**To:** Chan, Janice[Chan.Janice@epa.gov]
**From:** Danielle Diamond
**Sent:** Mon 12/5/2016 11:18:44 PM
**Subject:** Status Re: Maricopa County air permit modification permit appeal documents for Hickman operation
Nov 7 hearing tran ADAQ11716_BUNDLE.PDF
MCAPHB Final Decision And Order.pdf

Ms. Chan

Please find the attached transcript from the Nov. 7th MCAPCB hearing, as well as the order the Board issued on Dec. 2nd on the matter.

You will see in the order that the Board remanded the air permit modification back to the County to reassess emissions at the facility to determine if it is a "major source" triggering different permitting requirements.

I do not agree with the County's perspective that some of the emissions escaping the large openings at the ends of the barns could be found to "fugitive" as there seems to be a good amount of case law that contradicts this position, but hopefully it will not be an issue after the County reevaluations the operation.

Danielle Diamond

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On Wed, Nov 16, 2016 at 12:26 PM, Chan, Janice <Chan.Janice@epa.gov> wrote:

> Thanks for sending this to me. I may ask for some of the exhibits if I'm unable to track them down on my own.
>
> I will like to know what MCAPCD decides on Thursday.
>
> I'm curious whether there's any appeal or statements made otherwise by MCAPCD or ADEQ about the Arlington facility.
>
> Janice

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Janice Chan

U.S. EPA - R9

Enforcement Division

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**From:** Danielle Diamond [mailto:danielled@sraproject.org]
**Sent:** Friday, November 04, 2016 8:56 PM
**To:** Chan, Janice <Chan.Janice@epa.gov>
**Subject:** Maricopa County air permit modification permit appeal documents for Hickman operation

Ms. Chan

Attached are some documents related to the air modification permit appeal hearing scheduled for Monday, Nov. 7th. Let me know if you would like any of the exhibits. I have those too, but the files are quite large and may be too big to send via email.

Danielle Diamond

Danielle Diamond, Executive Director

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