To: Chan, Janice[Chan.Janice@epa.gov]
From: Danielle Diamond
Sent: Sat 4/19/2014 5:16:18 AM
Subject: proposed Hickman egg-laying operation in Tonopah, AZ
Site Plan.pdf
MEETING 01-09-14-transcript.pdf

Greetings Ms. Chan

I'm writing with some concerns about a proposed egg-laying operation in the town of Tonopah, Arizona. The facility is in the process of being constructed, but I question whether it has obtained all of the proper approvals/permits it should have or whether it intends to obtain such permits.

The name of the facility is Desert Pride and it is owned/operated by Hickman's Egg Ranch, LLC. It will be located near 41625 W. Indian School Rd., Tonopah, AZ 85354 (on the South East corner of 420th Ave. and Indian School Road). Attached is a site plan for the facility. It will initially house 2.2 million birds, but is ultimately expected to expand to house approximately 12 million birds. For the first phase of construction, it will have 28 poultry houses and two central egg-processing plants.

According to testimony given by Billy Hickman at a county informational hearing on the proposal (transcript attached), there will be two waste ponds on site that will only hold wastewater from the processing plant (see page 53). The rest of the facility's waste will apparently be shipped offsite. However, according to the testimony, the hens will have a 90-110 week laying cycle and then they will be euthanized with co2 (see page 35) and apparently ground up and composted onsite (see page 85).

It is difficult to know exactly what the plans are for the facility, its processing plants, and its waste management because the County has exempted the operation from its zoning, drainage and building codes based on a determination that the project is an "agricultural" use. And there are apparently no documents on file about the project at AZDEQ, aside from a very recently filed NOI for coverage under the state's stormwater construction General Permit. (FYI...According to local knowledge and belief, this NOI was submitted after construction began at the site.)

One of my main questions is whether the egg processing facilities and their corresponding waste ponds trigger the automatic need for an NPDES discharge permit. It would seem that while a portion of the site would be considered a Large CAFO, other portions of the site would fall under a different SIC food processing code and hence trigger different permit requirements than a CAFO would. Another question is whether the facility may need a Clean Air Act permit as it appears to be in an EPA designated 8-hour ozone non-attaiment area. Further, would the co2 used to euthanize the birds onsite contribute to existing air pollution problems in the area? In addition, there are floodplain and sensitive aquifer issues on the site and apparently the aquifer is the sole source of drinking water for the community.

Any assistance you may be able to provide in understanding what applicable

permitting/regulatory requirements may apply to this operation would be most appreciated. Please let me know if I may be able to provide any additional information that may be helpful in figuring this out.

Many thanks in advance,

Danielle Diamond

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