Message

From: Zolandz, Mark [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AD92C8F5774E4F3A9EAF98B80647FFA3-MZOLANDZ]
Sent: 7/10/2014 2:04:45 PM
To: Gary Kelman -MDE- [gary.kelman@maryland.gov]; Dwight Dotterer -MDA- [dwight.dotterer@maryland.gov]
CC: David McGuigan [McGuigan.David@epa.gov]; Michelle Price-Fay [Price-Fay.Michelle@epa.gov]; Rebecca Crane [Crane.Rebecca@epa.gov]; Miller, Linda [miller.linda@epa.gov]
Subject: Maryland Animal Agriculture Program Assessment questionnaire
Attachments: Maryland Animal Ag Questionnaire_FINAL.docx

Gary and Dwight:

Thank you again for the discussion we had back on July 7th with MDE and MDA. As we discussed, EPA will be conducting a review of Maryland's animal agriculture programs this year as part of EPA's settlement agreement with CBF. This program review will consist of a questionnaire to collect program information, file reviews, follow-up interviews/discussions with Maryland agency staff as needed, and consolidation of all of the collected information into a draft program assessment report. The draft program assessment report will be shared with Maryland for review prior to being finalized. Once finalized, EPA has committed to making the final report publicly available.

In order to start the assessment process, we are sending you a copy of the questionnaire that we will be using to guide our information collection activities during our assessment of Maryland's animal agriculture programs. We have pre-populated the questionnaire to the extent possible based on Maryland's regulations, websites, and WIPs. The pre-populated responses are in green. Please be sure to review all of these prepopulated responses for accuracy and make any edits as needed. As you review the questionnaire and start gathering the requested information, please let me know if you have any questions that need clarification or if there are additional animal agriculture programs that should be included in EPA's review. You will also notice that the length of the questionnaire is primarily due to 1) similar questions being repeated for each of the various programs, 2) providing space within the document for Maryland to respond, and 3) including Attachment 1 that explains how EPA came up with the estimates for numbers of AFOs and CAFOs.

Based on our work with Virginia and Pennsylvania, 60 days seems to be a good timeframe to aim to complete the questionnaire, which would be the beginning of September 2014. This will provide EPA sufficient time to review the material, have any needed follow-up discussion with Maryland agency staff, and complete a draft animal agriculture assessment report by the end of 2014. I greatly appreciate your assistance in helping us to meet this schedule.

Finally, as we discussed, EPA would like to conduct some file reviews of CAFO and NMP files to be able to document how well Maryland is implementing these programs. Based on our conversation, it sounds like these file reviews can be done concurrently with the questionnaire in July and August. Ideally, we would to review 30 CAFO files at MDE and 30 NMP compliance files at MDA. If MDA conducts NMP compliance checks at NPDES-permitted CAFOs, then we would like to review NMP compliance files for the same facilities that we review at MDE. If not, we can review files from 30 different AFOs. Please let me know about the MDA files, and I will use the AFOs listed on MDE's website to select a sample of 30 facilities for these file reviews. After we identify the facilities/files to review, I can work with you to schedule times to come down to Maryland for the reviews.

Thanks again for all of your assistance with this effort. I greatly appreciate your help and cooperation.

Thanks,

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