To: MC Richard Sumner[RichardSumner@mail.maricopa.gov]
Cc: Blumenfeld, Jared[BLUMENFELD.JARED@EPA.GOV]; Jordan, Deborah[Jordan.Deborah@epa.gov]; Johnson, Kathleen[Johnson.Kathleen@epa.gov]; Chan, Janice[Chan.Janice@epa.gov]; tmartin@mail.maricopa.gov[tmartin@mail.maricopa.gov]; howard@shankerlaw.net[howard@shankerlaw.net]; sgoode@mail.maricopa.gov[sgoode@mail.maricopa.gov]; philmcneely@mail.maricopa.gov[philmcneely@mail.maricopa.gov]; smbrittle@yahoo.com[smbrittle@yahoo.com]; danielled@sraproject.org[danielled@sraproject.org]; clerkboard@mail.maricopa.gov[clerkboard@mail.maricopa.gov]
From: fyremike@earthlink.net
Sent: Wed 3/9/2016 7:58:05 AM
Subject: Hickman Response from Public Hearing for Permit 040136

March 8, 2016

Dear Mr. Sumner

Attachment: Maricopa County Air Quality Dept. Response dated Feb 5, 2016

I feel I must respond to you regarding the County's response to the Public Hearing held Oct 21, 2015 in Arlington, Arizona, regarding the permit modification for Hickman Non Title V Permit #040136.

This issue is a major concern to many people, and it showed by the audience of more than 45 people. Many of them spoke, or wrote e-mails, to state their protest to the County. We feel the enforcement of pollution violations taking place at the Hickman Egg factory is inadequate, and by passing that enforcement oversight to the State (as was done at the Ag Best Management Practices meeting Jan 14th) will only increase the emissions and pollution contaminating the neighborhood.

The night of the meeting I personally asked you how long it would take for your response, and you told me that our comments and letters would be reviewed, and in

about 30 days we would be contacted with the results. Well, that review ended up taking over 3 months, and during that time, many behind the scene events took place, including the Ag Best Management Practices committee being placed in charge of the very piece of equipment that we were concerned about. This transfer of management now classifies the manure drying process (using rotary dryers) as *fugitive* and a part of waste management, instead of a *point source* piece of industrial pollution.

The Ag BMP committee includes the very person who benefits most, Glenn Hickman, and the County Supervisor who also benefits most, is Clint Hickman. I attended the BMP meeting, and 'yes' Mr. Glenn Hickman recused himself, but I also know there was no committee member to speak on behalf of the environmental pollution that is caused by their decision. I do not include Mr. Eric Massey as an advocate for public health and safety!

Another handy rule the BMP enjoys is that they are allowed to create rules without public input or a rule making process, and those rules get immediate implementation after filing it with the Secretary of State. Where's the oversight??

According to the Non-Title V Technical Support Document it states that: ONE MAN, Mr. Eric Massey, the director of the AZ Air Quality Division, has decided that, in HIS OPINION, this industry should be under Agricultural Rules instead of the current County Rules 310 and 311.

This ONE MAN'S OPINION has now excluded some equipment, odors, pollutants, and emissions from being enforced.

My comments also noted the many incomplete areas on the Hickman permit, and I

quoted the County's own notation that " if it was not completely filled out it was deemed incomplete." Thus…. that permit should have been returned to Hickman Eggs to be completed before it was approved.

In your 58 page response, (see attached) many of the comments made by the public questioned how this industry was allowed to be built in the Tonopah business and residential area. Your replies always refer to the Planning or Zoning Departments, yet it was the Assessor who approved the Agricultural Exemption which allowed this industry to be built, and therefore it does not have to abide by any Zoning requirements. This was another instance where ONE MAN made that decision, and the Planning & Development Dept just rubber-stamped their approval. The Hickman's smelly egg industry in Tonopah has affected the entire business area, as well as the tourist visitors passing through….not to mention the health issues that have surfaced since the arrival of the hens.

In your GENERAL QUALITY OF LIFE COMMENTS, you refer to the Control Officer being the person who makes the decision to issue or deny a permit. What is the name of the Control Officer and what kind of training has he had?

Our Quality of Life has suffered by dealing with "smells, aromas or stenches commonly recognized as offensive, obnoxious, or objectionable" (Rule 320 & 300). Why are the Hickman's not required to abide by their Air Permit requirements? Those Odor Control requirements do not allow any other business to ignore the rules.

Some of your responses where you refer to Rule 320 are only addressing the handling of the manure, however you conveniently fail to address the part regarding obnoxious smells.

When comments were made by the public regarding particulates being breathed in, your response is inappropriate when you say "comment noted". A proper response is required.

There are also comments as to the temporary use of a rotary dryer being used for a pilot study…. Was a permit applied for? It should have been because it was not under an agricultural exemption at that time.

The County had many feeble responses to the community's concerns, and it is a disappointment that our health, safety, and quality of life is not protected by the very agency assigned to do just that. The influence of the Hickman seems to be more important than the quality of life of the community.

A disillusioned resident

Linda Butler

cc: AZ Governor Doug Ducey

AZ Attorney General Mark Brnovich

Jared Blumenfeld, Administrator, US EPA, Region 9

Deborah Jordan, Director, USEPA, Region 9, Air Division

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Steve Brittle, Don't Waste Arizona

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Denny Barney, District 1 Supervisor

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