To: Chan, Janice[Chan.Janice@epa.gov]
From: Shari Yeatts
Sent: Tue 6/28/2016 6:31:38 PM
Subject: Hickman Request # 4, #5 and #6 , #8 , # 9, and #12 and Certification Statement for #3

Janice,

Please forgive me and let me clarify, the information in the last email was for several Items, more than the subject line read as being 4,5, and 6.

Have a wonderful day!

Shari Yeatts

From: Shari Yeatts
Sent: Tuesday, June 28, 2016 11:19 AM
To: 'Chan, Janice' <Chan.Janice@epa.gov>
Cc: Robert Phalen <rphalen@hickmanseggs.com>; Billy G. Hickman <bghickman@hickmanseggs.com>
Subject: RE: Hickman Request # 4, #5 and #6

Hello Janice,

Tomorrow is the deadline for submitting our responses to the letter received on June 1st, 2016. Today I wanted to not only submit more responses, but also

re-cap briefly the information that has already been sent. Our records indicate that as of this email the only response that we still need to submit to you and the only one the extension is necessary for is **"response #11".** Per your correspondence with Robert on June 17th, all data in reference to the Clean Air Act requirements (ADEQ and Maricopa County) will be submitted by July 25, 2016 via mail and on a thumb drive.

Attached you will find:

1. The Statement of Certification for Request #3, response was sent on Friday June 24th, 2016.

2. Statement of Certification for Request # 4, #5, and #6 submitted today.

3. Statement of Certification for Request #9c, 9d, and #12 submitted today

4. DOC # 14 Cover letter and response to #4 and #5.

5. DOC #18 Supporting evidence for request #4 and #5

6. DOC # 13 Cover letter for request #6

7. DOC # 19 Response for request #6

8. DOC # 17 Response for request #5b

9. DOC # 21 Response to #12

10. DOC # 27 Item #: 9C AP-1 GS-7 for barns A & B;

11. DOC # 28 Item #: 9C TB-1 GS-29 west genset between 1 & 2;

12. DOC # 26 Item #: 9C AN-1 GS-12 between 13 and process plant, and;

13. DOC # 22 Item #: 9C TB-2 GS-30 east genset between 1 & 2.

14. DOC # 24 Item # 9 Arlington Facilities Equipment List

15. DOC # 25 Item #9 Tonopah Complex Rolling Totals 2016

16. DOC #29 Item # 9D Gasoline received Arlington South 2015

17. DOC # 30 Request #8

All recorded maintenance on generators used at all Hickman's Family Farms facilities are kept via thumb drive, and updated after each service test. All previous service data is removed – to allow the most current service to appear without confusion. Enclosed are 4 documents that show the records of the last service (oil change / filter change / replacement dates), as requested in Item #: 9C. If you require the data for each generator, please let us know, and we will be happy

to compile the data and provide it to your office accordingly.

Additionally, Robert Phalen has compiled the rolling totals for all generators at the Tonopah and Arlington facilities previously submitted on June 24, 2016 for the 2016 calendar year (Item # 9). The May 2016 rolling totals have not been collected, due to the fact that operators are using data sheets that overlap into June. If you require the month of May in addition to the previous data submitted, please allow approximately 2 weeks for the data to be collected and loaded into our electronic database.

Item #9B requested a monthly and 12-month rolling total record of the amount of propane burned in the rotary dryer. The data is as follows:

Month	Gallons
August '15	0
September '15	156
October '15	97
November '15	0
December '15	312
January '16	0
February '16	1,126
March '16	11,048
April '16	5,865
May '16	6,303
Total	24,906

In response to Item #: 9D, attached (Gasoline received Arlington South 2015) are the total gallons received in 2015 at the Arlington South facility. Hickman's Family Farms utilizes two gasoline aboveground storage tanks. The first (3,000 gallons) is located at our corporate office, and the second (500 gallons) is located at Arlington South. Both aboveground storage tanks are used exclusively for company vehicles. The Tonopah facility does not have an aboveground gasoline storage tank.

I believe that you are requesting this information based upon the generator information. All generators utilized at the Tonopah and Arlington Facilities are diesel powered generators. If you require the amount of diesel utilized at both facilities we are happy to compile that information for you.

Lastly, attached are three inspection reports from the Arizona Department of Environmental Quality (ADEQ) – Air Quality Division dated February 6, 2014, October 9, 2014, October 15, 2014, and June 13, 2016. In response to Item #: 12, Hickman's Family Farms believes that the Tonopah and Arlington Facilities are subject to the Agricultural Best Management Practice requirements based upon the correspondence as well as the documentation that ADEQ has presented and recorded for both facilities since operations began. Based upon the ADEQ Inspection Reports attached, this documentation supports this belief for both facilities (Attachment: Item #12 Ag BMP).

Quick Recap-

Response #1-10 and # 12, all submitted within 30 days of receipt of the letter dated June 1st, 2016. Response #11 will be the result of the extension request submitted to your office, information will be delivered to your office prior to 7/25/2016.

If you have any questions, please feel free to contact me or Robert at any time, we are happy to help.

Thank you,

Shari Yeatts

From: Shari Yeatts
Sent: Friday, June 24, 2016 12:06 PM
To: 'Chan, Janice' <Chan.Janice@epa.gov>
Cc: Robert Phalen <rphalen@hickmanseggs.com>
Subject: RE: Hickman Request # 3

Hi Janice,

Attached you will find Response for Request #3. Please let me know if you have any additional questions.

Thanks,

Shari Yeatts

From: Chan, Janice [mailto:Chan.Janice@epa.gov]
Sent: Friday, June 17, 2016 3:52 PM

To: Robert Phalen <rphalen@hickmanseggs.com>
Cc: Shari Yeatts <syeatts@hickmanseggs.com>
Subject: RE: Hickman Request for Extension

Hi Robert,

Thanks for clarifying the situation and progress in gathering the information in further detail. Thank you for the initial responses as well.

I have no problem with receiving a memory stick with information. We generally receive information like that.

Thanks,

Janice

From: Robert Phalen [mailto:rphalen@hickmanseggs.com]
Sent: Friday, June 17, 2016 2:44 PM
To: Chan, Janice <Chan.Janice@epa.gov>
Cc: Shari Yeatts <syeatts@hickmanseggs.com>
Subject: RE: Hickman Request for Extension

Hi Janice,

Thank you for your response, I do appreciate you understanding.

To clarify:

- I will e-mail you the rolling totals for all generators used at the Tonopah and Arlington facilities on or before June 24, 2016.

- I will copy and send you all rolling total log sheets from 2001 – 2014 early next week.

- To clarify, log data sheets were maintained (hard copy only) from October of 2011 – 2014.

- There are approximately 200 pages of records for this particular request. I will copy them and I send via certified mail to your attention at your office address on Thursday of next week. I apologize for the delay, however I am gathering the very same data for Maricopa County as we speak, so the timing is perfect on your part.

Since my arrival I have converted the data available to Excel spreadsheet formats.

However, the 2015 data is readily available and will be provided to you via e-mail as stated above .

- As stated previously I am in process of downloading all Maricopa County Correspondence for the County's Cloud server.

The data is extensive in reference to correspondence, complaints, inspection reports, etc.

All data in reference to the Clean Air Act requirements (ADEQ and Maricopa County) will be included with our submittal by July 25, 2016.

My thought was to provide your office with a memory stick containing all of the data via certified mail delivery.

Based upon the documents received from Maricopa County in reference to our Tonopah Facility alone (approximately 1 Gigabyte – ½ the data has been download), I believe that it would benefit your office to have both facilities consolidate onto a memory stick. I

would estimate that there will be approximately 2 Gigabytes of requested information for you to review.

If this is acceptable, please let me know.

Lastly, I am enclosing Hickman's Family Farms' official response to Item #1 and Item #2 of your request with this e-mail.

If you have any additional questions please feel free to contact me at any time.

-Rp

Robert Phalen

Hickman's Family Farms

Environmental Program Manager

rphalen@hickmanseggs.com

623-300-5630 (Cell)

From: Chan, Janice [mailto:Chan.Janice@epa.gov]
Sent: Wednesday, June 15, 2016 5:37 PM

To: Robert Phalen <rphalen@hickmanseggs.com>
Cc: Shari Yeatts <syeatts@hickmanseggs.com>
Subject: RE: Hickman Request for Extension

Hi Robert,

Thank you for your message. Your email provides much more detail about why you are requesting an extension of time for Requests 9 through 11 than the previous message. Based on the information which you have provided, we'll grant your requests for the extensions for Requests 10 and 11.

We would grant the extension in time for Request #9, depending on our understanding of how you are proposing to respond to the request. Is the following a correct interpretations?

- 2015 totals: emailed by June 24, 2016

- 2011/2012-2014 totals: mailed hard-copy immediately

o Requests from EPA:

▪ Please provide subsequent summaries provided to Maricopa County in electronic email when available – July 25, 2016

▪ It is unclear whether you have 2011 records available. Please check if they are.

To answer your question about Request #11, yes, we are asking for all permits and correspondence for ADEQ and Maricopa County related to complying with the Clean Air Act and the permits issued by ADEQ and Maricopa County. If the correspondences including complaints, inspections, and documents are related to air pollution and the permits, then those are relevant correspondences. If they are NOT related to air pollution or the permits, then you don't need to submit correspondences.

Thank you,

Janice

From: Robert Phalen [mailto:rphalen@hickmanseggs.com]
Sent: Tuesday, June 14, 2016 11:23 AM
To: Chan, Janice <Chan.Janice@epa.gov>
Cc: Shari Yeatts <syeatts@hickmanseggs.com>
Subject: RE: Hickman Request for Extension

Hi Janice,

I am currently calculating and submitting the annual emissions inventory (including rolling 12-month totals) for all generators and permitted equipment listed for both the Arlington and Tonopah facilities (Maricopa County Air Quality Permit #s: 040136 and 140062). Based upon the condition of the records kept by my predecessor prior to my arrival here at Hickman's, as well as facility changes, I have been granted an extension by Maricopa County to provide this information by June 22, 2016. The emission inventory survey has not been requested from Hickman's since 2008, therefore numerous equipment and facility changes have occurred in the meantime. If you would like paper copies of all rolling totals, I can provided those immediately, dating back to 2011 / 2012 when they were originally calculated and recorded. Based upon a Maricopa County inspection and resulting penalty, Hickman's has maintained these records in paper form since that date – however, as stated, I am currently converting and calculating the records for 2015 – so that we may continue to use a sustainable boilerplate for our record keeping requirements.

To Address the following statement: *"Since Requests 9 and 10 are asking for records that are required to be maintained under existing permits, we do not understand why such a lengthy extension is needed for answers to 9 and 10',* seems a bit condescending to me when I initially read your response. I apologize if I am misinterpreting this, however, as a full time employee for the last two months at Hickman's, I find the statement mildly offensive.

Based upon the unexpected departure of the Health, Safety, and Environmental Coordinator at our company, I have been put in charge of all environmental and safety and health requirements; including, but not limited to: permitting, inspections, complaints, record retention and organization, safety training, compliance, documentation, internal audits, as well as all personal protective equipment needs and requirements.

As you know, Shari Yeatts is in charge of all compliance, which includes overseeing my responsibilities, as well as all Food Safety Coordination and Compliance including: Hickman's Salmonella Enteritidis Egg Safety Plan, Hazard Analysis Critical Control Point (HACCP) requirements, Food Defense requirements, United Egg Producers Certification requirements, Animal Welfare requirements, Safe Quality Food Institute requirements, Biosecurity requirements, and Food and Drug Administration requirements.

In addition, an "unannounced" inspection conducted by the Global Food Safety Initiative has been scheduled for all Hickman's facilities for July of 2016.

We are committed to ensure that food safety, animal health care, food quality and employee safety meet and exceeds all regulatory requirements and customer expectations. However, based upon the recent request by your office for all Emergency Planning & Community Right-to-Know Act (EPCRA) SARA Title III documents and correspondence, in addition to this recent request regarding all Air Quality documentation and correspondence, the commitment that we have to provide safe quality eggs to the consumer is suddenly being compromised by your office.

I understand your mission, and I respect your authority to investigate our company. However, please realize that the requests we are asking for are only to provide clear and concise information to your office. We are not attempting to hide, nor ignore your request – we are only attempting to ensure that our eggs are safe for human consumption, as well as our environmental impact is minimal and compliant rather than over-exaggerated and in violation.

<u>In summary:</u>

- Items #1 and #2

Will be e-mailed to your office by the end of the week (6-17-16).

- Items #3 - #8

Will be e-mailed and or mailed to your office (postmarked) as requested by June 27, 2016.

- Item #9

(Rolling totals) will be e-mailed to your office for the calendar year of 2015 by June 24, 2016 after submittal to Maricopa County on June 22, 2016. If you would like the paper copies of the 2012-2014 calendar year rolling totals, please let me know, and I will mail your office the documents immediately. If this is not acceptable to you, then the four week extension previously requested (July 25, 2016) is requested once more.

- Item #10

As requested, July 25, 2016

- Item #11

Recently I have requested all documentation for Maricopa County and ADEQ. Maricopa County is providing me this information on a weekly basis via their cloud database. If needed, I will gladly provide your office with duplicate electronic copies. I have already received most of the requested documents from ADEQ – however based upon the cost of the data, as well as the duplicative nature, records have been consolidated on once CD, as well as in hard copy form located in my office. Not all information has been retained by Hickman's or ADEQ, for e-mail communication was discarded once finalized inspection and/or complaints were issued and/or closed by ADEQ. If needed, I will attempt to compile this information, however, all requested information, including any and all e-mail correspondence can be obtained for the ADEQ Records Center.

To clarify, is your office requesting all permits and correspondence for ADEQ and Maricopa County? If so, then all e-mail correspondence alone is overwhelming to say the least. I can provide your office all permits immediately – issued by both Maricopa County as well as ADEQ. However, Maricopa County is the only entity that issued the Hickman's Tonopah and Arlington facilities air quality permits. Therefore, are you requesting all correspondence including inspections, complaints, and/or documentation from both ADEQ and Maricopa County? If this is indeed is your request, then based upon the number and size of this request, July 25, 2016 is requested.

- Item #12

As stated previously, on or before June 27th

If you have any questions, or need any additional information, please feel free to contact me at any time.

-Rp

Robert Phalen

Hickman's Family Farms

Environmental Program Manager

rphalen@hickmanseggs.com

623-300-5630 (Cell)

From: Chan, Janice [mailto:Chan.Janice@epa.gov]
Sent: Friday, June 10, 2016 4:37 PM
To: Shari Yeatts <syeatts@hickmanseggs.com>
Cc: Robert Phalen <rphalen@hickmanseggs.com>
Subject: RE: Hickman Request for Extension

Hi Shari,

Thank you for the clarification on Request #12.

As for the request for the extension, thank you for explaining the purpose for the request for the extension. As for the actual extension in time, I would propose that Hickman provide a schedule in what can be delivered prior to the 4 weeks, and what else will be delivered upon 4 weeks. I'll

use language from the Request for Information itself.

The language on page 5 of the Request for Information states: *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.*

So to figure out the schedule of documents to be provided, Hickman will need to provide information **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**. I understand that we are discussing the schedule now.

Based on my discussion with my team, here are some of our thoughts.

I'm glad that most of the information (responses to Requests 1-8 and 12) will be provided on time. However, Request #9 asks for records Hickman is already required to maintain for your permits, and Request #10 also asks for copies of records already maintained. Since Requests 9 and 10 are asking for records that are required to be maintained under existing permits, we do not understand why such a lengthy extension is needed for answers to 9 and 10. As for Request #11, we understand that a complete answer to Request #11 might take some time to pull together, but it isn't clear why at least a partial answer cannot be provided in a shorter timeframe. In order for EPA to agree to an extension, our request letter says that the extension request should describe 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. Please provide that information.

Thanks,

Janice

From: Shari Yeatts [mailto:syeatts@hickmanseggs.com]
Sent: Friday, June 10, 2016 3:59 PM
To: Chan, Janice <Chan.Janice@epa.gov>
Cc: Robert Phalen <rphalen@hickmanseggs.com>
Subject: RE: Hickman Request for Extension

Janice,

I apologize, yes we will respond to #12 on or before June 27th.

I am asking for the 4 week extension due to the resent personnel change within our company. The employee responsible for the emissions monitoring, documenting and keeping of the records is no longer with us. We have hired Robert Phalen to manage the Environmental Program and it is imperative to both of us that you receive the most accurate information and therefore we need additional time to compile, review and submit the records from the requested years and submit them to you in an organized, concise and timely manner.

It may not take the full 4 weeks, we wanted to make sure so we asked for an ample extension.

Thank you for your consideration,

Shari Yeatts

From: Chan, Janice [mailto:Chan.Janice@epa.gov]
Sent: Friday, June 10, 2016 2:08 PM
To: Shari Yeatts <syeatts@hickmanseggs.com>
Cc: Robert Phalen <rphalen@hickmanseggs.com>
Subject: RE: Hickman Request for Extension

Hi Shari and Robert,

It states in the letter that you will be able to submit responses to Requests 1-8 on time; that you are requesting a 4-week extension for Requests 9, 10, and 11; and doesn't mention Request 12. Will you be able to respond to Request 12 on or by June 27 as well?

I need to check with my management regarding the 4-week extension. If you can state the purpose of the request for the extension and the length of time requested, that would guide us in the decision-making.

Thanks,

Janice

From: Shari Yeatts [mailto:syeatts@hickmanseggs.com]
Sent: Friday, June 10, 2016 1:30 PM
To: Chan, Janice <Chan.Janice@epa.gov>
Cc: Robert Phalen <rphalen@hickmanseggs.com>
Subject: Hickman Request for Extension

Hi Janice,

Robert Phalen and I had a meeting with the Owner today and we are officially asking for a request on 3 of the items, everything else we should have sufficient time to accurately submit the information to you and Kathleen Johnson. Thank you for your consideration in this matter.

Sincerely,

Shari Yeatts

Compliance Manager

623-872-2358