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## United States Senate

WASHINGTON, DC 20510

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COMMITTEES:  
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Lisa Jackson  
Administrator  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator Jackson:

Thank you for clarifying the Environmental Protection Agency's (EPA) position on the regulation of milk storage containers during yesterday's Senate Committee on Environment and Public Works hearing.

During our exchange regarding EPA regulation of milk storage containers, you stated that "we actually have an exemption proposed for milk containers...we are in agreement that we do not need to regulate them." I thank you for reaching the same conclusion as I have -- EPA regulation of milk storage containers is unnecessary and duplicative.

I trust that this clarification will prompt immediate action by the EPA to finalize the rule exempting milk storage containers from Spill Prevention, Control, and Countermeasures (SPCC) regulations. This proposed exemption that you referenced has been languishing for more than two years, since it was first proposed in January of 2009. As you might expect, a proposal which has not been finalized provides our nation's farmers with little solace.

Terminating the prospect of EPA enactment of this costly, duplicative, and unnecessary regulation will send a positive message to dairy farmers and other stakeholders across the country during these times of economic and regulatory uncertainty.

I would appreciate your prompt reply and notification that exemption has been finalized.

Sincerely,



Mike Johanns  
United States Senator

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