CERTIFIED MAIL NO. 7015 3010 0000 3883 6182
RETURN RECEIPT REQUESTED

Mr. Glenn Hickman
President and CEO
Hickman's Egg Ranch, Inc.
6515 South Jackrabbit Trail
Buckeye, AZ 85326

Dear Mr. Hickman:

The U.S. Environmental Protection Agency ("EPA") Region 9 is issuing this letter to determine the compliance status of Hickman's Egg Ranch, Inc. ("Hickman") at facilities it currently owns and/or operates at 32425 W. Salome Highway in Arlington, Arizona, including the Arlington North and Arlington South facilities (collectively the "Arlington Facility") and 41625 West Indian School Road in Tonopah, Arizona (the "Tonopah Facility") (collectively, the "Facilities") with the Clean Air Act, 42 U.S.C. §§ 7401-7671q (the "Act" of "CAA"). Specifically, EPA Region 9 is seeking information to determine compliance with CAA requirements including but not limited to New Source Performance Standards, pre-construction and operating permit requirements, and the federally approved Arizona State Implementation Plan.

Pursuant to Section 114 of the Act, 42 U.S.C. § 7414, Hickman is hereby required to provide the following information within thirty (30) calendar days after receipt of this letter. In responding to this request, Hickman shall use the instructions provided in Enclosure 1.

1. For each Facility, please provide process plot diagram that identify property boundaries, buildings, and manure processing and fertilizer manufacturing operations. Please also identify on these diagrams all dust control.

2. For each Facility, please provide a table that identifies each pullet site (aka pullet house) and hen layer house (aka lay house). For each pullet site and hen layer house, include the following information:
    a. Facility (e.g., Arlington or Tonopah);
    b. Date (month and year) that construction commenced;
    c. Date (month and year) that construction was completed;
    d. Dimensions; Square footage;
    e. Design capacity in terms of maximum number of poultry;
    f. Maximum number of poultry actually housed at any time since construction

through May 31, 2016;

g. Number of fans, and the manufacturer and maximum design air flow rate (in standard cubic feet per minute) for each fan;
h. Engineering design or calculations used for air flow rates or volumes, including concentrations of chemical compounds or particulate matter; and
i. Equipment used to control, reduce or mitigate emissions of particulate matter, volatile organic compounds, oxides of nitrogen, carbon monoxide, and ammonia.

3. Provide a narrative description of the process by which chicken litter and/or manure generated at the Facilities is processed into compost / fertilizer. The narrative description should identify (i) steps of the process; (ii) the locations at the Facilities where litter and manure are stored and where fertilizer is manufactured; and (iii) equipment used for manure processing and compost / fertilizer manufacturing, including manure turners, handling equipment, dryers, ovens, and units used for heat and steam treatment.

4. Provide a table that identifies each device used, at any time between January 1, 2011 through May 31, 2016, for thermal processing of chicken litter and/or manure at the Facilities, including rotary dryers, drying ovens, and heat / steam treatment devices. For each unit identified, provide the following:
   a. Facility (e.g., Arlington or Tonopah);
   b. Date of installation;
   c. Manufacturer and model number;
   d. Rated capacity in pounds per MMBtu;
   e. Fuel type; and
   f. Equipment used to control, reduce or mitigate emissions of particulate matter, volatile organic compounds, oxides of nitrogen, carbon monoxide, and ammonia.

5. Provide the following information regarding manure barns, manure windrows, manure turning, and related buildings and structures:
   a. Facility (e.g., Arlington or Tonopah);
   b. Number of manure barns as of May 31, 2016 and approximate dimensions;
   c. Number of manure windrows as of May 31, 2016 and approximate dimensions;
   d. Schedule(s) for manure turning;
   e. Equipment used for manure turning, including number and purpose of each type of vehicle / device;
   f. Engineering design or calculations used for air flow rates or volumes, including concentrations of chemical compounds or particulate matter, where applicable, i.e. for manure barns; and
   g. Describe practices used to control, reduce or mitigate emissions from manure barns, manure windrows, manure turning and manure handling operations.

6. For each Facility, please provide total monthly production of compost / fertilizer for each month from January 2011 through May 2016.

7. Provide a list of all power generating equipment at each of the Facilities, including the following information:

a. Facility (e.g., Arlington or Tonopah);
b. Rated capacity in horsepower and kilowatts;
c. Manufacturer and model number;
d. Year of manufacture;
e. Fuel type;
f. Date of installation; and
g. Annual hours of operation since installation.

8. Provide results of all source testing conducted at the Facilities for emissions of particulate matter, volatile organic compounds, oxides of nitrogen, carbon monoxide, and ammonia.

9. Provide copies of records from January 2011 through May 2016 that the Facilities are required to keep under Permit Conditions 13, 20, and 22 in Maricopa County Air Quality Department (MCAQD) Permit Number 040136 and Permit Condition 11 in MCAQD Permit Number 140062.

10. Provide copies of any records or logs from January 2011 through May 2016 that the Facilities maintain for monitoring or opacity readings, as well as the EPA Method 9 certification identified in Permit Conditions 8 and 9 in MCAQD Permit Number 040136 and Permit Conditions 6 and 7 in MCAQD Permit Number 140062.

11. For each facility, please provide all permit applications submitted by Hickman to the Arizona Department of Environmental Qualtiy (ADEQ) and/or the MCAQD for the purpose of complying with the Clean Air Act, all permits issued by ADEQ or MCAQD related to the regulation of air pollution at the Facilities, and all related mail or electronic correspondence with ADEQ or MCAQD. If you have already submitted permits to EPA Region 9, your response may include a statement to this effect in lieu of providing additional copies.

12. If Hickman believes that the Facilities are subject to Arizona Agricultural Best Management Practices[1] requirements, please explain the legal and factual basis for this position, along with all documentation you believe supports your position.

The responsive information shall be accompanied by a cover letter sent via certified mail with return receipt requested to the following address:

Ms. Kathleen H. Johnson
Director, Enforcement Division
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Attn: Janice Chan (ENF-2-1)

[1] See definition in Enclosure 3.

Please be advised that under Section 113(a) of the Act, 42 U.S.C. § 7413(a), failure to provide the information and documents required by this letter may result in an order requiring compliance, an order assessing an administrative penalty, or a civil action for appropriate relief. Section 113(b) of the Act, 42 U.S.C. § 7413(b), provides for the assessment of a civil penalty, which has been adjusted for inflation to $37,500 per day, for each violation of the Act. See 40 C.F.R. § 19.4 (for penalties effective after January 12, 2009). See also Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 Public Law 114-74, Sec. 701 (inflation adjustment for penalties assessed after August 1, 2016). In addition, Section 113(c) of the Act, 42 U.S.C. § 7413(c), provides criminal penalties for knowingly making any false material statement in, or omitting material information from, any report required under the Act. The information provided by Hickman may be used by the United States in administrative, civil, or criminal proceedings.

You may, if you desire, assert a confidential business information ("CBI") claim on behalf of Hickman covering part or all of the information provided to EPA in response to this letter. Any such CBI claim must conform to the requirements set forth in 40 C.F.R. Part 2, particularly 40 C.F.R. § 2.203, and contain supporting documentary evidence, as specified in Enclosure 2. In addition, any such claim must be substantiated in accordance with 40 C.F.R. § 2.204(e)(4). The EPA may, without further notice, provide the public with any information not subject to a CBI claim.

You are advised that certain information may be made available to the public pursuant to Section 114(c) of the Act, 42 U.S.C. § 7414(c), and 40 C.F.R. § 2.301, notwithstanding a claim that such information is entitled to confidential treatment. Please note that emission data provided pursuant to Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B. Emission data is defined at 40 C.F.R. §§ 2.301(a)(2). If no claim of confidentiality is received with your reply, the information may be made available to the public without notice to Hickman.

This information request is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is not a "collection of information" within the meaning of 44 U.S.C §§ 3502(3) and 3518(c)(1), since it is being issued during the conduct of an investigation involving the EPA against specific individuals or entities. See also 5 C.F.R. § 1320.4.

Hickman shall submit its response to this request postmarked no later than thirty (30) calendar days after receipt of this letter. All information submitted in response to this request must be certified in a signed, separate statement as true, correct, accurate, and complete, to the best of his/her knowledge, by an individual with sufficient knowledge and authority to make such representations on behalf of Hickman. On the last page of your response to this information request, include the certification contained in Enclosure 4.

If Hickman anticipates that it will not be able to respond fully to this request within the time period specified, Hickman must submit a sworn declaration by a responsible corporate official within ten (10) calendar days after receipt of this letter specifying what information will be provided by the allotted deadline, describing the efforts that have been/are being undertaken to

obtain the remaining other responsive information, and providing a detailed schedule of when such other responsive information will be provided. Upon receipt and based upon such declaration, EPA may extend the time in which to respond to this information request. Also, please contact EPA if Hickman determines that a full response to a particular request for information would require the submission of an extremely large number of documents or data files. Based upon such notification, EPA may modify the scope of the documents required to be produced.

If you have any questions regarding this request, please contact Janice Chan of my staff at (415) 972-3308; or your attorney can contact Margaret Alkon, Office of Regional Counsel, at (415) 972-3890. Thank you for your cooperation in this matter.

Sincerely,

Kathleen H. Johnson
Director, Enforcement Division

Enclosures
cc: Eric Massey, Director, Arizona Department of Environmental Quality
Phillip McNeely, Director, Maricopa County Air Quality Department

ENCLOSURE 1: Instructions

1) Prepare a cover letter that includes a written response to all requests referencing the request number to which each answer or document pertains. In addition, attach to the cover letter the signed statement of certification provided in Enclosure 4.

2) Provide responses to this Request for Information in English, in written document form, and in electronic form using spreadsheet or word processing software (e.g., Word or Excel) or in PDF format, provided you have access to such software.

3) Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

4) To the extent that a document is responsive to more than one request, so indicate and provide only one copy of the responsive document.

5) All submitted documents should be copies, and not original documents.

6) Indicate on each document produced the number of the question to which it corresponds.

7) To the extent that Hickman has no responsive information or documents for any particular request, this must be explicitly stated in the response. Where the reason for no response is that it is unavailable, state so with "NONE." Where the reason for no response is that Hickman does not know, state so with "IDK." For other reasons (e.g., not applicable) for no response, provide a detailed narrative.

8) All responsive documents must be:
   a) provided as an accurate and legible copy in a searchable PDF file format;
   b) submitted on a disk (CD or DVD media); and
   c) number stamped in sequential order (e.g. BATES stamped).

ENCLOSURE 2: Confidential Business Information

You may assert a business confidentiality claim covering all or part of the information you provide in response to this Request for Information for any business information entitled to confidential treatment under Section 208(c) of the CAA, 42 U.S.C. § 7542, and 40 C.F.R. Part 2, Subpart B. Under Section 208(c) of the CAA, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, Subpart B, business confidentiality means the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information. *See* 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 208(c) of the CAA and 40 C.F.R. Part 2, Subpart B. The EPA will construe your failure to furnish a business confidentiality claim with your response to this Request for Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, proprietary, or company confidential at the time you submit your response to this Request for Information. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

Specify by page, paragraph and sentence when identifying information from a document where you make a CBI claim. Where your claim does not include all information on a page, please attach a copy of each such page with brackets around the text you claim to be CBI. If a page, document, or group or class of documents claimed by you to be CBI contains a significant amount of information which our Regional Counsel determines is not CBI, your CBI claim regarding that page, document, or group or class of documents may be denied.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e), (2) that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, (3) the information is not and has not been reasonably obtainable by legitimate means without your consent, and (4) the disclosure of the information is likely to cause substantial harm to your business competitive edge. *See* 40 C.F.R. §§ 2.208 (a)-(d). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B. *See* 42 U.S.C. § 7542(c); 40 C.F.R. § 2.301(e). If you assert a claim of business confidentiality in connection with information and documents

forwarded in response to this request for information, in accordance with 40 C.F.R. § 2.204(e)(4), the EPA is requesting that you answer the following questions with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph and sentence when identifying the information subject to your claim.

2. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a specified event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you've specified.

3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?

4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?

5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.

6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effect. How could your competitors make use of this information to your detriment?

7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

You must furnish comments to the above questions concurrent with your response to this Information Request if you have claimed any information as business confidential. *See* 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1).

ENCLOSURE 3: Definitions

1. The term "Arizona Agricultural Best Management Practices" refers either to
   a) AAC R18-2-610 *Agricultural PM10 General Permit; Maricopa PM10 Nonattainment Area* and R18-2-611 *Definitions for 18-2-611* as approved into the Arizona State Implementation Plan. 66 FR 51869 (Oct. 11, 2001); or
   b) AAC R18-2-610.01 *Agricultural PM10 General Permit for Crop Operations* and R18-2-611.01 *Animal Operations PM10 General Permit,* as currently codified in the Arizona Administrative Code.

2. The terms "document" and "documents" means any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. The term includes electronic mail and text messages. If in computer format or memory, each such document must be provided in translation to a form useable and readable by the EPA, with all necessary documentation and support. All documents in hard copy also should include attachments to or enclosures with any document.

3. The term "person" or "entity" includes an individual, corporation, partnership, limited liability company, sole proprietorship, joint venture, or any formal or informal entity, organization or association.

4. The terms "Hickman," "you," and "your" include Hickman's Egg Ranch, Inc., Hickman's Family Farms, and any affiliates, predecessors, successors, and assigns.

ENCLOSURE 4: Statement of Certification

[This Certification is for signature by the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or another executive with authority to perform similar policy or decision-making functions of the corporation.]

Hickman's Egg Ranch, Inc. is submitting the enclosed documents in response to the U.S. Environmental Protection Agency's ("EPA's") request for information, issued pursuant to Section 114(a) of the Clean Air Act to determine whether the facility is in compliance with the Clean Air Act.

I certify that I am fully authorized by Hickman's Egg Ranch, Inc. to provide the above information on its behalf to EPA.

I certify under penalty of law that I have personally examined and am familiar with the statements and information submitted in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, correct, accurate and complete. I am aware that there are significant penalties for submitting false statements and information, or omitting required statements and information, including the possibility of fines and imprisonment for knowing violations.

Date: _____

Name (Printed): _____

Signature: _____

Title: _____