Polluting Politics

Political Spending by Companies Dumping Toxics Into Our Waters

ENVIRONMENT VIRGINIA

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Executive Summary

Year after year, polls show that more Americans are concerned with the pollution and quality of our waterways more than any other environmental issue.[1] And after toxins in Lake Erie left 400,000 Toledo, OH residents unable to drink the water coming out of their taps last August, the need to protect our waterways is clear and present.

Despite Progress, Pollution Remains

- More than half of America's rivers, lakes, and streams aren't safe for fishing, swimming, or drinking.[2]
- Industrial facilities still reported dumping more than 206 million pounds of toxic pollution into our waterways in a single year.[3]

Fortunately, Americans are taking action to urge decision-makers to protect our waterways. In a public comment period ending last fall, everyday people submitted more than 800,000 public comments in support of the Obama Administration's plan to restore Clean Water Act protections to smaller waterways across the country, far outnumbering those opposing the plan.

Many polluting industries and their trade associations, however, oppose these and other safeguards for our waters and our environment, and these entities are deeply involved in our political system. Indeed, many of the same industrial polluters dumping millions of pounds of pollution in our waterways spend millions on elections and lobbying decision-makers every year.

Some of the Nation's Biggest Polluters Use Their Deep Pockets to Attempt to Influence Policy

The ten parent companies that reported the most industrial dumping in 2012 spent more than $53 million on lobbying in 2014 and contributed more than $9.4 million to candidates for federal office in the 2014 election cycle.[4] Between

Table ES-1. Top Parent Companies by Discharges, All Company Facilities, Total Pounds of Toxics Released, Paired with Spending on Lobbying in 2014

Rank	Parent Company	Total pounds released	Lobbying spending, 2014
1	AK Steel Holding Corp	19,088,128	$739,752
2	Tyson Foods Inc	18,556,479	$1,163,838
3	US Dept of Defense	10,868,190	$0
4	Cargill Inc	10,619,393	$1,300,000
5	Perdue Farms Inc	7,472,092	$40,000
6	Koch Industries	6,657,138	$13,800,000
7	Pilgrims Pride Corp	6,558,172	$0
8	E I DuPont De Nemours & Co	5,518,146	$9,278,950
9	US Steel Corp	5,248,392	$1,800,000
10	Phillips 66 Co	5,233,947	$3,710,000

Source: *Wasting Our Waterways* and Center for Responsive Politics

them, they reported dumping more than 95 million pounds of toxic chemicals into waterways across the country.[5]

Congress Must Listen to Science, Not the Polluters

Despite the overwhelming public support for clean water, in 2014, the US House of Representatives voted twice to block restoring Clean Water Act protections to critical waterways across the country, which would leave the drinking water for one in three Americans at risk.

- Congress should not stand in the way as the U.S. Environmental Protection Agency and Army Corps of Engineers move to finalize their rule to restore Clean Water Act protections to streams and wetlands across the country.
- Appropriators should ensure that the EPA has adequate funding to enforce the laws already on the books.
- Separately, federal officials should act to curb runoff pollution from agribusiness and stormwater.

Introduction

From the Chesapeake Bay to the Colorado River, the Great Lakes to Puget Sound, our rivers, lakes, and streams are where we go to swim, fish, and boat. The source of our drinking water, our waterways are critical to our health and our way of life. That's why when our waterways are at risk, time and time again, thousands of everyday Americans come together to stand up to urge lawmakers to protect them.

More than four decades after Congress passed the Clean Water Act with the goal of making all our waterways fishable and swimmable, our iconic waterways and the creeks in our backyards are still facing threats. Fortunately, citizens across the country are urging the Obama Administration to continue moving forward with its single biggest step to protect the waterways we love: restoring Clean Water Act protections to 2 million miles of streams and millions of acres of wetlands across the country.

At the heart of American democracy is the right of citizens to have their voices heard on issues like the protection of our waterways. Yet, too often, the voice of the average voter is drowned out by that of well-heeled special interests, who have immense resources to disproportionately influence the outcome of elections and lobby officials in office. This report examines the data on how big agribusiness, the oil and gas industry, and other leading water polluters use their deep pockets to pollute the political process as well as our waterways.

The Pollution in Our Waterways

In the 42 years since Congress passed the Clean Water Act, we've made tremendous progress in cleaning up our waterways. Rivers don't catch fire like the Cuyahoga did in 1952. However, our waterways still face tremendous pollution – from direct discharges of chemicals, runoff, and other contamination. More than half – 53 percent – of rivers and streams in the United States assessed by the Environmental Protection Agency (EPA) remain too polluted for swimming, fishing, or drinking, along with 67 percent of assessed lakes, ponds, and reservoirs.[6]

Toxic Releases from Industrial Facilities

Industrial pollution is a major contributor to waterway degradation in the United States. According to the EPA, industrial pollution has left more than 17,000 miles of rivers and about 210,000 acres of lakes, ponds, or reservoirs unable to support drinking, swimming, fishing, or other uses.[7] This pollution leads to fish kills and intersex fish, as well as toxic effects in humans down the food chain.

Table 1. Top Parent Companies by Discharges, All Company Facilities, Total Pounds of Toxics Released in 2012

Rank	Parent Company	Total pounds released
1	AK Steel Holding Corp	19,088,128
2	Tyson Foods Inc	18,556,479
3	US Dept of Defense	10,868,190
4	Cargill Inc	10,619,393
5	Perdue Farms Inc	7,472,092
6	Koch Industries	6,657,138
7	Pilgrims Pride Corp	6,558,172
8	E I DuPont De Nemours & Co	5,518,146
9	US Steel Corp	5,248,392
10	Phillips 66 Co	5,233,947

In our previous report, *Wasting Our Waterways*, we used data from the federal government's Toxics Release Inventory (TRI) to measure releases of toxic chemicals to American waterways in 2012. Under the TRI, industrial facilities are required to report information about their discharges of a limited number of specific toxic chemicals. That report found that approximately 206 million pounds of toxic chemicals were reported as released in America's waterways in 2012. Toxic chemicals were released in all 50 states, into 850 local watersheds.[8]

Many of the worst polluters were repeat offenders. Parent companies often owned more than one facility that discharged high levels of toxics into local waterways. By looking at data grouped by parent company, we can see trends about which interests are systematically polluting our rivers, lakes, and streams.

Other Pollution Sources

Though their discharges are often indirect and may not be under the jurisdiction of the Clean Water Act, other industries are also tarnishing our waterways:

Agricultural Runoff

Factory farms have grown to dominate American agribusiness. Corporate agriculture often puts profits ahead of protecting our environment, generating millions of pounds of manure every year. This manure, along with pesticides, herbicides, and other chemicals, runs off into streams and ponds and ends up in our waterways. A "dead zone" in the Gulf of Mexico where no aquatic life can be sustained has been attributed to the flow of such runoff down the Mississippi River.[9] One-third of the Chesapeake Bay, too, is taken over by a dead zone each summer, threatening the shellfish industry on the estuary.[10]

Fracking Chemicals

Unlike oil refineries and other industiral facilities, oil and gas wells and extraction sites are exempt from reporting to the Toxics Release Inventory. While much remains undisclosed about toxic releases from fracking facilities, data submitted by fracking operators to FracFocus revealed that at least one cancer-causing chemical was used in one-third of all fracking projects reported.[11] Additionally, well and infrastructure sites can create erosion and put critical wetlands at risk.

Destructive Development

Irresponsible development, too, is partially to blame for our water woes. When big developers pave over wetlands, they eliminate a natural filter that would ordinarily keep pollution from getting into our rivers, lakes, and streams. Wetlands also trap floodwater and provide wildlife habitat. However, according to the EPA, more than half the naturally occurring wetlands in the lower 48 have been drained, paved, or otherwise destroyed. Without these waters, an estimated 10 trillion gallons of stormwater runs off pavement and rooftops into our waterways each year, carrying everything it finds along the way into the water with it.[12]

Four decades after the Clean Water Act, our waterways are still a long way from perfectly clean. If we're going to make sure America's waters get the protection they deserve, there's still work to be done.

Will Polluters Stall Clean Water Progress?

Our waterways face many pollution threats – from factory farms to sewage to toxic dumping from industrial sources. And while it will take many steps to curb all of these threats, one fundamental challenge stands squarely before us: ensuring that the protections of the Clean Water Act once again apply to the streams and wetlands that filter and feed the waterways we love and depend on.

While the Clean Water Act provides the tools we need for continued progress, polluters have successfully stalled or stopped efforts to make sure the law is used to its full effect. Industry groups have used their influence to limit the Clean Water Act's scope, hinder its enforcement through budget cuts, and stop it from addressing new and emerging threats.

Where the Clean Water Act has been used, it has been a powerful tool to improve water quality. Since 2006, however, Supreme Court decisions – *Rapanos v. United States* (2006) and *Solid Waste Agency of Northern Cook County (SWANCC) v. Army Corps of Engineers* (2001) – have created confusion about the scope of the law, leaving more than 2 million miles of streams and 20 million acres of wetlands across the country at risk and lacking clear protection under the Clean Water Act. These waters constitute more than half America's streams and feed into the drinking water for more than 117 million Americans.[13] Since these decisions, hundreds of Clean Water Act violations have gone unpunished because of this legal limbo.[14]

Restoring clear protections to these waters would result in an improvement in downstream water quality and protect the environment and our health. In March 2014, the EPA and Army Corps of Engineers proposed a rule to restore Clean Water Act protections to streams and wetlands across the country.[15]

This proposal has tremendous support among the general public. In fact, more than 800,000 comments were submitted in support of the rule during the EPA and Army Corps of Engineers' public comment process, vastly outnumbering those in the negative.[16] However, many of the same polluters discharging millions of pounds of toxics into our waterways are on the record opposing this Clean Water Act rule.

Table 2. Facility Parent Companies and their Positions on Clean Water Act Rulemaking

Facility Parent Co.	Position on Clean Water Act Rulemaking
Anheuser-Busch	Reported directly lobbying on bill to block clean water rule, signed onto public comments opposing proposed rule[17]
BASF SE	Member of CropLife America, which submitted public comments opposing rule[18]
Cargill Inc	Member of National Cattlemen's Beef Association, which signed onto letter in favor of legislation to block protections[19]
ConocoPhillips	Submitted public comment opposing proposed rule[20]
DuPont Co	Member of American Gas Association, which submitted public comment opposing proposed rule[21]
Honeywell International	Member of American Gas Association, which submitted public comment opposing proposed rule[22]
Koch Industries	Member of American Forest and Paper Association, which submitted public comment opposing proposed rule[23]
Smithfield Foods	Member of National Association of Manufacturers, which submitted public comment opposing proposed rule[24]
Tyson Foods	Member of National Cattlemen's Beef Association, which signed onto letter in favor of legislation to block protections[25]
US Steel	Member of American Coke and Coal Chemicals Institute, which is member of coalition submitting public comments opposing proposed rule[26]

It's not hard to imagine why these companies and industry groups are working to stop the administration from finalizing the proposal:

- The oil and gas industry has thousands of miles of pipelines running through wetlands.[27]
- Coal companies, which are dumping the waste from their mining into mountain streams, stand to benefit if the Clean Water Act fails to protect smaller waterways.[28]
- Powerful developers want to pave over wetlands without restrictions. A developer in Michigan filed one of the court cases that created these loopholes.[29]
- Corporate agribusiness generates millions of pounds of manure and other animal waste every year, far too much of which winds up in our waters.[30]

How Polluters Disproportionately Influence Congress Through Spending

Corporations and industry groups that oppose restoring Clean Water Act protections can drown out the voice of the average voter by spending enormous sums on election campaigns and lobbying.

Campaign Contributions

One way polluters of our waters have amassed power is by making campaign contributions to key lawmakers, from members of committees that regulate pollution and development to members who may make key votes on issues in which they have a vested interest.

This practice is certainly not new. In 1968, insurance magnate W. Clement Stone alone gave $2.8 million to Richard Nixon's presidential re-election bid, but campaign finance laws soon reined in such significant spending.[31] Since then, however, Supreme Court decisions like *Citizens United v. Federal Election Commission* and *McCutcheon v. Federal Election Commission* have made it easier for both corporations and wealthy individuals to make larger contributions in support of candidates.[32]

These contributions, of course, do more than help finance candidates' roads to Capitol Hill. A recent study found that "senior policymakers made themselves available between three and four times more often" when constituents requesting meetings mentioned that they had contributed to a lawmaker's election campaign.[33] It makes sense, then, that if a corporation or industry group wants better access and influence with decision-makers, the first step is often contributing to their election campaigns.

US Steel may be one of many corporations to try this approach. The company operates a coke manufacturing plant in Clairton, Pennsylvania, which in 2012 reported more toxic dumping into waterways than any other facility in the state, putting a total of 2,213,136 pounds of industrial pollution into the Lower Monongahela River watershed in a single year.[34] In the 2014 election cycle, US Steel and its employees contributed $288,972 to candidates for House and Senate. The company's largest contribution to a single candidate was $10,500 to Rep. Bill Shuster (R-PA).[35] Rep. Shuster chairs the US House Committee on Transportation and Infrastructure,

Table 3. Parent Companies and Federal Campaign Contributions in 2014 Election Cycle

Parent Co.	Campaign Contributions
Anheuser-Busch	$938,602
BASF SE	$494,625
Cargill Inc	$336,907
ConocoPhillips	$473,704
ExxonMobil Corp	$2,028,976
Honeywell International	$4,740,477
KapStone Paper and Packaging	$1,357,000
Koch Industries	$7,703,185
Phillips 66 Co	$362,315
Smithfield Foods	$204,006
Tyson Foods	$281,280
US Steel	$301,677

Source: Center for Responsive Politics

the committee of jurisdiction for all Clean Water Act issues, which has held three hearings on the Clean Water Act rulemaking since its proposal last March.

Overall, polluting industries spend millions and millions of dollars to help influence elections and gain favor with elected officials. In total, the three biggest polluting industries – agribusiness, energy and natural resources, and construction – spent more than $237 million on campaign contributions in the 2014 election cycle alone.[36]

Table 4. Federal Campaign Contributions by Industry, 2013-2014

Industry	Federal Campaign Contributions in 2014 Election Cycle
Energy/Natural Resources	$111,437,614
Agribusiness	$74,949,995
Construction	$65,180,455

Source: Center for Responsive Politics

Lobbying

While lobbying, the practice of meeting directly with members of Congress and their staffs, is every citizen's right, few have the time or resources to make frequent trips to the halls of power. Well-heeled corporations, however, have the wherewithal to hire troves of well-connected lobbyists to meet with decision-makers on a near daily basis. The more money corporations spend on lobbying, the more frequently their message gets communicated, and the more likely their position—whether or not it is in the public interest—will prevail.

Corporations often pay a premium for lobbyists with the best access and influence, such as individuals who used to be elected or regulatory officials themselves. In 2014, among the ranks of lobbyists hired by the American Farm Bureau – the single most vocal opponent to the Clean Water Act rule – were the former chief of staff of the Department of Agriculture and the former chief economist for the Senate Agriculture Committee.[37] More than half of the American Petroleum Institute's lobbyists in 2013-4 had previously held government jobs. Immediately before joining API, the group's federal relations director spent several years on the staff of Sen. Mike Crapo (ID), who introduced legislation to stop the Clean Water Act rule in the Senate in 2014.[38] One of the National Mining Association's many lobbyists spent six years as the assistant counsel for the House Transportation Committee, the same committee Rep. Shuster now chairs, which also passed legislation in 2014 to block the EPA and Army Corps of Engineers from restoring protections.[39]

Congressional lobbying disclosure records show exactly how much money corporations and industry groups spend to directly influence Senators and members of Congress each year. The American Farm Bureau, for instance, spent more than $2 million on lobbying in 2014, with nine of its ten registered lobbyists spending at least some of their time lobbying against efforts

to protect our air and water.[40]

In fact, many of the biggest individual corporate polluters across the country are pouring millions of dollars into lobbying efforts each year.

Table 5. Federal Lobbying Expenditures by Parent Company, 2014

Parent Co.	Lobbying Expenditures
Anheuser-Busch	$3,640,000
BASF SE	$2,875,000
Cargill Inc	$1,300,000
ConocoPhillips	$3,969,840
ExxonMobil Corp	$12,650,000
Honeywell International	$5,140,000
Koch Industries	$13,800,000
Phillips 66 Co	$3,710,000
Smithfield Foods	$1,400,000
Tyson Foods	$1,163,838
US Steel	$1,800,000

Source: Center for Responsive Politics

Industry Groups

Many of these polluters also band together to form industry groups that lobby and conduct media campaigns on their behalf. The American Farm Bureau Federation is just one of these groups. The National Mining Association represents "more than 300 corporations and organizations involved in various aspects of mining" and conveys their interests to "Congress, the administration, federal agencies, the judiciary and the media."[41] The American Petroleum Institute has 600 corporate members and bills itself as "the only national trade association that represents all aspects of America's oil and natural gas industry."[42]

In addition to their own spending, members of these industry groups contribute dues to pay for even more lobbying on their behalf. ConocoPhillips, for example, listed itself as contributing dues over $50,000 to fifteen different industry trade associations in 2013, including the American Petroleum Institute, the National Association of Manufacturers, and the US Chamber of Commerce.[43] All of these groups, in addition to more than a dozen other industry associations, reported lobbying against the clean water rule in 2014.[44]

Table 6. Federal Lobbying Expenditures by Industry Groups, 2014

Industry Group	Lobbying Expenditures
American Farm Bureau	$2,082,839
American Petroleum Institute	$9,090,000
National Association of Home Builders	$2,770,000
National Mining Association	$5,568,038

Source: Center for Responsive Politics

The Waters Advocacy Coalition

In fact, these industry groups themselves are members of another coalition: the Waters Advocacy Coalition. Despite its misleading name, the New York Times has called it "a lobbying outfit for some of the nation's largest industrial concerns," going on to note that its member groups "have long battled against vigorous enforcement of the Clean Water Act by the EPA."[45] In 2014, the Waters Advocacy Coalition itself spent $190,000 on lobbying, with $170,000 reported as spent after the Clean

Water Act rule was proposed in late March. The Waters Advocacy Coalition refrains from detailing the specific bills it lobbied on in its disclosures, stating only that its work sought to "monitor and participate in federal legislative and administrative developments that affect private property use, particularly laws with respect to wetlands and other bodies of water," but in a letter dated Sept. 8, 2014, it urged members of the House of Representatives to vote "yes" on a bill to block the Clean Water Act rule.[46]

Policy Recommendations

From the information companies are reporting about their own industrial facilities and political spending, it's clear that many of the same companies that are polluting our waterways are polluting our politics as well.

In order to protect our environment and our health, Congress should ignore the disproportionate influence of the polluters and let science, the will of the voters, and the needs of our waterways dictate the policies they enact.

Specifically and separately, federal officials should:

- **Restore Clean Water Act protections to America's streams and wetlands.** The EPA and Army Corps of Engineers should be allowed to finalize their rule to close loopholes in the Clean Water Act this spring. Congress should vote against any attacks on the administration's authority to finalize this rule and allow it to become law.
- **Increase funding for EPA enforcement programs to hold polluters accountable for polluting our waterways.** Existing clean water laws give the government powerful tools to address pollution from agribusiness, stormwater, and industrial pollution. The agency should be adequately funded so that the laws can be carried out as originally intended.
- **Pursue policies to curb runoff from agribusiness and stormwater.**

Appendix

Table A-1. Facilities with large discharges of toxic chemicals, toxics discharged in pounds, federal lobbying and campaign expenditures by parent company

Facility Name	Location	Toxics Discharged in 2012 (lbs)	Watershed Polluted	Facility Parent Company	Lobbying in 2014	Contributions in 2014 cycle
Tyson Foods Hope Processing Plant	Hope, AR	1,043,390	McKinney-Posten Bayous	Tyson Foods Inc	$1,163,838	$293,380
Phillips66 San Francisco Refinery	Rodeo, CA	741,459	San Pablo Bay	Phillips 66	$3,710,000	$362,315
Cargill Meat Solutions Corp.	Fort Morgan, CO	462,608	Middle South Platte-Sterling Rivers	Cargill Inc	$1,300,000	$336,907
Delaware City Refinery	Delaware City, DE	3,412,494	Brandywine Creek-Christina River	PBF Energy	$190,000	$37,400
Buckeye Florida LP	Perry, FL	264,460	Econfina-Steinhatchee Rivers	Koch Industries, Inc	$13,800,000	$7,703,185
BASF Corp Attapulgus OPS	Attapulgus, GA	1,529,145	Lower Ochlockonee River	BASF SE	$2,875,000	$494,625
BASF Corp—Savannah Operations	Savannah, GA	890,400	Lower Savannah River	BASF SE	$2,875,000	$494,625
Cargill Meat Solutions Corp	Ottumwa, IA	2,889,989	Lower Des Moines River	Cargill Inc	$1,300,000	$336,907
Tyson Fresh Meats Inc	Columbus Junction, IA	1,774,753	Lower Iowa River	Tyson Foods Inc	$1,163,838	$293,380
Tyson Fresh Meats Inc—Joslin, IL	Hillsdale, IL	2,559,460	Lower Rock River	Tyson Foods Inc	$1,163,838	$293,380
Cargill Meat Solutions Corp.	Beardstown, IL	1,636,989	Lower Sangamon River	Cargill Inc	$1,300,000	$336,907
AK Steel Works (Rockport Works)	Rockport, IN	14,525,927	Lower Ohio-Little Pigeon Rivers	AK Steel Holding Co	$739,752	$68,100
Cargill Meat Solutions Corp.	Dodge City, KS	160,712	Coon-Pickerel Rivers	Cargill Inc	$1,300,000	$336,907
ExxonMobil Refining & Supply Baton Rouge Refinery	Baton Rouge, LA	2,039,579	Bayou Sara-Thompson Creek	Exxon Mobil Corp	$12,650,000	$2,028,976

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Facility Name	Location	Toxics Discharged (lbs)	Watershed Polluted	Facility Parent Company	Lobbying in 2014	Contributions in 2014 cycle
JBS Plainwell	Plainwell, MI	1,215,326	Kalamazoo River	JBS SA	$380,000	$150,500
Flint Hills Resources Pine Bend LLC	Rosemount, MN	739,982	Rush-Vermillion Rivers	Koch Industries, Inc	$13,800,000	$7,703,185
Tyson Foods Inc—Processing Plant	Sedalia, MO	743,235	Lamine River	Tyson Foods Inc	$1,163,838	$293,380
ConocoPhillips Co Billings Refinery	Billings, MT	140,469	Upper Yellow-stone River-Lake Basin	ConocoPhillips	$3,969,840	$473,704
Smithfield Packing Co Inc Tar Heel Division	Tar Heel, NC	2,339,770	Lumber River	Smithfield Foods	$1,400,000	$204,006
Cargill Inc Wet Corn Milling—Wahpeton	Wahpeton, ND	65,771	Upper Red River	Cargill Inc	$1,300,000	$336,907
Tyson Fresh Meats Inc WWTP	Dakota City, NE	4,220,510	Blackbird-Soldier Rivers	Tyson Foods Inc	$1,163,838	$293,380
Merrimack Station	Bow, NH	1,425	Merrimack River	Northeast Utilities	$780,000	$225,700
Dupont Chambers Works	Deepwater, NJ	2,569,059	Cohansey-Maurice Rivers	DuPont Co	$9,278,950	$239,925
ConocoPhillips Co—Bayway Refinery	Linden, NJ	2,085,940	Sandy Hook-Staten Island	ConocoPhillips	$3,969,840	$473,704
Anheuser-Busch Inc	Baldwinsville, NY	1,396,149	Oswego River	Anheuser-Busch InBev	$3,640,000	$938,602
AK Steel Corp Coshocton Works	Coschocton, OH	4,301,250	Muskingum River	AK Steel Holding Co	$739,752	$68,100
HJ Heinz Co L P Heinz Frozen Food Co Div	Ontario, OR	183,744	Snake River	H J Heinz Co	$105,000	$131,900
Georgia-Pacific Toledo LLC	Toledo, OR	123,040	Yaquina Bay	Koch Industries, Inc	$13,800,000	$7,703,185

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Facility Name	Location	Toxics Discharged (lbs)	Watershed Polluted	Facility Parent Company	Lobbying in 2014	Contributions in 2014 cycle
US Steel—Clairton Works	Clairton, PA	2,213,136	Lower Monongahela River	US Steel Corp	$1,800,000	$301,677
Cargill Meat Solutions Corp.	Wyalusing, PA	1,536,776	Upper Susquehanna-Tunkhannock Rivers	Cargill Inc.	$1,300,000	$336,907
Invista SARL Camden May Plant	Lugoff, SC	775,297	Wateree River	Koch Indstries, Inc	$13,800,000	$7,703,185
John Morrell & Co	Sioux Falls, SD	1,775,381	Lower Big Sioux River	Smithfield Foods	$1,400,000	$204,006
Eastman Chemical Co Tennessee Operations	Kingsport, TN	1,753,458	South Fork Holston River	Eastman Chemical	$2,450,000	$329,412
BASF Corp	Freeport, TX	2,108,940	Austin-Oyster Rivers	BASF SE	$2,875,000	$494,625
Chevron Products Co—Salt Lake Refinery	Salt Lake City, UT	92,917	Jordan River	Chevron Corp.	$8,280,000	$2,085,848
Honeywell International Inc Hopewell Plant	Hopewell, VA	170,077	James River	Honeywell International	$5,140,000	$4,740,477
IBM Corp	Essex Junction, VT	97,511	Winooski River	IBM Corp	$4,950,000	$220,328
Longview Fibre Paper & Packaging Co	Longview, WA	515,264	Columbia River	Kapstone Paper and Packaging	$0	$1,357,000
Georgia-Pacific Consumer Products LP	Green Bay, WI	173,950	Fox River	Koch Industries, Inc	$13,800,000	$7,703,185
Bayer Cropscience LP	Institute, WV	776,150	Lower Kanawha River	Bayer AG	$6,296,600	$334,456

Notes

1. Gallop, Environment Poll, accessed at gallup.com/poll/1615/environment.aspx, 20 February 2015.
2. US Environmental Protection Agency, *National Summary of State Information*, accessed at iaspub.epa.gov/waters10/attains_nation_cy.control, 19 February 2015.
3. Environment America Research and Policy Center, *Wasting Our Waterways*.
4. Center for Responsive Politics, *Open Secrets*, accessed at opensecrets.org, 5 January 2015.
5. *Wasting Our Waterways*.
6. US Environmental Protection Agency, *National Summary of State Information*, accessed at iaspub.epa.gov/waters10/attains_nation_cy.control, 19 February 2015.
7. Ibid.
8. *Wasting Our Waterways*, 4.
9. Ibid, 15.
10. Fears, Darryl, "Larger 'dead zones,' oxygen-depleted water, likely because of climate change," *The Washington Post*, 10 November 2014.
11. *Wasting Our Waterways*, 21.
12. Natural Resources Defense Council, *Rooftops to Rivers II*, accessed at http://www.nrdc.org/water/pollution/rooftopsii/, 30 December 2014.
13. US Environmental Protection Agency, "Clean Water Rule," accessed at epa.gov/cleanwaterrule, 22 Feburary 2015.
14. US Environmental Protection Agency, Internal Memorandum Re: Clean Water Act Jurisdiction, 4 March 2008.
15. McCarthy, Gina, "Clean Water Drives Economic Growth," *Huffington Post.* Accessed at http://www.huffingtonpost.com/gina-mccarthy/clean-water-act_b_5900734.html, 5 January 2015.
16. Comments available at http://www.regulations.gov/#!docketDetail;D=EPA-HQ-OW-2011-0880, accessed 19 February 2015.
17. OpenSecrets, "Clients Lobbying on HR 5078," accessed at https://www.opensecrets.org/lobby/billsum.php?id=hr5078-113, 22 Feburary 2015.
    Comment available at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-15499, accessed 22 February 2015.
18. CropLife America, "Croplife America Members," accessed at http://www.croplifeamerica.org/about/association-members , 22 February 2015.
    Comments available at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-14630, accessed 22 February 2015.
19. National Cattlemen's Beef Association, "Product Council Members," accessed at http://www.beefusa.org/productcouncilmembers.aspx, 22 February 2015.
    Letter available at http://transportation.house.gov/uploadedfiles/water_advocacy_coalition.pdf, accessed 22 February 2015.
20. EPA Docket EPA-HQ-OW-2011-0880-16346, "Comment submitted by Mickey Carter, ConocoPhillips," accessed at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-16346, 22 February 2015.
21. American Gas Association, "Our Members," accessed at https://www.aga.org/membercenter/membershipdirectory-links, 22 Feburary 2015.
    Comments available at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-16173, accessed 22 February 2015.
22. Ibid.
23. American Forest and Paper Association, "Membership Directory," accessed at http://www.afandpa.org/about/membership-directory, 22 February 2015.
    Comments available at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-15420, accessed 22 February 2015.
24. Smithfield, "Affiliations," accessed at http://www.smithfieldcommitments.com/affiliations/, 22 February 2015.
    Comments available at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-15410, accessed 22 February 2015.
25. National Cattlemen's Beef Association, "Product Council Members," accessed at http://www.beefusa.org/productcouncilmembers.aspx, 22 February 2015., accessed 22 February 2015.
    Comments accessed at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-14568, 22 February 2015.

26. American Coke and Coal Chemicals Institute, "Current ACCCI Members," accessed at http://www.accci.org/members.html, 22 February 2015. Comments accessed at http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0880-14568, 22 Feburary 2015.
27. Rich, Nathaniel, "The Most Ambitious Environmental Lawsuit Ever," *The New York Times Magazine*. Accessed at http://www.nytimes.com/interactive/2014/10/02/magazine/mag-oil-lawsuit.html?_r=0, 5 January 2015.
28. Pear, Robert and Felicity Barringer, "Coal Mining Debris Rule is Approved," *The New York Times*, 2 December 2008.
29. US Dept. of Justice, *Rapanos v. United States, 547 U.S. 715*, accessed at justice.gov/enrd/3585.htm, 8 February 2015.
30. Grossman, Elizabeth, "As Dairy Farms Grow Bigger, New Concerns About Pollution," Yale Environment 360. 27 May 2014. Accessed at e360.yale.edu/feature/as_dairy_farms_grow_bigger_new_concerns_about_pollution/2768/, 12 February 2015.
31. Nownes, Anthony J., *Interest Groups in American Politics: Pressure and Power*. New York: Routledge, 2013. 42.
32. Wolf, Richard, and Fredreka Schouten. "Supreme Court Lifts Ban on Aggregate Campaign Donations." *USA Today*, 2 Apr. 2014. Accessed at http://www.usatoday.com/story/news/politics/2014/04/02/supreme-court-campaign-finance/4481675/, 4 February 2015.
33. Kalla, Joshua and David Broockman, "Congressional Officials Grant Access to Individuals Because They Have Contributed to Campaigns: A Randomized Field Experiment," March 2014, accessed at http://www.ocf.berkeley.edu/~broockma/kalla_broockman_donor_access_field_experiment.pdf, 10 February 2015
34. *Wasting Our Waterways*, 47.
35. OpenSecrets, US Steel summary, accessed at http://www.opensecrets.org/orgs/summary.php?id=D000019533, 16 February 2015.
36. OpenSecrets, Interest Groups, accessed at opensecrets.org/industries, 19 February 2015.
37. OpenSecrets, "Lobbyists representing American Farm Bureau, 2014," accessed at opensecrets.org/lobby/clientlbs.php?id=D000021832&year=2014, 28 December 2014.
38. OpenSecrets, "Lobbyists representing American Petroleum Institute, 2014," accessed at opensecrets.org/lobby/clientlbs.php?id=D000031493&year=2014, 28 December 2014. Senator Mike Crapo, "Crapo, Risch Offer Legislation to Stop EPA Water Grab," accessed at crapo.senate.gov/media/newsreleases/release_full.cfm?id=352928, 17 December 2014.
39. OpenSecrets, "Lobbyists representing National Mining Assn, 2014," accessed at www.opensecrets.org/lobby/clientlbs.php?id=D000000308&year=2014, 28 December 2014.
40. OpenSecrets, American Farm Bureau, accessed at http://www.opensecrets.org/orgs/summary.php?id=D000021832&cycle=2014, 18 February 2015.
41. National Mining Association, "About NMA Overview," accessed at nma.org/index.php/about-nma-overview, 15 December 2014.
42. American Petroleum Institute, "About API," accessed at api.org/globalitems/globalheaderpages/about-api/api-overview, 17 December 2014.
43. ConocoPhillips, "ConocoPhillips 2013 Trade Associations with Membership Dues over $50,000," accessed at conocophillips.com/sustainable-development/our-approach/living-by-our-principles/policies/political-support-policy-procedures/Documents/2013%20COP%20Trades%2050K%20Plus.pdf, 11 February 2015.
44. OpenSecrets, "Clients lobbying on H.R.5078," accessed at https://www.opensecrets.org/lobby/billsum.php?id=hr5078-113, 22 February 2015.
45. Rudolf, John Collins, "Industry Group's Self-Depiction Raises Eyebrows," *The New York Times*, 24 January 2011. Accessed at green.blogs.nytimes.com/2011/01/24/industry-groups-self-depiction-raises-eyebrows, 15 January 2015.
46. OpenSecrets, "Waters Advocacy Coalition Report Images, 2014," accessed at opensecrets.org/lobby/client_reports.php?id=D000058453&year=2014, 15 February 2015.
47. Waters Advocacy Coalition letter on H.R. 5078, accessed at http://transportation.house.gov/uploadedfiles/water_advocacy_coalition.pdf, 20 February 2015.