly, they don't want livestock in the state of Iowa. And if there's people here that don't want livestock in the state of Iowa and you would rather have everything around you and CRP and watch the deer and antelope

play, then frankly you probably aren't going to have a job either. So I hope you're independently wealthy, because that's probably what's going to happen.

Livestock is very important to the state of Iowa, as long as it's managed properly and not completely to the disregard of your neighbors – that's not acceptable behavior either. But it doesn't mean your neighbors can really run over you also because they're sensitive to a little bit of smell. Frankly, there are smells all over places, not just in the country. I mean, the state of Iowa has a long history in livestock, and frankly for those of you who think that we should not have livestock, then maybe you ought to go to another state and not the state of Iowa.

I have a lot of other things to talk about, but frankly I know there's other people want to be here and get up and have an opportunity to speak. Frankly, I've been at meetings all day. I've got kids who want to see me.

And I hope the DNR and everybody else here comes to an understanding that reasonable rules are okay. Unreasonable rules only create unreasonable problems. So I appreciate the opportunity to speak.

DNR

Thank you. Brad Petersburg

BRAD PETERSBURG

I farm in north central Iowa, farmed all my life up near Hamilton, Iowa, and actually have a 3500-head hog operation about a quarter of a mile from me. And occasionally I'll notice odor, but frankly it's much less than when I was growing up on the farm and we had hogs on the farm. So I have firsthand experience all my life with living around livestock and hogs.

I don't have a problem with regulating air emissions, as long as it applies with all industries, not just livestock but all industries, and as long as it's based on some sound science. And I think that the DNR has overstepped the bounds here on that issue.

From my own experience as far as how frequently do I notice odor, it's quite infrequent, and it's typically maybe late in the evening or early in the morning when the air is heavy or moving slowly. Otherwise, it's very dispersed. So there's only brief periods of time when I actually notice the odor or when you would collect or notice these higher levels of emissions. So I think that it's really unreasonable for the DNR to look at the highest one-hour period during the day and to extrapolate that and assume that people are exposed to that level 24 hours a day. It just makes no common sense. It's not reality.

So I'm real disappointed in the lack of sound science taken into consideration on the standards that have been established and would appreciate the DNR also respecting the wishes of the majority of the people we've elected to represent us in the senate and house. And last year these virtually the same rules were struck down by the legislature, and the DNR seems to just thumb their noses and try again. And I just don't think that's right. Maybe that means if there's no

regard for the wishes of our elected representative, maybe the DNR has no regard for our concerns expressed here tonight either. I do not know. I don't quite understand the process but would appreciate a little more science going into these standards.

DNR

Thank you. Gerald Anderson, Mason City.

GERALD ANDERSON

My name is Gerald Anderson, and I have memberships in several groups and organizations, but I'm not here as their spokesman or as their representative. I'm here to comment as a concerned Iowa citizen.

Several speakers on this subject have, mostly opponents to air quality rules, have said that those of us who favor air quality standards want to drive the livestock industry out of the state. I would like to ask this group: Is there anyone in this room that wants to drive the livestock industry out of Iowa? Anybody? Nobody. Some of you are not being honest, because the first speaker opposes air quality standards, and he's claiming that there's people in here that want to drive the livestock out of the state of Iowa. I didn't see anybody raise their hand.

Another question I'd like to ask the audience: How many of you want to breathe clean air, drink clean water, have the fish in the streams, lakes and rivers survive? How many of you want recreational areas that are clean to go to, fun to take your children and your family to? How many of you want to tap into the underground water aquifers and get clean water for your farm, your livestock, your family? How many of you want to do all those things? There's a few that didn't raise their hand, don't want that. I don't understand that.

Can I ask the DNR, do you have a number on how many manure pits, storage pits are on the ground in the state of Iowa? Thousands?

DNR

I'm sure we have a number, within the Department. By the way, we're not going to actually respond to any of your comments today. As Bryan said, responding to those....

GERALD ANDERSON

I was just wondering if there was a number on how many pits and lagoons there are in the state. Each one of these emit gases, every one of them. And that's not guesswork, that's sound. We all know that; even those of you who are producing know that there's gases coming out of these pits. Does anybody want to breathe that?

Now, I'm not the expert on the standards, how much of it you can breathe and still have health, but the DNR is charged with controlling these emissions. That's the mission of the DNR, to protect our environment. They're not here to protect your concentrated animal feeding operation if it's emitting standards above health effects. If one part per billion ammonia, hydrogen sulfide

or whatever gas comes out of these things is harmful to your health, breathing, drinking, polluting the air and the water, to me that's too much.

DNR

Mr. Anderson, would you wrap up now?

GERALD ANDERSON

Thank you.

DNR

Chris Bedford.

CHRIS BEDFORD

My name's Chris Bedford. I'm the campaign coordinator for the Care for Iowa campaign for the Humane Society of the United States, an organization of seven million Americans who care about the welfare for animals. We're not PETA. We work with and support farmers who raise animals. We just like to see animals raised the right way.

There's going to be a lot of talk here about numbers. None of us here are scientists, I would presume, and so whether it's one level parts per billion or another, there is an undeniable reality here, which, if you're a hog producer and you raise animals in confinement, you've got to deal with, which is to say there is a public perception that has nothing to do with science, that there's a problem. That's why there is such an uproar over this.

And so the scientists are not going to protect you from that public perception. It could be 2,000 parts per billion, and nobody will ever achieve that level, and you're still going to have a problem -- because the problem is, people perceive there is a problem.

In Nebraska the Supreme Court ruled that anybody living within a mile of a regulated CAFO, 2,000 animal units, or a thousand animal units, was eligible for a 15% reduction in the valuation of their land. That was a legal ruling. That had nothing to do with science; it had to do with perception.

We're talking about, you know, the end of animal production -- nobody's, as the gentleman before me said, nobody in this room is in favor of ending animal production in Iowa. That would be not environmentally sound because nature farms with animals. We need animals to have an ecological farming system -- that's clear. Anybody knows anything about farming, that's part of the deal. Okay, so we're not talking about doing away with animals.

But he did say, if you don't like the way it is in Iowa, leave it. Well, in fact, that's exactly what's happening. Those 67 counties that lost population, why was it they lost population? Where are they located and how does that location relate to where the animal, the concentrated animal feeding operation is located? To put it another way, an economic development official in Iowa said, "What business is going to come to small-town Iowa to a county covered in hog manure in

which people perceive that there's a problem. If they perceive there's a problem, that means you've got a problem.

So I think this is wonderful that we're having these hearings. And I'm not a scientist. I can't tell you what the number is, but I can tell you this has nothing to do with your real problem. You guys have got to think about raising animals in a different way. Thank you.

DNR

Stephanie Nelson, _____

STEPHANIE NELSON

I am Stephanie Nelson. I'm a registered nurse. I work in the Des Moines area, and I live in Belmond.

I support the DNR's proposed hydrogen sulfide standard of 15 parts per billion. I also feel the DNR needs to include an ammonia and odor standard, as recommended in the joint study. And I also feel that the university study as states hydrogen sulfide and ammonia have been measured near factory farms concentrations are harmful to humans.

I work on a pulmonary floor, and I take care of people every weekend who can't breathe with various health issues. I do not want to jeopardize my family's health, my health, my daughter's health, or my community's by having to breathe or even take this risk. We have laws stating that people can't smoke in public restaurants. They tell us where we can and cannot smoke. They're putting these hog confinements up all over the state of Iowa, regardless of how we feel about that.

And I think that you people in Iowa really need to take your health into consideration. When you see somebody who can't get up out of bed and walk ten or fifteen feet to the bathroom, it's hard. I don't want to end up one of these people.

DNR

Tom Renner, Ventura, Iowa.

TOM RENNER

Hello. My name is Tom Renner, fourth-generation grain and livestock farmer in the ___ area. My concern is the standards here aren't based on sound science. We've been in confinement hog feeding for 35 years, and I'm just afraid that there's been too much made of the health issue. There's probably some people out there that can't handle the levels of swine confinement feeding, and if there's some health issues, I'm not sure I want my son and grandsons involved in the operation either.

We need to have these issues based on sound science, and we'd just like to be concerned about the livestock industry in the state of Iowa. It's a large industry. We need to protect livestock to

protect the grain markets. And if we lose, if we overregulate the industry in the state of Iowa, it's going to be driven to South America or someplace out of the country.

And we just need to work on this issue and maybe do some compromising and try to get along with our neighbors. We need to be good neighbors; there's no question about that.

So thank you very much.

DNR

Brent Renner, also Ventura.

BRENT RENNER

My name's Brent Renner, Tom's son. I'm currently helping my father operate our hog operation, and as he said, we've got over 35 years of experience in these hog confinement facilities, and we haven't seen any of these health problems that people are talking about, and if we did, we wouldn't be working in them, as people all have a choice to work in these facilities or not work in these facilities.

If there's issues with whether this causes health concerns for people living close to these hog facilities, then that needs to be addressed as a separate issue. But this 15 parts per billion is not sound science, and it needs to be monitored in a way that affects the people that are living by them, not working in them.

DNR

Thank you. Connie Stetson, _____

CONNIE SIETSON

Good evening. I'm Connie Stetson, and I would like to see the standards even lower. We have people fleeing from Iowa. We have people leaving Iowa because of our water control and our laws in allowing so much pollution. I grew up in Iowa. My father was a truck driver and hauled hogs, cattle, all that; I grew up around it my whole life. I've never seen anything like this.

We have different things in the soil that's being caused from all the pollution and the knifing in of too much urine. I think farmers are good stewards of the land, they always have been, and I believe there's a way of working this out and keeping the standards where it's safe for everyone.

Thank you.

DNR

Calvin Poppe, Ionia.

CALVIN POPPE

Calvin Poppe. I'm a farmer, feeder and livestock, swine producer in Chickasaw County. And I guess I just reiterate that we need to kind of work together and try to solve these issues. And I think it all gets down to odor, but we need to have the stuff to an extent on sound science.

And I think this 15 parts that they came up with was just a few guys writing a report, that they didn't even let a different opinion to the report out. And that should not be the basis of all our regulations.

Thank you.

DNR

Thank you. Tom Hanna, _____

TOM HANNA

My name is Tom Hanna. I live up by Kenswick. I've been a farmer all my life. I think we have a problem in this state, and I really wish that somehow we could get together and solve the problem.

It seems to me that, number one, there's a lot of people that aren't admitting there is a problem. And we have to realize, I think a lot of the people here that have operations are looking at their own operation, but there are other facilities out there that don't do the same quality of job that some of you owner/operators do.

None of us want to see the livestock driven out of this state, because we need it. But there is a problem, and somehow we've got to come up with it. I can't understand how you say the university studies aren't sound science, but yet we've depended on them for years and years. And as an agricultural state, we believe everything else they say. I don't see now all of a sudden it's not sound science.

Anyhow, I'd urge some cool heads and to try to come to the bottom of this because there are people that are getting hurt very bad by it.

DNR

Thank you. Jay Gunderson, Princeton.

JAY GUNDERSON

My name is Jay Gunderson. I'm a third-generation farmer for Emmett County. Guess I'd like to say that I believe that Iowa farmers and livestock producers want clean air and a quality environment. My health and my family's health has not been impacted by nearby livestock operations. The 15 parts per billion standard is not supported by sound science, is not consistent with levels established by the Centers for Disease Control.

And I support Senate Study Bill 3123 and House Study Bill 395, and that any testing or monitoring done for any proposed legislation be done at separated distances.

Thank you.

DNR

Thank you. Chuck Grove, Clear Lake.

CHUCK GROVE

I do not think anything. Hi, I'm Chuck Grove from Clear Lake. And I don't think anything I'll say tonight will probably convince one opinion of anybody in the room. But I will pass a message on to the people of the DNR to say that I am a fourth-generation farmer. My family has grown up raising livestock. I currently don't. That was not a health issue that changed that for me at all; it was for other reasons.

We do need to use the best possible information that we have. And times change. Studies and research becomes better all the time, and that's what has happened with some of these studies that have come along. Iowa State has recognized the fact that new information is available from the Center for Disease Control. And so we now have better information to use. They are not recommending the same criteria that they did previously, using the 15 parts per billion. They now are saying that's not justifiable.

I think we all agree that we want a quality of life here in Iowa, but we need to have that done with sound science.

Thank you.

DNR

Charlie Norris, Mason City.

CHARLIE NORRIS

I'm Charlie Norris. I live between Mason City and Clear Lake. I'm a farmer in this area. I also serve on the board of the Iowa Farm Bureau Federation. I say that because many people in the room know that. But I'm here tonight to speak on my own behalf.

I am a farmer. I don't raise livestock. I don't intend to get into the livestock business in the future. Having said that, when it comes to this proposed regulation, let me say I spoke at the hearing, I believe it was in September or October of 2002. The room wasn't nearly as full that evening, by the way. It was during combining. I got off my combine, and I went to speak at that hearing because I felt it was very important that people speak about this.

I am not in favor of this proposed regulation, and the reason I am not in favor of it is, the first study was really not a study. The two universities got together, they reviewed past studies, and

they put that information out. It wasn't truly a study. And in fact since that time, Kathryn Walteki, who is the dean of agriculture at Iowa State University, has said that there is new research available that the number of 15 parts per billion is set to low. And in her letter she said she thought 30 parts per billion would be a more accurate level. As has been said before, the CDC has said that 70 parts per billion is probably the figure that we should be using.

I'm opposed to this regulation because of those reasons. I'm not opposed to a regulation. I think everyone in agriculture, everyone that lives in the state of Iowa wants to breath clean quality air. I know I certainly do, and I think if we took a vote in the room, everyone would agree. But this standard is not the approach to get us there. We need to take the time to do the study, to get it right the first time.

Those were basically the comments I have a year and a half ago. I don't feel that we've really made any progress. At that time I felt that the study, the review, was flawed. I still think it is. The DNR has pushed forward without continuing or doing the study that they were given the charge by the state legislature to do. I don't feel that they're using sound science, and we need to correct that.

Thank you.

DNR

Thank you again, Mr. Norris, for taking time to come and speak on the rule-making issue. Leon Sheets, Ionia.

LEON SHEETS

Thank you. I'm Leon Sheets, and I'm proud to.....

DNR

Would you come over here, please. We have the microphones for the tape recorder on this one. I'm sorry. Thank you.

LEON SHEETS

Leon Sheets. I'm proud to be a pork producer from Ionia, Iowa. I want to say that I am opposed to what we're chatting about this evening.

A couple points. Number one, in your process they said the DNR may set some criteria, not it says "will" or "shall." As I do live on my farming operation at home, and I have some family coming home. They're not wanting to go out of the state, but if we can't create an opportunity at home or in the community, off they're going to go.

We don't want to fight with our neighbors, several of them who are in the room this evening, over the limited amount of land.

[Tape side B]

... studies that can't be repudiated. The current data is suspect. The data that they're currently collecting, they've admitted that they need to reset those monitors, so I'm going to assume that the current data they've spent the last year collecting has to be discarded because it didn't meet the criteria. When they get it properly located, then they can start.

Because of an earthen lagoon, I need a DNR permit to operate. Five years ago I had a fire. To rebuild the barn that burned down, I needed to repermit, hire an engineer starting out about twelve, fourteen thousand dollars, to get him to come out and do the criteria. I met the criteria, and I paid for it. I have to have a nutrient plan to manage my operation. That has a yearly fee now to have them oversee how I handle my nutrients that my operation provides – another cost. I have to have a license to apply those nutrients – that's another cost.

What I do raise a question is – if we have the air standards set back in, who's going to pay to collect the data if we get that far in the process? Is the DNR going to require me to pay for someone to come out and set their little trailer at my operation and collect the information? Will I have to have an operating permit or a license that says that I meet the criteria? Will I have to be required to review all that information all the time?

The other question is – If we do that, how big of an agency is this going to create? I guess I don't want to talk about more big government, but it sounds like somebody's got an agenda that they'd like to have a little more staff under them. How many people is it going to take to operate this air-monitoring situation, and what's the cost going to be? Who's going to be it?

Next year, two years, they're down to the legislature asking for money to protect our health – which we need to. I will not quibble about that, but I live on the operation. But are we creating more government?

Give me some good data. And I would really like to know what my numbers are. Can I hit the 15 parts per billion criteria? Scares the bajeebers out of me right now. If I'm not, I'd like to know. And if I can meet it, then I'm not concerned, but right now I don't know if the air police are going to slap the cuffs on me and set me down.

I do stand opposed to this. Thank you.

DNR

Gary Woodley, Clarion.

GARY WOODLEY

Friends and neighbors, and friends of the DNR, thank you for allowing us to be here tonight. I am Gary Woodley. I am from Wright County. I live near Clarion where I farm. I raise corn and soybeans. I'm on a third-generation farm, and I've raised a family there. We haven't had any severe health problems outside of what tobacco has caused.

I'm concerned about the rules that are being presented at this time. As I raise corn and soybeans, I realize that in order for my business to succeed as a grain farmer, I need to have a good market for my crop. The livestock industry is the biggest user that we have of corn and soybeans, and it's important that that industry continues in Wright County.

Granted, there are some things that the livestock industry needs to be aware of in order to protect the environment for their industry, their workers and their neighbors. However, I'm concerned that these rules that are being presented will have an adverse effect on the livestock industry in our area. So I encourage the defeat of this proposal and request that we have more time to study and come up with more sound scientific information before these rules take effect.

Thank you.

DNR

Casey Schlichting from Mason City.

CASEY SCHLICHTING

Hello. I'm Casey Schlichting from Mason City, Iowa. I'm a young farmer. I represent the Iowa Farm Bureau Young Farmer Committee. I'm a row crop farmer. I have no livestock -- that's the first thing I'm going to say. But like many people before said, that don't have livestock, but they still need a market for their grain.

The rule doesn't directly affect me, but as a young producer I need to take a stand on things like this so it doesn't get out of hand. With the number of young farmers declining because the land's not there and it's just a very hard industry to break into, we're a very proud bunch of young people, and we're not going to back down from how we stand on this.

Also as a young farmer, we do care about the environment, and young people as a whole, we're trying to change things on our farms and farming operations to use less nitrogen and make it a more effective and cleaner environment.

I think this rule needs to be re-evaluated, and I do not back it. Thank you.

DNR

Thank you. Doug Tempus, Northwood.

DOUG TEMPUS

Evening. I'm Doug Tempus in Northwood. I have a small consignment operation, 180 sows, and I live about 500 feet away from my buildings.

I'm concerned about these regulations, and everybody wants to have clean water, clean air, because I have two small kids on the farm that I'm very proud of, and I want them to continue with the quality of life that I grew up with.

And also, it's time for me to go home and do chores.

DNR

Thank you. Andrew Hill, Manly.

ANDREW HILL

Good evening. Thank you to Mr. Bunton and Mr. Johnson and Mr. McGraw for coming to listen to this group. Boy, it's quite a forum and I was sitting in the front and I didn't think it was this full.

My name is Andy Hill, and I'm from Manly. I too am a row crop farmer. I've had the opportunity in my lifetime to go to Iowa State University, earn to Bachelor of Science degrees and acquire a certified crop advisor's license.

I hold science very dearly. You've heard science tonight, and Mr. Bedford, who I believe has left us, spoke very knowledgeably that we have a perception problem. I believe that the number that's proposed in this rule of 15 parts per billion is going to reinforce that perception problem because I do not know, universities do not know what the true health effect is. Tom, Tom lives in my neighborhood, talked about Iowa State and the University of Iowa's study.

Iowa State has come back and said that the study that this rule is based on is flawed. As with anything that's flawed over time, things must change. At one time everyone felt as fact that the world was flat. That supposition was flawed. I believe that 15 parts per billion is flawed.

My daughter is the sixth generation. Correct that - I'm the sixth. My daughter is the seventh generation of my family to live in Worth County. The health of our environment, the health of our family, the health of our economy are all very dear to me. You can tell with my slow speech that this is a frustrating and emotional issue for me. In Worth County we've had a battle line drawn for many years, and it's unfortunate, very unfortunate. We should have conversations like these with good facts.

I'd love to know what the health effect is. And if 5 parts per billion is the health effect, I want to know about it. If the health effect is 20,000, like OSHA suggests, I want to know that as well.

Mr. Anderson, if you are still here, you bring up a good point. Pits underneath livestock do produce emissions. Pits, known as sewage lagoons, outside of municipalities, have emissions. People living, animals living, activities of daily life produce emissions. We need to know what the health effect of all of those are, so that we can keep ourselves healthy.

I'm in opposition to this because the data that I have been presented from the University has been shown by the University to be flawed, and so I would like this to be revisited. Thank you.

DNR

Thank you. Barbara Sheets, Ionia.

BARBARA SHEET

My name is Barbara Sheet. I'm from Ionia, Iowa, and I'm proud to be one of Northeast Iowa's pork producers. We have a 1200-sow farrow-to-finish operation. I'm 50 years old, and I've lived on the farm for 50 years. I'm also a registered nurse. There have been no ill effect in myself or anyone in my family. I do not know of any pork producers in our area that are having health problems.

For the record, I am against the proposed standard of 15 parts per billion. It's far too restrictive and not based on sound studies. Further studies are required. This is going to place an unfair burden on the livestock industry, and inevitably be harmful to Iowa's economy.

Thank you.

DNR

Thank you. Randy Heitz, ___ City.

RANDY HEITZ

My name is Randy Heitz. I have the honor of working with the Iowa Farm Bureau Federation, work with volunteers in five counties in North-Central Iowa. I live on a farm. My son has the opportunity to live in the same bedroom that his dad lived in, that his grandfather lived in, that his dad lived in.

What I want to stress tonight is that farmers, we do care about the environment. We do care about the fact that the hydrogen sulfide proposed regulations are not based on sound science. Daily I go by an agricultural industry that was developed because of animal livestock, and that industry is exempt from the 15 parts per billion. Is that fair? They have a different requirement than what our farmer producers have. To me that's not fair.

I'm opposed to the proposed regulation.

DNR

Thank you. Kurt Kelsey, Iowa Falls.

KURI KELSEY

Good evening. My name is Kurt Kelsey. I'm the state president of Iowa Citizens for Community Improvement. I'm a fourth-generation farmer and livestock producer from Hardin County.

And as of a year ago last fall, in Hardin County we had 452 hog buildings, so I know something about hog buildings. But I've got to tell you, most CCI members are just ordinary people who were leading normal lives until something changed their lives forever. Maybe it was a predatory

lender, maybe it was a hog factory or it was some other problem in their community. And we decided we had to stand up, speak out, and fight back.

In the year of 2000, after hearing from many members and rural residents, we knew we had to do something about air quality. So we collected 6,000 signatures on a petition and turned them into the DNR, asking for air quality standards similar to what other states around us have. The governor decided that before any standards could be passed, that he needed a study. And I personally asked him why he needed this study, and he told me that he wanted a study that had sound science and that would stand up in court.

He ordered this study in August of 2001, and it was done in February of 2002, and it gave us the sound science we need. It was compiled by 27 state university scientists and peer reviewed by eight national and international experts. Now, for years industry has tried to discount science that says what they didn't want to hear. So the joint University of Iowa and Iowa State University study was based on existing peer-reviewed science. Other research released since then does not contradict this study. It's still sound science.

The joint university study was a consensus when it was released, which means that both universities supported its findings. However, now Iowa State appears to be backing away from portions of the study due to industry pressure and not because the study is outdated. The University of Iowa is standing firm on their support of the study.

Now, a lot of people say that air quality rules will run the livestock out of the state, but I've got to tell you that Minnesota, Nebraska, Illinois, Missouri and North Dakota all have hydrogen sulfide standards, and they have viable livestock industries, and many of their other rules and laws are much stronger and stricter than ours.

So I think what's going to hurt this industry more than a few rules and regulations, it's the mindless expansion and concentration of the hog industry. Just think about it. You know, the bean price is really good now, and the reason it is is because we didn't raise as many beans last year. Do you suppose this might work for the hog industry?

I think we need to look down the road a few years and see what we're doing to the environment and how it's going to affect future generations. You know, many times tomorrow's problems are today's solutions. So why not use the precautionary principle where the burden of proof is placed on the proponents of a potentially harmful activity to prove that their actions do not harm human health or the environment.

So we talk about economic development. Well, I've got to say that if we have clean air and clean water and good schools and good infrastructure, that people will want to live here, and if people will live here, economic development will follow.

So Iowa CCI members support DNR's effort to adopt a hydrogen sulfide health effects standard of 15 parts per billion, one-hour average at a separated location based on the recommendation in the joint University of Iowa and Iowa State University study.

Iowa CCI members praise the DNR for moving forward again on air quality standards for factory farms to help protect Iowans and the air we breathe.

Thank you.

DNR

Arliss Kelsey, Iowa Falls.

ARLISS KELSEY

My name is Arliss Kelsey, and I am a farmer, and I'm from Hardin County. I'm a member of Iowa Citizens for Community Improvement.

I support and commend you, the DNR, in your efforts to adopt the hydrogen sulfide standard of 15 parts per billion. It was recommended by the University of Iowa and Iowa State University in the CAFO air quality study. It is legitimate, it is sound, it's current, and it's with solid research. Its evidence is based on the best science available. We also need the ammonia and odor standard as stated in the study, because they affect the health and well-being of people also.

Good industry accepts reasonable pollution controls, which I feel these are, as in this study, as a fact of life, as a part of the cost of doing business. The largest corporate hog factories and entities who support them, big business and outside investors, do not accept good and reasonable pollution controls that sustain our air and our water and our communities. They are interested in one thing, their bottom line.

It is important to be independent thinkers and to stand up for ethics in business. That is what we are here for tonight, to stand up for the hydrogen sulfide and ammonia and odor standards from the University of Iowa and Iowa State study. We all need to accept responsibility for what we do. These standards will help make the largest corporations more responsible, because those are the ones that are going to be targeted by the ten monitor setups. And they will also help protect the health of the people of Iowa.

DNR

This next one I'm unable to read the first or last name, and they didn't write down where they were from. Whoever signed in right after Arliss Kelsey, if you're available, please come forward. Otherwise, you can wait until the end if you decide to come up. We'll go ahead and move on.

RON BRADA

Is that Ron Brada? Is that what that says?

DNR

I can't tell, sir, I'm sorry.

RON BRADA

Does it say Iowa Falls?

DNR

No, it doesn't

RON BRADA

Okay, well, it's not me.

DNR

It just says "farmer" next to it. Steven Anderson, it looks like, Mason City.

STEVEN ANDRIKE

Thank you, gentlemen. My name is Steven Andrike, and I am a farmer south of Mason City. I'm a fourth-generation farmer. My family has been in this area for well over a hundred years now.

I have an interesting story to tell right off the bat. I have a good friend from Berea, Kentucky. He's a farmer and a livestock producer, a cattleman. And he traveled, had the opportunity this fall to travel through the state of Iowa. He traveled up I-35 into Minnesota, across 90 and into South Dakota, stopping on the way to pheasant hunt. And he made a comment to me after his trip was all over with that he found that Iowa was a great state because we are so deeply rooted in agriculture that we could live in harmony with not only agriculture but urban people. And he commented about the number of livestock facilities along I-35, and he just saw from a birds-eye view that we live together, and we live as a strong community. He enjoyed the people he met here in the state of Iowa, and he enjoyed the opportunity to be here and add to our economy through his pheasant-hunting experience.

Well, after he made these comments, I sat back and I thought a little bit, and I thought about all the issues that have gone on in the state of Iowa dealing with agriculture. And we really are a great state, and we're deeply rooted in agriculture. As those roots run deep, it's because we have the opportunity to come together and work together.

Tonight's a great example of how Iowa citizens come together. We may not all agree on our issues, but we come together, we discuss them, we base our opinions in front of each other, and we come to a consensus. And that's what the Iowa DNR now is charged with doing is have these public hearings and come to a consensus on how we feel as citizens of the state of Iowa.

As I said, I am a grain farmer, and much of my income depends on the livestock industry here in the state of Iowa. Almost 20% of it comes direct from feeding my corn and soybeans to the livestock.

I do stand here today in opposition of the 15 parts per billion standard in value. I do believe that regulation and clean air is needed for the state of Iowa. I do support the 30 parts per billion standard set up by the Center for Disease Control. This is also supported today by the Iowa House and Iowa Senate.

Thank you very much for this opportunity.

DNR

Thank you. Ron Brada, Iowa Falls.

RON BRADA

That would be me. I'm a retired postal worker, by the way, but I also, since I retired, I did become a member of many organizations in order, they want to protect the environment.

And I can understand. You know, sometimes I get bitter, but tonight I'm not bitter. I understand there's two sides to the story, and there's people who have the bottom line, they have the industry, they're in it, and they're involved. But you have to remember, sometimes you go so far down a road, you go the wrong way, and eventually you have to turn around and go back. And that may be what will happen in this case.

I'm surprised, surprised tonight about so many of the experts that are getting up here. They know 15 parts per billion is wrong, and they know it's not sound science, and we need more study. Gosh, I've heard that before, I've heard that before. One person said something about, "Well, let's see now. Aren't we respecting our respected officials?" Wait a minute. This isn't about respected officials, elected officials. They're supposed to be respecting us and getting us the laws that keep our environment clean and protect the children, the older people that live out in the rural area, and they're not affected by this.

Not sound science? Hey, I do not know. These people spent their lives studying this stuff, and we're standing up here saying, oh, that's not sound science. Now, here's a man here, I guess the head of the Environmental Medicine of the University of Southern California. Now, I do not know if he knows what he's talking about. He's an older gentleman. He's holding up this book that says, "Noxious Gases and Their Effect." He's studied this for quite a while, evidently. He said, "You're progressively dehumanized by the dose. The evidence is pretty convincing that whether explosively or insidiously, at low doses the effects of hydrogen sulfide are the same. It's the progressive loss of brain." I do not know. Maybe that's not sound science.

We had 27 professors from Iowa University and Iowa State University checking this out, spending time on this, going into this in depth. These men were qualified. You know, they had a little bit better education than most of us, and they are devoted to what they're doing, so I'm not likely to discredit them at the flip of a hat or at the motion of the Farm Bureau or anybody else who's opposed to protecting our people.

Anyway, the 27 professors came up with that joint study, and I'm willing to abide by it. I'm saying I'm not an expert. I'm putting my trust in the study. As the other gentleman said, others, we've always respected their judgment. Let's not say because some organization told us, well, we've got to make an issue of this or that. Let's respect them. They're trying to protect your

health. And I respect the DNR for continuing on with this issue, because it's really important for the protection of the health of the state ...

[end of side 2, tape 1 - beginning of tape 2]

DNR

... Afmeister, _____

DARWIN HAFMEISTER

My name is Darwin Hafmeister, and I'm a fifth-generation grain and livestock producer. I guess I would be called a small farmer.

And I guess first I'd like to start out maybe by asking a couple questions. First, how many in here own livestock? Okay. How many have large confined feeding operations that those livestock are in? And how many own the livestock in those units? And how many built those units by your house?

We have five confinement operations within a mile and a half of our house. The closest one is 1800 feet southeast of our house, and we smell this one probably twice a week in the winter, and in the summer there's days when we smell it every day. And when we had a northwest wind, we went to bed and woke up in the middle of the night with a southeast wind, and we had to wake up and shut our windows because it was coming in so bad.

And I've fought for local control for a long time. I mean, I've talked to the Farm Bureau, and I said, "You know, we need local control." Because some of these that are a mile from me, I don't smell. And they can be on the north side of my house and I don't smell them, but if they put them southeast of my house, a study has shown that's the worst place to put them. And yet when they built that one, nobody asked me if the southeast was okay. And they came in and 1800 feet from my house they put this thing, and now I'm stuck with it for the rest of my life.

And we started my son farming, and he farmed for about five years and quit. And the reason he quit wasn't because he doesn't love farming because he loves farming. We're livestock people. I put my arm in a combine ten years ago, and I could have quit, but I love livestock so much that I came back and I stayed with it. And so when I say this, I say this from the heart and not just because I'm out here trying to be a businessman trying to make a profit.

And when we wanted local control, the Farm Bureau fought against it. They said, "No, we're not going to do that. We don't want no local control." So now we've got these buildings sitting right where we don't want them. And everybody's hollering it's a matter of perception because now they smell. Well, they do smell.

And now we could call this hypocrisy, but maybe I'll just call it irony - the Farm Bureau has come out and now they want a law and says that we can't build a house within 3,000 feet of their building. And I own another farm south of where we live, and it's a beautiful, rolling hills. We

pasture cows. We've got deer and turkey and pheasants, and yet I can't build a house on that farm because it's closer than 3,000 feet to all these other confinements. And so now I'm told what I can do.

And I guess, you know, it becomes a matter of perception, you know? We're looked at as if we're going to fight every rule that comes along just so that we can make a profit. And the first thing we holler is, "I can't make a profit." And yet if we don't want a perception that we're doing something for the environment, we have to change that.

I guess if, you know, if we want to say, okay, I don't want nothing changed, it's going to drive livestock out of Iowa, then that's the way it'll be. But if we want to do something, I think we'll go and we'll say, okay, let's just get something done – let's not put this off for another year; let's not do another study. Because in the meantime every morning when I wake up I'm going to smell that shit, and unless we do something now, it's going to be that way for another five years.

DNR
Dan Brozik, Garner.

DAN BROZIK

My name is Dan Brozik. I live in Hancock County. We run a farrow-to-finish operation. We've had confinement buildings since '83. They're within five, six hundred feet of our building site. Never had any health problems. I've raised a family there, no health problems with the family. I don't want dirty air or dirty water. I don't want the smell either, but I live right next to it, and I don't smell it.

Now, I think we need some kind of standards, but I think the 1500 parts per billion is just too low. I'm not a big producer. And all these monitoring sites are at the largest production area or sites in the state. Now, a lot of you people are for family farmers, and that's what I am. But when they pass that law, it isn't going to affect only the large farmers; it's going to affect the small family farmer too.

So I'm in opposition of these rules. Thank you.

DNR
Dean Jurgens

DEAN JURGENS
I'm in opposition to your rules....

DNR
Thank you. Sheldon Jurgens, Sheffield.

SHELDON JURGENS

Hi. My name is Sheldon Jurgens. I'm a fourth generation on a grain and livestock family farm. I don't agree with the proposed hydrogen sulfide standard because the 15 parts per billion is not based on sound science. I know you've heard that before. And it's not consistent with the levels established by the CDC.

I'm not against clean air or air quality standards, but they must be based on evidence rather than public perception.

DNR

Thank you. Bob Wolfram. Would you like to speak now or wait 'til the end? Okay, go ahead and come forward.

BOB WOLFRAM

Hi. I'm Bob Wolfram from Ventura. It's a few miles west of here, live on Clear Lake. You know, for many years I remember back when I went to high school, the farm kids, they'd come to school not all dressed up that well. You know, they came with the smell of hog shit on them, and it hurt me, it really did.

I guess I've been a friend of the farmer for a long time. I joined FFA in 1970 when I was gone in school, worked on many family farms, slave auctions – I'm sure you're all familiar with those. You know, folks, a lot of people that raised hogs in those days aren't raising pigs anymore. Farming has changed. Will we go back to those days? I don't think so. But we still have to respect those that want to raise their pigs the way they do.

You know, I'm not the best public speaker in the world, but I feel like I'm in good company here with all my family farming friends. But, you know, I've also two years ago I have a friend who's with the EPC, the Environmental Protection Commission. He was one of the commissioners, and his name is Jim Braun. And he decided to leave that position because he wanted to run as a legislator in my district. Anyway, Jim was familiar with hog raising pigs. He was one of the leaders in hog confinement back in his day. And he ran a good, clean race against Linda Upmeyer.

Well, the history books will put it that Jim Braun got beat. But no book or newspaper will report the waffling smell of hog shit that came over the town of Ventura the day after the election. Our nearest confinement producer is four and a half miles away. Now, we can sit here and talk about setbacks all night long. We can sit and talk about sound science. You know when sound science was coined? Back in the tobacco days, back in the tobacco days – and here we're still using it today.

But nobody wants to see more regulation, nobody wants to see government grow. I don't. I don't like being told what to do. But to sit here and say that we're experts and that this is too high of a count, I don't see it. I just don't see it. Sure, we need more information. You know, what are the limits? What are the safety limits? But I think we ought to look out after our health.

And I guess that's all I have to say Thank you.

DNR

Kevin Jurgens, Thornton.

KEVIN JURGENS

My name is Kevin Jurgens. I'll try and not cuss at you like the last one. But I'm a third-generation grain farmer and livestock and that was my son that was up here a little bit ago. And I care about clean air and clean water. That's how come we follow the DNR regulations with a manure plan. We follow it to the letter because they come and check on us every year, and that's fine, we don't care.

We just feel that the 15 parts per million is going to be too restrictive, and it's based on something that isn't, well, we don't know for sure. Why even go there if we've got some people that are... Well, if Iowa State doesn't agree with it anymore, why even go there? Keep studying it before you go on.

I guess that's all. One thing I want to say is I've raised hogs the other way. I never want to go back, because the way we're doing it right now is by far safer than the way I used to do it.

Thanks.

DNR

We've got approximately 38 people left that have requested a chance to speak. With the time we've got left, I think to make the process go a little more efficiently – everyone's been doing a real good job keeping to three or four minutes – I'm going to call two people at a time and want somebody kind of a batter-up position here ready to go. And I'll keep calling, so we'll always have someone standing up here ready to go, and I think we can make it flow a little quicker. Thank you. James Burge is next. After that will be Keith Kuper from it looks like Ackley.

JAMES BURGE

Hello. My name is James Burge. I'm from Kensett, Iowa, member of the Iowa Farmers Union and also on its state board. I'm here to congratulate the DNR on their good job, and I hope they keep it up. We don't need Farm Bureau getting scared now because it's finally coming out that there's health risks out there and they're going to run scared, and we want to run them businesses right out of town.

There's one thing I hate the most in this world – it's Farm Bureau telling us what to do and how to do it. There is, you talk about economical development – why do we have contracts? There's no economical development because Farm Bureau has got everybody set up with the pork producers under contract growers. There is no freedom in that. Minnesota, I work in Minnesota a lot. They have livestock, they got local control, they got air and water quality studies that are better than ours. Why does Minnesota have livestock? They do, it works for them, it can work for us.

I'm fourth-generation west of Kensett, Iowa. If my grandfather... I'll never leave the state of Iowa, but I don't want to be going around being told that Iowa stands for "I owe the world an apology because of the hog manure." It's not right. If my great-grandfather would have homesteaded up in Minnesota, I wouldn't have been down here tonight, because we would have had everything I wanted. So let's get it. We need agriculture in this state, but we don't need it put into livestock facilities that are confinements.

I'm a member of also the Worth County Concerned Citizens that have got a legal suit against Farm Bureau. We're fighting for air and water quality. Farm Bureau went up to our county supervisors and said, "Hey, don't fund them. You know, we don't need them to challenge us." Well, about eight of us stood up and got up \$17,000, and we're challenging the Farm Bureau. We're not scared of the Farm Bureau, because we know in our hearts they're wrong. We need to stand up against them.

If they're worried about hogs leaving Iowa, what happened when House File 519 came in? Where did the independent producers go? They went out the --- window -- that's where they went, and they let the large boys in.

Again, I want to thank the people of the DNR for standing up for us. Our health and well-being is more than the corporate greed of the Smithfield, the Christensen Farms, the Bell Farms of South Dakota. You can go on and on and on, Murphy. Our health, well-being and our property values are worth a --- of a lot more than their bottom line. When they're making one to two to three hundred percent profit every quarter, doesn't that make you sick, working for little or nothing? And you're supporting them. Farm Bureau's got you brainwashed. Man, they do a good job on you boys.

Just before I leave, I wanted to tell one thing -- I am totally against the Farm Bureau and their policies.

DNR

Karmen Mehmen, come forward, please.

KEITH KUPER

My name is Keith Kuper, and I'm a third-generation family farmer in Hardin County. I'd like to thank the DNR for the opportunity to state where we stand on this particular issue, and I think it's great that so many people showed up here tonight.

For the record, I strongly favor this standard that they're proposing. I would only say that we probably need standards as well for ammonia. We probably need standards for odor as well. Odor is a health problem -- there's no question about it; it is well-documented that it is an issue.

This is a great meeting here tonight. One thing wrong with it. It's about ten years too late. I can't believe that it's 2004, and we're still considering whether or not to have air quality standards in

this state, air quality standards. We don't have an option as to whether or not we can breathe or not. We all have to breathe. No one owns the air, but there are certainly people that act like they do. They use it up, and they make it unfit for anyone else to breathe.

Now, I'm all for livestock production. I'm a livestock producer myself. But any industry that jeopardizes the health and the safety and the quality of life and the property values of its citizens deserves, needs regulation, demands regulation. And so this is a good step. And like I say, it's 2004. Those who say we need more studies are living in the past. We've had plenty of studies.

The fact is, I'm a proud member of Farmers Union and Iowa Citizens for Community Improvement. I am a member of Farm Bureau because I, well, I guess that's an Insurance Company, and I need to be a member in order to buy insurance from them. Okay? But they shouldn't speak for me, and they don't.

I strongly favor implementing these hydrogen sulfide standards, and I think this is just a good beginning. Thank you.

DNR

Stan Mehmen, you're up next.

KARMEN MEHMEN

My name is Karmen Mehmen, and I'm opposing the DNR's proposed air quality standards. I'm a Butler County farmer, wife and mother. And as a farmer, wife and mother, I care about clean air and support sound science-based standards. My kids, my family breathe the same air and drink the same water as yours do. My family makes a living from the land besides living on the land, so I feel connected to the environment and the soil.

I support further study based on the facts, not the fear. And I say this from the heart and as a smart businesswoman.

DNR

Thank you. Joanne Tupper, you're up next.

STAN MEHMEN

My name is Stan Mehmen. I'm a fourth-generation farmer and have raised the fifth generation. I plan to protect the environment for my sixth generation. It is very dear to both of us.

That was my wife, and we protect the environment. We are farmers. We have done many measures to inject our manure in a very accurate fashion. We use GPS. We can prove where every inch of our manure goes and how much of it. I'm very proud of that. It is not an imported product. It is raised here in Iowa, and it affects every one of us. I raise corn and soybeans, which is a huge market for all of us here. We need the livestock to do that.

I oppose these standards just because I think there is a little lack of. I guess I'm more opposed to it just because of the discrepancy among the people that even did the study. So I would like to see some further studies.

I'm not opposed to regulations. I think we need to have good, sound regulations that are based on very good information, not stuff that is disputed among the own people that did it. Thank you.

DNR

Thank you. John Jensen, you're up next.

JOANNE TUPPER

Good evening. I'm Joanne Tupper. I'm from Chickasaw County. I live near the farm that my Dad started to farm in 1950. I'm part of a four-family farm enterprise where we raise corn, soybeans, hogs and cattle. The farmstead where I live, in fact, has a hog confinement shed that I helped put the steel on in 1973. My dad made me stay home from school one day to do that so we could put hogs in it yet that fall.

You know, we've been injecting the manure from that facility since 1973, on the ground where I live, near the well where I live – and it hasn't, in my opinion, has not adversely affected the water quality in my area.

We had a comment earlier tonight – I love listening, because then I always change my speech – about perception, and I agree. As a long-time advocate for agriculture, I share the story of how we care for farm animals on our farm. It has changed as we've moved to make farming less labor-intensive.

Many of the youths that have left the agriculture sector have done so because it is easier to get a job elsewhere. They want to have more free time and money, like their friends in town. They're not willing to come back and farm with their dad and work 16-hour days, 6 days a week. And maybe in the winter you'll only have to work from 7 to 6. And Sunday, you know, we still get up and do chores every day.

As producers, the number one priority on our farm is our livestock and our livelihoods, which is the land. We do our best to comply with the existing DNR regulations, and it is my feeling that the DNR needs to use the standards the same as the CDC levels of 70 parts per billion for 1-14 days of continuous exposure and also that monitoring should be done at separated locations.

As I was listening to the description of how they were going to monitor this, they're talking about staying away from the groves, and it was my understanding that groves were a beneficial thing for helping disperse any odors in the air. So maybe I need to study it more and understand that better, but I always thought the groves were a good thing.

As a farmer with four children at home, I care about having a clean environment, clean air and high quality life. I hope that by the time my kids – my son is only eight – gets old enough to have a career, the regulations will not be so strict that there will not be a future for him in farming

Thank you.

DNR

Arlyn Valvick, Swea City, you're up next

JOHN JENSEN

Good evening. I'm John Jensen. Spent, I've been around a few years, been living on the same farm for 56 years, 57 years.

And I get upset with you people that talk about the environment going to the dogs. It's not true. When I first lived where I lived, you never seen a deer, you never seen a hawk, you never seen an eagle, you never seen any of these things. Now why do we see them today? Because we, the farmers, are doing a better job of protecting them. No other reason. You haven't brought enough license to pay for all that what we have done. Don't ever give me that bunch of again that we are not doing something for the environment.

And we buy the hog operators, and they implant the fertilizer into the ground, it's a heck of a lot better than buying chemical built from somewhere else and hauled in, because we're going to spread fertilizer to get our yields of corn.

All these things – and I don't raise any hogs. I raised a lot of hogs at 200 head a year, and if my back tells me, I'm still doing it. And I milked a lot of cows, but I was in the Angus business for the last 35 years, and I'm still living on the farm. I didn't want to get into where I had to smell the city smells.

I spent 24 years making these laws, and I helped make the one you're talking about today, only it's not being interpreted the way I intended it to be. Maybe it was intended that way, but it's not being interpreted that way. And it used to take me a month after I got home to get the gases out of my system that I had to breathe driving to work every day in Des Moines. I tell you, if you think there's odor out here, go move in town.

I tell you, I'm real sore on this thing, and the odors are going to be there. And we're doing better. I think the new hog houses being built today are better than the others. And there's hardly any pits being built today except the ones built by the cities. And all I ask and ever have asked is that the cities live by the standards we've got to live through. You ever drive home from Des Moines when they're spreading their sludge along the highway? I have. I drove home one night, I thought I'd die, the twenty miles where they were spreading that stuff. And that's worse than any hog manure. I know whose manure that was.

And so you've got to think about this. The cities do not live by the same code we do. The sewage line breaks and nothing happens for three or four days, where does that all go? It goes into, in our area it goes into the Cedar River, and they catch it down at Cedar Rapids. And that's the same way it is at Des Moines. It goes into either the, what is it? I can't remember the two rivers there. But they dump it. They can't do nothing else. I don't disagree with what they're doing, but what do we have to put up with it any different?

The standards should be the same for everybody. And I don't know whether the standards are right for this air pollution. We've got to take care of it. But don't think that the farmers have destroyed the environment. The environment is better today, or we wouldn't have the livestock running free around that we have. I've never seen eagles, like I said, fifty years ago. My wife wasted all morning watching one the other day that was sitting in a tree by our house. Now, sheesh, don't go home and tell her that. But she wanted to see it take off, because they're beautiful things to take off. And if you don't have eagles at your place, maybe it's something you do is wrong.

DNR

Susan Brozik, you're up next, Susan Brozik from Garner.

ARLYN VALVICK

That's going to be a hard one to follow. I'm Arlyn Valvick. I'm a third-generation farmer from Kossuth County, and I am opposed to the DNR's current regulations but do support the CDC's regulations.

I was fortunate to have recently attended an agriculture and the environment conference down in Ames where we were addressing water quality issues. While there, the Secretary of Agriculture, Patty Judge, spoke to us, and I'd like to make a quote that she said: "Make no mistake about it. We will farm in the state of Iowa. Not farming in Iowa is not an option." She also went on to say that we all need to work together to solve some of these issues.

I guess my point is this. This problem didn't happen overnight, and if we work slowly and use some good common sense and some good sound science, we can address these issues. Issues? Yeah, we have some issues, but where are the activists at when it comes to feeding the starving people of the world and reducing the use of fossil fuels?

Make no mistake about it -- we farmers do care about clean air and water quality, and we will farm in Iowa, which includes raising hogs in Iowa. Thanks.

DNR

Larry Fulton, you're up next.

SUSAN BROZIK

Good evening. My name is Susan Brozik, and I'm an independent pork producer in Hancock County.

[End of tape 2, side A - beginning of side B]

... and on the record I am opposed of the current standards that are being proposed here tonight.

I have a 19-year-old son who's in college right now, and he wants nothing more than to come back and farm with us. And I am just afraid with the standards that are being presented here tonight, if this stuff keeps on like this, not that we are... As a mother, we are more interested in the quality of life for our kids than anybody, and there's no way that we want things out there that is going to hurt our family, and we're not going to.

But I think that what's being regulated or being proposed here too night is too strict and stuff. And I'm afraid you start with the big ones, where does that leave us family farmers, and I'm afraid we're not going to have a place for my son to come back to farm too.

DNR

Doug Verbrugge, you're up next.

LARRY KOFOOT

I'm Larry Kofoot. I'm a third-generation grain farmer in Mitchell County. We live within 12 mile of two different large confinement operations. One's a hog operation, and one's a cattle operation. I have no problem with them. They're good neighbors. Sure, they stink once in a while. That's something we've learned to live with for a long time.

We've got to have standards out here that everybody can live with. There's no question, we need standards, but let's get them someplace that people can live with. I'm in favor of what the CDC has to say, but I'm not in favor of setting standards that are going to lower limits and push our livestock clear out of the state. We've got to have something we can live with. Let's together and get something done.

DNR

Thank you. Clinton Patterson

DOUG VERBRUGGE

My name is Doug Verbrugge. I am also a hog producer, a third-family generation of farming. As a farmer, I do care about clean air for me and my family also. I think that this 15 parts per million standard is not supported by sound science. Mainly, like another gentleman mentioned, that even between the Iowa State people, they're disagreeing on the exact number right now.

So I'm in favor of the CDC's 70 parts per billion for 1-14 days and going with that level. I think, too, monitoring should be done at a separate location. The trees also to me remind me of a filter

system I put a building site up myself about a mile and a half from town. The first thing they told me to do was put trees up. So I don't understand the monitoring system can't be ... behind the trees where the filtering system is involved.

So that's all I have to say.

DNR

Terry Patterson, you're up next.

CLINTON PATTERSON

I'm a hog farmer from Hancock County. I have a sow unit.

DNR

Would you say your name, please?

CLINTON PATTERSON

My name is Clinton Patterson. I'm from Hancock County. I have a sow unit. I have people that work with me. I'm in those barns nine hours a day. I don't know what my hydrogen sulfate level is, but I'm opposed to levels you're going because, you know, it seems so much lower than any other numbers out there given by anyone else, you know, and it's such a short time period. If you're going to go 15 parts per billion, at least lengthen it out.

But I do not know. CDC says 70 parts, but there's got to be something in there that you can take and use over a time period, set some air quality standards so the people living nearby should have some grounds to stand by, because I don't think we have the right to pollute the air around us completely. I mean, it's just we're going to create some odor.

And I'd also like to see standards applied to industries. Why are we being segregated? I mean, why are we having a finger pointed at us that says we have to live by these standards, but factories in town who employ large numbers of people don't. Let's apply it to everybody. If we're going to have a hydrogen sulfide, do it for everybody.

DNR

Thank you. Kevin Gilbert, you're up next.

TERRY PATTERSON

My name is Terry Patterson from ____, Iowa. I live one mile away from a 12,000-head confinement place, and I have my own confinement place. My family or I have not seen any false impacts from living so close to such a big place.

I think that the proposed standards are too tight. I support Senate File 3123 and House File 3195.

DNR

Travis Steenhard...

KEVIN GILBERT

I'm Kevin Gilbert. First off I'd like to say I was here in Mason City a year and a half ago when Charlie was over at NIACC at the college, also... in September of 2002.

I'm not here to represent the opposing, to respond to the opposing side but to give my perception of the DNR's proposed rules. And my perception is that the rules are flawed and that they're set too low.

I'm a first-generation Chickasaw County farmer. My wife and I and daughter live on the same acreage where we raise hogs. My wife and son and I care for and feed the animals on our farm. It goes without saying that it's in my family's best interest to care for the land and the environment.

It's hard to say that I'm an expert. I'm not an expert. I do have questions, and ISU has pulled away from the study, and they have questions, so I guess I choose to think that they are probably right. If they want to pull back, then maybe that's something we should do.

I believe that the CDC's level of 70 parts per billion for 14 days or exposure of 30 parts per billion for 15 to 364 days is worth looking into. If it's their recommendation, then maybe that's the best information we have in front of us today.

I also believe that monitoring should be done at separated locations. The DNR proposed rules of monitoring between 328 feet and 984 feet for separated locations doesn't seem realistic, and there are several separation distances set by law that were set between 750 and 1250 feet. Maybe we should adopt those distances. Monitoring should not be done closer than the required separation distances.

I would like to go on record as saying that I'm against the proposed rules that the DNR is implementing at this time and would ask that they would look over those. Thank you.

DNR

[inaudible]

TRAVIS STEENHARD

I'm Travis Steenhard from Mason City.

DNR

Doug Chaffrey, you're up next.

TRAVIS STEENHARD

Lived on a hog farm my whole life, I guess. As long as I can remember I've been in a confinement building. As far as I know I have no adverse health effects.

I'm opposed to this ordinance just for the simple reason I guess I don't know where my farm stands at. . . make it 30, maybe that's the wrong number too. I do not know. I just, I feel like we're starting to get so overregulated. I guess my kids - I've got three kids six and under - they're in the confinement buildings with me every other day. As far as I know, they have no adverse health effects either, so I'm opposed to this.

DNR

Vince Spain, you're up next.

DOUG CAFFREY

I'm Doug Caffrey from Thornton, Iowa. I've got a 4,000-head confinement hog site within 300 feet of my house. I've got two neighbors that live probably within seven to eight hundred feet. A retired lady lives right across the road from us. We're in this hog building two to four hours a day, and we do all the cleaning up and move all the hogs and everything.

And I've been in confinement hog operations since 1973. The reason I went there is I was out in the field and did all that work where you hauled out the mud and the slop and the blood and the beer and hauled water and hauled everything else, and that day when you went out and found that litter of little pigs outside freezing to death. And you people tell me I need to go back to raising hogs that way? I believe in humane treatment of animals, and that's not one of them.

The next thing, I don't agree with what the DNR is proposing. I'm for the study bill 3123 and hog bill 395 by the legislature, because it says right here, Iowa State University evaluated the DNR monitoring data and determined that the assumptions being set for their initial recommendations of 15 parts per billion were wrong. And the CDC has got up here at 70. That's where I'm at.

The next thing is, I believe we're smart people, but since the seventies we've been raising hogs in confinement. And what is the number one problem everybody complains about hogs in confinement, if they drive by or they do? The smell. But we must not have a scientist in the world that's smart enough to a manure pit, add things to hog manure, add things to cattle manure to take care of the problem. If it don't stink, people in town won't even know we're there.

And I can't understand. We always go the wrong way. We've got to go on creating rules, creating rules. . . . We don't go back to the problem. The problem is the smell. The problem is the emission. Go back. We can add. There's got to be somebody that can figure out how to add things to these manure pits or these lagoons to cause, to limit the smell, and when we haul manure or whatever so that they're not there.

I also have a grove around my hog site, and that was the first thing I put up. The second thing is somebody said something about lagoons. Why don't you ask the city of Ames why they located

their lagoon on the southeast side of Ames within I believe three to four hundred feet of Interstate 35, and if you come down there some evening with a southeast wind, I'll guarantee you it's worse than the man that had to get up in the middle of the night and close his window.

Thank you.

DNR

Thank you. Lenny Watts, you're up next.

VINCE SPAIN

I'm Vince Spain, and I am opposed to this proposed regulation the DNR has. I'm an independent family pork producer and my wife and three children operate an independent noncontract – we own our own hogs, own our own buildings, hog operation in Northeast Iowa.

There's been many great things brought up this evening, but the biggest reason I'm opposed to this regulation is two things: The CEC, or excuse me, the CDC comes out with numbers that are twice this level the DNR is proposing. Secondly, Iowa State University says the 15 parts per billion is too low. I think we have two groups of sound scientists that are saying that this is too low, this is too restrictive.

As I stated earlier, I'm an independent family pork producer, and more regulations just adds more and more cost to my operation. Now, whether that's going to make me profitable or unprofitable, I believe the market has more effect on that. However, if I am unprofitable and have to exit the pork industry, what does that do to my local community. I feel this puts small producers in more of a jam than anyone. A large, integrated operation can move outside the country. It's bad they move outside the state of Iowa, but it's even worse for our rural economy if they move out of the United States.

Secondly, I grew up raising hogs with a scoop shovel and five-gallon buckets. That's why I chose, most of my operation is confinement, but I still have some hogs in older barns that use bedding. But as it was brought up earlier about humane production, I feel confinement buildings give the hogs the most humane and opportune ways for them to live their lives. It's much more sanitary. They have a much nicer environment. Things are on schedule. They know that they're going to get fed at a certain time.

They know they're not going to have to worry as the, you know, animals react to weather changes. And think about loading animals back when you were, if you raised them outside. You know, they could tell when the weather's changing. Animals inside, they don't have to worry about that. They have a nice, clean, healthy, comfortable environment to maximize their life.

Thank you, and again I would like to state that I'm opposed to this regulation.

DNR

Glen Zubrod, you're on deck.

LENNY WAITTS

I'd like to thank the DNR for putting this on to hear our comments out here.

I was born and raised on a livestock farm. We had dairy and we had swine. And I was one of those individuals, when I went to school, my hands smelled like dairy, and I don't think anybody was harmed by it. It might have been a little bit abrasive to some of those that were sitting next to me.

When I climb on top of the bin, I can look about four miles, and within four miles I have five million chickens and several hundred thousand hogs. Living in Wright County, you don't have to look very far to see several hundred thousand hogs.

Just about on a daily basis there is a bit of an odor. It doesn't seem to affect my health at all. I feel I'm quite healthy. My wife is quite healthy, my children are healthy. The smell I don't feel is causing me adverse damages.

I am opposed to the 15 parts per billion. I think the 30 parts per billion is based off of Center for Disease Control; they seem to maybe have a better handle on it than the university studying it for one year. I think they've probably been at it a little bit longer.

So I would stand opposed to the 15 parts. Thank you.

DON ZUBROD

I'm Don Zubrod. I'm from Clay County, and I am opposed to this regulation.

The reason that I wanted to speak is because I am probably a 50-year experient, I guess you'd call it. My father drug me out of bed pretty early in the morning when I was pretty young, and I've been in hog buildings all my life, and I have very good health, I feel. My wife is a nurse, and if she had anything to say tonight, she'd agree with that.

I also raised a family, and those children went out there when they were young and continue to be very healthy as well. So I am opposed.

DNR

At this time we still have almost 20 people signed up to speak, and I feel like we're already kind of rushing people more than we like to for these kind of hearings. So we're going to propose to do with those number of people, I suspect there's also people who haven't signed up that will want to speak towards the end here. We're going to coordinate another public hearing on the same issue between now and April 8th. It will either be here or over at the community college. So you'll see that advertised through our normal media outlets to make sure we get the word out on that

But another option, too, if you'd like to come before that, you can come to the public hearing down at Urbandale that's March the 11th is when it's scheduled. We also have one that's more out of the way, next Monday, the 8th, I believe, over in Davenport, Iowa, at the Davenport Public Library.

So those are two that are coming up. The next one that we have here would probably be after the Urbandale one, but we will, we will coordinate and have another public hearing here to hear the rest of the oral comments on this. So everyone that did not get a chance to speak tonight, you will have an opportunity at the next public hearing between now and April 8th here in Mason City to do that.

If you have any written comments that you'd like to go ahead and send to us now, you may do that, and it goes into the record at this time.

KEVIN CRUMLEY

Can I make a closing comment, one real quick sentence?

DNR

Sure. Could you go ahead and identify yourself, please, and come to the front? This will be the last comment tonight. Thank you. We'd, the library closes at 8:30, so we need to be wrapping things up.

KEVIN CRUMLEY

I am Kevin Crumley from ____, Iowa. I'm a grain farmer. I've got one real quick closing comment. We're sitting here talking about the air quality standard. We have no idea what's going to happen economically if they enforce the 15 parts per billion.

I myself am opposed to it, because it would be just like when the federal government backed the speed limit down to 55. How would we have felt if they'd have gone all the way down to 35? But let's have an air quality standard. Let's start out at the 70 while we research the..., while we research the study to study the economic impact.

I mean, if we get a low standard -- and it is going to put some livestock industries out of business -- can we afford that? Are we going to be paying \$20 per pound for our beef and our pork and our who-knows-what for poultry?

Let's have a study as we impose the higher air quality standard to see what the economic impact will be and maybe lower in the future. And that's it.

DNR

Thank you.

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

...the ... of ...

**Iowa DNR
Davenport Public Hearing - March 8, 2004
Air Quality Standards**

DNR

Public Hearing, Davenport, Iowa, Public Library, March 8, 2004. Hydrogen Sulfide HEVHES.

DAVID OBERBROECKLING

David Oberbroeckling, Scott County, a farmer, grain farmer. And I oppose the 15% I think that's too low. And I love to eat, and I don't want to run the livestock people out of the state.

DNR

Next up is Gary Klicker.

LAYNE TWINAM

I'm Layne Twinam from Washington County, and I'm a grain and hog farmer. I believe farms are being overregulated. Some examples of this are pesticide applicator license, manure management plans, confinement site applicator permits, and now proposed hydrogen sulfide rules.

These regulations have or could add cost to my operation, with no apparent means to recover these expenses. I think the proposed standard of 13 parts per billion for hydrogen sulfide is too restrictive, because Iowa State now recommends a higher number based on current data.

Raising hogs is hard work, but I think it is an industry that is suited and worth keeping in Iowa.

DNR

Thank you. Craig Amstutz.

GARRY KLICKER

My name is Garry Klicker. I'm a family farmer and livestock producer at Bloomfield, Iowa. I'm also on the board of Iowa CCI. I'm a fourth-generation Iowa farmer, and I can trace my agricultural roots back to 1666, if that matters to you.

Pork producers in the Farm Bureau have asked for sound science. We have sound science in the university study and other sources. We know hydrogen sulfide and ammonia are making people sick. We know that hydrogen sulfide and ammonia is coming from factory farms. In fact, the EPA estimates that 75% of ammonia in the air is from livestock manure.

You ask for an Iowa solution, DNR's been working on an Iowa solution. The Farm Bureau and the pork industry didn't like the sound science; it didn't say what they wanted to hear. They don't like the Iowa solution either.

Last year we sat in this very same spot, talked about the very same thing, made some reasonable rules, and they were knocked down because they were too broad. This year at these other meetings a number of Farm Bureau members have said the rules are too narrow, not fair because it doesn't affect other industry. Last year it wasn't fair because it did affect the other industry.

You guys remind me of the rich kid on the school ground that owns the ball and says, "If you can't play my way, I'm going to take my ball and go home." I'll tell you what Iowa is not your ball. There's three million people live in this state, and by your own hand you're sadly reducing your numbers. And as your numbers get smaller and ours get bigger, it's not going to last.

We're going to have reasonable air quality rules. The ones the DNR proposed are good.

I'm a livestock producer. I'm not afraid of the DNR's proposal. I know I'm not causing a problem. I'm not going to leave the state if the DNR's rules get passed. I'm also not going to leave the state if they don't get passed. I don't run easy.

I look forward to the DNR's rules and have quality of life, to return to peace and quality of life in the countryside where I live. I care about my family and my neighbors, and I want to make sure all our health is protected, not just a few.

At least 29 other states have hydrogen sulfide limits. Twenty-four of these states have said that people should not be exposed to hydrogen sulfide for more than 30 minutes or one hour at levels as low as 4.5 parts per billion. The DNR's proposal would fall in line with what other states have already done. The World Health Organization has recommended 4.5 parts per billion. In the meantime, people are still getting sick. If you can deny us clean air to breathe, clean water to drink, what's next?

It's obvious the Farm Bureau and the pork producers don't want clean air rules at all. Farm Bureau is a huge corporation. I do not know why anybody would listen to them. I wouldn't ask Sam Walton, if he were still alive if he thought Wal-Marts were good for small towns. I do not know why anybody asks the Farm Bureau why they think, if they think regulations are good for large corporate farms.

It's time to stop listening to the Farm Bureau and other groups with a vested interest in polluting our air. It's time to listen to those of us who would make our state grow responsibly, make our quality of life better, not worse.

The pledge of allegiance that I took every day when I was a kid in grade school, said the last words, and apparently most of you have never heard it, but the last words are "liberty and justice for all," not just a few, not just a few rich Republicans, not just those who own CAFOs.

DNR

Thank you. Dan Payne, you're up next.

CRAIG AMSTUTZ

My name is Craig Amstutz from Davis County. And as a family farmer, I do not support this proposed legislation for many reasons.

One of which is because Iowa State University is determined that their initial recommendation of 15 parts per billion was wrong. If you set the level at 15 parts per billion, you're sending the wrong message to the Iowa public. That is, that this is the necessary level to protect the Iowa public health. Thank you.

DNR

Kent Paustian, you're up next.

DAN PAYNE

I am Dan Payne from, I'm a farmer from Southeast Iowa. I do not support this proposed rule. As a family farmer, I care about clean air and the well-being of my family. Many farmers are already voluntarily implementing techniques to reduce odor.

The 15 parts per billion standard is not supported by sound science. The monitoring should not be closer than the required separation distances. Thank you.

DNR

Andrew Hora, you're up next.

KENT PAUSTIAN

Kent Paustian, 6520 215th Street, Walcot, Iowa. I represent Paustian Enterprises Limited, consisting of my Dad, Dale, my brother Ross, and myself. We're a family farm operation.

Back in 1968 my brother and I bought nine bred sows from Roy Keppe and Bob Dittmer. We saved 45 gilts from those sows, bred them back, and that was the beginning of our operation. We now have 900 sows in a farrow-to-finish operation. My dad is 78 years old. He still grinds and delivers all the feed for the operation. I guess we're lucky to be alive yet, working around these hogs for this long, that we haven't dropped over dead. But we're still kicking, we're still here.

We've met all the guidelines for separation distances, manure management plans and so forth. Now the DNR wants to throw more regulations that are not based on scientific data. Many nationally recognized agencies have established standards for hydrogen sulfide. Why is the DNR not looking at those standards? That's the big question. Why is the DNR not looking at those standards?

I think it's amazing how an industry that is so vital to the economy can be singled out and attacked. This rule is rushed, it's unfounded. We need our rules and regulations to be based on sound science, not on emotional politics.

And, yes, Mr. Bunton, I too am an environmental specialist. I'm proud of our operation, how it's run, how it's maintained. Thank you.

DNR
Bryan Amstutz.

ANDREW HORA

My name is Andrew Hora. I'm from Washington County. We have hogs, corn and soybeans. We have no-till farmed most of our crop acres and have been using at least some no-till for twenty years, to let you know, to protect our precious soil and protect our water quality. I am also concerned about clean air and don't understand why the proposed standard only regulates the livestock industry.

I am very concerned about the 15 parts per billion standard and how and well it will be measured, also what it would cost me to comply to too stringent a rule. I would like to the DNR to work for a clean environment with the industries that they regulate to arrive at solutions that doesn't destroy a core industry such as livestock agriculture.

Thank you.

DNR
David Nolte.

BRYAN AMSTUTZ

My name is Bryan Amstutz. I am an independent farmer from Davis County, Iowa. I do care about clean air and being a good steward of the environment. I work and live around it every day.

I support rules that are based on sound science, not ones that are driven by fear. The proposed 15 parts per billion is not consistent with levels established by the U.S. Center for Disease Control, so I do not support the DNR's proposed standard.

DNR
Thank you. Frank Jamison.

DAVID NOLTE

Hi. I'm David Nolte, a farmer from Muscatine County. I do not support the standard.

Farmers care about clean air. The 15 parts per billion is not supported by sound science. Monitoring should be done by separate locations, and the Iowa economy does need the livestock industry. Thank you.

DNR
Chris Buffington

FRANK JAMISON

My name is Frank Jamison. I farm in Louisa County with my son. We're a hog, cattle, corn and beans operation. I'm a Farm Bureau member, and I'm a Democrat.

I do not like the 15 parts per million. I think it is not based on good science. The Center for Disease Control has set a level of 70 parts per million or 30 parts per million at 15 to 365 days.

In Europe, France, exposure controls, personal protection, 10 parts per million, not 15 parts per billion; Germany, 10 parts per million; Great Britain, 15 parts per million. Fifteen parts per billion in a one-hour average seems to be a radical departure from what everyone else is doing.

DNR
Thank you. Ted Kochler

CHRIS BUFFINGTON

My name is Chris Buffington. I farm in Southeast Iowa in Louisa County. I do live next to hog operations. I no longer raise hogs. I have a hog building that is to the southwest of me, to the south of me and to the east of me.

I do not think it is necessary to set the standard at 15 parts per million, per billion without any scientific proof that this is where the standard should set. I do not understand why we are attacking the hog industry when there are other businesses and manufacturers that also have this same problem and nothing is being said about them.

I also think that the rules that are coming down on livestock and the other hog industries, that it's like the pesticide thing that years ago you had to come and sit through a course. If you sit through the course, they would issue you a license so you could apply pesticides. The next year you had to take a test and the next year it cost you five dollars to take the test. The next year it cost you \$15 to take the test. It just keeps mounting up, and it's an expense that it just keeps mounting up, and it's an expense that keeps mounting in on the livestock man and the farmer in general. I think it's wrong.

DNR
Jean Schinchel

TED KOHLER

My name's Ted Kohler. I'm from Monticello, Iowa. I'm a dairy nutrition consultant, and I also have a small farm, livestock farm.

I do not support the 15 parts per billion requirement, mainly because it's based on bad science, as proven by the premier science and industry university in our state, Iowa State. And to that I say it is also a waste of our tax dollars, when our institutions are saying that it is basically wrong.

DNR

Thank you. Next up is Ken Hanna

JEAN SCHINCHEL

I'm Jean Schinchel, and we are farmers who care about clean air. I feel that the 15 parts per billion standard is not supported by sound science, and it's establishing, the PPB gives Iowans a false message on the protection of public health

Monitors should not be set, be closer than the required separation distance. And our livestock industry is the most important industry here in Iowa. And its pork industry supports 87,000 jobs, and the cattle industry supports 49,900 jobs here in Iowa. Livestock provides \$400 million in state government revenue resources.

Thank you.

DNR

Robert Johnson, you're up next.

KENNETH HANNA

I'm Kenneth Hanna. I raise beef in Jones County, and I do not support the 15 parts per billion rule. I would like to see it based on sound science and not just for the livestock industry. I think we need to work together to promote clean air and also provide an environment for a profitable livestock industry in this state. Thank you.

DNR

Steve Kellogg, next.

ROBERT JOHNSON

I'm Robert Johnson, and I am here representing our family as well as the Iowa Cattlemen's Association. I am Robert Johnson from Andover. Our operation consists of my son who lives on the farm, and he also has a son who would like to continue our farming operation someday. We have raised five healthy children on our farm.

I am also president of the Iowa Cattlemen's Association. The ICA has over 10,000 members whose operations are very similar to our own. They are families who have been on the land for generations and want to continue earning their livelihood from the land.

I speak in opposition to the air quality standards that are being proposed for hydrogen sulfide. Why is DNR wanting to go beyond what the U.S. Centers for Disease Control have established?

We strongly support conducting a field study of livestock air emissions before deciding to impose more regulations on animal agriculture

Iowa is known for its fertile soils where big corn and soybean yields are produced year in and year out. Iowa needs livestock to consume these products.

I would close with one question. Has the DNR looked at the economic impact on the state of Iowa if these standards are imposed on agriculture? Thank you.

DNR
Dominic Hogan.

STEVE KELLOGG

I'm Steve Kellogg. I'm from Southeast Iowa. I'm a grain and livestock farmer, and I do not support this proposal.

I am a farmer, and I care about clean air. The 15 parts per billion standard is not supported by sound science. And the monitoring should be done at the separation location and not closer. And I also feel that the regulation should be applied to other industry as well as agriculture.

DNR
Thank you, sir. Jack Schinchel.

DOMINIC HOGAN

My name is Dominic Hogan. I'm from Jones County, Iowa. I'm a member of the Jones County Farm Bureau as well as being the past president of our local Jones County Pork Board.

My wife and I and our two kids live and work next to my family's hog and cattle operation. I strongly opposed this proposed legislation because we care about clean, healthy air. That is the reason we chose to live in a rural area, so we do everything in our power to try to ensure that we have clean air.

In addition, this proposal is not based on sound science. In fact, Iowa State University has publicly acknowledged that the 15 parts per billion that they initially proposed is too low and should instead be 30 parts per billion. I also feel that the monitoring should be done at separated locations. Thank you.

DNR
Bob Null.

JACK SCHINCHEL

I'm Jack Schinchel from Walcot, Iowa. I grew up on a livestock farm for 65 years. In fact, my mother took me to the car barn when I was still an infant. And I'm still living. I came from a large family, and we all survived.

The one thing I want to know, when it comes to livestock regulations, those are just as much intended for the large producer as the small producer. Where I live I have a few small producers, and they use irresponsible management when it comes to livestock husbandry. For one thing, they go out and spread their manure on a windy day, on a Sunday afternoon, right next to a trailer park, open air. That's not common sense. A large operator can do the same thing. So whether it's large or small, I think it's common sense rules that are more important sometimes than the regulations.

And as far as Europe, I'm very well acquainted with that. I have a cousin in Germany whose got a 300-cow operation. It's right in the middle of the town, and its minimum standards I do not know exactly, because I didn't do my research on it - it's much higher than the 15 point per million as you as you propose. Thank you.

DNR
Mike Holtkamp.

BOB NULL

My name's Bob Null from Jones County. My wife and I have a hog, cattle, corn, bean farm. I am against this 15 parts per billion. It's not based on sound science. All the other points I agree with that have been made.

DNR
Sandy Curtis.

MIKE HOLT KAMP

I'm Mike Holtkamp, Lee County, down around West Point. Corn and soybean and nursery hog operation. I do believe in clean air. I have no problems. I live by my operation.

I am opposed to the 15 parts per billion standard that is set by DNR. I have a real problem with how you can set a standard so low, and that is the main reason why I'm here. You know, why didn't... I guess there's been enough opposition, I think you could have started somewhere else and did your research first and then come back to try to set a standard at that time.

And don't regulation us stricter than you would any other business in this state. We're too vital as far as an industry. It's the only way that I have a chance to live where I'm at and do what I do, because if we didn't have the operation we do, we'd probably be working in town, and we know there's no jobs there.

So thank you very much

DNR
James Charlick

SANDY CURTIS

Mr. Bunton, my name is Sandy Curtis and I'm from Pleasant Valley, and I am Farm Bureau, Scott County's Women's Committee Chairman.

In your fact sheet for Hydrogen Sulfide Health Effects Standards, December 2003, number six, question: Where did the levels used for the standards come from? Your answer stated, "The levels of the standards were recommended to the Department in a report called the Iowa Concentrated Animal Feeding Operations Air Quality Study, completed by Iowa State University and the University of Iowa in February of 2002." According to Dr. Catherine Waltiki, dean of the College of Agriculture at Iowa State University, your information is outdated. She states, since February 2002 their information is outdated and that there is new information from the monitoring studies

Would you please state Iowa State University's standards correctly, as updated to 30 parts per billion at separated locations?

I support the adoption of a hydrogen sulfide standard if it is based on the best available scientific information. The proposed 15 parts per billion health effects level is not based on the best available information and should be abandoned

Thank you.

DNR
Joe Spahr, you're up next.

JAMES CHARLICK

My name is James Charlick. I'd like to say I make my entire living off of hog production, and I think we need to get our monitoring to the setback distances. And then I would like to add what everybody else is saying. I think we need to base a decision on sound scientific.

DNR
Brian Espensen.

JOE SPAHR

I'm Joe Spahr, Jones County farmer, representing Jones County Farm Bureau. I've fed cattle for 50 years, and I think the livestock industry is important to Iowa. And I care about clean air and being a good neighbor. I think the hydrogen sulfide levels are too low at 15 parts per billion and should be at a higher level. Thank you.

DNR
Adam Gauger.

BRIAN ESPENSEN

My name's Brian Espensen. I'm a cash grain farmer from Cedar County, Iowa. I also am very concerned about the quality of the air that myself and my family breathe every day. I have lived next to hog operations before.

But it appears that Iowa State University has concluded that their initial recommendation of 15 parts per billion was incorrect. And I believe that the current recommendation of 15 parts per billion is also incorrect. It should be looked into. It is not consistent with the proposed level of the CDC. Thank you.

DNR

Up next is Mark Welter.

ADAM GAUGER

My name is Adam Gauger. I'm current vice president of the Muscatine County Farm Bureau. I work now as a... I've raised livestock all my life. I work now as a crop scout for agri-business.

I'm against this proposal because of the lack of scientific evidence on the 15 parts per billion and the fact that it seems like only the livestock industry is being regulated for hydrogen sulfide. Thank you, gentlemen.

DNR

Mike Deahr, you're up next.

MARK WELTER

My name is Mark Welter from Delaware County, and I'm opposed to these unfair and outdated rules. I do not support them. My wife Diane and I raise three sons on our grain and livestock farm started by my parents almost 60 years ago. Our family cares about and cares for the environment we live in.

We feel these rules as opposed are unsound and would have a very negative effect on our farm and the state's economy. We are also disturbed that this rulemaking is flawed and is based primarily on arbitrary thinking, fear and emotions. Our family does not support these rules and standards. Thank you.

DNR

Sean Dolan.

MIKE DEAHR

My name is Mike Deahr. I am a first-generation hog farmer. I grew up in the city of Muscatine. I chose this industry. In 1989 I started out with 400 sows. Today I have 1600 sows. I have two sons, a wife and my wife is my bookkeeper, my office worker, my truck driver, my parts delivery person and all the above.

We have four full-time employees, which I'd like to also speak for. These people choose to work for us. They're all four high-quality people. They don't need to work for the pig industry; they do so because they choose to. We pay, our minimum salary is \$30,000, and our top person is making \$55,000. They put in long, hard days, and there isn't one of them that don't work to keep the environment clean.

I am for clean air. I have absolutely no problem with hydrogen sulfide emission regulation. My problem with this thing is that I don't understand how 15 parts per billion would change that I've had a peaceful co-existence with my neighbors for 15 years. I've not ever had a problem. I live within three quarters of a mile of the city of Muscatine. I've got the CEO of HON Industry very close that can see my operation every day. Where is this problem coming from? It's a very limited situation that's been blown out of proportion.

We want to be responsible only for nationally recognized health standards, not selected health standards, and that is what's going on here. We are taking selected standards; but, as we all know, with the best intentions any standard can be outdated the minute it is printed. And that's what's happened here. The standard was outdated as soon as more research was done, and we aren't, the DNR and other people, aren't willing to look that the standard was changed as soon as these monitoring units were put in place.

Let's be realistic about this. The most conservative organization in the United States is the CDC, which represents, which suggests 70 parts per billion for short term, 30 parts per billion for longer term, and the CDC bill includes a 30-times safety factor, a 30-times safety factor. Now, I'm not real good at math, but 30 times into 70 parts per billion and 30 parts per billion, somehow this is not adding up. Is this selective scientific, where we're taking selective facts?

DNR's hydrogen sulfide is 1600 times more stringent than the standard CDC established minimal risk level. The DNR's standard for ammonia or for hydrogen sulfide is 11,000 times more stringent than hydrogen sulfide established by OSHA for workers in indoor facilities - 11,000 times.

Is the DNR trying to find out if there is a health issue, or is the DNR looking to see if there is one, or are they just out trying to scare people? Right now as a producer, I'm --- scared. I don't know where to turn. I'm like many of these other people. I make all my income... I've chose this business. I've got all my investment in this business.

I think we do a good job. We've got tree buffers planted around our concrete storage basins. We've got tree buffers planted around our unit. We set a quarter mile off the road in all directions. Give me a chance to survive, guys. Give me a chance. Let's have something that's fair. If we prove that it's necessary, we'll work into it, but we can't start at these levels.

Here's the oddball, the significant part of the fact. Like it or not, anybody in the industry knows if you're going to have commercially viable numbers of pigs, you've got to have a thousand weaned pigs a week to sell, so you can fill a thousand-pig building in one week's time. That's just the dynamics in industry. I hate it, but it's the way it is.

I today am afraid to invest, jeopardizing all these emotions that are abounding today and bringing the wrath of whatever down upon me, to get to where I can produce a thousand pigs a week. We produce 650 to 700 pigs a week. Sounds like a lot. The industry tells me it isn't enough. The industry tells me I'm going to die unless I get to a thousand pigs a week at a minimum. Facts of life. Like it or not, that's the way it is.

Also, it's absolutely discriminatory on the DNR's and the legislator's process that the word "ambient" wasn't left in. If hydrogen sulfide and ammonia is such an egregious compound or element that it has no bearing where it comes from, whether it comes from my hog operation, the poultry operation down the road, the city municipality, the coal-fired plants, the ammonia refrigeration plants – you tell me the different. You try to explain that to my children. You try to explain that to anybody in sound science.

If it's egregious, let's deal with it. If it's not, let's work at controlling it and making it so that we can satisfy these people's health concerns and satisfy the citizens of the state of Iowa. Thank you.

DNR
David Martz.

SEAN DOLAN

We talk about stealing somebody's thunder. My name is Sean Dolan, and I'm a family farmer from Buchanan County. I am a steward of the land, water and air of this state.

And I'd like to also speak out against the 15 parts per billion standard. It was based on the university air quality study, and I don't think that met the directives of Director Vonk. That study was not based on reputable scientific data. That data was also subject to recall by us and was never subject to peer review.

I also think that the legislative body has already said that this is way too restrictive by a two-thirds margin. Thank you.

DNR
Brian Ehlers.

DAVID MARTZ

My name is David Martz I live on a family farm in Bluegrass, Iowa I am past president of Scott County Farm Bureau. I do not support more rules and regulations We need rules and regulations that are based on sound science, not driven by fear.

The 15 parts per billion standard is not supported by sound science. If standards are too low, we are going to drive livestock production out of the state of Iowa, which could be devastating for the state's economy Thank you.

DNR
Roger Friedrichs

BRIAN EHLERS

I am Brian Ehlers from Scott County. I do care about clean air. I do oppose the proposal on the 15 parts per billion because my family and I work on our livestock farm every day, all day long So if I don't care about the clean air, I don't care about my family – it doesn't make sense. They're what's important to me

And I don't understand how the DNR can come in and try taking away my livelihood I don't try taking away yours, so why are you trying to take mine away?

Another thing is, the livestock industry provides \$400 million to the state government. We cannot balance the budget with our current revenue. Now let's try taking \$400 million out of it? It doesn't make sense. Thank you.

DNR
Tom Dittmer

ROGER FRIEDRICHS

Good evening. I'm Roger Friedrichs from Scott County. I raise livestock, corn, soybeans. I represented Farm Bureau at the county level I know how the process works. And fortunately, we're not a bunch of radical people. We take our job seriously We ask all of our members what they think. These are not radical ideas. We propose sound science.

Livestock production has a major impact on the state. Our local and state revenues are directly affected. Not only is it the livestock production itself, but there are many affiliated businesses that become affected.

Your standards have been called too restrictive Iowa State University has recanted to 30 parts per billion.

Throughout the years in our state, businesses have come and gone, but one industry has managed to remain, and that's the agricultural industry. Extra regulation on the industry may only chase it away.

Please review what you have drawn for conclusions. Thank you very much.

DNR
Mark Lane

TOM DITTMER

I'm a grain and, well, basically corn, and pork producer in Scott County. I live four miles west of Eldridge, about 15 miles straight north of here, so I welcome you guys to our town. I'm glad we had the support for the livestock industry here, glad it's been that way throughout the whole state. I think that's good. I think we're sending a message to the DNR that you aren't going to run our industry – if it's poultry or if it's beef or if it's pork – you're not going to run us out of here by trying to use unsound science with restrictions to run our operations.

You know, it's been said before up here, and I don't have to repeat it. You know, that your data or the science you've used, quote, your "science" you've used is outdated. I think Iowa State came out point blank this past winter and said where they stood on that study. So I think you need to take their name off that study and say that's the University of Iowa study and go with Iowa State's data, because they are the ones that really doing the research on this thing.

So, yeah, I'm against it, like everybody else is, except a couple in here, as far as the 15 parts per billion. I think it's a joke. And face it – Iowa State beat Iowa in basketball this year, so who should you be listening to?

DNR
Ray Slach.

MARK LANE

I'm Mark Lane from Muscatine. I'm a little different than a lot of you guys right now. Right now I work from somebody else. I grew up farming, and I hope to live the rest of my life farming.

I do not support the 15 parts per billion rule because it's not based on sound science. I also have problems with many of the other rules. I'm afraid that if we continue to have the rules like we do, I will not be able to farm down the road someday and raise a family like I grew up. Thank you.

DNR
Chad Keppy, you're up next.

RAY SLACH

I am Ray Slach from West Branch, Iowa, and I strongly oppose the 15 parts per billion standard that's being proposed here with the DNR. I think the standard was based on false information, that Iowa State now is recanting on.

I think that the standard is something that's kind of like having the cart ahead of the horse. I do not know if we could ever get down to 15 parts per billion without any sound scientific evidence. So I think we need to have more research done. I think that we ought to develop technology that can reduce the emissions coming from our pits or from any CAFOs that are out here. And that technology is out there. We just need to go out and tap it. We have some of the smartest people in the world here in Iowa, and with their technology I think we can develop new machines or whatever it is to lower emissions if that is the problem, if we need a standard set. Thank you.

DNR
Robert Ewoldt

CHAD KEPPY

Good evening. I am Chad Keppy. I live just north of Davenport. I am a third-generation farmer. I farm with my twin brother, my father, and we farm the same ground that my grandfather started farming.

One thing, I don't support your number of 15, to make that plain and clear. One thing I did find on the Internet here is Agency for Toxic Substances and Disease Registry has a standard. And according to your DNR standard, your standard is 1600 times more stringent than theirs. That's the only fact I wanted to bring up.

The only other thing I want to say is that one thing my grandfather always told me is that you leave the land better than when you got it. All of us farmers in here have families, we've all lived on the farm, we want fresh air, we want clean water. We want that for me, my father, when I have children. That's all we want, and I think I speak for everybody else in here when we say that. And I don't think I'm the first one to say it. Thank you.

DNR
Jerry Anderson

ROB EWOLDT

Rob Ewoldt. I'm a family farm operation. My father, my brother and myself, we raise hogs and livestock or cattle and corn and beans, just like the majority of them that have come up here and spoke.

My big thing is, as you look at all the people that are talking here, what are their ages? I'm a young farmer. There aren't too many here talking. You people know why. It's because of the livestock. When we got into livestock and we put up hog buildings, that was so I could come home and I had income to help get me started. Now, if you people keep tightening these things down, there's going to be less and less. That's always the question out there is where...

[end of tape side A, beginning of side B]

... we all want clean air. I mean, I work in those buildings, and if things aren't right, I change it, I make it better, because I'm in there. I care about my health, my family's health. You know, we're not arguing that. We're arguing how strict you're making it. You know, Iowa State basically admitted they were wrong. It takes a big person or a group of big people to admit when they're wrong. Why can't the DNR? That's one thing.

The other thing is, as far as where we're, the setback distances. You know, we followed the rules. When we built our barns, we put that setback in. Now you want to make it shorter? You want to come in. Why do you want to do that? Is it so you can find something wrong? I don't think that's right. People put these trees up around for barriers, so they're raising it up.

Now your monitor, they're lifting it up into the air so it's not going to be a problem to the people that are living around us. Those are things we're supposed to do. We do them. Now you want to move your machines in closer, because the trees are doing their jobs. That's not right. Give us a chance. Thank you.

DNR
Nick Biggs

JERRY ANDERSON

Jerry Anderson, 1435 Burkett Avenue, West Liberty. You've had quite a few people come here and talk and voice their opinions. And I believe, Tom, you said there's a lot of folks here that are sure against this. I know the record won't show that, so I'd like to ask the folks, I believe there's about 82 or so folks here -- how many of you people are against this hydrogen sulfide proposal? Could you please stand?

Well, in the essence of time I won't count you. If you could sit, please. Those that are for this hydrogen sulfide proposal, could you stand? Seven. Thank you.

I'm here tonight to voice my opposition to the hydrogen sulfide standard as proposed at 15 parts per billion. And I've brought a visual to make my point. There's two Brayburn apples right here, purchased at two separate stores. You can't tell the difference which one I got from which store, much like hydrogen sulfide. If this rule is enacted, one of these apples is bad for you and one is fine for you.

If this ruling is truly about clean air, the DNR would be concerned about all generators of hydrogen sulfide. But since agriculture is the only business being targeted, let's call this what it is, an anti-agriculture proposal.

As the DNR official, Bryan Bunton, stated at the hearing in Mason City, hydrogen sulfide causes brain damage. What research for this justification, and which one -- agriculture or non-agriculture? Since agriculture is the only business being included here, enactment of this ruling tells the country that Iowa is against agriculture, the state's number one economic driver.

If this is about clean air, I urge you to base your recommendations on sound science, which would not be the 15 parts per billion, and include all hydrogen sulfide sources, not just agriculture

DNR

Daron Oberbroeckling

NICK BIGGS

I'm Nick Biggs. I just defer my time in the essence of getting everyone out of here

DNR

We've got plenty of time, sir.

NICK BIGGS

I agree completely with what the last gentleman said.

DARON OBERBROECKLING

My name is Daron Oberbroeckling. I'm a grain farmer in Scott County, and although I do not produce livestock, I strongly oppose the 15 parts per billion sulfide standard that the DNR is proposing. I oppose this standard for a couple reasons.

First, even though I don't raise livestock, I know that my livelihood and my business depends a great deal on livestock production in Iowa. Thirty-three percent of the grain that I grow is used to feed these animals. Without this livestock production, a market that many farmers use will be gone. And for that they will receive a lot less for their commodity. And I feel that this standard will drive producers out of the state of Iowa.

I also feel that if this standard is adopted, Iowa's economy will suffer greatly. Iowa's livestock production affects so many lives in Iowa that losing producers will have a trickle-down effect. I also feel that this standard should not be directed only at livestock producers.

I'd also like to add that I'm proud to be a Farm Bureau member, I'm proud to be an Iowa farmer, and that I hope that someday my children will have the opportunity to be a farmer or farmers, and that they will have the ability and the opportunity to protect Iowa's air quality too.

AMBER HEINRICH (?)

I was never able to go farm with him. When I'm older, I would like to help him farm, too. And if you do this bill, this would not be right because you'd be pretty much just shutting down the farm industry, because we wouldn't be able to keep up with it.

And then did you know that 136,900 jobs are just based on pork and cattle production on jobs. So if you wipe out all this because of this bill, then you are going to have a whole bunch of job loss.

DNR
Douglas Nolte

MIKE BAXTER

I'm Mike Baxter from Muscatine County, and I support the 15 parts per billion proposed rule. I've got two neighbors that live near me that were present before animal confinement operations was put midway between their two houses, just ruined their quality of life. And we need the air standards to give people some hope that there is regulation looking after their lives as well as the good farmers in our state who are also trying to make a living at third-world economy standards of raising livestock.

DNR
Chris Hansen, Grand Mound

DOUGLAS NOLTE

Doug Nolte, Wilton. I guess I wanted to reiterate some of the things that have already been mentioned this evening. Mainly, the 15 parts per billion, I think needs to be looked at again and changed. And I think a lot of things have been railroaded or pushed quickly ahead before. Sound science needs to come through and have things corrected.

DNR
Joe Heinrich

CHRIS HANSEN III

My name is Chris Hansen. I farm near Grand Mound in Clinton County, Iowa. My wife Beth and I have four young children, and we live on a hog farm. We raise corn and soybeans, but the hog enterprise is a wean-to-finish hog enterprise, and that is our main enterprise. We own a confinement, and we also use hoop buildings. Future growth in our business will be with confinement buildings. If you look at the cost of production, it just makes sense.

I care about clean air. I also care about my neighbor's clean air. The next building I put up, I won't have neighbors downwind from my building with the prevailing winds. I'll be responsible when I site that building. I believe monitoring should be done at the separation distance that was established when these confinements are sited.

I also wear another hat. I'm a director at a local community bank in DeWitt. And as a director, I'm on the Board Loan Committee approving loans.

And I strongly oppose the 15 parts per billion standard as being too strict. I support a higher parts per billion standard. Thank you.

DNR
Gary Mohr

JOE HEINRICH

I'm Joe Heinrich I'm from Maquoketa, Iowa. Who I'd be representing tonight is, I guess you could say it would be my 80-year-old mother who is home this evening, who moved with my dad to our home farm in 1951, been over 50 years. I'm a little older, and I want to wish I was. I have a nephew who I'm representing tonight who's home milking for me. He's 25, came back with an ag business degree from the University of Wisconsin. Sorry, Iowa State fans, but he's home milking tonight for me so I can be down here to voice my opposition to your proposed rules.

I also have a very boisterous 14-year-old and a 12-year-old who I don't need to represent the 14-year-old at all, obviously. She hears things at home. And my 14-year-old has figured out that this is not based on sound science. This is something that we are a family farm – we are good stewards of our ground.

As I look what we've done over the last 30 years that I've been, 30 to 40 years that I've been on the farm and all that my parents have done and the improvements we've done environmentally, that I think we just have to keep environmentally sound, but we also have to make sure that we are getting support. And support is not coming down with new regulations like this that are going to impact livestock industry.

We're talking about 137,000 jobs that are dependent on the livestock industry in Iowa. Let's not take them away. Let's not base these rules without sound science.

DNR.

Thank you.

GARY MOHR

I'm Gary Mohr. I live here in Davenport now. I grew up on a cattle and hog farm in neighboring Cedar County, and I know a lot of people in this room because I've worked in the livestock industry. The livestock industry has literally provided the income to raise and feed my kids in more than one way, and so I appreciate that.

Most of the people in this room, your mothers, your fathers, your husbands, your wives, your sisters, your brothers, your children work in the buildings that you're talking about. I would wager that there's not a person in this room that wants to cause a health risk to their family or to their neighbors. And I think that's the kind of stewards we have of agriculture in most of the state of Iowa. You may have some people out there who you need to control. The people in this room are not those people.

I have considered myself an animal scientist. I got at least my current employer to believe that that was true and hire me. I don't believe that you've got enough science to back up the 15 parts per billion. There's certainly controversy in what that level of regulation should be. I think we all

have the right to life, liberty and the pursuit of happiness. I've studied the constitution, and I've said the pledge of allegiance as well.

I would encourage you to try and be fair about your regulation and not to hurt an industry that provides a lot of jobs to a lot of very caring people of the animal industry in the state of Iowa.

DNR

Thank you, sir. Jeff Boeh from Bettendorf. I have to apologize. I did not get the tape recorder turned back on when you came up. You can either come up and give your old presentation again, or you can get with me after the hearing is over and do it. Okay, come forward. Thank you. I'm sorry about that, too.

JEFF BOEH

That's okay. I get a second chance.

DNR

Take whatever time you need.

JEFF BOEH

I'm up here to oppose the 15 parts per billion, and I'm up here to propose that because I personally don't believe that it's right, and the information that I've read tells me it's not right, especially when the national level, it's my understanding, is at 13 parts per billion, or 30, excuse me, 30 parts per billion at the national level.

I was in this room last year when the people from Mid-American, Kraft Foods – every city within 50 miles, people were here, concerned with this upgraded level. And now they're not here because they don't have that concern. And I believe that concern is because they can afford to do the things they need to do to control their concerns that they have to follow. They're following their national control, so they don't need new standards put on them, so they do the things they have to do to control those new standards.

And what I said before was, I'm a fourth-generation farmer. I raise cattle. I have less than a hundred cattle on my place at any one given time because that's partly because of the regulations that are in place, partly because that's a choice that I make. I'm raising a fifth generation that wants to follow in my footsteps and do at least some of the same things and operate some of the operations that I operate. He wants to know if he's going to have a chance, and I assure him that he's going to have a chance, because I believe that the people are going to vote the way that's going to keep the industry in the state. Thank you.

DNR

Thank you, sir. Is there anyone else that who we may have missed on here or has decided that they'd like to come up and make comments at this time before we go back to anybody who's made comments previously. Go ahead, sir. You'll be next, Heidi.

BILL JANECHek

I'm Bill Janechek from Washington County, Iowa. All the complaining I've heard here tonight, there's a reason for it, and I'll tell you some of the reasons, and I've got it right on my farm

Dead fish, stink – I got stunk out of my home six years ago. I still get. Go ahead and laugh back there, because you're the cause of it, you and your wife. Now, don't tell me you're not, because I got you last year, and you know how bad you stunk. The highway patrol about puked out the window this fall. Now, I've got witnesses to all of it. So they're regulations they're wanting is not out of hand when you get stunk out of your house, you can't raise your windows, you can't put clothes on the line.

I have farmed all my life, I've raised hogs, and I'm retired now, but there are people that's causing you people. There are a lot of good farmers out here, but you've got to weed out the bad ones. Thank you.

HEIDI

I wanted to ask you a question, and then I want to make a comment. I didn't think it was appropriate to make a comment for me. My question to you...

DNR

I'm sorry, Heidi. We're still doing the oral testimony part of it right now, and there will be a chance for a few minutes afterwards to ask questions. Is there anyone else who would like to come up and make any comments? Come forward, ma'am

BONNIE HERPEL

Hi I'm Bonnie Herpel. I'm a nonfarmer. I support Dale Janechek in what he said. I support your lower percentage here because it's not funny, folks, when you have to move to town, out of your home. You have to buy a property, out of your home. I raise quarter horses. We love the farm, had big plans. We were going to retire.

Dale wasn't one of these people who was given his farm. We worked night and day. You know what? Try it sometime. Work in your farming operation, work at your hog building, then get in your semi and drive clear over to near Chicago, Illinois, after a load of sand. Why? So you can make your farm payment. Then have people stink you out of your home. Come back and tell us about it.

Another little story. Take a trip to Mayo Clinic. Let those doctors tell you up there how hazardous this is. Do you know that an hour in your building is equivalent to smoking two packs of cigarettes a day. If you want the backup, I'll give you the doctors' names. You can see that yourself.

You know, you folks – pretend like the doctor is giving you six months to live. You still want in your hog factory? Do you still want your lungs ruined? Do you still want that type of life? You

know, get real, be real, folks. Don't make this something that, like you say, isn't. Far as Iowa State, I can document it – they're paid off, their big money. Of course they're going to change their mind. Why not? I'm a Cornhusker fan, folks. They did their job.

DNR

Is there anybody else would like to come up? Come forward, sir. Thank you.

KEITH MARTZ

My name's Keith Martz. I'm from Bluegrass, Iowa. I'm here to oppose your proposed rule. Like many of my friends and family and neighbors out here, we're all good livestock producers, and we're darn proud of it. And we do a good job, and I think our ancestors quite prove that the health effects are very minimal to us, and we all work in our buildings every day and do our own work. Thank you very much.

DNR

Is there anyone else would like to come forward at this time and make comments? Okay. I'm not seeing any hands or anyone jumping up, so we'll go back to Mr. Klicker, who was one of our earlier speakers. Thank you.

GARRY KLICKER

Garry Klicker from Davis County. I would just like to point out a couple of things. Now, the University of Iowa study, you all talk about your families. They say conclusively children living near, working in hog confinements are more prone to get asthma.

Talk about how important the hog industry is in Iowa, it absolutely is, but guess what? According to a group you may be aware of, the Iowa Department of Agriculture, the leading moneymaker in Iowa is not hogs. It's tourism. Tourism brings in four billion, 300,000 dollars a year. Hogs only bring in three billion. If we were raising hogs sensibly and sustainably, we would supplement the tourism industry, and these are your figures, folks. This is from your bought-and-paid-for Iowa Department of Agriculture. Corn is third, soybean is fourth.

If the hogs are outside where they belong, we would have more tourists. The two industries would supplement each other. Instead, your industry is driving tourism out, and tourism is the number one industry in this state, according to the Iowa Department of Agriculture.

I'm sure some of you saw this headline. You know, these folks, that 23 million dollars, another 91.6 million dollars from the Department of Agriculture in Illinois should have gone to young farmers like you, instead 91.6 million to these guys, plus another 23 million investor money – and they're still going broke.

Do you think there might be something wrong with this picture? Do you really think with 114.6 million dollars they can't make it, do you think you might be doing something wrong, folks. This fellow over here said it takes a thousand pigs a week to make it. Twenty years ago.

MIKE DEAHR

No, that's not what I said.

GARRY KLICKER

That's what you said.

MIKE DEAHR

No. That's the ____ point

GARRY KLICKER

Regardless, that's what I heard, a thousand pigs a week. That's what you said.

DNR

Sir, when Mr. Klicker's done, you'll have an opportunity to come up and respond if you'd like to. Thank you.

GARRY KLICKER

That is what you said. You said you have 1600 sows. You said it takes a thousand pigs a week to be viable. Twenty years ago it took a hundred pigs a week to be viable. Twenty years from now, following the way we're going, it'll be a hundred thousand or a million. Do you really think that you're going to be able to compete on that level? Do you think your sons and daughters are going to be able to produce hogs on a level of thousands, hundreds of thousands a week?

You are feeding Smithfield Foods. That's all you're doing. You are cutting your own feet off. And I wish that you would see what you're doing, not only polluting the air we breathe and the water we drink, the very ground we walk on – you're ruining your own economic base.

DNR

Thank you. Would anyone else like to come up and make comments at this time? Thank you.

TOM FURLONG

I'm Tom Furlong from Muscatine County and raise livestock and have raised hogs for more than ten years and been in the cattle business for over thirty. And my family has been in Muscatine County since 1855.

I support some kind of hydrogen sulfide limit. I'm not sure whether it should be at 15, but we definitely have a problem in this state from air pollution from primarily large hog confinements.

I think we have to remember that everybody here is in the food production business and we get caught up in this whole thing that as farmers we can do whatever we want, and as long as we're working hard and producing meat, we shouldn't have anybody complaining. The problem is that people don't need meat, and we know that, to have a good diet. We grew up, we thought we had

to eat meat to have protein and all that, but I have a daughter-in-law that's a vegetarian who grew up on a farm I have a sister-in-law who used to be a vegetarian and eats some meat. I have many of my son's friends who are now vegetarians, and we know that some of this is a fad, some of it's for many reasons

But I think that we need to, as livestock producers, realize that if we're going to continue to sell meat to the public, that we need to be respected in our operation. And I think that many times we aren't. Personal experience is that I have a neighbor that spread I don't know how much manure, but it was about two inches deep on 20 acres, and it was not disked in. We could hardly live in our house for about three days. Everything on our clothesline had to be rewashed, the inside of our cars, pickups and everything. And when I went visited him, which I wasn't very happy, but he said he was within the law. He didn't have to incorporate it because he was so many feet from my house and so forth.

So we do need stringent rules that we can live with, and otherwise I think that as producers we're going to have a hard time selling our meat someday, because all we need is a boycott nationwide that says we aren't going to eat meat that comes out of livestock confinements, and we're going to be just like the BFC problem we have in the beef, that it doesn't take very long. We lost 10% of our beef market, probably lost 20% of our price over the BFC incident.

So I support strong rules that are reasonable, and we have to realize that Iowa State and Iowa did say they were science-based. Why Iowa State has changed, you know, whether that's from a science perspective for political pressure, I'm not going to say. But we do need to have strong rules, and otherwise we're going to have trouble selling our meat in the future.

Thank you.

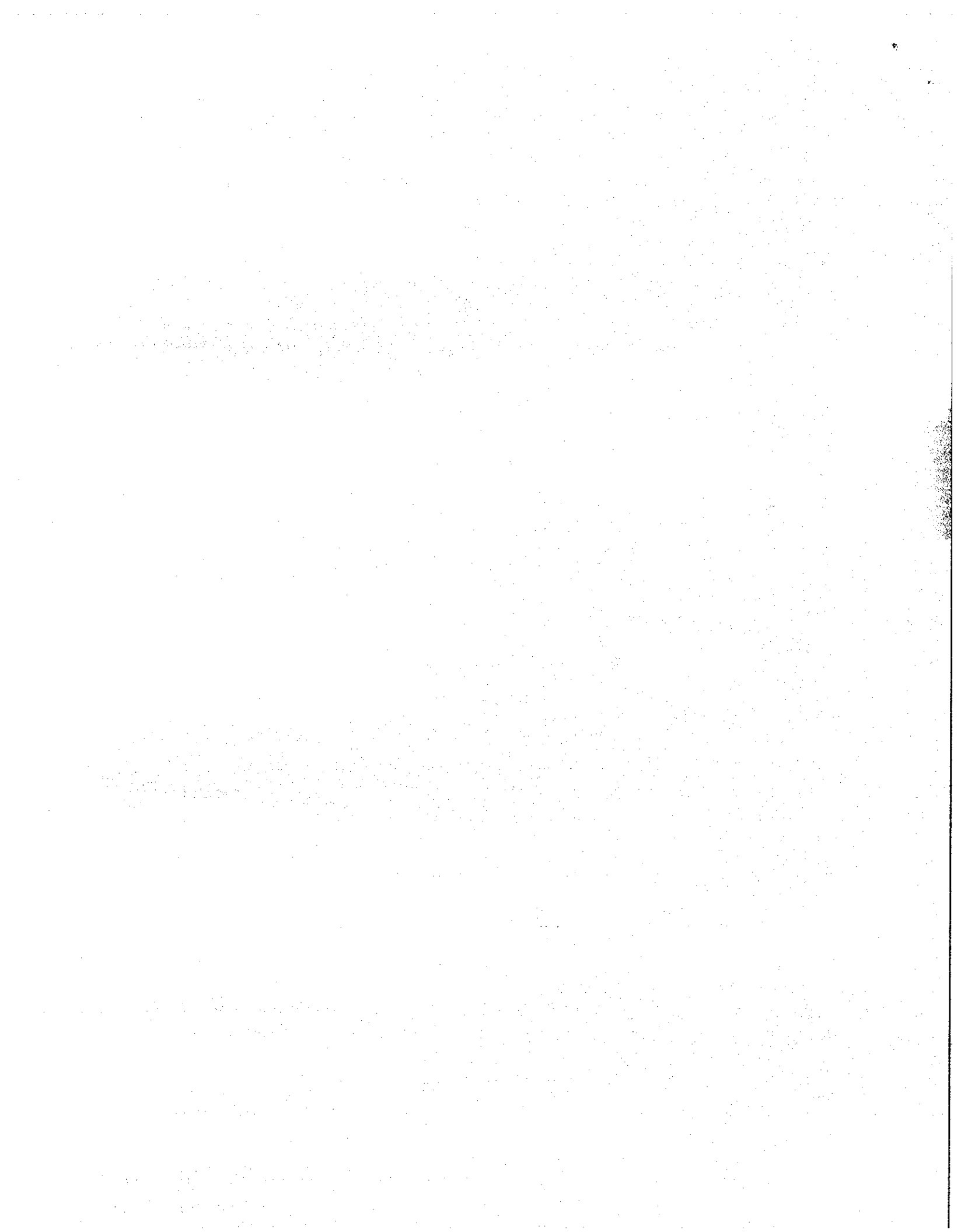
DNR

Is there anyone else that would like to come forward at this time? Okay. Is there anyone who's made comments already that would like to come up and supplement their comments? Okay. As Bryan mentioned early on in the hearing, this is also an opportunity to submit written comments. So if any of you have written comments, you can go ahead and leave those with us when we conclude here.

Also we have two other public hearings coming up. We've got one in Des Moines on Thursday. It's going to be in Urbandale actually, at the Clarion Hotel, which is Hickman Road and I-80/35. That's the one coming up later this week.

We've also tentatively scheduled one again for Mason City on April 1st. We haven't got the time squared away on that, but it'll be at the Community College in Mason City. Watch the Iowa Administrative Bulletin. It should be published on March 31st. It'll also be announced in all your major media outlets, too, so there should be plenty of publication of what time that'll be at the next Mason City Public Hearing. That is an additional public hearing beyond what we had originally scheduled when we started this rulemaking.

I guess at this time we've got a few minutes left. If anyone has some questions, we can go ahead and try and address those off the record to you. Is there anyone else, one more time, that would like to make some comments, before we turn off the tape recorder? Okay. I'm not seeing anybody.



**Iowa DNR
Urbandale Public Hearing - March 11, 2004
Air Quality Standards**

DNR

This is the Urbandale Public Hearing at the Clarion Hotel, Hydrogen Sulfide Health Effects Standard, March 11th, 2004.

BRIAN KESSEL

I'm Brian Kessel from Lamoni, and I am against the 15 parts per billion standard. I'm a young farmer trying to get started down there. I just graduated from Kirkwood College and trying to get going on my own.

I do care about the air quality, but it needs to be set on a sound science, because back in high school I was in chemistry and we did a lab for almost one whole semester that used hydrogen sulfide gas, and I know that was way over the 15 parts per billion because it made your eyes water when you came in the room. So if it's got a health effect, that means every kid that went through chemistry is going to be affected by it. So there has to be a good sound science behind this. And I plan to continue farming in the future, and I'm just concerned with anything that will affect my future.

DNR

Next up is Jared Weber.

BARBARA KALBACH

In the 19th century up to 25% of women who delivered babies in hospitals died from infection related to that birth. As early as 1843 Dr. Oliver Wendell Holmes recommended that handwashing by physicians treating these women would prevent many of these deaths. His ideas were greeted with disdain by many doctors of his time.

In Vienna in the late 1840s Dr. Simmel Weis reduced the alarming death rates in the maternity wards to less than 1% by ordering doctors and medical students to wash their hands in chlorinated solutions before treating women in labor. Some of Weis's ideas about the role of handwashing in prevention of the spread of infection were greeted with hostility by his colleagues. His views were still being ridiculed when he died in 1865.

As late as 1910, Dr. Josephine Baker started a program in New York City to teach hygiene to childcare providers. Thirty physicians sent a letter to the mayor complaining that Dr. Baker was ruining medical practice by keeping babies well. Today handwashing is the first line of defense in stopping the spread of infection.

In 2001 Iowa CCI collected over 6,000 signatures from across the state, asking that regulations be put in place to protect rural citizens from the effects of hydrogen sulfide and ammonia emissions from large livestock feeding operations.

In 2002, 27 scientists from Iowa's two largest universities published their results of their study of air quality ... concentrated animal feeding operations. This study was done, of course, by the request of Governor Vilsack and was peer reviewed by scientists from Pennsylvania to Saskatchewan to Denmark. Based on their own research and that of scientists across our nation and around the globe, our scientists recommended standards for emissions near CAFOs

How have these carefully formulated recommendations been received? Much the same as handwashing in the 19th century – with disdain, with ridicule, with hostility, with cries of “Agriculture will be ruined.” The Republican-led Iowa legislature said in effect that our university scientists didn't know what they were talking about and threw the whole baby out with the bathwater last year. So it is today that we are left with a small piece of the initial air quality recommendation, that of hydrogen sulfide.

This state needs to act appropriately on sound recommendations from a sound body of scientific study, rather than turn its back on an obvious area of need, killing the messenger because corporate agriculture does not want to hear the message.

Thank you.

DNR

Donna Menke, you're up next.

JARED WEBER

Hello. I'm Jared Weber. I'm a young farmer just starting also. I graduated from Kirkwood Community College in 2000. I studied slime production management over there. I currently own zero pigs, and I haven't seen a pig for the last year and a half. It's extremely difficult being a young farmer because of there's many challenges financially, and the stress. My wife asked, “What's the benefits of farming?” I do not know, but the tougher the government makes it on us, the tougher it's going to be. I plan to farm for the rest of my life, but it's difficult. It's an uphill battle.

And I do not support the 15 parts per billion rule. I think it's like sitting the speed limit at 5 miles per hour. Yes, it's a lot safer. No one would get killed. A lot fewer people would get killed driving 5 miles an hour, but would we ever get anywhere? Would we get anything done? No. So 55 is a little more reasonable, much like the 70 parts per billion that should be the standard.

If you don't like the smell of the hydrogen sulfide, the strong odors, please move back to West Des Moines, because we've never moved in here to raise hogs and bother your backyard.

There's a lot. I could go on for a long time. Did you eat today? What'd you have? Where did it come from?

Please support the farmers. Let us do our job. We'll do it well. You do your job. We won't throw
_____ your yard. Thanks.

DONNA MENEKE

I didn't bring any prepared comments tonight like some of you guys did. And what I'm hearing so far in these comments is that people are afraid we're going to take their living away from them. I don't think that's true. My farm, my family is on a century farm. We are still farmers, and we're still more than 15 parts per billion because we want it to be clean. We want everybody to make a living. We just don't want to die for you to make a living. And we understand how hard it is for young farmers to get started. Part of that, we believe, is because of concentrated animal feeding operations, and they're driving the small farmers out of business.

DNR

Donna, please state your name for the record.

DONNA MENEKE

Oh, I'm sorry. Donna Meneke.

DNR

Al Shafbach, and after him will be Bob Carmichael.

AL SHAFBACH

My name is Al Shafbach. I farm in Benton County, south of Waterloo. I figure that the 15 parts per million proposed resolution for hydrogen sulfide is more stringent than the indoor air quality standards that were adopted by the U.S. Centers of Disease Control. Their rules and regulations must be fair and they must be based on substance. These levels proposed by the Iowa DNR fall far short of that criteria. They cannot be substantiated in any research or have it endorsed by any national recognized agencies.

The Iowa Legislature nullified the DNR air quality standards last year. Now the DNR is proposing the same standards that the elected senators and representatives asked you to change. Thank you.

DNR

Lindsay Larson up next.

BOB CARMICHAEL

My name is Bob Carmichael. I farm in Poweshiek County. I raise livestock. I'm a small potato guy. I don't even need a manure management plan, but what is happening here I don't think is fair. Iowa farmers have become more regulated than any other farmers in the nation over the last

eight years, and I think for the most part it's good. I know we've weeded out some bad potatoes in the process that have given all of us farmers a black eye

However, the legislature through the proposed Senate File 2293 directed the DNR to do a field study to see if Iowans were being harmed, and if they found that they were, rules and standards were to be set. But irregardless of that direction, the DNR set standards anyway, which were nullified shortly thereafter. And again in an effort they set new standards but now only applied them to agriculture.

How can I have faith in what you people do if you can't follow the directions that you're given? I think so far you've done a good job, but on this someone must have an agenda, because you've ignored the direction, even ignored eight researchers from Iowa State telling you that you're off base. Thanks.

DNR

Viola Faust, you're up next.

LINDSAY LARSON

My name is Lindsay Larson. I'm a farmer from Jefferson, Iowa, and I'm here tonight to recommend to all those concerned that we oppose the 15 parts per billion hydrogen sulfide level.

I've been involved in this regulatory process for a long time. I do not know if many of you know that I was on a committee when rules were first proposed in 1995 when House File 519 was looked at. And one thing I can tell you consistently over that time as regulations are proposed and they are worked through the legislative process – and that process is what we have to work through in this country, and I'm glad we had it. But what happens is, as it works its way through, you affect more than you intend to set out to affect. That law of unintended consequences always comes through in any intended piece of legislation. And what was mentioned earlier by some of you younger farmers, that unintended consequences reaches out to those that you may wish to save in this state who are no longer in livestock.

Time and time again I've had people come to me and say that the regulations being proposed will never be enough, there will be more. And since 1995 I can say, yes, every year there has been something more proposed, and perhaps next year there will be something more proposed. And to try to give faith to those in livestock production that say to me that it's never enough, I have to answer to them – I'm afraid you're right.

It takes hard work, it takes commitment, and it takes courage to stay in livestock production today. I hope we would remember that as we are looking at these regulations for those in livestock production now and in the future. Thank you.

DNR

Sam Carney, you're up next.

VIOLA FAUST

We have been in hog production, and we have been married for 50 years. We celebrated our 50th wedding anniversary last month, and I don't enter into the amount of money we make or how he spends or anything, but I went with him to the bank the other day, and they were wanting to rewrite a loan that he had had for quite a while. And I said after we got out of there, I said, "Was that for the farm, or was that for something else?" He said it was for operating. He said when our hog prices went down so low, he says, "I've never been able to catch back up." And so we have to rewrite this loan all the time and get this.

And we have a 24-head sow farrowing – it's a modern one with the pits underneath, and then we have the nursery at the other end. When he takes his hogs to market, sometimes there's 14 semis there with hogs. And how in the world can a small farmer make it when they've got it like that?

And I would like to say that I don't know why you're so worried about these new laws affecting a small farmer – and it's going to get the small farmer. I don't see where it's going to hurt us, these new laws that we have for all this that's hurting our health. It's not going to hurt the small farmer near as much as these big factory farms are hurting us, and they're taking away our prices and taking away from us.

DNR

Would you state your name please?

VIOLA FAUST

Viola Faust.

DNR

Ron Rose, you're up next.

SAM CARNEY

Hello. My name's Sam Carney, and I'm a farmer from Adair, Iowa, and I farm with my son, and we're both fourth- and fifth-generation farmers.

I will start out saying I'm greatly opposed to these regulations, and I do support the legislation's rules. 3.3 billion dollars with 137,000 jobs – that's what's related to the livestock industry here in the state of Iowa. I think that's pretty important. Along with the pork industry alone, 4.4% of the state employment is through the pork industry.

For every load of grain that's shipped out of the United States versus a load of livestock, meat, that's shipped to foreign countries, it's three times the growth of the livestock, fed through livestock. So that's pretty big economic growth through the United States.

We talk about 70 parts per billion versus 15 parts per billion. I think that's greatly mistaken there. I mean, we're talking five times less, and I don't understand why we're even close to this figure of ATSDR, the federal standards. I think we should stick to the fed standards.

Some other issues. Every year we have more and more regulations. I agree with Lindsay. It seems like every year we have something new come up. We've been doing this for years and years and years? When's it going to stop? Constantly it's always livestock. We never talk about any other businesses in the state. It's always the livestock industry.

And some other things I'd like to say is – what's next? What's next on the agenda for the livestock industry? Today we're talking about air quality. What's it going to be next year? What's it going to be next week? I often wonder. I'd like to know how I'm going to stay in business. How am I going to tell my son – “Do you want to stay in farming, or should you go on and find another job?” I'm really concerned about that.

The other thing is, we talked about this study with Iowa and Iowa and Iowa State, but it was never any research done on it. And I'm a big believer in research. I want to see current research, the latest research, and I don't think we've seen that.

So thank you for letting me say my piece.

DNR

Thank you Leon, you're up next from Lamoni. Sorry I can't read your name on this.

RON ROSE

I'm Ron Rose from Jasper County. I farm and raise cattle, and this 15 parts per billion was not, it was just a study, not nothing more. We need to do the research on it. It wasn't sound science. And the monitoring done should be from separate locations ... locations. And I'm against it all the way around. Thank you.

DNR

Roger Zylstra, you're up next

LEON KESSEL

Okay. I'm Leon Kessel. That was Kessel on that last name. My two beginning farmers beat me to the podium for some reason, but that's who I'm going to be referring to when I talk about them. Okay. I'm Leon Kessel from Lamoni. I am a small-time hog farmer.

And since we're keeping score, I have to begin by pointing out that I am against the 15 parts per billion hydrogen sulfide standard. In observing what's been going on for the past few months, it reminds me of the controversial decisions in the European Union. Being there many times with environmental concerns as one of my top interests, I found that Greenpeace activists had more

credibility than the government did – and that’s sad. When you lose credibility in a governmental agency, things seem to spiral downward, and this takes innocent victims with it.

Brian and Jerod, my beginning farmers, they’re the beginning of the beginning farmers. They’re just now starting. They were both extreme top graduating. They were at the top of the graduating class of Kirkwood of 2000. They both have a degree in swine management, but neither one of these boys has had a chance to own a pig because of this downward spiral. Bankers are very hesitant, very hesitant to take a chance on beginning hog farmers. It used to be if you raised hogs in Iowa you were guaranteed a chance to farm. Now I’m not so sure.

As a beginning farmer, you can only roll the dice once. You don’t get a second chance. The decisions must be made on sound science and definitely not emotions.

The second part of the problem is the way in which the governmental agency tries to justify the 15 parts per billion. This number seems to be totally astray of common sense. There are separation distances for a reason, and it’s not just numbers on a page. The best thing for any type of pollution is dilution. There is only one reason for putting sensing machines closer than the separation distances, and that is to lessen the dilution, and that is the only reason.

Our government is made up of checks and balances. When one agency chooses to ignore the checks, the balance is gone, the credibility is gone, and not long after, the industry is gone. Thank you.

DNR

Joe Millane, you’re up next.

ROGER ZYLSTRA

My name is Roger Zylstra. I’m a grain and livestock farmer from Jasper County, and I’m a second-generation farmer on the farm. And I am opposed to the 15 parts per billion standard. I think that the 70 parts per billion standard set by the Center for disease control is much more reasonable.

I guess that we all realize how important livestock is to the state of Iowa and to our communities. It’s a really big issue for us. That’s what is keeping many of us in farming today. I ask that you would please follow the intent of the legislation. Do the monitoring study; when the monitoring study is completed, then we can find out where we’re at, and then we can set some standards. Thank you.

DNR

Dave Moody, up next.

JOE MILLANE

I'm Joe Millane from Fairfield, Iowa, and I thank you, gentlemen, for giving me the chance to express my opinion. I'd ask why Iowa needs stricter levels than the U.S. Center for Disease Control. And also I don't feel that you have sound science to follow this.

I would like to have some cattle feeders and hog feeders left in Iowa to buy my grain. I am a grain farmer. And I thank you, gentlemen.

DNR
Don Vos.

DAVE MOODY

I would thank you for giving us the opportunity to comment tonight. My name is Dave Moody. I live in Story County and am a livestock producer up there and definitely do care about air quality in Iowa. But I do not support the 15 parts per billion rule.

The 15 parts per billion that the universities recommended in their study was based on a review of literature, not on any scientific study or anything. They just reviewed literature that was out there. Since that point in time Iowa State has changed their position on the 15 parts per billion. After having looked at some of the monitoring results from you guys' work and looking at the CDC values are that they recommend, Iowa State just came out with a new recommendation that is much more based on science and a much better figure to use.

And also in some of your monitoring you definitely need to look hard and make sure that we are at the separation distances, not somewhere out in between.

And in concluding my remarks, I would estimate there's maybe 170 or so people here tonight. How many of those here are opposed to these regulations? Would you please stand? Thank you. Those in favor, please stand? It looks to me like there's an overwhelming nonsupport for these regulations. Thank you.

DNR
Larry Ginter, you're up next.

DON VOS

My name is Don Vos. I farm in Mahaska County. I have a family operation with my wife and my sons. We've been farming for 33 years. We've had livestock all that time in confinement. I want to make a comment about... First of all, I'm opposed to the 15 parts per million that is being proposed. I'm in favor of the 70 parts per million.

I was really wished that DNR would take the approach that I tried to teach my kids when they were smaller, that the policeman is a friend of them instead of an enemy. And I feel that the DNR has become an enemy of us instead of a friend of us. I would rather see the DNR as being one that could help us solve the problems, if there is indeed a problem with 70 parts per million or

whatever the parts per million are. I wish that the DNR would help us solve these problems rather than to be an enforcer and slap fines upon us that will indeed cause more trouble than if they would be helpful.

I do not support the 15 parts per million because the CDC has come out and said the 70 parts per million is already 30 times greater, better for health risk. I mean, there's a safety factor in there of 30 times, is what I'm really trying to say and getting confused here a little bit.

I also would support the fact of monitoring be done at the separation distances rather than at the intermediate sites, because that's really where we've already got some laws in place, and that would be, in my thought, would be much more logical to do the testing.

Thank you very much, and I appreciate you giving me a chance to speak.

DNR

Thank you. Bill Jesina. I can't tell if you signed up to speak or not. Do you want to speak? You're up next.

LARRY GINTER

Thank you. My name is Larry Ginter. I'm from Rhodes, Iowa. I've fed hogs for 36 years starting in 1965. I'm a member of Iowa Citizens for Community Improvement. Tonight I come here to defend the Joint University CAFO Study.

If this was a court of law and the opposition to clean air rules was put on the witness stand, swearing to tell the truth, the whole truth, so help me God, then claim the findings of the joint study were not based on sound science, they would be facing a perjury charge. A good defense attorney would present to the jury that the joint study is an empirical finding, which means it is based on scientific, irrefutable truth.

If the opposition started to defend their position by saying they were third- or fourth-generation farmers, sang in the church choir, were Boy Scouts, gave generously to their church and served on the school board, a good defense testimony would interrupt the testimony and ask to rule it immaterial. The judge would agree, noting that it has nothing to do with air quality.

When the opposition claimed their and their children entered confinement facilities without experiencing health problems, a good attorney would say, "Prove it. Show me and the jury records of the air monitors around your facilities." The defense attorney would turn to the jury and say, "The truth is, the witness doesn't know what the air quality is around his facilities."

Since this is not a court of law, the opposition can get away with their cavalier attitude about their own health, their callousness about the danger these hog confinement facilities pose to their neighbors, and their relentless falsehoods against a study by calling it not sound science.

In all actuality, the new legislative bills are shameless, reckless and ought to be tossed in the pit of hell because the dustbin of history is too --- good for them.

The DNR needs to reject the foolishness of the opposition's outrageous claims and set air quality standards as outlined in the joint study. Let them hold all producers to a high standard that protects the environment and citizenry long into the future.

Let's not be fooled by the cookie-cutter testimonies of the Farm Bureau. Recent surveys show between 70 and 80% of the population of Iowa want local control and stricter factory farm regulations. The citizens living next to those hog confinement factories should not be made to suffer any longer.

Fifteen parts per billion for hydrogen sulfide is justice; 150 parts per billion for ammonia is justice. It's time for justice now, not for continued injustice.

And, finally, Lindsay Larsen, I was here in 1995 down at that state legislature and complained about House File 519 allowing these hog factories to come into this state, and we warned the Farm Bureau and all the other groups that they would drive family farmers off the land, they would pollute the countryside, and they would destroy the economy of this state -- and that's exactly what's happened, Lindsay.

DNR

Jim Flinspach, you're up next.

BILL JESINA

Bill Jesina from Plato. We farm in Tama County. We've got a son that just started farming last year, so I can really relate to these guys here that would like to get farming, because he just loves it. It's all he's wanted to do all his life. We do raise hogs and cattle both, and I've been around hogs all my life, ever since I was born.

And would like to say that I am opposed to the 15 parts per billion. Would like to see the standard stay at least where the Center for Disease Control has it set at 70 to where they seem to think there is a discrepancy.

And would kind of like to know, too, why is it just the livestock farmers you're picking on here? Why not the factories here in Des Moines or someone that's putting out the hydrogen sulfide? You're not going to worry about that, I guess, but it's in town here.

So thank you for listening to our comments.

DNR

Have to ask that everyone just go ahead and wait your turn to speak, please. Don't try and interrupt any of the speakers while they're giving their oral comments. Thank you.

JIM FLINSPACH

My name's Jim Flinspach from Fairfield, Iowa. Thank you for giving me this opportunity to speak to you tonight. I'm a grain farmer, and a very high percentage of my crops are fed through the livestock industry.

I do care about clean air, but I do not support the 15 parts per billion standard. I support the legislation proposed by House File 2523 and Senate File 2267. This legislation is supported by sound science and will represent air quality levels we can all live with. Please consider placing the monitoring equipment at separated locations. The accuracy of true health effects on residents can only be registered if the testing equipment is located adjacent to the residence.

The future of the healthy livestock industries as well as the health of rural residents will be protected by the proposed legislation.

DNR

Gary Larsen and Bob Taylor

GARY LARSEN

Thanks for letting me speak. My name is Gary Larsen. I'm from Exira, Iowa, in Audubon County, and I'm an Iowa CCI member. I'm a fourth-generation farmer, and I've raised hogs for 25 years until the price went down to \$80 in 1998. At that point I knew the price would not work, because I knew that \$30 was my breakeven price at that time. So I quit hogs but continued to raise corn and beans.

And I realize I need a market for my crops, and I'm trying to run the livestock business out of Iowa. But since we've gotten larger operations with lagoons and pits, we have started having emission problems from neighbors. The studies from our two colleges, ISU and University of Iowa, and 27 professors involved, came out with a consensus report to set hydrogen sulfide and ammonia standards. We know there is something coming out of the buildings, because if we turn our fans off, the hogs and the people in there will die, because this has happened. I believe if these 27 professors can teach our children, they can put out a believable study.

I support the DNR standards of 15 parts per billion and also ammonia standard and odor. Thank you.

DNR

Rich Merrill, you're up next.

BOB TAYLOR

Bob Taylor from Minburne, Dallas County. I'm farming. I oppose your standards. I've got grain and livestock. I've got cattle. I'm also an alcoholic. I've got three alcohol plants, and those are a major industry in the state of Iowa too. They help clean air with the, and the grain, and we also

have a source there of the DDG or the gluten, which is a tremendous livestock feed. And without livestock here in the state, that will be a detriment to that industry.

So I'm opposed to you. I think that's an excessive standard, that 15 parts per billion. Thank you.

DNR

Betty Johnston. Did Rich Merrill still want to speak?

RICHARD MERRILL

Yes.

DNR

Okay. Go ahead, right after Betty.

BETTY JOHNSTON

Well, I'm Betty Johnston, and I'm from Murray, Iowa, Clarke County. I'm a member of Iowa CCI, too, and we have been married 49 years this month. We've farmed all our lives, lived on the same farm 43 years.

And I just wonder how many of these hogs that everybody talks about belongs to them. How many are they feeding for somebody else? Because if we raised hogs, we couldn't even sell them? Where would you go with them? There isn't anyplace. And we live within two and a half miles of 20,000 sows, and it's not very much fun. And I just don't think that these rules should be changed. I think what you've got is right. Thank you.

DNR

Gary Elderkin, you're up next.

RICHARD MERRILL

Yes. I'm Richard Merrill from Webster County. I want to thank you people for giving us the opportunity to speak to this proposed rule. I'd like to say that I'm against the rule because it's not based on sound science.

I care about clean air as well as my neighbors and everybody else. The 15 parts per billion is not based on sound science. If the CDC says 70 parts per billion is a right number, that's the one we should use. Monitoring should also be done at the right separated locations. I would urge you to disapprove this. Thank you.

DNR

Daniel Doty, you're up next.

GARY ELDERKIN

My name is Gary Elderkin. I'm from Madison County. I appreciate the opportunity to address the crowd tonight. I'm a fifth-generation farmer from Madison County. My wife is a fourth-generation. We have three sons that I would like to see at one point at least one of them possibly to get back into the farming operation.

We've always used sound conservation practices on our farm and have always believed in good air quality and water quality. I am opposed to the 15 parts per billion. I believe that the standard that was set up by the CDC should be where the DNR sets their standards.

The Senate File 2293 that ISU has twice expressed concerns to the DNR, on January 6th and on April 1st of 2003, that they did not think that those standards were correct. And on December 3, 2003, they said they could no longer support the 15 parts per billion.

A third point that I want to make is that separation distances, I believe, should be nearer the residences that we are having air quality problems with and not closer to the unseparated distance. Thank you.

DNR

Carrie Carney, you're up next.

DANIEL DOTY

Daniel Doty, Montezuma, Iowa, farmer. I am opposed to the proposed regulations. I feel that with OSHA and a variety of other organizations that have set standards that are much higher than this, and I'd urge you to take a look at some of those standards and also what Iowa State has given you for information and use those in considerations.

DNR

Tom Keintz, you're up next. After Tom will be Greg Rinehart.

TOM KEINTZ

My name's Tom Keintz. I'm from Jefferson County, and I want to thank you for holding these hearings and giving everyone the right to give their opinions on this. I've just recently purchased the century farm from my father, and I want to continue to farm. I hope to pass that on to my daughter and hope she can keep it in the family.

I am opposed to these standards. I think they're too strict. I don't believe that they're based on sound science, and making these kinds of regulations will be a large detriment not only to the livestock industry but it's going to affect all of agri-business in Iowa, and that will be a detriment to the whole economy of the state. And I'm opposed to it. Thank you.

DNR

Tom Skadburg, you're up next.

GREG RINEHART

Hi. I'm Greg Rinehart from Boone County. I thank you for giving us this opportunity to express our views. I oppose the 15 parts per billion standard. Iowa is a place to grow, and I care about clean air, and all these farmers in here care about clean air. We have raised cattle and hogs for over 20 years on our farm, and in that time my wife Polly and I have been blessed with ten healthy and happy children. Their ages now are from 25 to 7 years of age.

Neighbors always tease us that there must be something in the water that has caused this. Well, something in the air may have also been causing it as well. But I feel tonight you are targeting just livestock producers and putting too strict a standard on them. Let's keep Iowa a place to grow. Thanks.

DNR

Dave Deyoe, next.

DON SKADBURG

Yeah. My name's Don Skadburg. I was born and raised on a family farm in north-central Iowa, and I'd just like to express my appreciation for the tough job you gentlemen have to do. And I think it's safe to say that we're all after the same goals and objectives in life. We're all supporting clean air.

Sound science must apply, and I, too, am against the 15 parts per billion. I think the reality is that there is science that is available here today, and I'd like to clearly state to you gentlemen tonight that that science has been documented by Iowa State University. It is on a family farm in Iowa today, and I would invite the representatives from your organization to come out, tour and visit that farm. And I appreciate the time this evening.

DNR

Cindy Ringgenberg, you're up next.

DAVE DEYOE

First, I'd like to thank you for the opportunity to be able to come here and speak to you. My name is Dave Deyoe, and I operate a family hog operation near Nevada, Iowa.

I started to think about what I was going to say when I came here, and a lot of times when you're part of a group like Farm Bureau or ICCI, you have a tendency to kind of follow the canned comments, and I wanted to look up and see if I could find some information on my own. And so I did some of my own research, and I ended up on a website from the Agency for Toxic Substances and Disease Registry, the ATSDR, which is a division of the CDC, and one particular line caught my eye.

Keep in mind, we're talking about 15 parts per billion. The quote is, "Your body makes small amounts of hydrogen sulfide. In the mouth air levels between 1 and 100 parts of hydrogen sulfide per billion parts of air have been found." Now, I did brush my teeth before coming here, and so I hope I'm not exceeding the limit

If people can produce hydrogen sulfide in amounts exceeding 15 parts per billion in their mouths, I'm skeptical about what...

[end of tape side A, beginning of side B]

...levels recorded in intestinal gas have been between 1 and 4 parts per million. That's approximately 100 times the DNR's proposal. You can draw your own conclusions.

If we set the hydrogen sulfide level at 15 parts per billion, I believe it would send a false message to Iowans that this is a necessary level to protect public health. Most people are not aware they are producing a higher level in their own bodies.

I also found many websites, while I was looking, from around the world, touting the health and benefits of hydrogen sulfide found in hot spring mineral baths. In fact, if you go to the Thermopolis Wyoming Chamber of Commerce website, they invite people to "visit and play in the hot mineral springs all year long," where they boast that the hydrogen sulfide level is 4500 parts per billion, 4,500 parts per billion.

I also saw another one that I'll just throw in here from a Dr. Wile, and I've seen his face many times. He's been on TV and he's written books and things like that. But he's got a question-and-answer site on his website here, and somebody asked him about hot mineral springs. And he said, quote, "Hydrogen sulfide, the gas that gives some hot springs a rotten egg smell is toxic but rarely present in high enough concentrations to be a concern, although, it will blacken silver jewelry." And keep in mind, of course, you know, according to this website in Wyoming, 4,500 is the level that can happen in these. And he concludes by saying, "As for the frequency, I can just speak for myself. If I were lucky enough to live near a hot spring, I would be in it at least once a day." And I thought that was kind of interesting.

I'm not going to deny that the odor of hydrogen sulfide can be annoying, but is it really a health risk at very low levels? I believe that 15 parts per billion is not only not sound science, it's not common sense. Thank you.

DNR

Ron Skien, Fairfield, you're up next

CINDY RINGGENBERG

I am Cindy Ringgenberg, and I'm a registered nurse. I support the DNR's proposed hydrogen sulfide standard of 15 parts per billion, one-hour average, that was recommended in the Joint University Study.

I would like to quote some information from Dr. David Ostenberg, Associate Clinical Professor, Department of Occupational and Environmental Health at the University of Iowa. This is as follows: "Minnesota Department of Health passed a sub-chronic three-month average inhalation health risk value for hydrogen sulfide, approximately 7 parts per billion. This is less than the proposed Iowa standard. This standard is to be measured at the receptor rather than the emitter's property line. The Minnesota Department of Public Health adopted the health risk value without public hearing and without opposition. In addition, the State of Minnesota addresses air quality issues from CAFOs by requiring each facility with a thousand animal units or more to include an air emission plan in its water quality permit." Thank you

DNR

Rhonda Hilleman, you're up next.

RON SEREN

I'm Ron Seren from Jefferson County. I'm an outside salesman, and I have five children. I live on an acreage and raise some pigs.

My concern is that it's too strict. I'm glad I was able to listen to everybody. I've learned some things from you people with your concerns. I think the main thing, we are all are concerned with air quality, and it needs to be monitored, because if it does cause health problems, it needs to be taken care of. But I do think that the level that you're using is too strict. If it turns out it isn't, then we should take care of it later. Thank you.

DNR

John Weber, you're up next.

RANDY HILLEMAN

I'm Randy Hilleman from State Center, a pork producer, a fourth-generation pork producer with my two brothers, a small animal feeding operation, small, little guy with hoop buildings. We no till. I'm an ISU grad, but according to Larry, none of that means ---. I disagree. Because I disagreed with your 15 parts per million, billion. I think they're too low; they should be at 70.

I believe in clean air. We live on our farms, we raise our hogs. Our manure pile is right there, and our house is right here. We live there all the time. If it was bad, we'd do something about it. And I think you should monitor according to the separated distances, but I definitely think it should be at 70 parts per billion.

And my last comment is, Dave, I've had some around that was over 200 parts per million, I'm sure.

DNR

Lee Mees, you're up next

JOHN WEBER

My name is John Weber. I'm a pork producer from Dysert, Iowa. I am a member of Farm Bureau and the Iowa Pork Producers Association, and I'm very thankful for the work that those organizations do for our industry. I've been in business since 1973 and raised hogs since that time, and I've tried to adopt technology in my operation as fast as I can financially afford it to make it a better operation.

I'm concerned, or actually I think all of us are concerned about the quality of Iowa's air. I'm opposed to these rules and regulations because of the speed with which we are moving without the data we need to make decisions. I think we need more data. Hydrogen sulfide does exist, and I think we need more data, and I think pork producers, dairy people and beef people will respond to what the data shows us. But we cannot regulate our industry this quickly without scientific data.

From the health standpoint, I also did some research or tried to do some research on the Internet, and I found several examples of... The only thing I could find was the deaths that were recorded from hydrogen sulfide, and most of those occurred in drainage ditch accidents working on sewage systems. There have obviously been, I think, a few in confinements buildings by accident. But most of them that are recorded on the website were in the sewage industry.

My question then, along with the health aspect, is why are we ignoring the CDC recommendations of 70 parts per billion as being safe for human exposure? We just frankly need to see the data, and I think our industry will respond to what that data says, and I think that's the points I wanted to make. Thank you.

DNR

Stephen Burgmeier, you're up next

STEPHEN BURGMEIER

My name is Stephen Burgmeier, and I wanted to thank you for letting me speak. As you can tell, I'm a farmer, but I'm also a county supervisor, and I see every day the cost that bad regulation has on good government. Regulation that is not science-based also costs business money to enforce. This cost is a new tax. Iowa doesn't have a good record on keeping or attracting business. Our state budget is a reflection of that.

Farming yesterday, today and tomorrow will have an aroma. The 15 parts per billion regulation stinks.

DNR

Joe Ledger. We'll have Marvin Edwards after Mr. Ledger.

JOE LEDGER

I am Joe Ledger. I'm from Fairfield, Jefferson County. I'm a member of the Iowa Farm Bureau, the Iowa Pork Producers, and I'm also president of our local Corn and Soybean Association

I am a third-generation farmer and want agriculture to continue in the state. The DNR proposal is too strict and does not conform with the most recent science on the issue. If these standards are set too low, you are going to drive all the livestock out of the state of Iowa, and losing livestock production will be devastating to the state's economy.

I also support the House File 2523 and the Senate File 2267 now being discussed and ask that you look at it very closely. Thank you.

DNR

Marlin Van Zante, you're up next.

MARVIN EDWARDS

I'm Marvin Edwards, a small grain farmer from Poweshiek County. My wife, my daughters and my 18-month granddaughter represent the fourth, fifth and sixth generations on our family farm. I also work off the farm. I haul corn gluten to some of the largest beef and dairy operations in the state, and there's a lot of good farmers doing a lot of good work out there.

The 15 parts per billion standard is not supported by sound science. This is not consistent with the levels recognized by the CDC. I, therefore, am opposed to the 15 parts per billion standard. Also, all monitoring should be done properly at separated locations. The monitors should not be closer than the specified required separation distances. Accurate data is necessary, and Iowans deserve no less. Thank you.

DNR

Is Arlin Van Zante here? Okay. We'll move on to Gayle Woods, and Carroll Van Gemp is after her.

GAYLE WOODS

Good evening. I am Gayle Woods from Clemens, Iowa, Marshall County, Iowa. I am a hog raiser. I'm a grain farmer. I am opposed to 15 parts per billion on the hydrogen sulfide. I don't think it's based on sound science. I am worried about the viability of the livestock operation in Iowa, and along with that goes the grain farmers in Iowa. Livestock is a value-added product; that's one of the catch phrases of today's society. Thank you for your time.

DNR

Is Carroll Van Gemp here?

Is that Van Gorp?

DNR
Van Gorp?

CARROLL VAN GORP

I thank you for letting us be able to talk here tonight. I lived on the farm all my life, and my great-grandparents lived on this farm, and now we just purchased this here farm. So we've been in the farming business for quite some time. We've got some cattle, we've got some hogs. Now I've got my own boys on the farm.

And I served in the service for, I got nominated for the service, served some time. And I'm against the 15 parts per billion, but this is a meeting like you served for in the service, for freedom of speech, plus freedom of other things that we have. Thank you.

DNR
Karl Strobberg. After Karl will be Tarah Heinzen.

KARL STROBBEHN

Hi. I'm Karl Strobbehn, ex-cattlefeeder from Grundy County. Thank you for allowing us to speak tonight.

I'm opposed to the DNR regulations, in favor of the house file and senate files. A lethal dose of hydrogen sulfide is about five million parts per billion. The OSHA standard is about 20,000 parts per billion. Your proposed standard is 15 parts per billion; 15 parts per billion is the equivalent of one kernel of corn in a semi load of corn, about 900 bushels.

Excessive regulation only serves to continue to concentrate livestock in fewer and fewer hands. In a 12-page EPA drinking water standard I downloaded, hydrogen sulfide is not mentioned at all, and this includes about a couple dozen items that are considered, not regulated chemicals but just the nuisance ones.

Seven to eight years ago, the EPA and DNR and the city of Des Moines shut down Monfort, the cattle-killing facility. Two years ago Ackley Foods left Iowa; they'd been a source of sweetcorn and silage for my operation. I decided to leave cattlefeeding – no market for the cattle and my feed supply reduced.

Excessive regulation, along with the further threat of more regulation, caused me to give up completely on livestock in Iowa. Gone are two full-time jobs with good pay, excellent benefits, including Blue Cross Blue Shield, Alliance Select, housing, meat and a vehicle. The hardest I've ever done was tell my feedlot manager who'd been with us for 39 years, since I was five years old, that I no longer had a job for him.

I'm also currently on the board of High Link Corn Processors, which is an ethanol plant up at Steamboat Rock. In order to get 30 jobs going, state and local tax incentives will amount to at least a hundred thousand dollars per job created. Thank you.

DNR

David Garoutte from Waterloo, you're up next.

TARAH HEINZEN

Hi. My name is Tarah Heinzen, and I'm here on behalf of the Sierra Club of Iowa to express support for the proposed one-hour average hydrogen sulfide standard of 15 parts per billion from factory farms. We believe that this standard as recommended by the Joint University Study is based on the most current and objective science, or sound science, as nonscientists have taken to calling it, and that this standard is a good first step that Iowa needs to take in order to protect public health in rural communities.

We've all heard the arguments for protecting polluters and ignoring the health threat that unregulated hydrogen sulfide emissions pose. We've all been subject to fear-mongering in the form of threats that the sky is falling, that the slightest move towards holding these industrial facilities responsible for their impacts on rural communities will "run agriculture out of Iowa." In reality, anyone with the audacity and utter contempt for rural citizens to say that the proposed hydrogen sulfide standard would run agriculture out of Iowa needs a reality check.

This standard would allow seven exceedences every year with no fines or other consequences and would exist primarily as a benchmark for monitoring efforts. Monitors would be focused on the state's largest facilities rather than family farms that would not exceed the standards anyways.

The opponent of air quality protections are terrified of anyone having the ability to quantify how serious our CAFO emission problems are, because they know it is agri-business, not agriculture, and animal factories not family farms that will be found to exceed the standards if Iowa begins taking this public health threat seriously. Those who threaten we will run agri-business out of the state are fully aware that states do not come more agri-business friendly than Iowa. Livestock production isn't going anywhere, so we need to make it a form that Iowans can live with.

Now we're hearing that the Joint University Study isn't based on sound science. I have to ask, what exactly is sound science if it isn't the most current consensus-based, research-based, peer-reviewed science available. Apparently, sound science is limited to whatever the industry wants to hear, and this is nothing new.

This industry has demonstrated time and time again that it will fight any regulation, whether it is intended to protect public health, the environment, or the free market. They have also demonstrated that there are too many bad actors to allow this industry to go without that regulation.

Last year the air quality rules were too broad. This year we hear they're too narrow. Sound science has never been the industry's bottom line. Profit is their bottom line, and profits go up when costs, like air pollution, are externalized onto rural communities. These businesses are in the business of making money and do not care about the soundness of the science behind the Joint University Study or any of the many other studies showing the harmful effects of hydrogen sulfide, ammonia or odors.

And unfortunately, many of these so-called farmers have shown the same contempt for their neighbors' health and quality of life as they have for mounting scientific evidence. That contempt is why this issue has become so controversial and divisive in Iowa. And that contempt is why we're all here today.

There is no reason to back off from the recommendations of the Joint University Study, which include setting standards for ammonia and odors as well as hydrogen sulfide. Please move ahead with these rules. It's clear that when an industry amasses the influence to pressure a university into condemning its own research and pressure the legislature into proposing a bill that would strip the DNR of its rightful authority to protect Iowans from everything from hydrogen sulfide to mercury, that we have allowed that industry too much self-regulation.

Rural Iowans support the standard you have proposed. Please don't be swayed from good judgment and good science to accommodate an industry that constitutes a very vocal minority used to getting its way that doesn't want to share the countryside with citizens who have far more than profit to lose. Thank you.

DNR

Amanda Kalbach, you're up next.

DAVID GAROUTTE

I'm Dave Garoutte from Dallas County. I'm a third-generation farmer, and I was looking through some records there the other day, and I saw where my grandad shipped cattle to Chicago that weighed 2200 pounds. Now cattle are shipped around 1100 pounds. We are changing. We are trying to keep up with the times.

But your requirement of 15 parts per million, I think is a little bit excessive. I refer to the Iowa State / Iowa study. That is data that was collected from the year past, is not new data that we need to collect with these new monitoring systems.

Also OSHA has a standard of 20,000 parts per million for their men working in pits where hydrogen sulfide is present. If they see that men can work in pits that are 20,000 parts per million, then I think 15 parts per million is a little bit excessive.

In the medical community, 20,000 parts per billion is being very careful in saying that 2,000 parts per billion is a health risk, but 15 parts per billion is way below what they're even saying is a questionable risk.

Once again, I'd like to thank you for giving me the opportunity to voice my opinions. I think you've probably heard everything about five, six times already, and I hope you sleep good at night

DNR

Thank you very much. David Wendel, you're up next

AMANDA KALBACH

My name is Amanda Kalbach, and I grew up on a family farm near Stewart, and I'm not going to say very much. Most people are set in their ways and have their own opinions, but I do support the 15 parts per billion.

DNR

Barbara Prose from Ottumwa, you're up next

DAVID WENDEL

I'm David Wendel from Oats, Iowa. I'm a third-generation livestock producer, and I think that's important for everybody to know, because I think that's the background of the livestock industry in this state. And I think that the 15 parts per billion is too stringent. I think it's important that we are allowed to grow and evolve and change with the times.

And I think one other thing that's very important, I think that most everybody here that spoke tonight own their own livestock. We own our livestock, and I'd like everybody to stand that owns their livestock that has spoken tonight. Thank you.

DNR

Larry Kinsinger, you're up next.

BARBARA PROSE

I'm Barbara Prose, Ottumwa, Wapello County. As a city girl of 21 years ago, I was taken to the farm and going to the farm I had certain ideas of farm living and farming. And for the most part I've enjoyed it, and we became a pork producer in the past 21 years.

And we enjoyed it until approximately '94. And since '94, the rules and regulations are taking the enjoyment out of my occupation, which by the way is a small animal feeding operation so technically is not going to be affected by this new rule but in effect will be affected because we have more city people moving out to where I live. I live too close to town.

So what I'm trying to say is the rules and regulations do need to be based on sound science. I have read that report that both universities put out, and it is about this thick. I do remember reading it. And having a degree in nursing, too, I remember especially the medical parts. The

sound science that they said this is based on consisted of them reading doctors' reports, doctors' reports after the people were involved with living close to a hog operation – not the reports before. Who's to say they weren't sick before? So I don't believe it was sound science that made the reports, and I believe the CDC recommendations of 70 parts per million is something that I can live with and something my operation can continue to live with. Thank you.

DNR

Kevin Blood, you're up next.

LARRY KINSINGER

I'm Larry Kinsinger. I'm in southeast Iowa, Wapello County, raise hogs. I own two family farm corporations. I am opposed, just go on record as being opposed to this 15 parts per billion. I think many have been more eloquent than I can be. A scientific basis typically is replicated by results so that we don't go from one presumption.

As far as helping the environment, I guess I think that we have seen more deer, more raccoons, more birds, many more live animals in the wild than we have had in the past, so I can't understand how we as farmers would be hurting the environment intentionally.

I think the intent of the legislation was to nullify these rules, and it would seem to me that that's what the DNR ought to follow.

DNR

Deb McCurren, Fairfield, you're up next.

KEVIN BLOOD

My name is Kevin Blood. I'm from Marshall County, State Center, Iowa, and my wife and I have a dairy operation there. We're not a corporate farm, we own our cows and it's considered fairly large.

We do have earthen storage basins, and we live as close as anybody to it and choose to live there. I guess a couple things. You know, there have been many new rules and regulations come out in the past few years, and we've done and abided by what we had to do, and it seems like every year something else comes out. Some of them I understand, they make some sense. This one here I do question because of the, you know, the CDC's level on hydrogen sulfide, OSHA's level on hydrogen sulfide. And it seems to me that we've jumped way below any of those. And then we do get some contradiction between, Iowa State has changed their mind a little bit, I think, on how these levels were arrived at.

And one other thing I guess I find interesting – we talk so much about the rural air, and I guess I find it interesting that industry and municipalities have been excluded from these regulations. It would seem to me there's many more people living near those areas than in the country if it's truly human health that we're concerned about.

So I am opposed to these standards, and I thank you for letting me speak.

DNR

Mark Buskohl, you're up next.

DEB McCURREN

Deb McCurren, Jefferson County. As an advocate for the preservation and restoration of rural communities, family farms, small town, I greatly appreciate your concerns for the family farm. I think we need clarification about whether this issue is about air quality or family farm versus corporate farming.

If it is about air quality, I think from everything that we've heard tonight, we definitely need further study on this. The study that's been conducted so far, I believe was based on literature that has been out there previously, and we maybe need some more of what would be called onsite, hands-on studies for this.

In addition, one of the things that I think would really help unite the farming community, which we desperately need, if farming is going to survive, and we need it to survive. Iowa needs it to survive, and the nation needs it to survive. The farmers have got to find a way to come together. And when you go to your legislators, one of the things that I hear over and over is that there was such a division, the legislators don't know what the farmers want. So we need to find a way to unite.

And one of the ways we can unite is focusing on techniques rather than just on the standards and monitoring. Most of what I'm hearing has been standards and monitoring, but what about the techniques? The solutions are out there. The solutions are definitely out there for both the family farm and for the air quality to bring the farmer together with the environment together. The solutions are there, but we need to start focusing on the techniques and find some way to come together with these issues, that farming survives, not just the farm community being divided amongst themselves.

DNR

Carol Miller, you're up next.

MARK BUSKOHL

Mark Buskohl, Grundy County. Changed my comments a little bit because I think it's been reiterated. I am opposed to the 15 parts per billion, to make it perfectly clear.

I want to give a little background. I'm a diversified farm. I've got cattle, hogs, sheep. I'm one of the few left in the area that does have that. We also have joined together with 30 other farmers that built an operation that we share labor, share facilities and sites, feed 50,000 bushel of corn to keep a local elevator open. We have a local vet, we have local electricians, we pay local taxes. So

we're involved with the local community I care about my neighbors. I'm interested. I have asked what their concerns are. I have tried to solve any problems. Sometimes you can't solve problems. I have sited a building further away than I needed to in a place where it's not as handy for me, to make it better for my neighbors. I had opportunities to put sites up for large corporations. I turned that down to do my own thing so I am responsible for it.

I resent being called a factory farm. And I want to respond in rebuttal to Mr. Ginter, Ginker's comments – excuse me if I miss your name. I'm not going to use any fowl language. I'm not going to yell. I'm speaking with a little bit of passion. There's been a few things said here this evening about Farm Bureau. We as Farm Bureau members have nothing to apologize for. This is not a hearing about Farm Bureau. This is not a hearing about ICCI. It's a hearing about regulations that will affect my business.

I find it ironic – and I'm going to point this out because this has bothered me for a long time, and I want to address that group over there – that they have compared people like myself to Timothy McVeigh and Usama Bin Laden. And I might also want to point out that a member of ICCI was quoted in the June 23rd, 2002, Burlington Hawkeye as saying, "My feeling is, if a farmer is raising hogs in confinement [that's me], they probably need to be visited by DHS, Department of Human Services, because they probably have kids in the closet." I have two boys. They are going to college. One is being a mechanical engineer, the other one a teacher in math, one may come home to farm. I never stuck them in a closet, but I did have them help me in a confinement building and work hard with me. And I think they resented that comment.

I'm sorry, but if ICC does not speak on behalf of farmers of rural Iowa and I am a farmer, they never have, they probably never will. And, oh, by, for the record, I'm in favor of House File 2523 and Senate File 2267.

One quick other point. I just came back from Haiti two months ago, serving on a mission group, fixing John Deere tractors. I have never been hungry in this country. Now, maybe my folks have or grandparents. We have a lot to be thankful in this country, but if we have excessive regulations, maybe the day will come when we are going to be hungry. If any of you would ever go to a third-world country, it'd give you a completely different perspective. We probably wouldn't be having this meeting tonight.

Thank you.

DNR

Stephen Gardner, you're up next.

CAROL MILLER

I'm Carol Miller. My husband and I and two sons live on a family farm, and our primary farm operation is row crop, soybeans and corn, and we supplement our income with livestock. We live in the northern part of Polk County. We are concerned about health and welfare of our neighbors – some also are livestock producers - and our health and welfare.

It is my understanding that the 15 parts per billion standard proposed by DNR is not supported by sound scientific science data and not consistent with the levels established by the Center of Disease Control at 70 parts per billion. Monitors should be placed no closer than the separation distance required between buildings and residents.

We care about clean air and environmental protection, and I support Senate File 2267 and House File 2523 that follows the CDC levels of 70 parts per billion. We believe it is in everyone's best interest to use scientific data and not fear and emotion to formulate a decision.

Thank you for an opportunity to speak.

DNR

Kathleen Johnson, you're up next.

STEVE GARDNER

Thank you very much. My name's Steve Gardner. I'm a livestock producer from Wapello County. I too am a Farm Bureau member and darn proud of it.

I am really concerned. I'd like to be on record as being concerned with the 15 parts per billion. I think that's a little over the wall. Clean air is good. I see some folks here with clean air on their stickers, and I'm for clean air as much as anything is. I live in the Eddyville area, and there is a compost facility down there, and you talk about something that'll take your breath away – you drive by that compost facility, it will literally take your breath away. But they have to be in business. They have to do it. That's just part of it. And livestock is going to smell. I never raised any livestock that didn't have a part that smelled about them. We have to understand that's Iowa, that's part of livestock. And to take the smell out of livestock, it isn't going to happen. Thank you.

DNR

Rod Collins, you're up next.

KATHLEEN JOHNSON

I'm Kathleen Johnson from Murray, Iowa, and I'm married to a seventh-generation farmer. I think I've got you guys beat on that one. And I drive a tractor darn near every day in the summer, and if I have to drive one now, it means we're stuck and I have to pull, so I don't like that.

I haven't heard anyone say that they live by a hog confinement that produces a half a million hogs a year, and I do. And it will make you sick. And when people find out that a mega confinement is going in by them, they get up and they go see their county supervisors. Nobody wants to live by one. Now, we have two more going in by Murray, one north of Murray and one south. The mega one that I just talked about is Iowa Select, and that's west. So when these other

two get built, then we will have three sides with mega confinements. The one at this time has two lagoons dug that are the size, maybe bigger, of this room for their manure.

When the fumes are stout, they will lie in the low areas, the low streets at Murray...

[End of tape 1, side B beginning of tape 2, side A]

... because I thank God that my house is not right in that area. I can go home. And when I've worked in those yards of my rental properties, I have had to go home, my head hurts so bad from those fumes that they make you sick.

And we produce a hundred-head cow-calf operation, and we've raised hogs, and I am not fearful at all about these standards. I support them. They are not going to hurt the small farmer. We only farm a thousand acres, and we'd like to get back in the industry. If the price would come back up, we'd be there. We went out when the prices went down.

And if you need more study on health effects, just study my throbbing head when it's bad, because it makes you sick, it makes you sick. The manure from those confinements are so strong. It's not like raising hogs on the farm - it's intense. It is so intense, and the manure application, the supposed to knife it in, and they weren't. I called DNR, they said they don't have manpower to come out and make them knife it in.

I don't see the owner of Iowa Select living by this confinement. They're not there. There's no way that you can make pollution right. And I'm pleading, I'm pleading my case.

DNR

Richard Drischeck, you're up next, Kellerton.

ROD COLLINS

My name's Rod Collins from Dallas County. I farm out there. I have livestock, mainly cow-calf, and raising a family. Concerned about air quality like everyone here is tonight.

I am opposed to the air standards. I'm raising two kids, and nobody wants bad air. If OSHA is set on 20,000 and we're trying to put it on 15,000, and they're averaging over eight hours, and these rules are going to be over one hour on outside air, it just doesn't make sound science to me.

That's about all I have on this. I do oppose it.

DNR

Craig Stallman, you're up next.

RICHARD DENSCHEID

I'm Richard Denscheid from Kellerton, Iowa. What I hear tonight, it sounds like we all want clear air. The problem is, how are we going to get it? And I feel for that lady from Murray, but I think we've kind of overkilled it tonight with that 15 per billion. I think there's ways to solve the problem without getting in a big fight, because we've got to recognize we've got a problem and get it solved. Thank you.

DNR

Stacey Noe from Huxley, you're up next.

CRAIG STALLMAN

My name's Craig Stallman. I live in Williamsburg in Iowa County. I want to thank the DNR for having these hearings. I appreciate being able to speak, and for everybody that came here I think it's great that people come to speak their mind.

I'm against their ruling for 15 parts per billion. I work in manufacturing. The OSHA standard is 20,000 parts per billion over an eight-hour period, and it doesn't seem to make sense to me that 15 parts per billion would be hazardous if OSHA set it at 20,000.

As far as some of the points that I wanted to make was, the difference between some of the things we're talking about, the smell of hogs versus hydrogen sulfide, they're not the same. Also, the study that Iowa State did and University of Iowa was more of a compilation of literature and not so much a study really, at least that's the information that I have. As far as the thing in Murray, I would say that if the smell that bad or the atmosphere was that bad, I would say that even the level at 70 parts per billion they would have exceeded that.

So I guess that's probably about all I have to say. Thank you.

DNR

Sharlene Merk, you're up next.

STACEY NOE

Hi. My name is Stacey Noe, and I work for the Iowa State Dairy Association. Our organization represents over the 2500 dairy producers in the state of Iowa.

Tonight I've heard a lot of people say that these standards will not affect the family farms, only the large corporate-type operations. Unfortunately, the terms family farms and corporate farming have very loose definitions. In the dairy industry, large operations are family-owned operations or what you refer to as family farms, and they will be affected. In fact, the largest dairy operation in Iowa is a family farm.

We do not oppose air regulations, but we do oppose these standards that are being set. The Iowa State Dairy Association and the producers we represent feel that the standard is too strict and on a level that is not proven to be harmful to humans.

The DNR has at numerous times said that the standards set forth are consistent with what was recommended through the Iowa State University and the University of Iowa Joint Study. However, since the literature review's completion, new information from the DNR's own monitoring has caused ISU to re-evaluate the recommendation. They are on record as saying that the monitoring data should be compared against ATSDR levels rather than the modified levels proposed in the report. The DNR should be re-evaluating as well, which it has not been willing to do. I think it's important to understand that ISU re-evaluated due to the information that monitoring developed.

No livestock operation is exactly the same and should not be treated the same. A dairy operation is different from a swine operation, and DNR's proposed rule enables it to enforce regulations on a dairy operation if the largest swine operation has exceeded the standard. Monitoring only the largest swine operations with lagoons, you are comparing apples to oranges and not taking into account the diversity in farming operations. Going down this road will likely have unnecessary and costly implications to dairy producers in Iowa as well as the rest of animal agriculture.

We also know that on any given monitoring day, there are multiple sources surrounding a monitor that could give hydrogen sulfide emissions, and exactly how do we plan on handling this situation?

Arbitrary standards and standards that are not based on science will only help drive out the dairy industry at a faster rate and stifle younger generations from entering the animal agriculture.

Nothing is more important than the health and well-being of Iowans. Farmers know this because they have families too. New rules and regulations must be fair, and they must be based on substance. Thank you.

DNR
Kevin Shilling, you're up next.

SHARLENE MERK

I'm Sharlene Merk from Audubon County, and a member of ICCI. We've lived on our farm for 47 years.

Six years ago a 4500-head hog confinement was built a quarter-mile southeast of us, with an open slurry that holds 1.3 million gallons of liquid manure. Three years ago a 4500-head hog confinement with pit storage was built a quarter-mile northeast of us and another that holds 2,000 head of hogs a half mile east of us. That makes 12,000 head of hogs within a half mile of our home. We strongly oppose House Study Bill 695 that would all but eliminate the air quality standards for factory farms.

I've kept a journal, and last year there were 67 days that the hog smell was nearly unbearable. It's very difficult to go about our farming when we get physically sick, like nausea, sore throats,

terrible headaches, loss of balance and also chronic fatigue. The smell comes into the tractor cabs, the shop and the buildings and the garage that opens into our kitchen. It's a luxury to have a window open or hang laundry outside. The smell is just there, whether it's sunny and still or windy and raining. You cannot get away from it unless you simply leave home for the day, as we have had to do so many times

The reality is that we and our neighbors are suffering. There is scientific research from our universities to support this. We need our family farms and our farmers who are considerate of their neighbors for clean air and good stewardship of the land. We all need, we all deserve clean, fresh air, that up to recent years has pretty much been taken for granted

The legislature must protect the public health and the environment and our family farms. ICCI members support the DNR's proposed hydrogen sulfide standard of 15 parts per billion that was recommended in the Joint University Study. This is a good standard that, once enforced, will help protect our health. The DNR must issue a rule based on this standard

Thank you for listening.

DNR

Mike Blaser, you're up next.

KEVIN SHILLING

Kevin Shilling from Adair County, Iowa. I belong to Iowa CCI, and I farm as well. How many people here live within a hundred yards of their livestock? Fifty yards? Got beat. Okay.

The thing, on this 15 parts per billion, everybody seems to have a number, and they keep saying that we need more studies. Well, they started this in 2002. Here it is 2004. Why don't we just say, let's wait until the 22nd century and do nothing. Somewhere we've got to establish a standard somewhere, and I don't think the standard should be geared only at livestock. The reason it's geared at livestock right now is because that last measure that went up, a lot of the businesses lobbied against it and evidently you guys didn't. So talk to your legislator. That's what mine told me is a lot of the businesses came up and said, oh, no, no, no, not me. And then they turned around and said, yes, there is a problem. Well, it seems to be only with livestock. It isn't with livestock, because livestock isn't the only thing that creates problems for us in this state. Livestock is critical to this state.

But one thing for sure is I think our legislature has lost a lot of common sense, and there's a lot of folks who ain't here tonight that ain't got the common sense. You treat neighbors and others as you would like to be treated yourself. I live close to my livestock, because I need to keep a close eye on them. But I choose to live there. And it's just wrong to pull up and say, "Hey, bud, this is what I'm doing. Suck it up." No one should be treated that way. And that's where a lot of this is all coming from is because people who care about their neighbors ain't the problem. It's the ones who have investors or somebody that doesn't live within 20 miles or 500 miles of it that is forcing this on other people.

A standard needs to be established. I believe that that Joint University Study from two universities, nobody paid for it but the state. Somewhere they've got some expertise, otherwise they wouldn't have produced something. And let's hope it's the right number, because I couldn't tell you right now the difference between 15 and 30 parts per billion. And who here can tell me exactly what it is? Can you put it in your hands? How do you measure it. But all of us can take a good idea if you drank, you know what, yeah, you feel okay, you probably should be all right to drive home. And you know when good gosh, I can barely stand up, somebody help me out of here – that's the time not to drive home.

But what I don't want to see are standards just on hydrogen sulfide, but it should be on ammonia and odor as well, because what they're talking about doing – and to me it's called dumbing it down – a parable would be let's have the state police for the next two years pull everybody over who looks like they've been driving impaired, they're drunk. Whatever the highest number is that they blow, that's the standard we're going to set and go with it. And we all know that ain't right.

But we talk about the OSHA standards, world health standards, this person's standards. But there is not a full picture view, and what I mean by full picture view, when you say OSHA, OSHA is for eight hours only. How many people can drink a beer for eight hours, each hour on the hour drink a beer? But can you drink five beers per hour for eight hours straight? That's what we're talking about is the exposure time. That's where these numbers are coming from.

The people who do not choose to live next to a livestock confinement or whatever it is, whether it's a big factory, they're exposed to it 24 hours a day. Some of this data is taken and established because somebody is the average age, normal worker. That means he or she is between 18 and say 50 and in good health. Does it take into consideration someone who is asthmatic or any of these other problems, elderly, extremely young?

You know, to say let's keep studying it and studying it just isn't going to cut it. We need to take action sometime and at least do something now. But one thing for sure, if you're going to just regulate the livestock, that tells me that overall our real concern is not health, it's who's going to get picked on because they didn't have enough lobbyists up at the legislature buying their way home.

As far as the economics that it's going to run us out of business, well, I just blew that one. But as far as regulations running us out of business, I would say to you that these regulations ain't near as bad as what the economic situation is going to be as the market continues, production continues to vertically integrate. That's what's going to run a lot of folks out of business, and it already has.

The cattle prices shot up when the Canadian border closed down. I think we can understand why. But take a look behind you as far as what's putting people out of the livestock business. Where are all the chickens, other than the ones I have? Tyson, your big-name folks have all those. Hogs have pretty much gone that way, unless you're in a specialty market. And believe me, cattle is going to be next.

I do support the 15 parts per billion, but I think it needs to include ammonia, odor and applied to everything in Iowa. If we're concerned about the health of Iowans, let's be concerned about the health of all Iowans and everything that affects them. Thank you. One other point of order. As long as we argue amongst each other, I'll ... anything, it doesn't matter. They love to see you fighting against each other. If we band together, we might strengthen some things out. Thank you.

MIKE BLASER

Hi. I'm Mike Blaser. I'm from Des Moines. I'm not a farmer. I'm an attorney actually, and so I've actually read 400 pages of the Joint Study and all of the stuff that the DNR has published since then. And I had seven pages of comments, which I would be more than happy to read into the record if you all want to stay for the next couple of hours.

But I think it's important that you read the notice that you got handed tonight when you walked in. In essence, what the DNR is proposing with this rule is a claim that public health authorities generally agree that a neighbor exposed to 15 parts per billion of hydrogen sulfide for one hour is having their health materially and adversely affected. That's the claim behind the rule – the health effects value.

However, there really isn't one generally recognized health authority anywhere that agrees with that standard. The DNR claims that the standard is based on the Joint University literature review. However, that report itself, and if you care to go read it, pages 171 and 172 of the report say, we think the ATSDR standards are the right way to go. They also say in that report, contrary to some earlier comments tonight, they said, unfortunately, there is no published dose response literature on CAFO emissions and the effect of those emissions on chronic health of neighbors. In other words, there is no science. That's on page 176 of the Joint Report, if you want to go read it.

So lacking any research, what did the authors do? They made two really key assumptions. The first one is that hydrogen sulfide and ammonia are going to be present in emissions in equal amounts at the same time. The second key assumption they made is that neighbors are exposed to chronic levels. Chronic is 24/7-365. That's what a chronic level is according to ATSDR. In fact, as other speakers have already noted, the DNR's own monitoring has now proven that both of these key assumptions were flawed, they're wrong. Nonetheless, we're here tonight to talk about the same recommendation.

As other speakers have said, the key is not just the level of the pollutant and also the duration of exposure. And to put that into perspective, the ATSDR standard that we've been talking about tonight, the intermediate screening level, which is not the health risk level, but it is designed to protect sensitive populations – the elderly, asthmatic children, on down the line – that intermediate level is 30 parts per billion for between 14 and 365 consecutive days – asthmatic children. Again, to put that in perspective, that is continuous exposure to 30 parts per billion for

between 436 straight hours and 8,760 straight hours. Contrast that with the proposal that's on the table tonight – one hour, 15 parts per billion.

So if no recognized health expert supports this proposal, why is the DNR continuing to push it? I think those of you that read *The Des Moines Register* probably have a pretty good idea why. Last week the head of the DNR's environmental division was quoted in the paper as saying, "The ATSDR limits are too lenient. In fact, no Iowa livestock producer would violate the limits based on monitoring in recent months." In yesterday's paper an official from the University of Iowa said that the ATSDR's standards are so permissive that even the heaviest-polluting livestock operations in the nation would not exceed those limits

So what's driving these limits? Is it public health or is it, based on these comments, the idea that we need to set these standards low enough that we can get somebody – because if they get somebody, that triggers their ability to develop plans and programs to make people spend money. And it's all done in the name of public health.

I would submit to you that this proposal has nothing to do with public health, it ought to be rejected, and they ought to look at the ATSDR's standards if they're really and truly concerned about public health.

Thank you.

DNR
Heath Kalbach

HEATH KALBACH

Heal Kalbach from Stuart, Iowa. I'm actually a true, independent family farmer. I don't farm much. I raise hogs, starting out in high school. My grandpa started me out with two or three sows. I got up to 50 head or so towards the early nineties, and I quit because most of the local places to take them to market had shut down. Didn't feel like hauling them a hundred miles away to get rid of them.

I guess one of my questions is, who here has kids that go to Iowa State or attend at Iowa State or Iowa? Any volunteers? My question to some of you people is, the way I'm hearing it, they must be a bunch of idiots at them colleges, and I don't understand why you sent your kids there if we're not getting any sound science studies? Better send them somewhere else, I guess.

Another thing is, we come here to talk about air quality, not economics, and most of these meetings I've been to always turn around to be economics, not about air quality. Another thing I'd like to know is, any of you guys, big hog operators here, I've never heard anybody volunteer to put one of these monitors in front of your hog confinement and see maybe if we're just blowing smoke. Maybe we are wrong about this. Maybe it doesn't. I mean it seems like there's a lot of people worried about this 15 parts per billion, but none of you guys know if your place is putting out that. So I'd just like to know, is there anybody here that would offer to have a monitor

set up in front of their confinement, like a reasonably big one, and prove us wrong? So maybe we don't need them.

Another thing I'd like to say is, I drive a truck on the side, I haul grain on the side, and I do not know, maybe they haven't come up with sound science for burning ethanol and soy bio-diesel. I might as well just start dumping lead in my gas and burning ___ for diesel fuel in my semi and my diesel pickup because as far as I know there isn't any sound science on that.

DNR
Brian Pickard

BRIAN PICKARD

I'm Brian Pickard from Melbourne, Iowa. I'm against the rules as they're written.

First off, I've got an answer for the gentleman that asked what 15 parts per billion was, and it's approximately 7 of these in this room, which is approximately the number of pitchers that are in this room.

First off, somebody else talked about contempt for the rules that we have as a livestock industry. And my operation is a very small operation, which I think Larry Ginter can testify to, as we are neighbors in a roundabout way. And the rules that we have to follow by are very bad, and I have no contention for the rules that are big, that come democratically. And these rules are not coming democratically. They are coming through a mandate by the DNR. Correct? Because if you remember the slide, the democratic legislature, as in democracy, voted the rules down a year ago.

Let's go on with another step here. OSHA has a 20 part per million standard for natural gas wells before they are the least bit concerned. That works out to 20,000 parts per billion for those, for the math. If it works for the natural gas industry, why would it not work for our industry as agriculture?

I am afraid of incrementalism in monitoring. In other words, my 500-head cattle operation at some point will hit the values, because at this point you have to have roughly a thousand head. If five years down the road, all of a sudden, well, we need to monitor the 500-head units too, just because we have extra people on hand to do that, and we've got everybody else in compliance, so we're going to hit you up. And those of you that are laughing, ten years ago the number was 2500 head of cattle, and now it's a thousand.

Separation distances Your separation distances make no sense. If I have a 1250-foot separation distance, you can come back 948 feet towards my property. That makes no sense. A separation distance is a separation distance. In other words, my operation, you draw a circle around it at 1250 feet, and you do not set a monitor within that 1250 feet. Correct? Well, some of their monitors are not set properly then.

The other thing is, they have their monitors set at a distance of 3 to 15 meters above ground level, which would be 9 to 45 feet. Now in my second-story house I am nine feet above the ground, but I am never 45 feet above the ground. That is not the place to measure the air quality. Do it where we live, please

I just, I have a lot of disrespect for the DNR because they are losing great amounts of credibility. At one point they truly felt like they were helping us. At this point they are doing nothing but shoving it in our face because they're letting activists tell them how to run their show.

DNR

Okay. Thanks to everybody that's presented comments. At this time we've gone through everybody who had signed up when they checked in, to present oral comments. Just a second

LEAH MOSS

I'm Leah Moss, family farmer from Hamilton County. As we're all aware, we are in the midst of a war on terrorism, and that's something we can't lose sight of and forget, that the country needs to be united. I'm a fifth generation; my daughter will be a sixth if she comes home from serving her country. And I hope her farm is there when she comes home.

I'm opposed to the 15 parts per billion. I think we've heard a lot of reputable testimony tonight, stating that 70 parts per billion set by the Center for Disease Control is quite adequate if not even more than adequate. And I really do believe that we can work out something that doesn't create those who are opposed to the 15 parts per billion as being as being factory farms and not concerned with air quality.

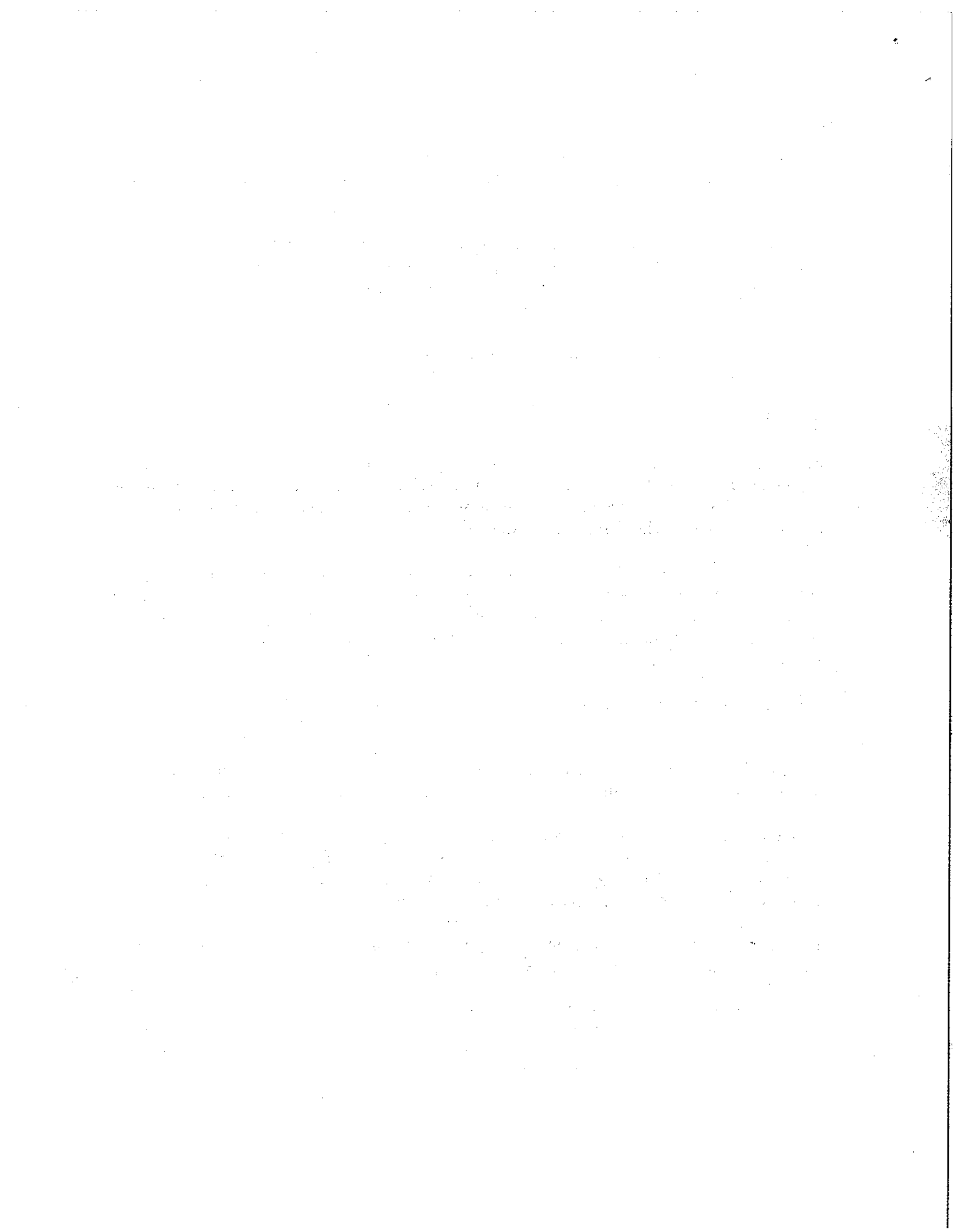
I'd like to thank you for the opportunity, and God bless America.

DNR

Is there anybody else would like to come up at this time and make comments for the record? Okay, I don't see anybody. I think we'll go ahead and conclude the public hearing at this time.

As a reminder, we do have a public hearing scheduled on April 1st in Mason City at the Community College there, I believe from 6:30 to 8:30 pm, so you'll see that advertised in our usual media outlets and also in Iowa Administrative Bulletin on March 31st. So that's another opportunity if you'd like to come make comments in the future.

Also you can submit written comments tonight and anytime between now and April 8th if you desire to do so. That's it. Thank you all for coming, appreciate it.



**Iowa DNR
Mason City Public Hearing - April 1, 2004
Ambient Air Quality Standards**

DNR
Mason City Public Hearing, April 1st, 2004.

CHRIS PATTERSON

My name is Chris Patterson from St. Ansgar. I am a fourth-generation Mitchell County farmer, entering my 14th year in production agriculture. I farm with my younger brother and our dad.

First of all, I would like to say that I am opposed to the proposed DNR regulations of 15 parts per billion on air quality. In our operation, we have two confinement finishing buildings that incorporate well into our crop operation. When we built our buildings almost six years ago, we placed them inside an existing grove that borders our site on the north and the west. I live closest to the buildings, and the next closest neighbor is over a half mile southwest of our site. A lot of consideration was given to our neighborhood when we built.

We care about air quality, and some of the methods that we use to help air quality are: using a pit additive in our deep pits to help reduce odor, and also knifing all manure every fall, according to our manure management plan. We take great pride in how our site is perceived by our neighbors and how we manage all aspects of our operation.

I would like to see the CDC levels of 70 parts per billion for 1 to 14 days, and 30 parts per billion for 15 to 364 days put into effect until further monitoring of data can be recorded. We need air quality regulations. I just think 15 parts per billion is too low.

Again, we care about the air we breathe, what our neighbors breathe, and especially what our children breathe. If I thought for one minute that the health of the people I care about was in jeopardy, I would look for something else to occupy my time.

I have a good thirty years of farming left before I'm old enough to retire, and I plan on living a good, healthy life taking care of my pigs. I love the opportunities that agriculture has given me, and I hope to pass that on to my kids someday, as my parents did for me.

Iowa is a great place to live, work and raise a family. We need agriculture in this state, and that means livestock. We need to utilize as much of our grain locally as we can. And I think too low of air quality regulations will jeopardize that.

I want to thank the DNR for letting me speak tonight.

MAX BRANDAU

I'm Max Brandau from North Springs, and I'm a third-generation farmer, and I use farming practices that protect the environment. I appreciate the opportunity to speak in opposition of the standards proposed. I believe that the 15 parts per billion level proposed is lower than other standards that are in effect by other governmental protection agencies. To set the standards at this level will unjustly single out livestock operations to excessive regular. I do think standards need to be set, because there are operations out there that do not respect our neighbors or at least take in consideration of their neighbors.

In respect to the monitoring aspect of the proposal, it seems that the, where you're talking about setting them is not consistent, or it seems at best ambiguous to where they should be set and how operations should be monitored.

Again, I'd like to express my thanks. Thank you for giving me the opportunity to speak to this issue. And again I am opposed to the standards as they're proposed.

DNR

Randy Wike from Claire? Are you here tonight? Rich Merrill, Fort Dodge? Jamie Schmidt from Garner? Ronald Reedy from Humboldt? How about Pam Johnson from Floyd? You'll be up next, Pam

RONALD REEDY

Good evening. I'd like to take this opportunity to thank the DNR for the time to have public comment. I'm Ronald Reedy. I'm from Humboldt County

In 1976 I built a cattle confinement. The first permit I received was called a Pollution Control Permit. After that, I have worked in the confinement all, almost every day since then for over 25 years. I have never been ill from illness due to the environment of the confinement. My question is: How come those complaining are not those working in the confinement? And I'd like to emphasize this – but others, such as environmental activists.

If it is the concern of the health that we're proposing these things, why shouldn't it be for all businesses, not just livestock? Last year the DNR established air quality standards with hydrogen sulfide and ammonia, and as he showed you earlier, they turned those down because they said they were for all businesses, not just agriculture. This year the DNR has set forth standards of new health for hydrogen sulfide only – they have taken ammonia out of it – and that is not based on sound science.

And I believe that the 15 parts per billion is too low and that the effect on human health, the level is unscientific, illegal and beyond the intent of the legislators, and wrong. I strongly oppose the DNR rules. Thank you.

DNR

John Fox?

PAM JOHNSON

I'm Pam Johnson, and thank you for the opportunity to speak. I'm opposed also to the 15 parts per billion hydrogen sulfide state proposed by the DNR. It's not fair or wise to impose standards on the livestock industry that are more strict than the air quality standards adopted by the US Centers for Disease Control.

I farm in Floyd County with my husband and two sons. We've raised hogs for 33 years. I am also a nurse, and I work hard to ensure the health of my family and future generations. I have listened to the debates and attended public hearings for many years. And "stop factory farms" and "stop corporate special interests" have been the buzzwords. This is called for at all costs, not allowing new farmers to build new buildings or feedlots, or not allowing families to expand their operations so they can bring in a son or daughter to the business.

I have seen this issue muddied by agendas of the water keepers and the Humane Society. This issue has become one of the big versus small and a reaction to change. Overregulation costs all producers, big and small. It costs our rural communities and our economies. Iowa needs the livestock industry, and I believe that we can have both clean air, clean water and a growing, healthy livestock industry.

In the attempt to chase out the big guy, the corporate, the factory farm, whatever that means, we all suffer. We are more polarized on this issue than ever. We need to step back far enough from this issue, and I think that we'd find we have some things in common. We want to live and work in our rural communities, and we all want clean water and clean air. Agriculture is changed, and we don't farm the way that our father and our grandfathers did. We don't none of us live the way that they did. Change is inevitable. The goal to stop corporate farming has come to mean opposing anyone who farms more acres or raises more livestock than me or you.

There's room in Iowa for diversity, big and small. I don't think opposing every new building or expansion of existing operations will help any of us in the end. There are models available for farmers to work together to raise livestock in many viable and sustainable ways, including confinement. There are good stewards of the land and resources, big and small. There are also bad actors in both categories, big and small. I don't support the bad actors in either category.

Let's quit complaining and work to find solutions. Regulation of hydrogen sulfide levels more stringent than those by the CDC is not an acceptable solution, and I oppose it.

DNR
Ed Swanson?

JOHN FOX

Thank you for this opportunity to speak on this important issue for the state and my operation. That's why I made the second trip over here to speak tonight. I farm in Floyd County. I raise corn

and soybeans, and am an independent hog producer. I care about the environment and the people, and people's view of Iowa and agriculture.

I am opposed to the 15 parts per billion, and with new information that's available, I question where these standards came from. We need fair standards to protect the public health and to allow family farms such as mine to continue to operate. I feel the CDC levels are more acceptable and would allow this to happen. Thank you.

DNR
Wendell Davison.

ED SWANSON

Thank you for allowing us to speak here this evening. I'm not much of a public speaker, so I hope you'll all bear with me. I'm a former hog farmer who raised hogs the old-fashioned way, and then I, you know, about the late nineties or so I realized that the way I did it just wouldn't work anymore, and we expanded our grain operation.

And the way things are going right now, I guess I've got to have something to eat my grain, and I know down in South America they're expanding land, and they've got more land base than what the United States has to, you know, expand, and they're chomping at the bits to get industry down there and take the livestock industry down with them. And so far it looks like everything we're doing is just heading it that way.

I raised a family a half a mile from seven hog lagoons surrounded by I believe about 14 livestock buildings for over ten years, and yes, it was a nuisance, but a health risk? No. It was no health risk to us whatsoever.

In Wright County about 13 years ago a large livestock producer from several states away came in, and our local economic development took taxpayers' money to help get the guy going. I kind of thought that was an extreme. But then 13 years later, I know a fellow that put up two buildings just to run a little family operation, and he was crucified in the local newspaper. I mean, what? We want to give our livestock industry to businessmen from states away, but we want to keep our local family farmers from raising livestock? That's extreme too. I think both cases are wrong.

I think the 15 parts per billion, you know, I think it's way too low of a level. I was reading somewhere where there's 1,250 parts per billion of gold in seawater, and it's such a small amount it's not even worth looking at. You know, on the way here I was drinking my Pepsi, and I see that it's got asphatine, phosphonic acid, potassium, _____. I'm wondering what's a bigger health risk - drinking those things or getting a sniff of hog manure? You know, what's a bigger risk? You know, 15 parts per billion or driving down the freeway? Fifteen parts per billion or taking a second helping of my wife's casserole?

We need to work together. Yes, there's problems. You know, I'd like to see us keep our federal standards that are in place and maybe have a more extensive cost-share program to plant trees.

around hog buildings, you know, and in the meantime expand the buffer and filter strips, do more research on additives that will help lower the odor or eliminate the odor in hog manure. But, you know, no – let's not shut the live industry down. We all need it. We all need to work together, and I definitely oppose 15 parts per billion. Thank you very much.

DNR

Tom Weaver.

WENDELL DAVISON

Good evening. My name's Wendell Davison, and I'm up here this evening representing myself, my family, and the investment that my family has in my livestock feeding operation at home. Before I get started, I'd just like to thank the DNR for giving us this opportunity to stand up and express our opinions tonight regarding the air quality standards.

Tonight I stand in opposition to the 15 parts per billion hydrogen sulfide standard. I believe the standards should be set at 30 parts per billion for 15 to 365 days of continuous exposure. This level is the level recognized by Iowa State University and the Centers for Disease Control as an appropriate level. Establishing 15 parts per billion, I believe, sends a false message to Iowans that this is the necessary level to protect public health.

Tonight I also stand in opposition to where the emission readings are currently being taken. Monitoring should be done at separated locations.

My wife and I currently live on the family farm started forty years ago by my parents. We have three sons, two in high school and one in college. Our oldest son is studying agriculture in college and plans to return to the family farm upon completion of his education. As my son and I discuss our plans for his entry into the family operation, we both realize that feeding livestock will be his cornerstone in his future of agriculture and farming. I feel strongly that the proposed air quality standards being discussed pose a tremendous threat for my operation, to others feeding livestock, and most importantly to the future of our next generation of farmers.

The house that my wife, my three sons and I live in on the family farm sets in the middle of 4,000 pig spaces. Six hundred feet west of our house are 2400 spaces. Five hundred feet to the east are 1400 pig spaces, and four hundred feet to the south are another 200 pig spaces. Over the past 25 years, I estimate that my father, my three sons and myself have spent nearly 26,000 hours in total working in hog confinement facilities. My dad is 64, and he's as active today as he was ten years ago. I am 40, and I feel better today than I did five years ago, largely because of the lifestyle changes that I chose to make that had nothing to do with hog confinements. My three sons are in perfectly good health. Their health is good enough to let them compete as three-sport athletes in junior high and high school.

If the air emissions from our hog operations are as dangerous as we are led to believe, how could my family conduct the activities just mentioned? Were families like ours analyzed when the proposed regulations were established?

Over the past several years our operation spent many hours putting together manure management plans. With those plans in place, we have worked hard to implement them, and we have attempted to be good neighbors in all aspects of our swine operation.

Many of the regulations imposed by the state over the past two to three years have proven to be of benefit to the producers of this state, to our neighbors and to our environment. However, the same can't be said for the standards that we're talking about tonight. In fact, I believe, if implemented, they would create tremendous economic hardship that would eventually ripple up and down our small rural communities as well as jeopardize the future generation of agriculture.

So in closing, I again would like to thank Mr. Bunton, Mr. Johnson, Mr. McGraw and Mr. Gieselman for giving me the opportunity to stand up and speak on this very important issue.

DNR
Maurice Johnson

TOM WEAVER

Tom Weaver, grain farmer, livestock farmer from Dougherty, three sons and a daughter involved in an operation. I feel like I'm the luckiest guy up here, because anybody would give their left arm to have young people come back to any business, whether it's farming or you name it. Up and down Main Street, you just love to have your kids come back, and we're real grateful for that. I guess we're lucky they want to come back.

Concerned about the regulations that they're setting for us. I'm not sure what 15 means. Fifteen sounds awful small, and a billion sounds like a lot. We have been regulated. I guess first of all we feed cattle outside, and we have one confinement building too, and hogs are fed inside and outside both. We have done it for years and would like to continue to do that.

We also have worked with the DNR every step of the way on any building that we've ever built from site selection to building dimensions, this or that. We just recently constructed a nursery last fall, and I think we went through about 12 or 15 different steps just so we could dig our first spade in the ground, and everything went well. It's the cost of doing production. We didn't like some of the rules, but we lived with them. And I just, what they're proposing now, 15 parts per billion just sounds out of line.

Thank you.

DNR
Richard Navay from Humboldt.

MAURICE JOHNSON

I'd like to thank the DNR also for coming back to Mason City and allowing us, the rest of us, to get to make our points or address you.

I am a farmer. My name is Maurice Johnson. I live over by Floyd. We raise pigs, and I used to use the term "family farmer." I don't do that anymore. I think if you're in production, agriculture, whether you're in a greenhouse raising livestock or raising crops, you're a farmer, period. I think people play on that term for sympathy, and that's why I quit using the term that I'm a family farmer.

One other item -- I am a Farm Bureau member, and I'm proud of it. At the last meeting I thought there was a lot of misinformation. I shouldn't say a lot. There was some misinformation. The comment was made that farmers are polluting Iowa soils because we're putting all this manure into the ground. I would highly disagree with a statement such as that. I think most of us that are in agriculture realize that we're preserving the nutrients for our crops. We're definitely reducing the runoff, and odor control should be much better for our neighbors.

As farmers we get blamed for everything, you know, when there's something in the water supply. I think since our last meeting it was stated that Cedar Rapids, the population there was told to stop flushing their prescription drugs down the septic system, to keep them away from their children and their pets, because these drugs are ending up in the water. I don't know how many of you heard that, but that's a fact; and I just want to make sure we're not blamed for that here tonight.

Another issue that came up at the last meeting -- a gentleman showed up and I'd seen him before. Previously at the last meeting he always wore a nice suit and tie. The last time I saw him he's now moved to Iowa, and he's sporting a denim jacket, to be a farmer I guess and saying that he's for animal agriculture, but not the way we're doing it today. Well, I've been raising pigs for 30 years, 30+ years, and I did it, started out in the mud, in A houses and out in pasture, and that's a fine way to raise hogs, and there's still people doing it today. But I'd rather do it the way I'm doing it. My animals... If he's worried about animal rights, which he is, my animals are much better off today inside where most of them never see any temperatures colder than 65 degrees, and on the hottest days of the year they've got a fan running on them and sprinkler and it's cool and they're in the shade.

I would challenge anybody that wants to make those kind of statements, if they want me to go back 30 years in production the way I used to raise pigs, I would challenge them to go back 30 years, give up their computer and their cell phone and their microwaves and their VCRs. And if we're going to do that, we probably should go back and take the wages we got 30 years ago also. I doubt if many of those folks would want to step forward and challenge us.

Also you hear this report about the Iowa / Iowa State report that came out. People say, make the comment, you know that that's fact, that we should be using that, there's no reason not to -- it's only two years old. Of course, Iowa State, they're kind of having second thoughts now that new information has come about.

And I've got an example of that. We had a fellow that used to stop by about every other week, get a dozen eggs. And he stopped one day, and he said (Pam's got a few chickens that's free range), he said, "I'm sorry, Pam, but I can't buy eggs anymore. The doctor says they're not good for me, they'll kill me." I said, "Well, Walt, how old are you?" He said, "Well, I'm 89." I said, "Well, how long you been eating eggs?" and he said, "Well, gee, ever since I was three or four probably. You know, that's just the way it was. But the doctor says I shouldn't be eating eggs." So it wasn't long and he came back and he said, (well, six months or so), came back and said, "Guess what? I can buy eggs again. Now the doctor tells me eggs are all right. I can have eggs again." And so that does show that, you know, things do change from these reports that we get.

And I suppose you could make the argument there's going to be a doctor out there that's going to say, "See, we told you." Walt died when he was 91, by the way. They'd probably say, you know, those eggs did kill him.

I really believe that this isn't a health issue, honestly, folks. I think it's purely odor. If this was a health issue, as has been stated before, the people that are inside these buildings working and the farmers that have them, they should be the ones that would be sick and be standing up here and complaining or not be doing it at all.

When we have OSHA talking 20 parts per billion is no odor, 10,000 parts per billion before you have eye and throat irritation; the American National Standards Institute, they're saying 8 parts per billion is where you detect odor, there again 10,000 eye irritation; World Health Organization, they also talk 8 parts per billion where odor starts. And if you're an asthmatic individual, you have to be up to 2,000 parts per billion before you will be affected. And of course the Centers for Disease Control, they're saying anywhere from 10 to 700 parts per billion is the least detectable odor. And I hear people talking about how these units, they can't bear the smell, and offensive odor starts at three to five thousand. And irritation, again, eye irritation is 10,000.

So, you know, I'm against the 15 parts per billion. And I've rambled long enough, but I'd recommend that the DNR use the levels that have been recommended by the legislature, both the senate and the house, of the 30 and the 70 parts per billion. And if there are units out there that are exceeding these limits at separated distances, then we need to find them and get the problem fixed so that we can all get along here together.

Thank you.

DNR
Kevin Terrier, Humboldt

KEVIN TERRIER
I'd like to pass at this time.

DNR

Wayne Kohler, Charles City. Bradley. I can't quite read the last name, from Rock, Iowa, I guess. Okay, maybe come back to that one. Gary McVicker from Hampton. Phyllis Willis from Thornton.

GARY McVICKER

Hello. I'm Gary McVicker from Hampton, Iowa. I'm a sheep and hay producer and also a commercial manure applicator. I tell people that I'm a professional organic fertilizer applicator – sounds better, you know. The job does have some drawbacks, but it allows me to get back in agriculture. Here a few years ago beyond circumstances in my control, I had to give up farming. I managed to keep my sheep and hay business, but that wasn't enough to survive, so I started driving truck professionally. Did that for three years, and then last fall or last summer some friends of mine offered me the [incomplete, due to changing to tape side B] business, which allowed me to get back in agriculture. And hopefully this summer I'll be able to produce or get my hay business back to where it was before I started driving truck.

Anyway, I feel that the 15 parts per billion standard is not supported by sound science and that the CDC has set levels of 70 parts per billion for 1 to 14 days of continuous exposure and 30 parts per billion for 15-364 days of continuous exposure, and those are supported by sound science.

Thank you very much.

PHYLLIS WILLIS

I do welcome the chance to speak. I'm Phyllis Willis. I'm from Spartan, Iowa, and we raise pigs the old-fashioned way, like many of you do not want to. We're making a lot of money, and our pigs stink too on a rainy day if the wind is from the wrong direction.

But there was an older gentleman here the last time who talked about the eagles. I think you guys must remember his speech about the eagles and what good stewards we were because there are eagles now in the country, but actually he failed to recognize that the eagles are here because of government regulation; DDT was outlawed.

And talking about, the gentleman who just left, talking about the organic manure, that could become under question because of the antibiotics in the water. And as far as animal welfare, these are smart animals. I don't know who decided to put them in a cage and who thought it would be a good idea to keep them clean and warm when actually they do very well outside free, like we all are, like we all should be. I think it's greed.

And I'm definitely for the air standards. I don't think any... All of you guys last time said your place didn't stink. You know, you're probably right, so what have you got to fear? I would say those scientists at Iowa State and Iowa University know more than I do. I can also tell you that Iowa State, according to the Pork Producers magazine, has done a few back steps too. They said

later weaning might be a good idea, more profitable if the pigs are kept on the ___ until five weeks. And I think ten years ago it would have not recommended that. So you never know

Thank you very much.

DNR

We've gone through everybody that has gone through the list to speak from the March 31d hearing. Before we move on to the list for today's hearing, is there anybody else that was here on March 3rd that did not sign up to speak that would like to speak? Come forward.

ROY ARENDS

Good evening. My name's Roy Arends. I'm from Alexander, Iowa, and I'm a grain producer. I support House File 2523 and oppose the 15 parts per billion proposed by the DNR.

And just for a little tidbit, we've got a football covered with one-inch square blocks. A billion of them would be over 12 feet deep, and we're proposing 30 to 70 of these would be contaminated.

Thank you.

LLOYD GOODELL

I'm Lloyd Goodell from Humboldt County. I'm a fourth-generation farmer, has-been farmer, I guess, on a century farm. My three boys are raising hogs; they're the fifth generation on this farm. We've been, had livestock all my life, lived on this farm, and the only time I was gone was two years I spent in Korea for the government. And I feel that anything that you adopt over and above the federal regulations is out of place, that we've got too many regulations and, sure, we're for clean water and air like everybody else. But I guess that's all I've got to say.

Thank you.

GERRIE ETTER

I'm Gerrie Etter, and I am for the DNR regulations proposed. I'd like to see the standards a little more strict even. I sat in on the last meeting, and I listened to the words "sound science" from each and everyone that came in carrying a brightly covered paper. It seems that none of you can speak without the editor of that bright paper writing it for you. And that editor does not want to use the sound science that is coming from the Iowa universities because it is not in their interests.

Since I do not let others tell me what to say, you're going to hear something new. I am going to give you an analogy. My son was a Navy pilot. He was subjected to random drug tests. Some of the pilots bitterly complained about the policy. My son, being a common-sense farmboy - yeah, he was raised by farmers here in northeast Iowa - told them, "If you are not doing drugs, then what is the big problem getting tested. And if you are doing them, I do not want to be up there flying with you."

Now, that is true with the air quality. If you are not the polluter, then what are you complaining about? And if you are the culprit, then as a neighboring farmer, I do not want to be breathing your poisons.

Seventy percent of all diseases travel on dust particles. Are the rules strong enough to protect us from the viral diseases. Will workmen's comp pay me when I get sick from it? You said at the last meeting, if you don't like it, then leave. I was here first, thirty years first. Where do you get the right to come in and disrupt my life and my health and tell me to leave? When a doctor retires, he's still a doctor – same with other professions, except farmers. When we retire we are no longer considered a farmer.

Guess what – we farmed because we wanted the clean country living. Our manure was not toxic. We spread it timely and let it be sterilized the way God intended. The manure in those pits is turned into toxic waste and is polluting our air, our water and our lives.

When we retired from milking cows, I turned our barn into a bed and breakfast. Four years after I invested my time, money and much advertising dollars, along comes a neighbor building a hog confinement one-half mile from me and a mile from the town we live near. Since I am west of the facility, I have the least fallout.

There are neighbors not as lucky, with one to the north of him less than one-fourth mile with a new home he had just finished building the year before the facility was built. He said, had he known the factory was going to be built there, he would never have built his new home in that location. He was stuck. His kids got sick, so he just moved out and left the lovely home and the acreage to the bank.

It does affect my health. Some mornings when I get up, I have no balance, no sense of balance, and I feel as though I must throw up. The smell has not come into my home, but the gases have. We open the door to see why I am so sick, and, yuck, there it is. I am especially sensitive to the hydrogen sulfide since I was poisoned by it when I was a child living near a factory that emitted the gases. Many of the school chums I grew up with have died before they reached the age of 55. Our town was small, our school was small, and out of a class of 25 children, more than half died young. You will never convince me the gas is nonlethal.

It has affected my income from the B and B. One guest told me they almost did not come because of the publicity Iowa has had from being so smelly from the hog factories. They decided they would try it, and if it got too bad they would just leave. Many will not even give us a try because of it.

After three years of learning how to run his hog factory and getting cited by DNR for breaking the law for noncompliance with the rules, our neighbor has improved his operation, so I am not nearly as sick or as mad at him. It can be done. You can raise the hogs in your confinement in a responsible manner, but there must be rules strong enough to protect my health.

Thank you for letting me speak.

ROBERT HARRINGTON SR.

First of all, I want to thank you for inviting us, and letting us tell our story. Okay. I'm Robert Harrington Senior. I live east of Nashville, the Little Brown Church, in Chickasaw County, and I'm in the fourth generation of farming.

And the farmers that own their own pigs in their own buildings, that's great – I have no problems with that. But when the landowner sells five, six acres, then someone out of the country or even out of the state fills these buildings full to capacity, I have a problem. That's my situation – two buildings in a valley southeast of me, 4400 pigs. Since these buildings went up about three years ago, I now have asthma, and the smell comes in right in our front door into the house, and it chokes me right up.

When I was sent to a lung specialist, the first thing he asked, "Do you live by a hog confinement?" I said, "Yes." He pointed his finger at me, and he said, "That's your problem, Bob." So it does affect some of us. I have lived on the farm for 37 years, and now have this to contend with. Common sense tells me if the odor is in there, so are the unseen gases for the problems.

My nephew runs the site near me, and he approached investors about planting trees around the site and using products for odor control. The investors have done nothing. Their big concern was money, which bothers me, my neighbors and even me more. My son talked to an Iowa State specialist that was ___ New Hampton, and he told my son, living northwest in a valley where the pits, fans, curtains, hog buildings was the worst of any case.

We were told these buildings were going to be the state of the art and we would have no smell – and that was not the case. The site locations for these buildings are very important. In my case, the owners of these sites have no interest or concerns on the fact of the neighbors. The smell is not a 24-hour thing, but we are constantly wondering when the smell is coming. How strong is it? Will it be there? It's not a healthy thing.

Therefore, I am for the DNR proposed hydrogen sulfate standards. And also we get an awful lot of flies since they built them. And if I wanted to sell my acreage, I don't think I could give it away.

Thank you.

DNR

Come up to speak, sir. This is just for the people that were here at the March 3rd hearing and didn't have a chance to speak at that hearing.

SCOTT NIESS

So my name is Scott Niess. I'm from Osage, Iowa, Mitchell County. I am president of the Iowa State Dairy Association, and I would like to thank the DNR for this opportunity to speak. My wife and I and my two children, we milk 55 cows. We are, the Iowa State Dairy Association is opposed to the 15 parts per billion rule.

In our home in our lifestyle, if my children choose to do so, with this rule that is proposed it might and probably will prohibit me from expanding my herd. We would like to be able to provide a lifestyle for our children, and we also agree with air quality standards that are attainable and that don't rule out us as farmers. Where the monitors are placed, they should be reevaluated so that better information could be gathered from that.

As a personal standpoint, and this is my own view, I'd like to have us all treated the same, not just the agriculture separated from the municipalities, 'cause it's just, my personal opinion, it's not the same.

And we also, as Iowa State Dairy Association, support House File 2523. Thank you very much.

DUANE BOLDERMAN

Duane Bolderman. I live in northeast Iowa, Howard County. Got my son Dylan here with me, and I have three daughters and a wife. We farrow 1200 sows in Howard County there. We've got about 800 in confinement and about four or five hundred in outside lots. I'd like to thank the DNR for allowing me to speak.

The whole issue just, I don't know if it disappoints me or scares me or which. I understand there's a lot of problems with odor, and people are uncomfortable with large livestock operations, but just, I can't hardly believe that the 15 parts per billion can actually have a major health effect, when you see things like 10,000 parts per billion provides eye irritation and that 20,000 parts per billion that was mentioned earlier, is OSHA's policy. It's just, I can't believe it. I just can't see where it's possible.

And the other thing I question is the sighting tactics of these monitors is we're trying to get the worst-case scenario as possible, and I don't think that should be the case. I think we should try and just monitor what's out there, see where we're at and then try and make a decision in terms of where we should set this standard. And the people that set the standard, obviously we can't talk to them tonight, but I don't know, I just, I don't understand where they come up with the 15 parts per billion. I think it's way, extremely too low. And, you know, it's going to have an effect on operation. You're talking about shutting down a couple already or something, you know, that are being monitored.

You know, I mean there's other things I can do. I don't have to raise pigs. I'm not going to stand up here and say I want to make anybody sick, and I'm 35 years old. I can move on to something else if people feel they don't want livestock in Iowa. But without livestock in confinement, I think I'd have a hard time supporting my family today to the standard that they want to live at. And maybe that's guilt, and maybe that's greed, but I think I should be given that opportunity.

Thank you.

DNR

Is there anybody else here from the March 3rd hearing that would like to speak?

RICHARD BLACKFORD

My name is Richard Blackford, and I'm from Douds, and I am one of the members of the Neiman Ranch people. And our operation is making money.

And what you're doing with these confinement hog houses is, you've got a pit and there's bacteria working in there, and that's causing a gas, and then you're blowing it off into the atmosphere for everybody else to stink, smell the stink. And you've got to change that. There's nothing wrong with confinement hogs if you cannot save the manure for a year, let it ferment and then blow it onto your neighbor. You can't do that. You can't pollute the water either. If there are any questions out there you'd like to ask me?

DNR

I'm sorry, sir. Whoa, whoa. Sir, this is not a question-and-answer session. If you're done with your comments, that's it. Thank you.

RICHARD BLACKFORD

All right.

UNIDENTIFIED INDIVIDUAL

I'd like to ask who's going to pay for this monitor, etc.?

DNR

I'm sorry, sir. We're just, we're here to listen to you today. We want to get your comments for this. If we have time at the end of this, we'll open it up for questions and answers. Right now we're trying to get the whole testimony part of the hearing. Okay. We'll go ahead and start with the people who signed up to speak at this public hearing. The first one we have is Chris Peterson, and after that will be, it looks like Don and Gerrie Etter.

CHRIS PETERSON

My name is Chris Peterson. I'm vice president of Farmers' Union, and I've raised pigs all my life, sometimes a lot and sometimes a few, but I've always had pigs around. First I want to thank the DNR for attempting to do some good for public health and for holding these public hearings. And in this country this is great. Everybody here has a right to their own opinion. I'm very happy for that.

As far as the monitoring goes, it seems like everybody, the buzzword is sound science, and that should be a priority for everybody including Farm Bureau, all farmers. Monitoring will accumulate sound science, and I think that's what we all want. I would hope that's what we all want. That's how we will reach solutions fairly and accurately, which again is what everybody wants.

Farm Bureau has sent this letter out, and there's a lot of discrepancies in there, a lot of data taken out of context. One study was done in 1976 – talking about outdated science, I think that takes the cake. They need to be held accountable.

I have a study right here, and I know the DNR has a copy of this, that was done in Nebraska around an IPB meat packing plant, and it was just completed here. Thirty parts per billion, not every day, but common exposure, you know, like every other day, whatever. The day after, in the local clinics and the hospitals, they had shown a 40 percent increase of people showing up with respiratory problems. So there is definitely potential risk here. And I believe that's what we all need to address is the potential risk.

And this country, priority should be good health and quality of life, and everybody should be able to live within the parameters and get along. I'm sure everybody's been told in this room. I was talking to somebody the other day, and the thought is, if you don't have your health, you have nothing. So that's why I feel this is so important. We need to protect public health. We need to find ways to do it. I feel it's the responsibility of bureaucrats, politicians, the farmers. There's a lot of good farmers in this room that have nothing to worry about. But again there's, it's apparent, there's some health risk.

And we don't need to undermine the process, you know, that 70 parts per billion. That would basically make every CAFO built, and everyone proposed to be built, legal. It makes no sense to me. Seventy parts per billion is too high. In Mason City itself a number of years ago, the cement plants – there was federal standards, there was a huge problem. Guess what. The standards were set lower because of health concerns. So sometimes you need to go below the federal standards. And how do you do that? You monitor, you do research. I think everybody in this room wants research; that's what it's all about.

For the record, I support the DNR's 15 parts per billion hydrogen sulfide standard, and I also call for 150 parts per billion ammonia standard. We need some type of surveillance system to figure out where we're at and where we're going. It's the responsibility of all of us. Thank you.

GERRIE ETTER

We already talked. You called us.

DNR

That's right. Duane Christiansen from Plymouth, and it looks like Roy Arnolds.

UNIDENTIFIED INDIVIDUAL

Could be Roy Arends

DNR
Roy Arends.

UNIDENTIFIED INDIVIDUAL
He already spoke.

DUANE CHRISTIANSEN

I'm Duane Christiansen. I'm a lifetime pork producer. I operate a wean-to-finish operation in the very southeast corner of Worth County. I would like to thank the DNR for my opportunity to express an opinion concerning this very important issue.

I'm opposed to the 15 parts per billion hydrogen sulfide standard. I question this level when many other regulatory agencies do not support or recognize this low level. I have a son who chose not to participate in agriculture. He lives in Brazil, has for the last four years, and we have visited Brazil four different times. The level of production agriculture down there is changing dramatically. The livestock industry is expanding.

I think we best step back and take a look at what may happen to the livestock industry in this country if we overregulate. I am for clean air, clean water, and I as a producer am willing to abide by standards that are attainable. I would like to see more science, hard, good science supported by the general population when making these rules.

The Brazilians are expanding. I question if we do not get our acts together and cooperate with each other and not make [incomplete, due to changing to a second tape] ... from producers in a foreign country. It's something that young people are questioning today – do we want to continue in animal agriculture under these type of conditions in this environment?

Thank you.

DNR
Crystal Lindford?

CRYSTAL LINDFORD
I pass.

DNR
Michael O'Brien. Jim Zbornik.

MICHAEL O'BRIEN

With this up, I'm kind of vertically challenged here. My name is Michael O'Brien, and I'm from Cerro Gordo County. I grew up in Iowa until I was 23 years old and then moved overseas to Australia and had my family over there, and then decided to relocate back to the states. And out of the fifty states that we had to look from as far as relocating my Australian family, we chose Iowa to move back to. But I've got to say, after being gone for 17 years, leaving in 1979 and returning in 1996, the Iowa that I remembered when I left was substantially different than the Iowa that I came back to with my family.

Couple things that I'd like to bring up that I am a little bit puzzled by with some of the comments that have been made here tonight. Here's a report that we're speaking about, all 280-some pages of it. I'd like to challenge and see a show of hands of how many people in this room have actually read it, page to page. I don't see too many hands up on the right-hand side of the floor here. If you take the time to read this study, see what work and what input was put into it, what scientific basis has been put into this and the scientists that have actually done this study, rather than necessarily listening to a special interest group, I think the comments here tonight might be a little bit more balanced. I'm always a little bit concerned about a participation in a discussion publicly when a lot of people that are throwing statistics around tonight don't have a clue what they're talking about. And again I would be more than happy to entertain comments later on if you'd like to discuss the report or whatever, but I did take the time to read the thing from front to back. Okay.

A couple of things that I do want to take issue with that I've heard tonight, because I was involved, living at Clear Lake, with the Saprobe Farms situation when they tried to put in their confinement two miles from the lake and got very involved in just looking at the industry in general, because I came in as a pretty neutral viewpoint on this. I grew up with a family full of farming background. All my uncles farmed down in Black Hawk County and Grundy County, and I had a very strong attachment to farming in general, and some of my fondest childhood memories were those farm memories.

But going back to the situation with what we've done with agriculture in general – I've heard some people get up here tonight and talk about how farming isn't polluting our land at the moment. And again I love my uncles that did farm all their lives, but just out of poor practices that came about over the years, I came back to an Iowa that we have every one of our lakes and our open waterways that are pea soup by July. And that's due to, not only runoff from the manure – I'm not going to give either side a break on this – it's also from our chemical fertilizers that we use that volatilize into either runoff through our tiling of land that maybe wasn't suitable to farm and so on and so forth, and also air quality as far as volatilizing.

And I've got a question. You know, this thing, this scare tactic that I hear Farm Bureau kicking out about the industry moving to Brazil – well, guess what. I think we need to talk to our legislators and our people in our congressional levels at Washington, DC, to protect our agriculture against an industry that's going overseas and raping their land, giving poor wages, having a situation that is noncompetable with the farming industry that we have in Iowa. I think that's the first thing we need to address.

The only people that are going to Brazil, if everybody wants to be honest on this, are the monster confinement people that brought the system in to begin with. The large pork-producing companies, as soon as they're done with contract farming in Iowa and it's finally deemed that we have health issues that are so extreme that we can't do these practices anymore, guess where they're going to go? They've already earmarked it. They've already gone down there. Your own Farm Bureau people have gone down there and seen what's going on. And it's not going to change anything by ruining this place first and giving us another five years and then letting the industry move down there.

Now, as far as manure in general, as far as spreading – I've done two years of research with my job as a marketing manager with a company here in Mason City as far as volatilization of nutrients. Whether it's manure, whether it's chemical products, whether it's manure in a pit, or whether it's manure in a lagoon, you have volatilization; and that volatilization is going to leave the property. And the problem that I have, whether I live in town and it's next to a cement plant, or whether I live in the country and I live next to a confinement is that if I own my own property and I have my family there, I think my most basic American right is that no industry moves in next to me to take away my life savings as far as my property value and my family's health.

And we talk about the fact that everybody that I've heard comments about tonight being against 15 parts per billion, I would like to challenge one person in this room that's come up with that against the credentials of the thirty or forty doctors nationwide and in the Netherlands and in Europe that have come up with these studies. I am tired of the conspiracy theory that these scientists have nothing better to do than to make up false scientific information.

The only thing I see coming out of this debate that we're having in this discussion... And quite frankly I'm tired of it. I've seen it in my lifetime in the tobacco industry. I've seen it in the power plant industry with nuclear power as far as radiation. I've seen it in the coal industry in West Virginia and those places. It's a sensitive issue. We're talking about your people's livelihood here and your children's livelihood as well as our health. But the problem is, the coal miners in West Virginia, until somebody came in and talked about black lung, nobody did anything about the health issues there because supposedly it didn't exist.

And guess what. Twenty, thirty years later, whether you have black lung out of the coal industry... We had another one in the asbestos industry. I think we all remember that. Nothing was done about asbestos because there wasn't enough studying being done. Well, guess what. Talk about asbestos today, and guess who came up with those studies? People like this.

And I'm going to close with one very quick statement. I see our schools, I see our towns in Iowa, I see our communities, our rural communities that makes Iowa so attractive to families like my own that move back to Iowa, dying off. And I see it as a chronic problem of corporate agriculture. And I'm not talking about people that are trying to make a living that own their own buildings, own their own farm, own enough farm ground that they can actually put manure on their land and actually do it as a nutrient rather than a dump, and by doing... The situation with corporate farming, what's happening in our schools and our small towns and our communities and killing our state off, as far as I'm concerned, is the fact that our family and our kids have

nothing to come back to. And guess what. These big companies, when they're done with you guys, as far as the ones that are doing the contract growing, they're going to walk away from the mess, and guess who they're going to leave it with? And you're right – they will be down in Brazil next.

And one closing statement. We, when we were involved in the Sparboe Farms situation, I think I was a little bit naive coming back. I lived in Australia, and there wasn't near as much political, vested interest going on. But when we were working with Sparboe Farms situation in Clear Lake, we invited a Dr. Zhan from Iowa State University to come up and speak to a public forum, basically not opinionated but purely just on findings that he had from guess whose study? Everybody in this room. Our taxpayer-based money paid for a study for him to do as a scientist, and he was told by the people at Iowa State University that he was not allowed to come up and give his opinions on his scientific fact to any organization. He was muffled so badly that Dr. Zhan now no longer actually studies or educates at Iowa State University. He was so disenchanted by the politics involved that he actually went into private industry.

I'm done. I'm done venting. I believe everybody needs to read this page to page. I think it's very important that we see what is behind this rather than what we're being told. I am in perfect alignment with the 15 parts per billion, and I thank the DNR for their time.

DNR
Tim Niess

JIM ZBORNIK

My name is Jim Joe Zbornik from Charles City, Iowa. I am speaking on behalf of the HOPE Alliance Organization of the Greater Colwell, Iowa, area. The Alliance HOPE stands for Homeowners for the Protection of the Environment and consists of twenty-plus families and thirty-plus individuals in the greater Colwell area.

We support the DNR's proposed hydrogen sulfide standard of 15 parts per billion, one-hour average, that was recommended in the Joint University Study. The DNR also needs to include an ammonia and odor standard as recommended in the Joint University Air Quality Study released in February 2002.

Hydrogen sulfide and ammonia have been measured near animal confinement operations in concentrations that could be harmful to humans. This Joint Study is only two years old, based on the best science available, compiled by 27 state university professors and peer reviewed by 8 international and national experts. We have sound science. Now we must use it.

We appreciate the DNR's action on this important matter of public health. Thank you.

DNR
Doug, it looks like Gaffrey, from Thornton.

TIM NIESS

My name is Tim Niess, live in Altoona, Iowa, right now, but I was born in Osage and raised on the Niess beef and dairy farm, and that's who I'm representing here tonight. I'm also a lifetime Farm Bureau member, proud of that.

And I want to say tonight that we've heard some very eloquent speeches, people on both sides of the argument. And I don't think that the purpose for tonight is to be pointing fingers at any one organization as to who does what and who lies the most or anything like that. And you can laugh all you want, but that's... The purpose for this hearing tonight is to talk about air quality. And I haven't heard anybody get up here yet tonight to say that they are against air quality. I haven't heard anybody get up here tonight and say that they want a license to pollute, that they feel they have a right to pollute, or that they have a right to drive their neighbors out of the country.

The issue tonight is whether 15 parts per billion is a health risk. And, sir, I have read the study, and I have my own doubts after reading the study, because there is conflicting information. There are conflicting studies. There's conflicting standards out there. And I think in speaking against the 15 parts per billion, I'm not saying that we don't need a standard. I'm not saying that our health is not an issue.

Ma'am, I agree with you. I think that there's manageable things to do. You take a look at soil erosion, what a big problem that was in Iowa. In the last eight years, through education and through technology advancements, we've been able to cut the amount of soil erosion that we do in the state by half. It's a remarkable attainment and something that every Iowa farmer needs to be proud of.

If we study the issue, keep monitoring, do monitoring in a way that is fair, that makes sense, we will find a standard that will do both – protect our air quality, and it will also not be a hindrance to those good farmers who are doing a good job. And there isn't anybody that got up here tonight and said that they support the bad actors and that they support the people that aren't doing a good job, not one. That's not what this is about.

It's about whether 15 parts per billion is a health risk. Some say it is, there are others who question and have conflicting studies. If we're going to make a regulation, we need to be sure. We need to be sure. There's a lot of fear on both sides of this, and fear never drives a very stable regulation. It needs to be done without passion. It needs to be done without emotion. And it needs to be done in a very sound way.

Thank you.

DNR
Gayle Stokes

DOUG CAFFREY

I'm Doug Caffrey from Thornton, Iowa. Six years ago put up a four-barn confinement operation. I'm a contract feeder. I've worked in hogs all my life. Before this, in 1978 we raised hogs out in the field, then we moved inside and been there ever since.

What they're talking about here, I am opposed to this 15 parts per billion for just the simple reason that we don't, nobody knows for sure. The man who was up here ahead of time stated everything very, very well and very good. This issue seems to, it's boiled down to confinement hogs against people in rural areas that don't like confinement hog operations and people in the cities that don't like confinement operations or big business.

The House Bill 2523, I hope our congressmen and senators are taking both sides into account and maybe pass something here while we study it or while there is more action going on by the DNR and get something out of here that's fair and good for everyone. I'm not here to pollute, never been here to pollute. I don't think anyone else is here to pollute. But when I hear very rash statements about when they drive my site or any other site, and I work in them every day and we don't have this, I have a hard time.

The lady up here that got sick... but she got sick maybe from the hydrogen sulfide that was big business that caused it when she grew up. Forty years ago we didn't have the technology that we've got today. If you were talking parts per billion forty years ago, you can't tell me any of you would have understood what they were even talking about. So now we're down to 15 parts per billion, right, wrong, indifferent, I don't know.

All I do know is that, number one, if you're going to create a law for me that is out here trying to farm, or the big corporate hog operations, I'm in with them, even though I am a private farmer trying to make a living, just like you are in town, just like you were when you were in Australia, just like when you moved here to Clear Lake. But it isn't me that ruined the lake. It isn't all the neighbors, all the farmers around there that ruined the lake. You can't tell me you don't have people move into Clear Lake from Des Moines, wherever, big money – I fertilize my lawn, I want my lawn to look better than the other. What all did you run off all the years in the lake? How many years did the sewer break in the lake and dump? But that didn't cause any problem. But one hog unit deal, dumps in at the lake or creek somewhere, that's big news.

The next thing is, okay – you're going to set this law. If you set it up for livestock, then like we did a year ago, we were doing it for industry, they have to do the same thing. That lady got ruined for industry in town. They have to do it for the same thing. Don't just pick on livestock, and it seems like when we're picking on livestock, we're picking on corporate farms. That also means, Phyllis, you and your hogs out in the rural area, all you with Neiman Ranch – you will be part of this, because once it gets started here, they will, they'll monitor those out there on the hot days in the rain, and we all know what happens there. It's the same thing as in a pit when we move manure out. I'm just asking for fairness, do it for everyone. If you're going to regulate one, regulate all. Just don't pick on one entity, one area.

And I can't help it – life isn't fair. We have bad apples. We have bad apples in hog industry. We have good apples in hog industry. We have bad apples in industry. We had the coal miners. I

agree, but don't just go and lay it all down on here and regulate us all on one end, because every year, every year we all know you pass a tax, you pass a law, you pass a regulation. Are any of those repealed or rescinded?

DNR

Would you wrap it up now, sir?

DOUG CAFFREY

Thank you very much, and I appreciate your time. Thank you.

DNR

Thank you. Nora Harding, or Nora Hardy, excuse me.

GAYLE STOKES

Hi. My name is Gayle Stokes. I don't farm. I do live in the country. I love Iowa. Education should be important in this state. It always was when I was a child. Now we're listening to people tonight talking that education at Iowa State University, at the University of Iowa, the professors, the doctors that did studies for us, paid by us, have no real reason to come up with this solution that they would like the DNR to enforce.

We either like education and believe in it, or we just don't think anybody is smart enough to tell us how to run our operations. That's what laws are for. That's what health risks are to be prevented by. If people want to protect their health, then they have to do things about it, and the universities have made this recommendation. They didn't do it to hurt anybody. They did it to help the people maintain a healthy lifestyle.

I believe that if we as Americans and Iowans care for our state, that we should care enough about our air, our water and our children, and the lives that we're supposed to be living here should be at least enjoyable. With the situation, people being ill – and it is a proven situation that many people have become ill with the confined operations – it is a definite problem.

We need to work it out. It needs to be done through monitoring by the DNR. And I think that they're doing the best they can, and I think we should give them the chance to do it at a reasonable 15 parts per billion – because that's what our doctors, our educators, told us was reasonable.

Thank you.

DNR

Kathie Gerber

NORA NEFF HARDY

Hello. My name is Nora Neff Hardy. I was born and raised here in Mason City. I grew up on the 100 block of 12th Street Northwest. Returned to Mason City after living in ten different communities in 16 years. We wanted good schools and to get out of the big cities and raise our kids in a greener space. We wanted to be able to walk and ride our bikes out in the fresh air. My father and brothers walked to work at Deckers in the 1960s and 1970s.

I am familiar with the smells of meat-for-food industry and the need to feed people and the need for farmers to make a living wage. Most north Iowans live up to our reputation of hard work, working hard for our money and our way of life. The north Iowa work ethic is the best I've known in all of my travels.

The people of the DNR work hard, too, for all of us. Iowa's greatest resources are our people and our green spaces of soil, water and air. The DNR takes these resources very seriously as they consider their standards.

We can talk and talk and talk about the money it costs to change or comply with the DNR's recommendations. Farmers are hit hard with this mostly because it affects you now. But you are organized, so most of you are here. Many people of north Iowa have no idea that we're here at this meeting this evening, so I'm hoping to speak for some of them.

But let's talk long-term costs. I'd like to see a show of hands. How many of you have health insurance? Wow, that's cool. How many of you have seen a two or three or more fold cost in your health insurance premiums just in the last few years? Okay. How many of you think you're paying too much for those premiums for healthcare? Okay. Neither of my parents are alive today. They both suffered from diseases related to air quality. But their suffering was not just their own, their own cost of health insurance. Okay. It cost them the quality of their life, the grandkids they never met or saw graduate from high school. It cost them their children, myself and my brothers and sisters, and their grandchildren, the lack of their wisdom and insight that only the elderly can give. But it costs all of you too, because you help pay for their healthcare with the Medicare and the costs of higher healthcare premiums that have to be spread around to all of us to help make healthcare costs even somewhat reasonable.

Fifty years ago we did not see clearly with hard science that smoking, air pollution, pesticides, and herbicides would have such an impact on our health. We know now, so why allow these things to contribute to anyone's illnesses or immediate or cumulative? Why allow these issues to contribute to your healthcare premiums?

This is a healthcare issue from my point of view. The quality of the air we breathe affects more than just the eyes, skin, sinuses and lungs. Cumulative toxins are lodged in the liver and contribute to all manner of chronic diseases. My stressed-out liver contributes to allergies, especially to sulfa and sulfides. Okay. Your stressed-out liver might contribute to diabetes, gall bladder problems, kidney, prostate or bowel problems.

DNR

Would you wrap it up now, ma'am?

NORA NEFF HARDY

Okay. Other people's stressed-out livers lead to other chronic diseases because the liver is what helps process these toxins. Cumulative effects have cumulative results. Okay. Pollution contributes to the suffering of healthcare problems for everyone, robbing us of all of our hard-earned retirement.

All of this hard science argument is irrelevant to the real issue that pollution on any level is the problem. Scientific certainty should not be the reason to determine how close we live to each other or whether or not we can hang out our laundry. We all live in denial of our own mortality and our own contribution to this problem. Pollution on any level is wrong.

So I'd like to say that I think that even the DNR standards are not strong enough. Everyone should look at it from a long-term point of view and say – please, let's let ourselves all live to a nice, happy, healthy retirement. And let's let our grandchildren and the future generations have clean air, clean water. And I'm not just talking about farmers.

I really, really agree that it's just municipalities, industries, cars, transportation, everything should be lowered. We're smart people, we're hard-working people, we're from Iowa – let's lead the country in this lower standard. Let's be the ones, let's be the ones that say we can do this and we can make these standards, and we can live in a pollution, relatively, you know, zero tolerance – zero tolerance, no pollution.

Thank you very much.

DNR
Bruce Blederman.

KATHIE GERBER

I'm Kathie Gerber, and I'm from Laverne, Iowa, which is in Kossuth County. My husband and I farm together with our in-laws, and we've done so for about 30 years. And we have pastureland upon which we have cattle. I'm here to speak in support of the DNR rules. I thank you very much for going to the trouble to put those together.

There's so many interesting things that have been said tonight, but I think what's apparent to me is that we are engaged in some sort of civil war in the agricultural community. And what we have, what we're different about is what our vision for Iowa is. And I hear all these very good farmers speaking about how well they're raising hogs and I hear that they're trying to protect their livelihood, but I think you're protecting your livelihood at the cost of the rest of us, and the rest of us are having to pay for that. And I think that someone, that's the reason for government often is to protect the common good, and I think the common good is not to be polluting our air and water.

And I think the safety standard that you have proposed is wonderful, and I think that we should err on the side of safety and caution and proceed slowly. I know that in our local community there was a poll taken, and 89 percent of the people that responded were in favor of a moratorium, a moratorium on further hog confinement buildings going up.

Now, you can talk about scale – you know, big ones are worse than small ones and all that sort of thing – but I think the kind of standard that you’re proposing sets a limit that everyone should meet and that the sound science and all the studies should occur before we continue to put more up and a standard such as the one that you’re proposing would protect our health in the meantime. And I think that’s very important.

I really liked what you said about scare tactics. I think we’ve been Farm Bureau members for thirty years, and if I didn’t have the health insurance, I would resign, because I think Farm Bureau no longer represents the family farm, they represent corporate agriculture. And right now for some reason everyone in the legislature thinks that Farm Bureau represents the rank-and-file farmer, and it’s no longer true, and I hope that Farm Bureau realizes that they’re not representing us. I apologize to those of you to whom they are representing your cause, and I understand that you need to make a living, and I think we need to continue to have livestock in Iowa, but let’s have the standards and then proceed with the science and then continue from there.

Let’s see. Oh, one final thing. I think you can stand the smell if you’re profiting from the smell, but for those of us who are not profiting from the smell, I think there needs to be some sort of protection.

And one other thing. If we do not pass the 15 parts per billion, I think that Iowa will become a magnet for all the companies all over the world who have been driven out. I just recently attended the conference at Iowa City which was on hazards of confinement operations. There were people speaking from the Netherlands, from Sweden, from Denmark, from Canada. And all of those countries have imposed stricter restrictions. And so what’s happening is that the whole industry is looking for a place to come. I think you wonderful independent family farmers who are growing for them are pawns. I hate to say it, but....

DNR

...wrap it up now, ma’am.

KATHIE GERBER

... Okay ... for the large industry, and I think we need to go back and take a look at this. And thank you for giving us the opportunity.

DNR

Leon Sheets.

BRUCE BIEDERMAN

I'm Bruce Biederman. I am a third-generation farmer from around Grafton, Iowa. I also own a farm equipment business selling grain-handling equipment. And I'm a graduate from Iowa State University in 1974 in agriculture.

I was at the first meeting, too, and listened to all the comments, and basically this is just about a study. There's a lot of call for more study, and that's what we are doing here. This is a field study. It is very sound science as has been said, and the people that are speaking against this, they are not necessarily informed as to what, how it would affect them. I don't think any of the people that have gotten up here to speak against it would probably be affected by this.

It's a known fact that the wind does blow in Iowa. They're talking about, you know, 15 parts per billion - that sounds so small, but we're not talking about right over their pit. You get a smaller operation with the air mixing like that, that's why they have it set that so if it's that high at the level where they're checking it, it could be a problem.

And another thing that I've noticed as of today because of the prices of corn and beans, that you guys that do raise a high percentage of your own feed are going to be highly competitive with these larger operations, and it might just stem the tide of the problems that you're facing.

And I definitely support this regulation, and it's not really a regulation, it's just a study. Nobody is going to be penalized for it, and it's going to tell you where you're at so that you can have an informed decision.

Thank you.

DNR
Richard Rosenmeyer.

LEON SHEETS

Leon Sheets. I'm a producer from Ionia, Iowa. Listening to the discussion this evening, I am almost a little confused because I would classify under the independent owner/operator, but I do fall under the classifications of having a permitted operation. I do have a nutrient plant. I spoke at the last meeting. Friday night I was also at Elgin when the DNR was having a phosphorus index hearing.

It starts out with the good intention. The problem is when you draw the line is that, the lady commented early, is that if you're okay you don't mind having drug tests. But when you start getting intervention invasion, where do you draw the line? They want to, they ask me to permit my operation, keep it a certain distance, do certain things. We've done it. We set a line now for air odor, and I've taken almost the same as a sales tax. We started out, when I was younger we had a one-cent sales tax, and then it went to two cents, and it's three cents and it's four cents and it's five cents plus the local option tax. And we'd have a whole deruckus if the legislature decided to raise the sales tax a cent or two. And it's almost the same concept.

Nobody in this room disagrees that we're not for clean air, we're not for clean water, and we want to protect that if we're using our nutrients, our chemicals, our fertilizers, N, P and K. We're not going to disagree that we'd like to have our kids have a good education, and many of you folks have your kids raised. Well, if we talked about raising a school bond issue to put up a new schoolhouse or generate funds, there would just be holy ruckus to be raised tonight, wouldn't there? You drew the line, I spent enough for my kids' education, we can't afford to spend no more.

As a producer, with more guidelines coming down, and it almost gets to be an objective coming through from the departments is that we're going to regulate you because we can. We're trying real hard, and I'm one of the small guys. You keep beating against the corporate farms. It's been said, "I'm a family farmer. I can stand at my garage and with a baseball I can hit my sow barn, I can hit my nursing barn, and I'm here and I'm okay."

But I've got the guidelines to fall back in. You set it at 15, we're going to set it at 10, we're going to set it at 5. Just say, "Leon, get the --- out of the business. Oh, but by the way, please pay your taxes, because your county needs the money to keep the roads that you want to drive up and down on, and we need to keep our schools open." That's where I almost draw the line. So maybe it's not... We're not against good water. You set the line and somewhere you put your toes in and you start dragging, then you're digging.

I want to paraphrase a little bit is, we seem to have more and more information about the things we really don't care to know and less and less information on the things we really need to make informed decisions on. And the problem of sorting out information for each side has its advocates and its scientists. Scientists should be full of self-doubt and should question if they have sufficient evidence. Advocates know the path. It's clear, and they can't understand why the rest of you don't follow the line and see what it is. But the positions our scientists are speaking from gets to be a question. They also have personal influences. Are they giving us a true, unbiased opinion? We have to sort out that information, the biases, the vested interests, the advocates, the scientists, the fear of doing something or nothing.

Our major university in eastern Iowa put on this hearing or this presentation this weekend. I forget. I can't spit out the ... name. They brought in the folks from the Netherlands, and they had their own people on. What once took out of these when you do a little bit of sorting. One gentleman was conferring that he is convinced that hogs are at one of the causes of the avian flu -- "I can't prove it, but I know it." And that is what it came back out in the popular press, one of the major newspapers in the state, is that the hogs are the cause of the avian flu. His opinion -- and he's a respected scientist -- but he can't prove it. And gosh, he'll go out and work at it, and if he comes up and proves it, but as of right now that's his belief.

The sound science, he's a scientist, but he's not unbiased to me. He's biased, and that's a concern that I have, is we need to draw the line someplace and be reasonable about it. We're working at it, but let's be reasonable and let's not put it out of business.

My son just joined me at home, and what future do I have? I have six employees at home. Do we turn around and say, "Folks, go elsewhere and get another job?" They like what they're doing. He likes what he's doing. We're just trying to keep some common sense and bring it in to make it reasonable, as we gather the information.

Thank you.

DNR
Gary Payton

RICHARD ROSENMEYER

My name is Richard Rosenmeyer. I'm from St. Benedict, Iowa, a fourth-generation family farmer.

I guess I'm opposed to 15 and would like to see something higher. I don't know if it's right or wrong. What I do know is for me to start farming I put up three hog bldg. I live 300 feet from them. I'm healthier than half the people in that town, so you can't tell me they're poison to me. I mean, I'm sure it's not the best environment to work in, but what is? Is working out at the Snap-On in our little community the best environment? I have my doubts.

It just seems to me that we don't like the smell of hogs. Let's call a spade a spade. We don't like stink, so we don't want the hogs around. Be honest. You couldn't drive them out by regulating the amount of manure you put down, so now you're going to try something else. You know, and one gal said, my in-laws, they have a pasture where they have cattle, and ... they do. And you know what runs through the middle of that pasture? A creek. Do they go out and say, "Well, you can't --- here. Excuse me, you can't go here, and you can't go there?" No. That's all right, 'cause that's their smaller operation. That's just fine. Get a little bigger than the next guy, bump, you're bad, got to shut you down.

And I guess that's all I want to say is let's just slow down here and try to find something reasonable that we can all live with. And I just think 15 parts is too small. I'm not an expert by no means, but it's not a very big pile when you stack it up next to a billion, is it?

Thank you

DNR
Dwight Dornbier

GARY PAYTON

I'm Gary Payton, and I'm from Thornton, Iowa. And my family and I operate a hog confinement unit. We own it, we own the pigs, and we also live in the same building site that the hogs are on.

I would like to go on record as being opposed to the 15 parts per billion. There's a couple of comments that have been brought up several times tonight that I would like to touch on again. I think that all of industry should have the same standards as what the hog industry, the livestock industry and the chicken industry have.

I would like to see more field studies completed and their results published before we establish so many parts per million, so we know where we are and what's needed.

And last of all, the other point I would like to bring back up again is that all sizes of operations should [incomplete because of switching to side B of tape]....

DNR

Max Brandau.

DWIGHT DORNBIER

I'm Dwight Dornbier, Letts, Iowa, and I'm opposed to 15 parts per million. I'm not saying I'm against air quality or nothing, but I say if we pass it, let's pass it for the whole country to live by, just not the agriculture.

And I'm opposed to saying that farmers pollute the lakes at Clear Lake, but when we have a heavy rain in May, it's all right for the city to open the gates and dump the raw sewage into the lake and then blame it onto the farmers in July when the e-coli is too high.

That's all I have to say.

DNR

Is Max Brandau here? Ed Swanson? Ron Littener?

RON WITTER

I'm Ron Witter from southern Floyd County, and I am a hog producer and a grain farmer. I want to thank the DNR for having this hearing tonight to give us a chance to express our views.

First thing I'd like to say, there's been a lot of things said on both sides of the position tonight, but there's a couple things that I think that we all agree on, that we do want to protect public health. And I do want to dwell just a little bit on the talked about university study that you addressed earlier.

It really wasn't a study. The university at Iowa State and University of Iowa didn't actually do a study. They did a literature review of other studies and put together some recommendations, and what those recommendations is a high, consistent level of both ammonia and hydrogen sulfide over a long period of time - which isn't the case. And even the University of Iowa has admitted that this isn't the case.

Since then, Iowa State University has even backed off their support of this because of these differences and are supporting the ASTR standards, which are set at 70 parts per billion on a 1 to 14-day period, versus 15 parts, which the DNR is proposing, over a one-hour period. This is a huge difference.

So I think we have to step back, take a look at it. And I could give you another example. Some of us have worked very long and hard in the ethanol industry, trying to promote ethanol. We have scientist from Cornell University by the name of Pemital, who has used a study that he has talked about. And anyone's that opposed to using ethanol uses him as a reference, because he says there's a net energy loss. We have other studies done by USDA, other universities and other scientists that contradict entirely what he says.

So I think we have to take with a grain of salt, especially when the universities involved are no longer in a hundred percent agreement on this thing. And we need to look at some standards that are reasonable, that will protect public health. And I think the 70 parts per billion will protect public health. Start there, and allow the industry, the livestock industry, and particularly hogs, to be able to compete.

Thank you very much.

DNR

Dean Harklau. Next up will be Keith Kuper.

DEAN HARKLAU

I'm Dean Harklau from Humboldt. I live a couple miles south of Humboldt. A few months ago we were fighting over a hog confinement that was to be built, and so far we've got that stopped. There is one that came up before that that I was, you know, didn't really say anything about it, so I didn't, you know, get involved. Signed my name, yeah, that's fine.

Anyway, I agree with the DNR that we should set a standard. We've got two universities in Iowa, and we pride them on what? On education. And you're not going to go by what the professors say, or the scientists?

And then I also get kind of mixed feelings when someone backs down from what they first thought they wanted. And then I think well, gee, they must have reasons. Maybe the government might, you know, cut some of the money off for the animals that they're checking for serums and this and that or coming up with cures for different things that might hit us someday. So I kind of wondered about that a little bit.

I come from a manufacturing background. In fact, I still work full time. We've worked with the DNR for years, and we've got regulations. We've got regulations on every ounce of air that goes out through the roof. We've got regulation on every drop of water that goes down the sewer. And yes, we're testing, and yes, we comply. And then you wonder why maybe some of the jobs go out of the country. The factories all have to comply. The farmers say, no, they don't. We have

standards and we have to keep them. But the DNR works with you. They'll help you in any way they can. So I have no problems with the DNR. I hope that we get this passed.

I have a brother-in-law that... This is one other question I had. You worry about different things that bother you. Okay. How many of you have to have a license to mix your chemical now? I wonder why that is? I have a brother-in-law. He's in the grave now. Died from cancer. Now, I don't know what he died from or what caused it. He was a good farmer. He didn't know any difference about handling the chemicals without gloves. He didn't know that.

Got another brother-in-law, he's still alive though; he farms a hundred head of Holsteins. I don't think he's against this. He's a good farmer. He takes care of the land. I just hope the DNR gets this regulation. We need it. Get up there where everybody else is.

Thank you.

KEITH KUPER

Hello. My name is Keith Kuper. I'd like to thank the DNR for the opportunity to comment on this proposed regulation, and I am in favor of it. But we've heard a lot of reasons tonight by proponents of factory farming, why they wouldn't like to see this regulation go in. I'd like to just go into a couple of those reasons.

First of all, they say that the standards are not based on sound science. Let's put that to bed. The standards are based on the single most comprehensive review of the research to date, by a large group of scientists at our two biggest universities here in the state. There seem to be a lot of experts here tonight who want to dismiss this study, but I'm not prepared to grant them their doctoral degrees quite yet. Now the other time is we hear the idea of sound science mentioned a lot. The last time we heard this catch phrase so much was back in the sixties when the tobacco companies used it to support their deadly product.

Another thing we've heard tonight is that the people who say they've worked around hogs for 30 years and they haven't noticed any health problems or something to that effect. I thought these were the people that were wanting sound science. This is anecdote. This has nothing to do with science. This is anecdotal evidence. Let's consider the source of these observations. Those who would benefit from a continued lack of regulation are biased. Those who say they live next door to a factory farm and they hardly notice the smell, well, I urge you to see an ear, eye and nose and throat specialist, with an emphasis on nose, because there's something seriously wrong if you don't notice it. And I think you should also visit an eye doctor to examine why you can't see reality.

They say that these rules would drive livestock from Iowa. Well, I don't think anybody in here wants to drive livestock out of Iowa. Let's see a show of hands of all who would like to do that. I don't see anyone in here who wants to do that. But the livestock industry has changed dramatically. It's been revolutionized, it's been bought out, it's been industrialized, it's been concentrated way beyond what grandpa would have recognized, what he would have imagined.

Yet, the industry still thinks of itself as grandpa's farm. Well, I don't want the industry eliminated. I want change. I want an industry that threatens health, property value and quality of life to change.

Now, factory farms are not the only way to raise livestock. In fact, the mindless expansion of factory farming is the main reason why hog production is a low-margin business today. They say the cost of compliance would be excessive. Well, it would be nice to avoid the cost of doing business, wouldn't it? But somebody must always pay. The cost of family farm air pollution is being paid today. It's just not being paid by the polluters.

The costs are being borne by the general public. They're being borne through poor health, through reduced quality of life, property values that have gone down. And one supreme irony that I can't believe is the very source of these toxic gases, the anaerobic pits that generate hydrogen sulfide gas, Iowa farmers get a tax break on it. They don't pay property taxes on those structures. So we have a break for a pollution structure that actually generates pollution.

DNR

Would you wrap it up now, sir.

KEITH KUPER

Yeah. And I guess that's basically all I have to say for tonight. But I just want to go on record as I do strongly support those.

DNR

Kevin Tellier, you passed the first time. Did you want to speak this time?

KEVIN TELLIER

Yes, please.

DNR

Next up will be Ron Brada, Iowa Falls.

KEVIN TELLIER

I'm Kevin Tellier from Humboldt, Iowa. I'm a fourth-generation farmer, and I raise livestock. And I also am a proud member of the Farm Bureau, and I'm a member not because of the insurance, because I believe that we have to have somebody that can help give us a voice in the state of Iowa to speak out against certain atrocities that are just blanketed in *The Des Moines Register* day in and day out.

I would like to go on record as being opposed to 15 parts per billion level. I have several reasons for this. One, this bill was nullified by the Iowa legislature last year by a two-thirds majority. The levels are not endorsed nationally by any recognized agency. If this study is the greatest thing since sliced bread, why hasn't the CDC just adopted it unanimously. I mean if it was that tremendous and it was that much of a great health concern, the CDC should be adopting it.

unanimously while we're speaking right now. It's not doing that. I fully support House File 2523, because it has recognized levels from a nationally accredited agency.

I also would like to have the readings taken at separation distances. We're very, very concerned about the quality of air at our houses, so why are some of these monitoring systems set less than half the distance from a residence from the facility? Is there a certain reason for this? If the reason is truly air quality, why aren't these taken at the residence itself?

If this is truly about air quality, why isn't every industry that has hydrogen sulfide emissions being regulated? Why is it the cement plants we've talked about this evening, large animal confinement systems – we were talking about that? Why isn't the municipal sewer system being required? But yet we're targeting one single industry in the state of Iowa.

Comment was made before, if your neighbor has all these pigs and he owns the building and owns the land, that's fine, that's no problem. But yet as soon as somebody else owns the livestock, that's a problem. So in your mind it's ownership of the animals that makes a difference on the air quality, not the air quality itself.

I kind of find it's rather amazing, 'cause so far this evening I have yet to hear anybody up here disagree about everything, anything. Nobody wants bad air, nobody wants bad water, and amazingly, no one wants to run the livestock industry out of the state of Iowa. But yet there's a byproduct of excess regulation that could be livestock leaving the state of Iowa.

Or it could result of something different, something a lot of people maybe haven't thought of. Excessive regulation could cause something called "regulatory concentration." That means for the farmer to be able to maintain the level of income he is at, he might have to raise more livestock. Because you see, Dean, like you said, Harkle Industries has to meet all these requirements by DNR. Right? I've known you for a long, long time. I mean, I know you guys have to meet all these requirements. You've got air going out, you've got air coming in.

But you know the amazing thing about it is Harkle Industries in Humboldt, Iowa, can meet all these requirements from the DNR. Cost them money to do it, but you know what? That gets tacked on as cost of doing business. How can Joe Individual Farmer pass that on? He can't. It's a cost that he will have to bear by himself alone. He has no way of passing that on down the road. You can tack another, for example, fifty cents a trailer on. That goes down the road. That's not your cost, but you're meeting all the DNR requirements. A farmer can't do that. We're at the mercy at what the bidders are going to take and pay. If they want to pay more, that's fine. That doesn't always happen, though.

I guess what I'm saying is, since we all agree that we don't run livestock out of the state of Iowa, we all want to have, you know, clean air and all have clean water, I think a lot of the partisanship and a lot of the emotion needs to be taken out of the argument and have the information gathered at separated distances. Let's don't put a law on the books and then let's go out and gather information and see what happens afterwards. Let's get our information gathered and then pass a law so we have a uniform and an intelligent idea of what we're trying to regulate.

Like I said, once again, I'm opposed to 15 parts per billion. I totally support House File 2523. Thank you to the DNR for your time.

DNR

Marian Kuper, you're up next.

RON BRADA

I just want to take and make a comment that I'm from Charles City, Iowa, and if Jimmy Joe Zbornik is still here, I'd like to talk to him later. He left? Okay.

Let's see now. Where do I start here? There's been a lot of commentary. We've got to know what we're fighting, right? We've got to get the sound science and all this and that? Anybody know about North Carolina? What'd they do? They have had a moratorium on the building ever since they got in trouble by giving too much freedom to people without putting regulations upon them. That moratorium, by the way, is in effect 'til 2007. Now they just jacked it up another three or four years.

As far as hydrogen sulfide is concerned, there's a report here. This man's the head of Environment Medicine of the University of Southern California. He's about my age. I guess he's getting right up there. But he's holding a book that says, "Noxious Gases," about gases that we're talking about. He made this statement now, after years of studying: "You're progressively dehumanized by the dose. The evidence is pretty convincing that, whether explosively or insidiously, at low doses the effects of hydrogen sulfide are the same. It's this progressive loss of brain." In other words, it affects you mentally.

And by the way, the World Health Organization, WHO, recommends 5 parts per billion for a 30-minute average as a level that will have minimal to no discomforting health effects, that is, headaches and nausea and so on. Through their research, they determined that hydrogen sulfide at 15 parts per billion for a 30-minute average had negative impacts on 22 percent of the population. And at 30 parts per billion for a 30-minute average had negative impacts on 40 percent of the population.

So let's let these experts go ahead with what they've already done. They've put this out -- and I appreciate this being commented about by Mr. O'Brien -- these people know what they're doing. Let's not let ourselves be goaded into taking a position that some organization is pushing us toward. By the way, I'm retired. I'm a former postal worker, but I'm not going postal on you, I'll tell you that.

Now, how many people were at this Iowa City meeting? One, two, is there three. Wayne was there, yeah, I remember. Okay. Now, for people who are really concerned about the issue, Monday the University of Iowa had this Environment Health Impacts of CAFOs, Anticipating Hazards, Searching for Solutions, a Public Conference. That's where some of you should have been. I know I was there and I enjoyed it. But I got an education.

I know I'm not an expert, but these people have gone down the road, and they know where it's at. And you need to respect the 15 parts per billion, because if you don't you're going to get into a situation where you'll wish you had of. Anybody that's raising livestock responsibly probably doesn't have anything to worry about.

Some side issues I might comment on are this.

DNR

Would you wrap it up, sir?

RON BRADA

Okay. The man from Chapel Hill, North Carolina, the doctor of environmental things, stated that now in North Carolina, they're battling CAFOs near middle schools, near high schools. And our regulations here in the state of Iowa that he referred to earlier, 459 chapter, will permit that too if we let this go unchecked. This has to be brought into control, and I would suggest that it is.

DNR

John Fox.

MARIAN KUPER

Hi. I'm Marian Kuper. Just, I had some written comments, but I also scratched some things down as I listened to everybody. And here they are.

The fact that Dr. Zhan was shut down so fast at Iowa State makes me really question Iowa State's motives for what you all called backing away from the Joint Study. And personally it seems to me that if Iowa State does now regret some of the study on which they collaborated with the U of I, let's see Iowa State put that in writing.

Another thing – public health principles dictate that allowable levels of toxic substances generally be set where more vulnerable individuals are not adversely affected. If you read the Joint Study, Chapter 8 goes into a lot of detail about the justification for the levels.

Another thing – asthma now appears to be as much of a problem in rural children as in urban children. This was in the news just the other day. The conventional wisdom was that good, clean, fresh country air was something of a preventative. That doesn't appear to be the case anymore.

Another thing – if you read about hydrogen sulfide, you'll see that inhaling even low levels of it can result in, among other things, damage to one's sense of smell. So I wonder if some of you who claim to not smell much of problem on your respective operations, that possibly a damaged sense of smell may have something to do with that.

Another thing – how many, oh, we already talked about the fact that just a handful of people attended the conference in Iowa City. It just seems to me that if you're really interested in sound science concerning CAFOs, you would have found a way to be there. Also, the influenza scientist who was there, he never said that hogs caused Avian flu. He may have been misquoted, or the gentleman who suggested that he said that may have misunderstood the comment. If he wants to talk to me later, I'd be happy to tell him what I remember of that particular scientist's presentation.

Okay. I support the DNR's – and thank you for letting me speak; I appreciate that – I do support the DNR's proposed 15 parts per billion hydrogen sulfide standard. This standard was derived by a 27-member team of top Iowa scientific experts specializing in various fields of agriculture and public health, at the request of the governor in response to a 6,000-signature petition from Iowans asking that something be done about air emissions from CAFOs that were adversely affecting rural residents' health, property values and quality of life. Rural Iowans had been stymied in their attempts to obtain local control over the sighting of CAFOs in their counties and stymied again when they tried to use county public health ordinances to regulate CAFO air emissions. Currently, there are 14 lawsuits pending in the state of Iowa that seek redress of neighbor grievances caused by CAFO concerns.

My point is that this is a real and growing Iowa problem that has to be addressed. Ideally, stakeholders on all sides need to sit down together and hammer out a solution. Instead, what we have is polarization, resentment, anger and the problem getting worse.

The standards called for in the Joint Study were chopped back and finally nullified by the Iowa legislature last year for being too broad. The standard proposed by the DNR now has been designed with the legislature's original objections in mind; and yet it now is in danger of being shunted aside because of the Farm Bureau's big push for standards that essentially have no teeth whatsoever and will allow CAFOs to continue to pollute with abandon. The current bill that is now in the legislature has another problem. It is designed to diminish the role that the DNR plays in addressing these problems.

So let's call a spade a spade. The reason CAFO supporters want this bill and not the proposed DNR standard is that it's important for CAFOs to be able to push their costs of polluting our environment back onto us. We bear the costs in the form of reduced property values, increased illnesses, decreased recreational opportunity. We bear the cost because they get tax breaks for operating so-called pollution-controlled facilities. Those tax breaks cut into the money we'd otherwise have to fund our schools, our local law enforcement, our roads, etc. Meanwhile, CAFOs structure themselves to take fullest advantage of federal farm subsidies, the cost of which is borne by us federal taxpayers.

Thank you very much.

DNR
Ted Thompson.

TED BONNER

The name's Ted Bonner from Swaledale. I'm a farmer. I just got a few points to bring out, nobody else has. There's two kinds of smells. There's either an attractant or a detractant.

And I don't like regulations. I'm a farmer and all these regulations kind of weigh on you. I didn't like the atrazine regulation, but the way it turned out, I guess that ain't such a bad regulation. There's probably a need for that control on the different chemicals and stuff we put in for the groundwater. And I didn't like the unleaded gas. When that came around, I didn't think ..., how's everybody going to be able to keep your old tractors running. Well, they're still running, still using stuff.

And about the tax cuts, everybody wants to have the pits to get the tax abatements or whatever, but now they don't want to be regulated. I mean that's kind of a cool thing. You put them in there to be safe, to meet everything, now everybody is just whining like Comanches for, they want to be regulated.

And the fourth thing, I don't think we should need monitors. I think you just have to drive up beside them, get out of the car and pick up a pop can out of the ditch, and if your eyes start watering or you start gagging and start wheezing, that tells me something is not right there.

And you must start somewhere, and I guess, I don't know if 15 parts per billion or whatever it is, but it's got to be a regulation somewhere. Thank you.

DNR

Nancy Ronslo.

NANCY RONSLO

Thank you for the opportunity to talk to you tonight. I am speaking on behalf of Iowa Citizens for Community Improvement, and we have been sending around postcards, passing them around to people in order to give them the opportunity to respond to the clean air rules and to express their support for the Joint University of Iowa / Iowa State University CAFO Air Quality Study, and also to give them an opportunity to support the Department of Natural Resources proposal for a hydrogen sulfide standard of 15 parts per billion and also an ammonia standard of 150 parts per billion.

Now, we have received over 550 of these postcards and comments back, and not all of these people have been able to attend tonight, but with your permission I would like to read just a few of the comments.

From Pocahontas County, a person says, "Help protect me and my family from factory farm emissions. I support hydrogen sulfide at 15 parts per billion and ammonia at 150 parts per billion. I have a 4,050-head hog factory about a half a mile from my home."

From Mitchell County, "I have asthma and experience breathing problems when near factory farms."

Adair County, "If air quality rules run livestock out of the state, why do Minnesota, Missouri and Nebraska still have livestock?"

From Audubon County, "We live one-half mile from 7,000 to 8,000 hogs, and the stench is terrible."

From Taylor County, "I live north of a big hog confinement, so I'm well aware of the need to monitor our air quality and enforce adequate clean air rules. There are days that are literally nauseating in our area."

From Boone County, "Hardin and Hamilton Counties stink. Every time I come home from Boone County, my nose clogs up."

From Story County, "We live in such a beautiful state, but it lowers the quality of life if it smells like a giant pig toilet."

From Union County, "The 27 scientists at the University of Iowa and Iowa State University did a great job."

From Winnebago County, "We used to have a lagoon, and it made us sick. We had to fill it in. They do make people sick."

From Adair County, "Don't let our state become a septic tank to benefit investors."

From Emmett County, "I live one mile from two hog factories, and at time the odor is so strong I am forced to leave."

From Greene County, "I support raising hogs, but humans and our right to a healthy, happy life comes before these large operations and their polluting, destructive and uncaring way of making money."

From Davis County, "If we ignore the best minds of our two major universities, we indeed need to send our policymakers back to school for continuing education."

From Winnebago County, "I live two miles east of 4,000 hogs and four and a half miles east of Golden Oval Eggs, and given the right winds and conditions, I can smell both of them in my farmyard."

From Adair County, "Clean air is very important to me. I have asthma."

From Polk County, "Protect public health. Don't cave into industry."

DNR

Could you wrap it up now, ma'am?

NANCY RONSLO

Okay From Adair County. Let's see, from Shelby County, "I have 30 years of farming and dairy in my background, and I support DNR's proposed hydrogen sulfide standard." Thank you.

DNR

Ted Bonner. I'm sorry.

TED THOMPSON

Ted Thompson.

DNR

Ted Thompson. I knew the two Teds got turned around. I'm sorry. Thank you.

TED THOMPSON

My name's Ted Thompson. I live up by Thompson. I have raised hogs for, since I was nine, 45 years, I guess, on dirt, on cement, in confinement. According to what I heard tonight, I should be dead by now. I'm not.

I'm not for the 15 parts per billion standard. I don't think that's a health issue level. Maybe some of you are aware that chlorine gas is poisonous at certain levels, yet you drink water nearly every day that has chlorine in it. At a proper level it's not harmful. This has become such an emotional issue, I think reality has been forgotten. I see 60 years ago when penicillin was developed, zero tolerance – one person have an allergic reaction, nobody could use it. You want to talk about zero tolerance, maybe you shouldn't get in your car tonight and drive home; you could get into an accident. Life has risks.

I don't think the 15 parts per billion standard is logical. I don't support it. Thank you for listening.

DNR

Well, at this time we've gone through everybody on the list that signed up today to speak. Is there anybody that did not have a chance to sign up when they came in that would like to come up and speak on the record at this time?

BOB WOLFRAM

I'm Bob Wolfram again from Ventura. I was at the last meeting.

You know, I'm really concerned. Why does Iowa State back off of their study? This is just my thought on it, but you know there's other people that think this too. You know, we're all having bad times. Just read a deal from Aaron Putz, Farm Bureau. Guess what, folks. Iowa is expecting

another budget crunch year in Des Moines. Everybody's getting cut, cities are getting theirs cut, DNR getting their budget cut, education's getting their budget cut.

Well, you know, huge corporate agriculture just loves to fill the gap when it comes to education budget cuts. You don't suppose that might have something to do with ISU pulling out, backing off? I don't trust any corporation. I don't trust Farm Bureau, and Farm Bureau does not speak for me. And as far as good stewards of the land, maybe a few here.

You know, I've fished, been on Clear Lake every day for the last forty years, and they say you're conservation minded. I'm mad, because the last three or four years in a row, the ice has been black from the soil blowing off of your fields. So you think you're conservation minded. Maybe some of you are, but don't sit here and dictate what's good for my health or your health when you can't even take care of your own fields.

Thank you.