



Missouri Agribusiness Association Wrap-Up

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November 5, 2009

REMINDERS

2010 MO-AG Winter Convention Exhibitor Registration Open until Friday, December 4

You have until December 4th to register for a booth for the MO-AG Winter Convention. The exhibitor brochures have been mailed, but you can also download the brochure by [clicking here](#).

2010 MO-AG Sponsorship Letter in the Mail

At this time, we are accepting sponsorships for the 2010 MO-AG programs. Please check your mailbox or [click here](#) for more information. Thanks again for everyone who was a 2009 MO-AG Sponsor.

NH3 Nurse Tank Testing Workshop to Be Held on December 10-11 in Columbia, MO

Missouri Agribusiness Association (MO-AG), in partnership with the Agricultural Retailers Association (ARA) and the U.S. Department of Transportation (DOT), will be offering a workshop to provide you with the training your company needs to test NH3 nurse tanks and comply with U.S. DOT regulations. The workshop will be held on December 10-11 at Stoney Creek Inn in Columbia, MO. The brochures have been mailed and can also be accessed by [clicking here](#). Please register by December 1, 2009 to participate in the workshop.

NEWS YOU CAN USE

EPA Awards Cash for Anhydrous Ammonia Outreach

EPA has awarded \$75,000 in grants to assist agribusinesses with implementation of the Risk Management Program (RMP). The Missouri Department of Agriculture (MDA) will conduct on-site safety assessments. The State Emergency Management Agency (SEMA) will conduct workshops, on-site inspections, and focus on enhanced communications with local first responders.

An EPA Video provides details on the assistance to be provided. The video highlights the importance of chemical safety and proper handling

Mike Nordwald
Ray-Carroll Co. Grain
Growers
Richmond

Wayne Orey
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Deborah Dickens

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of anhydrous ammonia. MO-AG and its members assisted with the video. To view the video and the complete EPA press release, please [click here](#).

MODOT Waives Transportation Regulations

In response to unseasonably heavy rainfall throughout Missouri, the Missouri Department of Transportation has issued an emergency declaration to waive certain state and federal regulations for Missouri farmers who must now rush to harvest row crops and transport commodities to local storage facilities. While this declaration is in effect, participating farm carriers will be limited to:

- A loaded, gross weight no greater than ten percent (10%) above the gross licensed weight of the commercial motor vehicle; and
- Transport of row crop commodities from the farm to a local storage facility and empty return trips to the farm.
- When crossing a bridge, the driver must restrict the vehicle speed to no more than forty-five miles per hour (45 m.p.h.) and must center the truck between two lanes of the bridge.
- Travel on highways other than Missouri interstate highways - **NO TRAVEL ON MISSOURI INTERSTATE HIGHWAYS.**
- Are not required to abide by Hours-of-Service laws.
- May benefit from the waiver while under load and when returning empty.
- Must carry a copy of this declaration in each vehicle that operates in response to relief efforts. [*Source: MoDOT*]

MO-AG Comments on CRP Program

The USDA recently accepted comments regarding the future of the Conservation Reserve Program (CRP). MO-AG, along with many other agriculture related organizations, provided comments to USDA for consideration in regards to the long-term future of CRP. The following was included in the comments to USDA:

"The CRP never was intended to be a permanent land-retirement program. We would encourage the Administration to consider how U.S. producers could respond to market signals and participate in expanding global demand and income opportunities. During the past eight years, the U.S. total acreage planted to grains and oilseeds has been reduced by six million acres, while the rest of the world has expanded production of these crops by approximately 153 million acres. A fundamental question is whether the United States should continue to idle and lock-up CRP land resources - many of which are neither highly erodible or environmentally sensitive - when key U.S. agricultural demand sectors are faced with potential shortfalls and price volatility in the short term. The current CRP locks up idled acreage for 10-15 years, but the agricultural-food industry faces risks

every year for adequate production to fulfill needs for food, biofuels, and possibly carbon sequestration going forward. We urge USDA to look for ways to build in some program flexibility. Failure to respond with short-term increased grain and oilseed supplies only results in longer-term loss of demand as has been demonstrated by recent liquidation in the livestock and poultry sectors."

MO-AG Defends CAFO & Governor's Tradition

The Sierra Club requested that Governor Jay Nixon's administration conduct a scientific review on Concentrated Animal Feeding Operations, also known as CAFOs. The Sierra Club believes there are some major health risks associated with these operations. Ken Midkiff, chairman of the Missouri Sierra Club Clean Water Campaign, stated "the Concentrated Animal Feeding Operations house thousands of hogs or millions of chickens and the animals literally never see the light of day."

Midkiff is skeptical of Nixon's administration being able to conduct an objective study. One of the reasons Midkiff has lost confidence in Nixon is because during the Missouri State Fair, Nixon stood side-by-side with agribusiness representatives and handed out pork sandwiches from meat produced by CAFOs.

Steve Taylor, President and Executive Director of the Missouri Agribusiness Association, states "All the state's CAFOs implement practices that protect the state's environment and citizen's health. And, many of these CAFOs are family operations." Taylor also stated, "The Governor's Ham Breakfast at the Missouri State Fair has been a tradition and governors for many years have attended and handed out food at that event."

Scott Holste, spokesperson for Governor Jay Nixon, stated "The Governor has proven that he's going to fight on behalf of protecting the environment and at the same time also work to try to ensure that Missouri's family farms stay as a viable part of the economic backbone of the state." [Source: Ozark Public Radio]

MO-AG Encourages Koster to Continue CAFO Appeal

Missouri Attorney General Chris Koster is appealing a judge's ruling that blocked a proposed hog farm from locating near the historic village of Arrow Rock in central Missouri. The August 2008 ruling by Cole County Circuit Judge Patricia Joyce created a protective two-mile buffer around state parks and historic sites. The construction and/or expansion of concentrated animal feeding operations, known as CAFOs, within the buffer were prohibited. Also prohibited within the buffer was the spreading of animal wastes from CAFOs.

Said Koster: "I want to be emphatic about this: I am in favor of the concept of expanded buffer zones around state parks, recreational waterways, historic sites and other sites of cultural significance. However, the manner in which these buffers are created is of critical importance to the state. This case raises the question of whether buffer

zones are created by the General Assembly, the Department of Natural Resources (DNR), or the judiciary. It is imperative we know the answer to this question."

The 53-page appeal was filed last Wednesday in the Missouri Court of Appeals, Western District. The brief includes intervening appeals by the Missouri Farm Bureau Federation, the Missouri Agribusiness Association, the Missouri Cattlemen's Association, the Missouri Pork Association, the Missouri Dairy Association and the Missouri Egg Council.

Ken Midkiff, spokesman for the Missouri Sierra Club's Water Protection Program, said Koster is appealing without a client, and he questioned whether Koster will have standing to appeal. "At this point, he (Koster) does not have a client," said Midkiff. "The question will be whether Koster has standing in the case. He is not representing anybody." Midkiff said the Sierra Club agrees with Judge Joyce's decision, which declared that the buffer was needed because the DNR was incapable of protecting Missouri's state parks and historic sites. She specifically cited a permit granted to a 65,600-chicken CAFO within a mile of Roaring River and its state park as an example of the DNR's inability to uphold its statutory obligation to protect the state's parks.

Mark Stephenson, a Joplin resident and member of the Roaring River Parks Alliance, on Thursday said: "Of course we are deeply disappointed. Koster is just postponing the inevitable. Missourians do not want their state parks and historical sites negatively impacted by these foul-smelling CAFOs. There are just some places they shouldn't be."

Julie Fisher, a member of the Missouri Parks Association and the Friends of Arrow Rock, on last Thursday said: "Judge Joyce wisely issued a two-mile buffer around Arrow Rock State Historic Site. Now with the appeal filed by Attorney General Koster, we must continue to fight in order to protect the historic village and the health of its 150,000 annual visitors."

State agricultural interests, including the Missouri Farm Bureau and the Missouri Agribusiness Association, encouraged Koster to continue the appeal, arguing that Joyce had only half the facts when she issued her decision. They have said they want the appeals court to send the case back to Joyce with an order that it be dismissed on grounds that the issue is moot, since the permit expired and the hog farm near Arrow Rock was never constructed. They also are arguing that the DNR and the Clean Water Commission, not a circuit judge, have authority over CAFO permits. They say it was improper for the court to impose a buffer around Arrow Rock when no such vehicle for doing so exists under state law. [*Source: Joplin Globe*]

MDNR Reports Sewage into State Waters

The Missouri Department of Natural Resources is investigating a bypass today at Skyview Subdivision in Stone County, which was releasing an unknown amount of sewage into an unnamed tributary of

Table Rock Lake. The Department was notified of a possible illegal wastewater treatment plant through a citizen's concern. The Department discovered the bypass while investigating the concern. The bypass was occurring at a malfunctioning lift station in the subdivision. It appears the pumps had failed at the lift station and may be undersized. While the pumps were off, sewage began overflowing from the lift station into an unnamed tributary to Table Rock Lake.

The Department of Natural Resources has been notified by the City of Iberia of a sewer line break at the wastewater treatment facility operated by the city. A break in a six-inch sewer line caused several hundred gallons of untreated sewage to spill into an unnamed tributary of Rabbithead Creek. City crews began containing sewage at lift station to avoid the line break. Pressure caused by the sewage at a lift station then caused a manhole to overflow, resulting in several hundred more gallons entering the tributary. [Source: MDNR]

Note from MO-AG: *Animal agriculture continues to perform well protecting the environment. Imagine the outcry if a "bypass" occurred in one of Missouri's CAFO operations.*

MO-AG Supports "Meat the Need" Proposal

Sixteen Missouri agricultural organizations have asked Missouri's Congressional Delegation to support the National Association of State Departments of Agriculture's (NASDA) "Meat the Need" proposal to address the critical economic situation facing dairy, pork and poultry farmers, while simultaneously providing much-needed nutritional assistance to people facing hunger due to job loss and other economic hardships. Signing the joint letter were the Missouri Dairy Association, Missouri Dairy Growth Council, Central Equity Dairy Cooperative, FCS Financial, Missouri Agribusiness Association (MO-AG), Missouri Association of Electric Cooperatives, Missouri Bankers Association, Missouri Cattlemen's Association, Missouri Corn Growers Association, Missouri Egg Council, MFA, Inc., Missouri Farmers Union, Missouri Pork Association, Missouri Soybean Association, Missouri Veterinary Medical Association and The Poultry Federation.

"The implementation timing of this program is critical to improving the lives of millions of Americans who produce the food and for those struggling to put food on the table," says Don Nikodim, executive director of the Missouri Pork Association. "Missouri's livestock producers are facing a crisis due to a variety of issues, including Governmental action which has drastically increased production costs, and Governmental inaction in regard to opening international markets. This, combined with a weak worldwide economy, increased energy costs and supply issues are causing billions of dollars in losses and driving farmers out of business through no fault of their own." [Source: *Mo Pork and Dairy Associations*]

Changes in Contact Information for EPA Anhydrous Ammonia Reporting Center

The Risk Management Program Reporting Center has moved to a new location. The center's new address: RMP Reporting Center; P.O. Box 10162; Fairfax, VA 22038 or for deliveries: RMP Reporting Center; CGI Federal, Inc.; 12601 Fair Lakes Circle; Fairfax, VA 22033. The Risk Management Program's phone number is (703) 227-7650; fax number is (703) 227-4199; and e-mail address is RMPRC@epacdx.net. Chemical accidents at your facility that involve consequences, such as environmental/property damage, evacuations, sheltering-in-place, injury, death or personal injury, require an update to your Risk Management Plan within six months of the accident. For more information, contact George Hess; Environmental Scientist - U.S. Environmental Protection Agency Region 7; 901 N. 5th Street; Kansas City, KS 66101; phone: 913.551.7540. [Source: EPA]

DHS - Confusion Surrounds Tier Notifications

The Department of Homeland Security (DHS) issued press releases about a month ago that would make one believe they were finished with their final round of Tier assignment reviews and would be mailing the notifications. While there are many anxious facility personnel eagerly awaiting the final notification of their DHS status, we were very disappointed to learn the agency has a long way to go in reviewing and finalizing the tiers for the major portion of the more than 6,048 high risk chemical facilities. DHS sees the Tier evaluation process as an "on-going process" that will never be completely finished because facilities should be continually reviewing their inventories for new regulated chemicals. The most common call we receive on this subject points out that regulated facilities have short, DHS-established deadlines to have submissions made, while DHS can respond whenever they get around to it. Extremely frustrating for the regulated community. [Source: *Asmark Institute*]

CropLife America Asks for Supreme Court Review: NPDES Permits

During the recent Pesticide Policy Dialog Committee meeting at EPA, Jay Vroom, President and CEO of CropLife America, announced the organization's intentions to file a petition with the Supreme Court to review the National Cotton Council v. EPA Sixth Circuit Court of Appeals decision. The petition was filed with the Supreme Court on November 2, 2009.

On January 6th, the Sixth Circuit U.S. Court of Appeals vacated an EPA rule which exempted certain applications of pesticides from the Clean Water Act requirement to obtain a National Pollutant Discharge Elimination System permit (NPDES) for application on or near water. The decision means that commercial pesticide applications to, over and around waterways will now require NPDES permits, unless relief is sought and obtained. The Sixth Circuit Court of Appeals granted the EPA's request for a two-year delay in enforcement, but denied the agricultural industry's request for a rehearing. Thanks to Jay and the CropLife team for their work on this important issue. [Source: *Asmark Institute*]

EPA Launches New Website for Retailers

A new website dedicated to retailers was recently launched by the EPA, in collaboration with several retail organizations. The Retail Industry Portal provides one-stop access to the vast amount of the EPA's compliance, sustainability and pollution prevention resources that are specifically applicable to the retail sector. For more information, [click here](#). [Source: Asmark Institute]

UPCOMING EVENTS

NOVEMBER, 2009

19 ALOT Annual Meeting and Seminar
 Courtyard by Marriott, Columbia, MO

DECEMBER, 2009

2-3 2009 MU Ag Crop Management Conference
 Columbia, MO

6-8 Missouri Farm Bureau Annual Meeting; Tan Tar A;
 Camdenton, MO

10-11 NH3 Nurse Tank Testing Clinic, Stoney Creek Inn,
 Columbia, MO

11-12 Missouri Cattlemen's Association Annual Meeting and
 Convention; Springfield, MO

JANUARY, 2010

6-7 **MO-AG Winter Convention; Lodge of Four
 Seasons; Lake Ozark, MO**

7-8 Missouri Governor's Conference on Agriculture; Hyatt
 Regency; St. Louis, MO

8-9 Missouri Land Improvement Contractors Winter
 Convention; Isle of Capri Hotel; Boonville, MO

FEBRUARY, 2010

10-11 Missouri Pork Expo

Note: Items in **red** are new postings since the last Wrap-Up issue.

Letters to the Editor

Do you have a response to the Missouri Agribusiness Wrap Up? Let us know! The Missouri Agribusiness Wrap Up is a bi-weekly publication of the Missouri Agribusiness Association (MO-AG). MO-AG is a member-owned association based in Jefferson City, Mo. which protects members' interests in state legislation and provides educational opportunities.

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