Message

From: Stephanie Cobb Williams -MDE- [stephaniecobb.williams@maryland.gov]
Sent: 11/1/2016 7:59:28 PM
To: Duchovnay, Andrew [Duchovnay.Andrew@epa.gov]
Subject: Re: In the Matter of Food & Water Watch, et al.- Judicial Review of Maryland's GDP for Animal Feeding Operations

Hi Andy,

I found the 48 FR 14153, but I am not sure what the 2001 CAFO proposal is. I did come across a proposed rule in the FR that was dated 2001 and it had to do with CAFOs. Is that the 2001 proposal that you referenced during our telephone call?

Stephanie Cobb Williams
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On Tue, Nov 1, 2016 at 3:09 PM, Duchovnay, Andrew <Duchovnay.Andrew@epa.gov> wrote:

> I just got back to my office if you want to call
>
> **From:** Stephanie Cobb Williams -MDE- [mailto:stephaniecobb.williams@maryland.gov]
> **Sent:** Tuesday, November 01, 2016 1:13 PM
> **To:** Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>
> **Subject:** Re: In the Matter of Food & Water Watch, et al.- Judicial Review of Maryland's GDP for Animal Feeding Operations
>
> Hi Andy,
>
> Yes, I am available. Do you want to talk at 3:00p.m.? I can call you.
>
> Stephanie Cobb Williams
> Deputy Counsel
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>
> On Tue, Nov 1, 2016 at 1:08 PM, Duchovnay, Andrew <Duchovnay.Andrew@epa.gov> wrote:
>
> > Are you free to talk this afternoon? I will be free after 2:45.

From: Stephanie Cobb Williams -MDE- [mailto:stephaniecobb.williams@maryland.gov]
Sent: Thursday, October 27, 2016 11:05 AM
To: Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>
Subject: Re: In the Matter of Food & Water Watch, et al.- Judicial Review of Maryland's GDP for Animal Feeding Operations

Sounds good on the monitoring issue and thank you so much for the information with regard to control.

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On Thu, Oct 27, 2016 at 10:42 AM, Duchovnay, Andrew <Duchovnay.Andrew@epa.gov> wrote:

Hi Stephanie, have a look at 123.26(b) which talks about states having a program to evaluate compliance. Also, my contact at OGC likes the idea of defining "control" in your NOI to make sure that the applicant understands that land under their control is a broad term, which includes land the CAFO owns but does not manage, land the CAFO does not own, but manages, and land owned or managed by related parties.

I will get back to you when I hear more about the monitoring issue.

From: Stephanie Cobb Williams -MDE- [mailto:stephaniecobb.williams@maryland.gov]
Sent: Thursday, October 13, 2016 3:35 PM
To: Duchovnay, Andrew <Duchovnay.Andrew@epa.gov>
Subject: In the Matter of Food & Water Watch, et al.- Judicial Review of Maryland's GDP for Animal Feeding Operations

Hi Andy,

As you may recall, Food & Water Watch and the Assateague Coasta Trust petitioned for judicial review of the Department's General Discharge Permit for Animal Feeding Operations. I previously sent you the Appellants' supporting memorandum and MDE's answer. I have attached the Appellants' reply to this email. I am wondering whether you have any comments with regard to their monitoring argument. Let me know, thanks.

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