

# United States Senate

WASHINGTON, DC 20510

November 3, 2023

The Honorable Michael S. Regan  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W., Mail Code 1101A  
Washington, D.C. 20460

Dear Administrator Regan:

We write to encourage the Environmental Protection Agency (EPA) to ensure very small and small meat and poultry processing facilities are highly considered while working on the proposed revisions to the Meat and Poultry Products (MPP) Effluent Guidelines and Standards.

On September 14, 2021, the EPA published the Preliminary Effluent Guidelines Program Plan 15 (Plan 15). Plan 15 announced that the EPA will be completing a detailed study on the MPP category and revising existing wastewater discharge standards. The agency intends to publish a proposed rulemaking by December 2023.

As EPA is developing the proposed rule, we ask EPA to respond to the following questions:

- How many very small and small processing facilities has the agency worked with while drafting the upcoming proposed rulemaking?
- What testing and data does EPA have from very small and small processing facilities?
- Has the EPA performed a cost analysis for very small and small processing facilities to update wastewater systems and remain compliant? What is the average capital investment for these processors?
- Has EPA considered changing the definition of “small processing facilities” from an establishment with less than 1,000 employees to an establishment with less than 200 employees?
- Has the agency considered exempting very small and small processors from the proposed updates?

As you know, small to mid-sized meat and poultry processing facilities have a vital role in the economy. This was proven throughout the COVID-19 pandemic, when these facilities remained open while large facilities were closed. Additionally, many federal resources have been used to expand meatpacking capacity, so we need to ensure that these very small and small facilities do not face regulations that will force them to close.

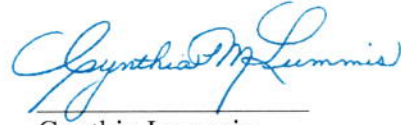
As EPA seeks to update MPP wastewater regulations, we strongly encourage you to work with very small and small meat and poultry processing facilities to certify that any new regulations are practical, science-based, and don't create an unnecessary burden for the continued operations of these facilities.

We ask that you transmit a response, outlining answers to the above questions, no later than November 15<sup>th</sup>, 2023.

Sincerely,



Deb Fischer  
United States Senator



Cynthia Lummis  
United States Senator



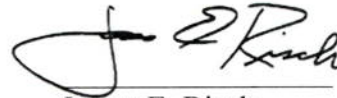
Pete Ricketts  
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John Barrasso  
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