Effluent Guidelines/Meat and Poultry Products Category: Environmental Organizations File Petition Challenging U.S. Environmental Protection Agency Decision to Impose No Additional Wastewater Discharge Requirements



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The Center for Biological Diversity ("CBD") and a number of other environmental organizations filed a September 15th Petition for Review ("Petition") in the United States Court of Appeals for the 9th Circuit challenging an August 13th United States Environmental Protection Agency ("EPA") decision to impose no additional Clean Water Act Wastewater Discharge regulations on meat and poultry processing facilities.

On January 23, 2024, EPA had published a proposed regulation to revise existing Effluent Limitation Guidelines ("ELGs") for the meat and poultry industry imposing additional requirements.

The proposed rule would address ELGs for the meat and poultry products ("MPP") industrial category. It would encompass MPPs that discharge pollutants into Waters of the United States and public-owned treatment works.

The MPP includes facilities that engage in meat and/or poultry slaughter, further processing, or rendering. Also included are pet food and animal food manufacturers.

EPA's development of categorical effluent limits is an ongoing process. The federal agency is required to continue to promulgate categorical standards for facilities that have not been addressed. Existing categorical standards are also required to be assessed to determine if revisions are warranted. The MPP category is an example.

The August 30th EPA decision stated that the final action imposing no ELGs in this industrial category:

…advances the Trump Administration's successful efforts to support a lower cost of living for American families and American farmers while protecting human health and the environment.

CBD states in a news release announcing the filing of the Petition:

…The Trump administration's decision to withdraw these lifesaving pollution-reduction measures is not just unlawful, it's incredibly nasty… If finalized, this rule would have imposed limits on phosphorus pollution from 126 meat industry plants across the U.S., eliminating at least 8 million pounds of this

pollutant per year, plus 9 million pounds of nitrogen and other pollutants, including fecal bacteria and grease.

A copy of the Petition can be downloaded here.