



Texas Association of Dairymen

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Contact: Kirsten Voinis, (512) 922-7141

TAD APPLAUDS FIRST DAIRY EXPANSION PERMIT APPROVAL IN BOSQUE *TCEQ decision paves way for implementation of environmental safeguards*

AUSTIN – Central Texas dairies on Wednesday won a victory in their drawn-out quest to obtain new operating permits when the Texas Commission on Environmental Quality (TCEQ) unanimously approved the permit for the O-Kee Dairy in Hamilton County. It is only the fifth permit approved by the TCEQ since it adopted more stringent operating requirements for North Bosque River Watershed dairies in July 2004, and the first permit to be approved for a dairy expansion.

By its ruling, the TCEQ denied the City of Waco’s request for a contested case hearing over the application. The O-Kee Dairy, owned by Jewell Alt and Oene Kueuning, is located about 90 miles upstream from the City of Waco. The O-Kee Dairy currently milks 690 cows and may, under its new permit, expand to up to 999 cows.

“The Texas Association of Dairymen applauds today’s common sense ruling by the Texas Commission on Environmental Quality,” said John Cowan, executive director of TAD, which filed an amicus brief with the TCEQ in support of the O-Kee Dairy. “The TCEQ rightly recognized that the City of Waco had no standing to interfere with the permit sought by the O-Kee Dairy. TAD hopes today’s ruling will accelerate approval of pending permits so that the stronger environmental protections can finally be implemented by Central Texas dairies.”

Under Confined Animal Feeding Operation (CAFO) rules adopted by the TCEQ in July 2004, producers in the North Bosque River Watershed must meet more stringent permit requirements than dairymen in other parts of Texas. Yet – almost four years later – only five permits have been issued in the North Bosque watershed, and 25 other permit applications for watershed dairies are still under technical review by the TCEQ.

Once a permit is issued, a dairy is allowed to proceed with facility improvements to better protect water quality, including construction of larger retention lagoons and the addition of land for nutrient application.

“The City of Waco continually claims it is concerned about the environmental impact on its water supply by upstream dairies,” Cowan said. “Yet, ironically, their continued challenges on every front delay the implementation of the stricter, more rigorous environmental rules agreed to by dairymen.

“The Texas Association of Dairymen continues to urge the City of Waco and all parties to work together to get the permits issued for the Watershed so that dairies can operate their businesses with certainty and Central Texans will know that environmental protections are in place.”

The only individual to speak Wednesday before the TCEQ was state Rep. Dan Flynn (R-Van), who appeared on behalf of Alt, his constituent who lives in Canton. He told Commissioners that the City of Waco’s real quarrel is with the TCEQ and the 2004 rules, and it should not be allowed to use the O-Kee Dairy in its dispute with the state agency.

“This is the case of a small business operation that is fully prepared to abide by the rules and requirements of the TCEQ, but which faces imminent financial peril, if not complete devastation if it must endure and finance several hundred thousands dollars to fight a battle for survival in an administrative trial sought by the City of Waco,” Flynn said.

The Texas Association of Dairymen (www.milk4texas.org) is a non-profit corporation comprised of dairy cooperatives whose members are individual milk producers in Texas.