

# Ohio Officials Begin Cover-Up of 20-year Factory Farm Scandal

*Nailed by U.S. EPA, DeWine administration says, "Move along, there's nothing to see here, folks."*

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release  
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An article in today's Toledo Blade (<https://www.toledoblade.com/local/environment/2022/11/29/ohio-s-proposed-transfer-for-manure-oversight-is-denied-after-20-year-debate/stories/20221128138>) reported that U.S. EPA Region 5 Administrator, Debra Shore, had denied Ohio's second application to transfer factory farm permitting authority from the Ohio EPA to the Ohio Department of Agriculture (ODA). The issue involves Ohio's Governor Mike DeWine and his departments of agriculture and environmental protection ignoring the need for federal approval.

“

Governor DeWine needs to cancel the illegal permits and issue a moratorium on any more.”

*Mike Ferner, Lake Erie Advocates*

Shore's letter pointed to 81 remaining deficiencies in the state's application and said there "is no reasonable expectation" that the state's 20-year effort to transfer authority will come into compliance with federal regulations. "The U.S. Environmental Protection Agency is declining the Transfer Request and disapproving it," the letter stated.

However, ODA spokesperson Shelby Croft told the Blade that Shore's letter "has zero effect on CAFO (confined animal feeding operation) permitting...Ohio EPA has consistently been the



permitting authority (and) Ohio EPA will remain the permitting authority.”

But records show the ODA has issued over 200 CAFO permits since 2002, when it assumed regulatory control, also.

Next, OEPA spokesperson, Heidi Greismer, told the Blade, “The letter does not change the status quo at all.” The two officials insisted nothing changed as a result of Region 5’s denial because the proposed transfer was never completed.

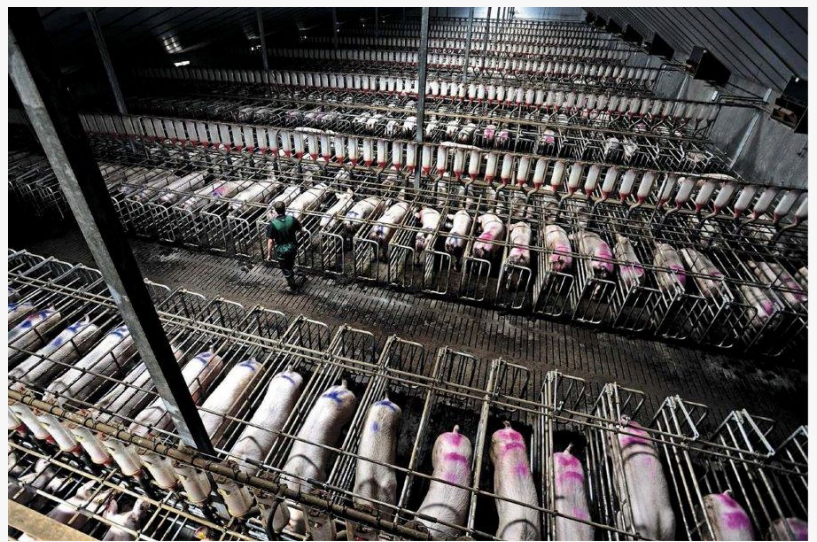
Records also show Ohio's legislature enacted a new section of the Ohio Revised Code with Senate Bill 141 (<https://www.lsc.ohio.gov/documents/gaDocuments/123ga/sb0141sp.htm>) in 2001 to transfer permit and regulatory authority to the ODA which began issuing state permits to build and operate CAFOs, even though it never got the required U.S. EPA approval.

In a 2015 “Statement of Legal Authority,” former A.G. (now Governor) DeWine stated “...the rules adopted...by the ODA provide adequate legal authority...to...enforce a partial permit program for a major category of discharges in Ohio now covered under...the Ohio EPA.” Despite DeWine’s certification that the ODA program met all requirements, the U.S. EPA told Ohio in [2019 and 2020](#) it would have to make at least 81 revisions. ODA did not respond to either notice.

Current and former ODA officials have tried to conceal the transfer as simply a way to “streamline the regulatory process and create a “one stop shop” for CAFO permits. But environmentalists have long contended the reason was to give state permits to CAFO operators who claimed they “did not intend to discharge” pollutants into rivers and streams. The U.S. EPA discharge permits allow no such claim.

Ohio is reportedly the only state in the country that allows its agriculture department to issue such permits. In Michigan, for example, all CAFOs have federal permits under the National Pollution Discharge Elimination System.

As an Ohio Farm Bureau lobbyist told the [Dayton Daily News \(pg. 4\)](#) after the first transfer application was made in 2006, it was “...one of the most important bills we’ve worked on. We



Pigs in factory farm gestation crates



Veal calves on a factory farm

spent a tremendous amount of time trying to massage the bill and have it drafted the way it should be..." ([https://16cba690-3ccf-4889-8aba-7571586e1443.usrfiles.com/ugd/16cba6\\_c6b18e0954ba4da88d444fc62f3b717d.pdf](https://16cba690-3ccf-4889-8aba-7571586e1443.usrfiles.com/ugd/16cba6_c6b18e0954ba4da88d444fc62f3b717d.pdf))

Wood County, Ohio resident, Vickie Askins, has fought Ohio's CAFO split permitting scheme since 2004. She and Lake Erie Advocates spokesperson, Mike Ferner, agreed that Governor Dewine needs to terminate the illegal permits and issue a moratorium on any more.

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