To: Shari Yeatts[syeatts@hickmanseggs.com]
From: Chan, Janice
Sent: Tue 4/19/2016 12:09:59 AM
Subject: EPA request for discussion and copies of information from Hickman for EPCRA 313 determination
2015 Instructions Applicability MultiFacility.pdf

Dear Ms. Shari Yeatts,

Thank you for taking the time to speak with me over the phone last Friday, April 15.

As I mentioned over the phone, the U.S. Environmental Protection Agency, Region 9 ("EPA") is investigating the compliance status of Hickman's Egg Ranch, Inc.'s (Hickman's) egg-laying facilities located at 32425 W. Salome Highway in Arlington, Arizona (the "Arlington Facility") and at 41625 West Indian School Road in Tonopah, Arizona (the "Tonopah Facility") (collectively, the "Facilities") regarding the reporting requirements of Section 313 of the Emergency Planning and Community Right to Know Act ("EPCRA 313"), 42 U.S.C. § 11023. EPCRA Section 313 requires that covered facilities submit reports to the EPA and to the state or tribal government on releases of certain toxic chemicals to the environment. These reports are called Form Rs, and information from the Form R reports is entered into a publicly accessible database called the Toxics Release Inventory (TRI).

As I mentioned over the phone, our records indicate that neither of the Hickman Facilities has not submitted a Form R report to the EPA for any of the past reporting years. In order to determine whether the Facilities are covered by EPCRA 313, and thus are required to submit Form R reports, the EPA requests you to provide for each Facility:

1. Provide copies of documentation with records of the number of workhours from employee or employee-equivalent at each of for calendar year 2015 and the current calendar year.

2. Provide a flow diagram of the entire Facility (including areas with egg laying, egg washing and grading, egg pasteurizing and cooking, and other food processing, fertilizer manufacture or processing, and the entire waste stream).

3. Identify each establishment within the Facility. Provide the NAICS codes for that facility.

4. Provide your calculations of the value added of the products shipped, or services provided from each establishment within the facility.

5. Provide copies of local, state, and federal permits.

If a facility may be subject based on number of employees and EPA analysis of applicable NAICs codes, then we will need additional documents (Safety Data Sheets (SDSs) for all products containing TRI-listed chemicals used at either Facility during calendar year 2015 and the current calendar year; Annual usage information, purchase records summaries or individual invoices, for each of these products for calendar year 2015 and the current calendar year, etc.)

I had requested by phone the SDSs for all chemicals manufactured, processed, or otherwise used at the Facilities. Understanding that such copies of information at this point prior to the scheduled meeting on April 22, 2016, may be over-cumbersome, you may send the copies of the SDSs to EPA after the meeting or once we have narrowed down the specific SDSs to provide.

EPA fully understands that certain types of facility information, for which a copy has been requested, may be deemed proprietary information. The facility is asked to mark all items they wish to be considered as CBI before supplying a copy to EPA. Items selected as CBI should be mailed to the address below rather than emailed, with CBI marked inside the package and not outside the envelope. Items selected to be covered under CBI must meet the basic requirements for CBI information. Such items as Form R's or A's are in fact public information. EPA's general CBI regulations are found at 40 C.F.R. Part 2, Subpart B. You are advised that certain information may be made available to the public pursuant to 40 C.F.R. § 2.301 notwithstanding a claim that such information is entitled to confidential treatment. If no claim of confidentiality is received with your reply, the information may be made available to the public.

For information sent in preparation for the schedule April 22 meeting, please send responses tome, Janice Chan, via email at chan.janice@epa.gov. I believe the most helpful information for me to have are the flow diagrams and the identities of each establishment within the Facilities. If documents are collectively larger than 25 MB, then we can coordinate a method to reduce the size of the attachment or have a flash drive or CD-rom sent via mail. For information sent subsequent to the April 22 meeting, you may send the responses via email or via certified mail to the address below. As a reminder, if you are claiming documents as CBI, please send those documents via mail rather than email, and do not indicate on the envelope or box that it contains CBI.

If you have any questions, please do not hesitate to contact me at my email address or 415-972-3308. I have attached a document with instruction for multi-establishment facilities in

determining NAICS codes for reporting purposes. You can also find more information about the TRI program, including reporting criteria, here: https://www.epa.gov/toxics-release-inventory-tri-program.

Address to send hard copies:

Janice Chan

U.S. Environmental Protection Agency, Region 9

Enforcement Division

Air & TRI Section (ENF-2-1)

75 Hawthorne Street

San Francisco, CA 94105

Thanks,

Janice Chan

Janice Chan

Environmental Protection Specialist

U.S. Environmental Protection Agency, Region 9

Enforcement Division

Air & TRI Section (ENF-2-1)

75 Hawthorne Street

San Francisco, CA 94105

415-972-3308

Chan.Janice@epa.gov

CONFIDENTIALITY NOTICE: This transmission is intended to be delivered only to the named addressee(s) and may contain information that is confidential, proprietary, attorney work-product or attorney-client privileged. If this information is received by anyone other than the named addressee(s), please notify the sender immediately, by reply e-mail to chan.janice@epa.gov and/or by telephone (415) 972-3308, to obtain instructions as to the disposal of the transmitted material. In no event shall this material be read, used, copied, reproduced, stored or retained by anyone other than the named addressee(s), except with the express written consent of the sender or the named addressee(s).

From: Chan, Janice
Sent: Monday, April 18, 2016 4:22 PM
To: 'Shari Yeatts' <syeatts@hickmanseggs.com>
Subject: RE: Test email

Hi Shari,

I'm working on the email. Since this will be an official email, I'm making sure that the language is clear and correct before sending it out. I'll send the email to you soon.

Janice

From: Shari Yeatts [mailto:syeatts@hickmanseggs.com]
Sent: Monday, April 18, 2016 4:11 PM
To: Chan, Janice <Chan.Janice@epa.gov>
Subject: RE: Test email

I was wondering if this will come today.

Shari

623-692-8451

-------- Original message --------
From: "Chan, Janice" <Chan.Janice@epa.gov>
Date: 04/15/2016 6:32 PM (GMT-07:00)
To: Shari Yeatts <syeatts@hickmanseggs.com>
Subject: RE: Test email

I expect to get the email to you on Monday, April 18. Hopefully that gives us enough time for our call on April 22. If not, just let me know.

Thanks,

Janice

From: Shari Yeatts [mailto:syeatts@hickmanseggs.com]
Sent: Friday, April 15, 2016 3:46 PM
To: Chan, Janice <Chan.Janice@epa.gov>
Subject: RE: Test email

Hi there, thank you!

Shari Yeatts

Compliance Manager

Cell Phone- 623-692-8451

From: Chan, Janice [mailto:Chan.Janice@epa.gov]
Sent: Friday, April 15, 2016 3:46 PM
To: Shari Yeatts <syeatts@hickmanseggs.com>
Subject: Test email

Hi Shari,

This is Janice. Please let me know if you receive this email.

Thanks,

Janice

Janice Chan

Environmental Protection Specialist

U.S. Environmental Protection Agency, Region 9

Enforcement Division

Air & TRI Section (ENF-2-1)

75 Hawthorne Street

San Francisco, CA 94105

415-972-3308

Chan.Janice@epa.gov

CONFIDENTIALITY NOTICE: This transmission is intended to be delivered only to the named addressee(s) and may contain information that is confidential, proprietary, attorney work-product or attorney-client privileged. If this information is received by anyone other than the named addressee(s), please notify the sender immediately, by reply e-mail to chan.janice@epa.gov and/or by telephone (415) 972-3308, to obtain instructions as to the disposal of the transmitted material. In no event shall this material be read, used, copied, reproduced, stored or retained by anyone other than the named addressee(s), except with the express written consent of the sender or the named addressee(s).