



Newhouse Requests Peer Review of Yakima Valley Nitrate Report by EPA Region 10

Press Release

For Immediate Release: July 1, 2019

Contact: Elizabeth Daniels, (202) 225-5816

WASHINGTON, D.C. – Rep. Dan Newhouse (R-WA) requested that U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler perform a legitimate peer review study of the September 2012 EPA report titled, "[Relation Between Nitrate in Water Wells and Potential Sources in the Lower Yakima Valley, Washington](#)" (EPA-910-12-003), or the Yakima Valley Nitrate Report. In a [letter](#), Rep. Newhouse asks Administrator Wheeler to suspend the study from enforcement action and litigation pending completion of the peer review.

"Since 2011, EPA Region 10 has failed to complete a proper peer review of a scientific study that is flawed and continues to be used by both the EPA and environmental litigators to cause severe damage to Washington state's dairy industry," **Rep. Newhouse states in the letter.**

Rep. Newhouse continues, "On behalf of my constituents, I ask that you take immediate action to allow a legitimate peer review to be conducted on the 2012 Yakima Nitrate Report, and – in light of the apparent failings of the study – suspend it from enforcement action and further litigation pending completion of the peer review."

Click [here](#) or see below for the full text of the letter.

Background:

In 2012, the U.S. Environmental Protection Agency (EPA) released a report (Yakima Valley Nitrate Report) which examined the nitrate levels in water of the Lower Yakima Valley. This study has been used to place liability on current dairy farmers for high nitrates in Yakima Valley groundwater. While dairies can and sometimes do contribute to nitrates in groundwater, overwhelming evidence shows that levels above EPA limits in this area are almost certainly the result of past farming practices and naturally higher nitrate levels in this fertile farming production land.

Cursory peer reviews were performed on the report, but the complete review was missing whole sections. EPA Region 10 staff refuse to request that the U.S. Department of Agriculture (USDA)'s Agricultural Research Service complete a proper peer review, per many versions of the EPA's own peer review policies. EPA Region 10 staff also had the designation of the study changed from "influential" to "other," giving the EPA full discretion for the peer review process.

The Yakima Valley Nitrate Report has been used, without adequate peer review, to force dairies in Central Washington out of business and into financial peril. The report has also been used by an environmental attorney who has sued multiple additional dairy farms and used it to impose unprecedented regulations in Washington state.

In 2016, [EPA Region 10 staff and leadership allowed over \\$500,000 of taxpayer money to be used in a state lobbying campaign that included outright false accusations against Central Washington farmers](#). Senior officials of the new administration publicly assured farmers that the likes of the "What's Upstream" campaign would not be seen again.