To: Chan, Janice[Chan.Janice@epa.gov]; Christenson, Kara[Christenson.Kara@epa.gov]
From: Alkon, Margaret
Sent: Wed 5/25/2016 12:26:47 AM
Subject: Hickman
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Have either of you looked at the Arizona Agricultural best management practices workgroup?

Ex. 5 - Deliberative Process

Discussion & Possible Action on the Proposed Best Management Practices Rule

Chairman Thelander introduced the topic and requested that Robert Schuler provide information and background on the proposed Best Management Practice (BMP). Robert stated that the BMP involves the use of a rotary dryer to dry chicken manure equipped with either a baghouse or a wet scrubber to reduce the amount of particulate matter emitted. Kevin Rogers asked Mr. Schuler whether it was similar to that used on cotton gins around the valley. Eric Massey requested permission to respond and provided that the operation had similarities and differences to the equipment seen on the cotton gin. Mr. Rogers asked whether there are any negatives that would impact the surrounding communities. Mr. Schuler responded that he could not speak directly for the neighbors but the machinery cuts the emission output. He then stated that maintenance, observations, and record requirements are included in the BMP. The question of impact was directed at committee member Glenn Hickman, who responded that there was nominal noise associated with the machine operation.

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Chairman Thelander opened the floor for discussion.

Mike Butler requested the opportunity to speak and questioned use of the manufacturer specifications as the baseline requirements for the installation, operation, and maintenance of the equipment. He read a statement written by his neighbor regarding the regulation of a rotary dryer as an industrial source not under the BMP program. Eric Massey responded by explaining the existence of a state statute that preempts regulation of agricultural activities and creates a regulatory gap for the equipment. It is because of that gap Maricopa County does not have regulatory authority. As a result the equipment must be included in the BMP; otherwise, there would be no regulation. Mr. Massey then provided an explanation of the general manufacturer's operation requirements. Mr. Butler requested permission to circulate photographs of equipment that would fall under the proposed BMP in operation and stated that they are experiencing foul odor as a result of the activities and children are in the area.

Discussion followed about the day to day and loading operations of the facility pictured. Upon Mr. Schuler's inquiry, Mr. Butler stated that the pictures were taken in 2014 and 2015. Billy Hickman then stated that the equipment pictured is likely the test project that was removed in July 2015 and it is also currently operating at a substantially lower capacity.

Mike Wirth questioned whether the operation would occur in both Arlington and Tonopah Hickman Farm locations. Mr. Schuler responded that his understanding is only Arlington. Mr. Wirth requested the committee proceed slowly on the issue and thanked them for their time. Dan Mack then inquired as to who is responsible for making observations on the equipment. Mr. Schuler responded the company had the responsibility, then Mr. Massey proved an explanation of how the ADEQ inspections work and encouraged the citizens to call with complaints when appropriate.

Chairman Thelander took the floor and explained that the BMPs fall into the committee's jurisdiction and it is their responsibility to create a menu of things operators can do to reduce PM10 emission. He went on to state that the committee was not there to regulate odors and the proposed BMP looks like a positive option.

Kevin Rogers reiterated that the BMPs were a menu of options and questioned whether there are any other dust mitigation options that the committee could put on the list at that time. Both Mr. Schuler and Mr. Massey stated that the BMP before the committee was the best option and that it can always be changed in the future to accommodate additional options. Mr. Butler raised a question on the inspection process, to which Chairman Thelander responded that it was an issue to be taken up with ADEQ.

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Glenn Hickman requested to recuse himself from the vote since his company is the only poultry producer. Chairman Thelander then called for a vote, and all committee members voted in favor; the motion was passed and the new poultry BMP was adopted by the committee.

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