

# Exhibit B



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
RESEARCH TRIANGLE PARK, NC 27711

**MAY 13 2014**

OFFICE OF  
AIR QUALITY PLANNING  
AND STANDARDS

Ms. Tarah Heinzen, Esq.  
Environmental Integrity Project  
One Thomas Circle, NW, Suite 900  
Washington, D.C. 20005

RE: Freedom of Information Act Request EPA-HQ-2013-008469

Dear Ms. Heinzen:

Thank you for your July 22, 2013, Freedom of Information Act (FOIA) request (HQ-2013-008469). Your FOIA request contains seven parts that, in general, ask for records pertaining to the U.S. Environmental Protection Agency's (EPA or Agency) National Air Emissions Monitoring Study (NAEMS) and emissions estimating methodology (EEM) process for animal feeding operations (AFOs), as well as records related to two pending citizen petitions. One petition requests the Agency to regulate ammonia as a criteria pollutant under Clean Air Act (CAA) sections 108 and 109. The other petition requests the Agency to list concentrated AFOs under CAA section 111(b)(1)(A) and promulgate standards of performance under CAA sections 111(b)(1)(B) and 111(d).

Accompanying this letter are the records relevant to the two pending citizen petitions. The EPA continues to search and review our records and, if we find any additional records pertinent to these two petitions we will release those documents to you on a rolling basis. The EPA is still searching and compiling documents responsive to the NAEMS and EEM development process. Our goal is to submit the next group of documents by June 17, 2014. We will also inform you if our search finds no additional records.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), Fax: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW., Room 6416J, Washington, D.C. 20001. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request FOIA request number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Again, thank you for your request. I appreciate the opportunity to be of service and trust the information provided is helpful to you.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Noonan Edmonds". The signature is written in a cursive style with a large initial "J".

Jennifer Noonan Edmonds  
Director  
Policy Analysis and Communications Staff

Enclosures



# EPA Updates for AAQTF Presentation

Washington D.C.  
June 9, 2011



## Topics

- PM NAAQS - **Scott Jenkins**
- Ozone NAAQS – **Susan Stone**
- PM Monitoring – Bob Vanderpool
- PM<sub>10</sub> Outreach Sessions – **Bill Harnett/Ally Mayer**
- Solid Waste/Incineration Rules – **Amy Hambrick**
- Fire Policy – **Bill Harnett/Larry Elmore**
- NAEMS – **Larry Elmore/Ally Mayer**
- Black Carbon Report to Congress – **Erika Sasser**
- Biogenics/Biofuels for GHGs – **Ally/Carole Cook**
- Petitions – **Ally Mayer**
  - Listing Ammonia as Criteria Pollutant (Karen Martin)
  - Listing Hydrogen Sulfide as a HAP (Elineth Torres)
  - Listing CAFOs as a source category (Larry Elmore)



## Ozone NAAQS Update

- Reconsideration of the 2008 Decision on the Ozone NAAQS
  - Proposal published in Federal Register
    - January 19, 2010, Volume 75, Number 11
  - Final decision expected end of July 2011
  
- Ozone NAAQS review initiated in 2008
  - CASAC Review of the Integrated Science Assessment and Scope and Methods Plan for Exposure and Risk Assessment occurred May 19-20, 2011
  - Schedule for review may be found in the Integrated Review Plan (p 2-2) at: [http://www.epa.gov/ttn/naaqs/standards/ozone/data/2011\\_04\\_OzoneIRP.pdf](http://www.epa.gov/ttn/naaqs/standards/ozone/data/2011_04_OzoneIRP.pdf)



# PM NAAQS Review Process to Date

- Current review initiated in 2007; includes review of primary (health-based) and secondary (welfare-based) standards for fine and coarse particles
- Review is thorough and extensive, with many opportunities for CASAC and public comment; final documents take into consideration CASAC and public comments on multiple draft documents
  - **Integrated Science Assessment:** final document issued December 2009
    - Synthesis and assessment of most policy-relevant science
  - **Risk/Exposure Assessments:** final documents issued June/July 2010
    - Quantitative Health Risk Assessment; Urban-Focused Visibility Assessment
    - Focus on fine particles and did not assess risks associated with coarse particles
  - **Policy Assessment:** final document issued April 2011
    - Staff conclusions address adequacy of current standards and potential alternative standards appropriate to consider
    - Discusses broadest range of policy options supported by the available scientific evidence, quantitative assessments, and air quality analyses
- All documents available at: [http://www.epa.gov/ttn/naaqs/standards/pm/s\\_pm\\_index.html](http://www.epa.gov/ttn/naaqs/standards/pm/s_pm_index.html)



## Final Policy Assessment Conclusions and CASAC Advice

### Primary (health-based) PM<sub>2.5</sub> Standards

- Staff and CASAC conclude it is appropriate to consider **revising** the standards to provide **increased public health protection**
- Consider **revising annual standard level** within a range of **13-11 µg/m<sup>3</sup>** (current standard is 15 µg/m<sup>3</sup>)
  - Staff concludes that evidence most strongly supports range of 12 -11 µg/m<sup>3</sup>
- Consider **retaining or revising 24-hour standard level** within a range of **35-30 µg/m<sup>3</sup>** (current standard is 35 µg/m<sup>3</sup>)

### Primary (health-based) PM<sub>10</sub> standards

- Staff concludes scientific evidence and associated uncertainties could provide support for **either retaining or revising** the current primary 24-hour PM<sub>10</sub> standard (150 µg/m<sup>3</sup>)
  - To the extent consideration is given to revising the standard, staff concludes it would be appropriate to consider a 98<sup>th</sup> percentile form in conjunction with a level within a range of 85 to 65 µg/m<sup>3</sup>
- CASAC does not support retaining the current PM<sub>10</sub> standard; **recommends revising form and level in order to increase public health protection**
  - CASAC recommends a 98<sup>th</sup> percentile form in conjunction with a level within a range of 75 to 65 µg/m<sup>3</sup>

### Secondary (welfare-based) PM standards

- Staff and CASAC agree that it is appropriate to consider setting a distinct secondary PM<sub>2.5</sub> standard to address visibility impairment primarily in urban areas; considering options for structuring such a secondary standard distinct from the primary PM<sub>2.5</sub> standards, in terms of:
  - Alternative indicators, averaging times, and forms
  - Selecting alternative standard levels that reflect appropriate degree of public welfare protection

### ➤ No decisions have been made at this time

- EPA anticipates issuing a proposal for public review and comment later this year





## PM Monitoring

- Will receive this slide by Friday from Bob Vanderpool

## PM<sub>10</sub> Outreach Meetings

- **Schedule**
  - February 17: Washington, D.C.
  - February 23: Kansas City (Region 6 & 7 states)
  - February 25: Des Moines (Regions 5 & 7 states)
  - March 2: Riverside CA (Region 9 states)
  - March 9: Spokane (Region 10 states)
  - March 10: Denver (Region 8 states)
- **Summary of Comments**
  - Current PM10 standard should not be revised
  - If tighter standards are chosen, some farms will have to close
  - Stakeholders believe there are problems with the way EPA considers exceptional/natural events



# Solid Waste Combustion and Incineration

- Federal Register
  - March 21, 2011, Volume 76 Number 54
    - CISWI rules
    - SSI rules
    - Area Source Industrial, Commercial and Institutional Boilers
    - Major Source Industrial, Commercial and Institutional Boilers
    - Non-Hazardous Solid Waste Definition
- Regulations
  - The definition of “solid waste” determines if a source will be subject to CAA sections 112 or 129 by identifying which materials are solid wastes when burned in combustion units
    - 112 – Boiler, Cement
    - 129 – CISWI, SSI, OSWI, HMIWI, MWC



# CISWI/Boilers Reconsiderations

- **Federal Register**
  - March 21, 2011, Volume 76 Number 54
    - EPA announced it will voluntarily “reconsider” certain aspects of the CISWI and Boiler rules. SSI is not part of the reconsideration
  - Publication Pending: May 16, 2011 (signature)
    - EPA issued a “Stay” on the CISWI/Boilers final rules
- **Basis of reconsideration**
  - CISWI and Boilers reflect reasonable approaches consistent with the requirements of the CAA. However, some of the issues identified in the comments on our April 2010 proposal raised difficult technical issues that the Agency believes would benefit from additional public involvement
- **EPA has also received multiple petitions from interested parties for reconsideration**
  - These petitions identify specific items for EPA to reconsider
- **Next Steps**
  - EPA will issue a notice of proposed reconsideration of each rule that identifies specific issues or issues raised in the petitions which the Agency is granting reconsideration
    - EPA will consider any additional data or information submitted by the public
    - EPA requests that if the public does submit any additional data, it do so by July 15, 2011 to allow the Agency time to fully consider it

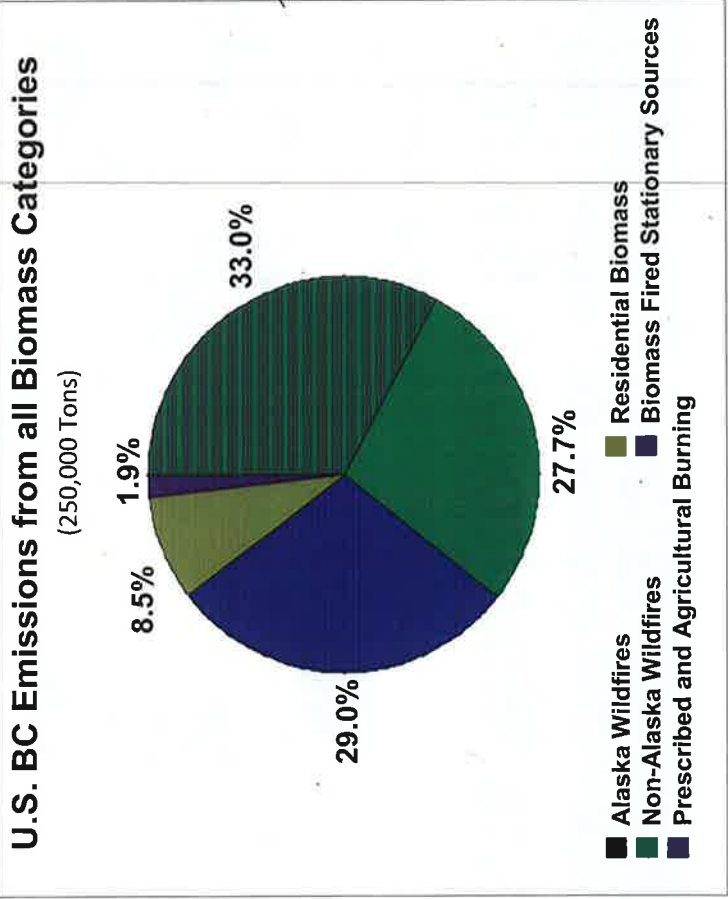
## Black Carbon Report to Congress

- October 2009 Interior Appropriations bill: required EPA to issue a report on the climatic and public health effects of black carbon, domestic and global emissions inventories, and cost-effective mitigation approaches
- External peer review draft of the report issued March 18, 2011
  - Available at EPA's Science Advisory Board Website:  
<http://yosemite.epa.gov/sab/sabpeople.nsf/WebCommittees/COUNCIL>
- Peer review panel meeting held in Washington D.C., April 18-19, 2011
  - Final letter containing Black Carbon Review Panel's advice and recommendations expected by end of July
  - Final report planned for release in Fall 2011
- Earlier draft was reviewed informally by other federal agencies, including USDA.
  - USDA provided valuable input on inventories and mitigation approaches for open biomass burning, including agricultural burning

## Biomass Burning in Report to Congress on BC

- Biomass burning ~ 39% of domestic black carbon inventory
  - 90% of this is “open biomass burning”, which is dominated by wildfire (68%), followed by prescribed fire (26%) and agricultural burning (6%)
  - Biomass burning also leads to high emissions of organic carbon (OC), which exerts a cooling influence on climate. Therefore, mitigation efforts may be less effective for climate than controls on other sectors dominated by BC, such as mobile diesel

- Available PM<sub>2.5</sub> emissions reduction techniques for open biomass burning may reduce BC
  - Substantial uncertainty remains, especially given diverse, site-specific burning conditions.
- Appropriate mitigation measures depend on timing /location of burn, resource management objectives, vegetation type, and available resources.



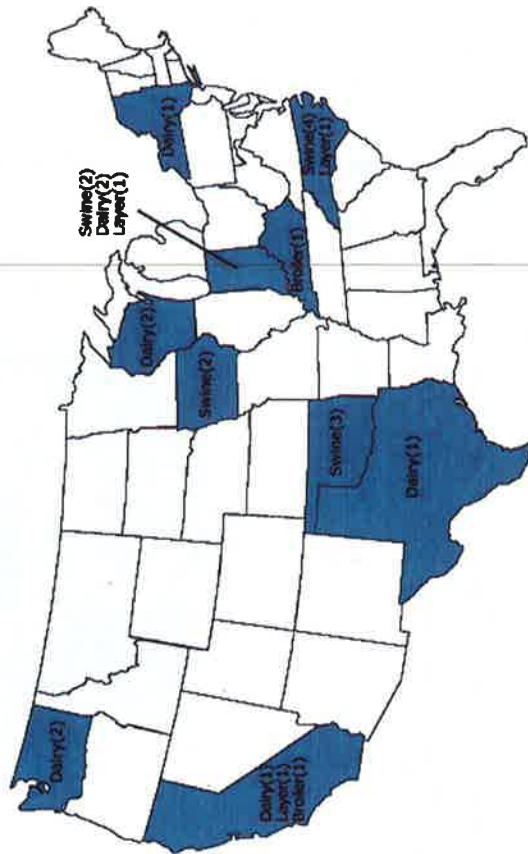


# National Air Emissions Monitoring Study

- Background

- 2 year, industry-funded study coordinated by Purdue University with EPA oversight
- 24 sites in 10 states were monitored from 2007-2010
- Study gathered emissions data for PM (PM<sub>10</sub>, PM<sub>2.5</sub>, TSP), NH<sub>3</sub>, H<sub>2</sub>S, and VOCs
- Data will be used to develop emission estimating methodologies (EEMs) for broiler, egg layer, swine, and dairy AFOs
- NAEMS data and summary reports were made public on January 13, 2011: <http://www.epa.gov/airquality/agmonitoring/>
- January 19, 2011: EPA issued a Call for Information

## Monitoring Site Locations







## National Air Emissions Monitoring Study

- Schedule
  - Draft EEMs will be released for public review and comment on a rolling basis in the following order:
    - Broilers, Swine, Egg-layers, Dairy
  - Broiler draft anticipated to be released in June 2011
  - All EEMs are scheduled to be finalized by June 2012
  - Extensive outreach to all stakeholders during public review process
    - Webinars, conference calls, face-to-face meetings
- USDA collaboration
  - 2 NRCS and 2 ARS members will take part in the development of the methodologies





# Fire Policy

## Biogenics/Biofuels for GHGs

- Proposed deferral rule – deferral of applicability for CO<sub>2</sub> emissions from bioenergy/biogenic sources under PSD and Title V programs (proposed March 21, 2011)
- Interim guidance was also issued to help permitting authorities determine how to treat biogenic CO<sub>2</sub> emissions until the deferral rule is final
- During 3 year deferral period, EPA is conducting a detailed examination of the science associated with accounting for biogenic CO<sub>2</sub> emissions from stationary sources
- EPA is currently reviewing the submitted comments (comment period closed May 5, 2011)
- After the examination is complete: follow-on rulemaking to explain how biogenic CO<sub>2</sub> emissions should be treated and accounted for in PSD and Title V programs

## Requests and Petitions

- Ammonia
  - April 2011 petition to regulate  $\text{NH}_3$  as a criteria pollutant under CAA sections 108 and 109
    - Major Petitioners: EIP, Assoc. of Irrigated Residents, Food & Water Watch, HSUS, Johns Hopkins Center for a Livable Future, Sierra Club, Waterkeeper Alliance
- CAFOS
  - September 2010 petition to list CAFOs under CAA section 111(B)
    - Pollutants of concern: GHGs ( $\text{CH}_4$ ,  $\text{N}_2\text{O}$ ),  $\text{H}_2\text{S}$ ,  $\text{NH}_3$ , PM, VOCs
    - Major Petitioners: HSUS, Assoc. of Irrigated Residents, CRPE, EIP, Sierra Club, Waterkeeper Alliance
- Hydrogen Sulfide
  - March 2009 request to list  $\text{H}_2\text{S}$  as a HAP under CAA section 112(B)
    - Major Petitioners: Sierra Club along with Earthjustice, EIP

**From:** [Randy Waite](#)  
**To:** [Kathleen Deener](#)  
**Cc:** [Anne Rea](#); [Audrey Galizia](#); [Bill Schrock](#); [Bryan Hubbell](#); [Chris Sarsony](#); [Christine Davis](#); [Dale Everts](#); [David Schmeitz](#); [Elizabeth Corona](#); [Ginger Tennant](#); [John Vandenberg](#); [JTravis Smith](#); [Karen Hammerstrom](#); [Karen Martin](#); [Kelly Rimer](#); [Kris Novak](#); [Lydia Wegman](#); [Lynn Flowers](#); [Margaret Zawacki](#); [Mary Reiley](#); [Paul White](#); [Randy Waite](#); [Richard Haeuber](#); [Robin Dunkins](#); [Rosalina Rodriguez](#); [Samantha Jones](#); [Sarah Mazur](#); [Susan Rieth](#); [Tara Greaver](#); [Vincent Cogliano](#)  
**Subject:** Re: Briefing on draft IRIS ammonia assessment  
**Date:** 08/01/2012 01:16 PM  
**Attachments:** [PETITIONS.docx](#)

---

Hi Kacee,

You mentioned to me that you would be interested to hear a little about the two petitions we have received related to ammonia. Attached is a short description of the two petitions for your perusal. I am looking forward to the call this afternoon.

Thanks,  
Randy



Randy Waite  
Air-Water Program Manager  
Health and Environmental Impacts Division  
Office of Air Quality Planning and Standards  
US Environmental Protection Agency  
919-541-5447



**From:** [Waite, Randy](#)  
**To:** [Waite, Randy](#)  
**Subject:** Ammonia Petition  
**Date:** Thursday, May 01, 2014 1:33:08 PM  
**Attachments:** [Ammonia Petition.msg](#)

---

-----  
**Subject:** Ammonia Petition

**Location:** RTP-OAQPS-541-4486-SPPD/Phone-Line/RTP-OAQPS-BLDG-C; RTP-OAQPS-E141B/RTP-OAQPS-BLDG-E

**Start:** Tue 4/16/2013 1:30 PM

**End:** Tue 4/16/2013 2:00 PM

**Recurrence:** (none)

**Meeting Status:** Accepted

**Organizer:** Dunkins, Robin

**Required Attendees:** Schrock, Bill; Waite, Randy; Harnett, Bill; Igoe, Sheila; hannon, john

**Optional Attendees:** Tennant, Ginger



**Schrock, Bill**

---

**From:** Schrock, Bill  
**Sent:** Friday, November 01, 2013 8:08 AM  
**To:** 'Hannah Connor'  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act  
**Attachments:** HSUS Petition Update\_103113.pdf

Hannah-Attached is a letter summarizing our recent conversations. Let me know if you need anything else.  
Thanks

Bill Schrock  
U.S. EPA  
RTP, NC 27709  
(919) 541-5032  
(919) 541-3470 (fax)

---

**From:** Hannah Connor [mailto:hconnor@humanesociety.org]  
**Sent:** Wednesday, September 25, 2013 3:03 PM  
**To:** Dunkins, Robin; Schrock, Bill  
**Cc:** theinzen@environmentalintegrity.org  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Robin,

Thank you for your and Larry Elmore's presentation during the Environmental Justice Community Conference Call this afternoon. I found it quite interesting. In particular, during the call (and in response to specific stakeholder concerns about ongoing problems related to releases of air pollutants from CAFOs into communities and the environment), you stressed the HSUS and EIP petitions for regulating CAFOs under the Clean Air Act, and provided that the Agency is in the process of analyzing and making a determination on the regulatory requests contained therein. This seems to me to be different from the position taken by the Agency during our August meeting (as partially summarized below); but since I have not yet received a summary letter from the Agency on that meeting, perhaps it has since decided to alter or otherwise revise its approach and estimated timeline for responding to these petitions. If the Agency has revised its approach and/or estimated timeline for determination, we would be very interested in discussing those changes with you. If it has not, please provide the status update and encapsulation letter, as promised during the August 20 meeting.

Thank you,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



Celebrating Animals | Confronting Cruelty



This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

---

**From:** Hannah Connor  
**Sent:** Thursday, September 05, 2013 12:11 PM  
**To:** 'Dunkins, Robin'; 'schrock.bill@epa.gov'  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Dunkins and Mr. Schrock,

Thank you again for meeting with Laura Schierhoff, Tarah Heinzen, and me on August 20. During that meeting, we discussed the 2008 Humane Society petition to the U.S. EPA to list concentrated animal feeding operations (CAFOs) as a category of sources under section 111(B)(1)(A) of the Clean Air Act, and to promulgate standards of performance for new CAFOs ("HSUS petition"), and you provided us with an update on the Agency's consideration of that petition. At the end of the meeting, you agreed that the EPA would provide the HSUS with a letter summarizing our conversation. As discussed, the letter was to address, at a minimum, the following points:

1. A confirmation that the Agency will not, at this time, open a docket for this request;
2. A summary of the Agency's position that it does not intend to consider the HSUS petition until after the Air Compliance Agreement and related Emissions Estimating Methodologies are finalized and the terms of the Agreement are completed, and the Agency's related reasoning;
3. An estimated timeline for when the Agency believes that it will consider and substantively respond to the HSUS petition; and
4. A confirmation that the EPA has not yet assigned a tracking number to this petition.

I have not yet received such an encapsulation a letter from the Agency, but am hopeful that the Agency has merely not had the opportunity to complete the request. Can you please provide me with an estimate of when you think I should expect to see the discussed letter? I want to make sure it doesn't get lost in the shuffle.

Thank you, again.

Sincerely,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



Celebrating Animals | Confronting Cruelty

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of

this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

---

**From:** Dunkins, Robin [<mailto:Dunkins.Robin@epa.gov>]  
**Sent:** Thursday, June 06, 2013 6:09 PM  
**To:** Hannah Connor  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Connor, my apologies for not getting back to you sooner. I've been in and out of the office this past month. I will call you or Laura Schierhoff next week to set up some time to discuss a status update.

Thank you,  
Robin Dunkins

---

**From:** Hannah Connor [<mailto:hconnor@humanesociety.org>]  
**Sent:** Monday, May 13, 2013 3:48 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Dunkins,

I am writing to request that the EPA provide a status update on its consideration of the pending Humane Society of the United States petition to list concentrated animal feeding operations ("CAFOs") as stationary sources and to promulgate all commensurate standards of performance under the Clean Air Act. The petition was submitted to the Agency in September of 2009.

I would also like to formally request for the EPA to open a docket on this petition, if it has not done so already.

My predecessor's notes list you as the primary agency contact on this petition. If that is not accurate, I respectfully request that you please direct this inquiry to the correct contact, and that you provide me with that party's contact information.

I look forward to hearing from you on this matter at your earliest convenience.

Thank you,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



Celebrating Animals | Confronting Cruelty

**This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.**



**Schrock, Bill**

---

**From:** Dunkins, Robin  
**Sent:** Thursday, August 08, 2013 4:25 PM  
**To:** Elmore, Larry; Schrock, Bill  
**Cc:** Igoe, Sheila  
**Subject:** FW: Documents in support of pending AFO air emissions petitions  
**Attachments:** Index of Works in Support of AFO Air Emissions Petitions Aug. 2013.pdf

Fyi...

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Tuesday, August 06, 2013 9:24 AM  
**To:** Waite, Randy; Dunkins, Robin  
**Subject:** Documents in support of pending AFO air emissions petitions

Dear Mr. Waite and Ms. Dunkins,

The Environmental Integrity Project has compiled numerous studies and reports in support of two pending citizen petitions to regulate air emissions from animal feeding operations under the Clean Air Act: Environmental Integrity Project, et al. v. U.S. Environmental Protection Agency, Petition for the Regulation of Ammonia as a Criteria Pollutant under Clean Air Act Sections 108 and 109 (submitted April 2011); and The Humane Society of the U.S., et al. v. U.S. Environmental Protection Agency, Petition to List Concentrated Animal Feeding Operations under Clean Air Act Section 111(B)(1)(A) of the Clean Air Act, and to Promulgate Standards of Performance under Clean Air Act Sections 111(B)(1)(B) and 111(D) (submitted September 2009).

Yesterday EIP sent a CD of the documents and hard copies of the journal articles to you by registered mail. I've attached an index of the studies. Please let me know if you would like us to send you the files electronically as well, or if you have any questions.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

**Schrock, Bill**

---

**From:** Schrock, Bill  
**Sent:** Tuesday, August 06, 2013 3:12 PM  
**To:** Elmore, Larry  
**Subject:** Accepted: Environmental Integrity Project's FOIA request

**Schrock, Bill**

---

**From:** Elmore, Larry  
**Sent:** Tuesday, August 06, 2013 2:34 PM  
**To:** Howland, Sanda; Sullivan, Tim; Beasley, Lynn; Igoe, Sheila; Hanlon, Edward; Nugent, Angela; Schrock, Bill; Merrill, Raymond; Myers, Ron; Thompson, Rhonda; Bereznicki, Sarah; Benedict, Kristen; Walker, John; Thoma, Eben; Danny Greene; Dunkins, Robin  
**Cc:** Russell, Sherry  
**Subject:** FOIA - Environmental Integrity Project Animal Feeding Operation Emission Estimating Methodology  
**Attachments:** Heinzen Rqst - EPA-HQ-2013-008469.pdf

I want to make you aware of a FOIA for which you may have response documents. EPA recently received the attached FOIA for the Environmental Integrity Project (EIP) requesting information related to:

1. Our effort to develop emission estimating methodologies (EEMs) for animal feeding operations (AFO);
2. EIP's petition to regulate ammonia as a criteria pollutant; and
3. Humane Society's petition to list concentrated AFOs under the Clean Air Act

My plan is to schedule a teleconference for early next week to discuss submission of the requested information. Prior to our call, I will contact EIP to negotiate a revised schedule to submit the requested data. With regard to the AFO EEM information, I envision it taking until mid October to compile, convert and review the requested material. If you disagree with my proposed schedule, please let me know as soon as possible.

With regards to the AFO EEM request, if you are no longer your office's contact for this project, please let me know who has been assigned as your replacement.

Robin – in addition to yourself, whom should I add to this distribution list for items 2 & 3 of EIP's request?

Danny – please coordinate this FOIA within ERG and your subcontractor(s).

Thanks!!

*Larry Elmore*

US EPA

Office of Air Quality Planning & Standards

919/541-5433 (phone)

919/541-3470 (fax)

**Schrock, Bill**

---

**From:** Dunkins, Robin  
**Sent:** Tuesday, August 06, 2013 2:27 PM  
**To:** Schrock, Bill  
**Subject:** Fw: HSUS 2009 Petition

---

**From:** Laura Schierhoff <[lschierhoff@humanesociety.org](mailto:lschierhoff@humanesociety.org)>  
**Sent:** Tuesday, August 06, 2013 10:38:49 AM  
**To:** Dunkins, Robin  
**Subject:** HSUS 2009 Petition

Good morning Robin,

I was hoping to touch base with you on our petition submitted in 2009. Any availability you may have to have a short discussion on the status would be really appreciated. Please let me know if you are not the contact person for this petition any longer.

Thank you!

**Laura Schierhoff**  
Regulatory Specialist, Federal Affairs  
[lschierhoff@humanesociety.org](mailto:lschierhoff@humanesociety.org)  
t 202.955.3670 f 202.676.2301

The Humane Society of the United States  
2100 L Street NW Washington, DC 20037  
[humanesociety.org](http://humanesociety.org)  
[Join Our Email List](#) [Facebook](#) [Twitter](#) [Blog](#)



*To support The Humane Society of the United States, please make a monthly donation, or give in another way, via a gift donation or memorial donation or donating your vehicle. You can also volunteer for The HSUS, and see our 55 ways you can help animals.*

*The HSUS is rated a 4-star charity (the highest possible) by Charity Navigator, approved by the Better Business Bureau for all 20 standards for charity accountability, voted by Guidestar's Philanthropedia experts as the #1 high-impact animal protection group, and named by Worth Magazine as one of the 10 most fiscally responsible charities.*



**Schrock, Bill**

---

**From:** Waite, Randy  
**Sent:** Tuesday, July 09, 2013 10:36 AM  
**To:** Tarah Heinzen  
**Cc:** Schrock, Bill; Eric Schaeffer  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,

The call in number for today's call at 3:00 EDT will be 919-541-4376. If by chance you call and get an error message, it just means that we haven't opened the line yet, but will shortly.

Thanks,  
Randy

---

**From:** Tarah Heinzen [mailto:[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)]  
**Sent:** Wednesday, July 03, 2013 9:36 AM  
**To:** Waite, Randy  
**Cc:** Schrock, Bill; Eric Schaeffer  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Bill,  
July 9<sup>th</sup> at 3:00 works for me and Eric to discuss the status of EIP's ammonia petition. Please let me know if there will be a call in number.

Thanks,  
Tarah

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [mailto:[Waite.Randy@epa.gov](mailto:Waite.Randy@epa.gov)]  
**Sent:** Thursday, June 27, 2013 1:52 PM  
**To:** Tarah Heinzen  
**Cc:** Schrock, Bill  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,

I am out of the office from July 1 through July 8 and will not have email contact. A co-worker, Bill Schrock will be in on July 2. If you can send him an email with times that you and Eric are free, he will be happy to schedule the meeting for us. It looks like July 9 between 3:00 and 4:00 might be the best time for us.

Thanks,  
Randy

---

**From:** Tarah Heinzen [mailto:[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)]  
**Sent:** Wednesday, June 19, 2013 2:02 PM  
**To:** Waite, Randy  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,

We would appreciate a status call. Our Executive Director, Eric Schaeffer, is out without email access until July 2<sup>nd</sup>, and I would like to schedule the call for a time when he can join. I'll check in with him about his schedule when he returns – in the meantime, if there are any good times on July 3<sup>rd</sup> or the week of the 8<sup>th</sup>, please let me know.

Thanks,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]  
**Sent:** Wednesday, June 19, 2013 8:38 AM  
**To:** Tarah Heinzen  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,

We would like to have a call to discuss the status of the petition with you. What are some good times for you, possibly later this week or next?

Thanks,  
Randy

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Monday, June 10, 2013 2:39 PM  
**To:** Waite, Randy  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant  
**Importance:** High

Hi again Randy,

I am following up on the emails I have sent you over the past several months. Please let me know the status of this 2011 petition, and if the EPA contact for the petition has changed, please direct me to the appropriate contact. Again, EIP requests that EPA open a docket for the petition as soon as possible.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Tarah Heinzen  
**Sent:** Monday, April 29, 2013 10:59 AM  
**To:** 'Waite, Randy'  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,  
I'm just following up on this email from several weeks ago. Please let me know the petition's status and when EPA will be able to open a docket at your earliest convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]  
**Sent:** Tuesday, April 09, 2013 2:32 PM  
**To:** Tarah Heinzen  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Ms. Heinzen,

I wanted to acknowledge receipt of your request and to let you know that I am looking into the status of the petition. I will be in touch as soon as I have gathered the pertinent information.

Thanks,  
Randy Waite

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Friday, March 22, 2013 1:26 PM  
**To:** Waite, Randy  
**Subject:** EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Mr. Waite,

I am writing to request a status update on EPA's consideration of the Environmental Integrity Project's pending April 5, 2011 petition to list ammonia under section 108 of the Clean Air Act as a criteria pollutant, and to request that EPA open a docket on the petition.

A copy of EPA's petition acknowledgement letter is attached. I would be happy to discuss the petition and request for a docket at your convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900

Washington, D.C. 20005

(202) 263-4441 (office)

(202) 297-7808 (cell)

[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

Subject: RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,

I am out of the office from July 1 through July 8 and will not have email contact. A co-worker, Bill Schrock will be in on July 2. If you can send him an email with times that you and Eric are free, he will be happy to schedule the meeting for us. It looks like July 9 between 3:00 and 4:00 might be the best time for us.

Thanks,  
Randy

From: Tarah Heinzen [mailto:theinzen@environmentalintegrity.org]  
Sent: Wednesday, June 19, 2013 2:02 PM  
To: Waite, Randy  
Subject: RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,

We would appreciate a status call. Our Executive Director, Eric Schaeffer, is out without email access until July 2nd, and I would like to schedule the call for a time when he can join. I'll check in with him about his schedule when he returns - in the meantime, if there are any good times on July 3rd or the week of the 8th, please let me know.

Thanks,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
theinzen@environmentalintegrity.org<mailto:theinzen@environmentalintegrity.org>

From: Waite, Randy [mailto:Waite.Randy@epa.gov]  
Sent: Wednesday, June 19, 2013 8:38 AM

To: Tarah Heinzen  
Subject: RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,

We would like to have a call to discuss the status of the petition with you. What are some good times for you, possibly later this week or next?

Thanks,  
Randy

From: Tarah Heinzen [mailto:theinzen@environmentalintegrity.org]  
Sent: Monday, June 10, 2013 2:39 PM  
To: Waite, Randy  
Subject: RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant  
Importance: High

Hi again Randy,

I am following up on the emails I have sent you over the past several months. Please let me know the status of this 2011 petition, and if the EPA contact for the petition has changed, please direct me to the appropriate contact. Again, EIP requests that EPA open a docket for the petition as soon as possible.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
theinzen@environmentalintegrity.org<mailto:theinzen@environmentalintegrity.org>

From: Tarah Heinzen  
Sent: Monday, April 29, 2013 10:59 AM  
To: 'Waite, Randy'  
Subject: RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,

I'm just following up on this email from several weeks ago. Please let me know the petition's status and when EPA will be able to open a docket at your earliest convenience.

Best,

Tarah Heinzen

Attorney

Environmental Integrity Project

One Thomas Circle NW, Suite 900

Washington, D.C. 20005

(202) 263-4441 (office)

(202) 297-7808 (cell)

theinzen@environmentalintegrity.org<mailto:theinzen@environmentalintegrity.org>

From: Waite, Randy [mailto:Waite.Randy@epa.gov]

Sent: Tuesday, April 09, 2013 2:32 PM

To: Tarah Heinzen

Subject: RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Ms. Heinzen,

I wanted to acknowledge receipt of your request and to let you know that I am looking into the status of the petition. I will be in touch as soon as I have gathered the pertinent information.

Thanks,

Randy Waite

From: Tarah Heinzen [mailto:theinzen@environmentalintegrity.org]

Sent: Friday, March 22, 2013 1:26 PM

To: Waite, Randy

Subject: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Mr. Waite,

I am writing to request a status update on EPA's consideration of the Environmental Integrity Project's pending April 5, 2011 petition to

list ammonia under section 108 of the Clean Air Act as a criteria pollutant, and to request that EPA open a docket on the petition.

A copy of EPA's petition acknowledgement letter is attached. I would be happy to discuss the petition and request for a docket at your convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
theinzen@environmentalintegrity.org<mailto:theinzen@environmentalintegrity.org>



**Schrock, Bill**

---

**From:** Laura Schierhoff [lschierhoff@humanesociety.org]  
**Sent:** Monday, July 08, 2013 1:42 PM  
**To:** Dunkins, Robin  
**Cc:** Schrock, Bill  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Hi Robin,

I wanted to check in with you about this meeting and whether you received my last email with our availability. I have been having problems with my email, so you may not have received it. If we could meet sometime in the next couple weeks, that would be great.

Thank you,  
Laura Schierhoff

---

**From:** Dunkins, Robin [mailto:Dunkins.Robin@epa.gov]  
**Sent:** Tuesday, June 25, 2013 9:48 AM  
**To:** Hannah Connor  
**Cc:** Laura Schierhoff; Schrock, Bill  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Hannah,

I'm checking to see your availability the early part of the week of July 8. Please advise.

Thanks  
Robin Dunkins

---

**From:** Hannah Connor [mailto:hconnor@humanesociety.org]  
**Sent:** Thursday, June 06, 2013 6:15 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

That would be great.

Sincerely,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



Celebrating Animals | Confronting Cruelty

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

---

**From:** Dunkins, Robin [<mailto:Dunkins.Robin@epa.gov>]  
**Sent:** Thursday, June 06, 2013 6:09 PM  
**To:** Hannah Connor  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Connor, my apologies for not getting back to you sooner. I've been in and out of the office this past month. I will call you or Laura Schierhoff next week to set up some time to discuss a status update.

Thank you,  
Robin Dunkins

---

**From:** Hannah Connor [<mailto:hconnor@humanesociety.org>]  
**Sent:** Monday, May 13, 2013 3:48 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Dunkins,

I am writing to request that the EPA provide a status update on its consideration of the pending Humane Society of the United States petition to list concentrated animal feeding operations ("CAFOs") as stationary sources and to promulgate all commensurate standards of performance under the Clean Air Act. The petition was submitted to the Agency in September of 2009.

I would also like to formally request for the EPA to open a docket on this petition, if it has not done so already.

My predecessor's notes list you as the primary agency contact on this petition. If that is not accurate, I respectfully request that you please direct this inquiry to the correct contact, and that you provide me with that party's contact information.

I look forward to hearing from you on this matter at your earliest convenience.

Thank you,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



**Celebrating Animals | Confronting Cruelty**

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

**Schrock, Bill**

---

**From:** Tarah Heinzen [theinzen@environmentalintegrity.org]  
**Sent:** Wednesday, July 03, 2013 9:36 AM  
**To:** Waite, Randy  
**Cc:** Schrock, Bill; Eric Schaeffer  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Bill,  
July 9<sup>th</sup> at 3:00 works for me and Eric to discuss the status of EIP's ammonia petition. Please let me know if there will be a call in number.

Thanks,  
Tarah

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [mailto:Waite.Randy@epa.gov]  
**Sent:** Thursday, June 27, 2013 1:52 PM  
**To:** Tarah Heinzen  
**Cc:** Schrock, Bill  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,  
I am out of the office from July 1 through July 8 and will not have email contact. A co-worker, Bill Schrock will be in on July 2. If you can send him an email with times that you and Eric are free, he will be happy to schedule the meeting for us. It looks like July 9 between 3:00 and 4:00 might be the best time for us.  
Thanks,  
Randy

---

**From:** Tarah Heinzen [mailto:theinzen@environmentalintegrity.org]  
**Sent:** Wednesday, June 19, 2013 2:02 PM  
**To:** Waite, Randy  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,

We would appreciate a status call. Our Executive Director, Eric Schaeffer, is out without email access until July 2<sup>nd</sup>, and I would like to schedule the call for a time when he can join. I'll check in with him about his schedule when he returns – in the meantime, if there are any good times on July 3<sup>rd</sup> or the week of the 8<sup>th</sup>, please let me know.

Thanks,

Tarah Heinzen  
Attorney  
Environmental Integrity Project

One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]  
**Sent:** Wednesday, June 19, 2013 8:38 AM  
**To:** Tarah Heinzen  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,  
We would like to have a call to discuss the status of the petition with you. What are some good times for you, possibly later this week or next?  
Thanks,  
Randy

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Monday, June 10, 2013 2:39 PM  
**To:** Waite, Randy  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant  
**Importance:** High

Hi again Randy,  
I am following up on the emails I have sent you over the past several months. Please let me know the status of this 2011 petition, and if the EPA contact for the petition has changed, please direct me to the appropriate contact. Again, EIP requests that EPA open a docket for the petition as soon as possible.  
Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Tarah Heinzen  
**Sent:** Monday, April 29, 2013 10:59 AM  
**To:** 'Waite, Randy'  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,  
I'm just following up on this email from several weeks ago. Please let me know the petition's status and when EPA will be able to open a docket at your earliest convenience.  
Best,

Tarah Heinzen  
Attorney

Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]  
**Sent:** Tuesday, April 09, 2013 2:32 PM  
**To:** Tarah Heinzen  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Ms. Heinzen,

I wanted to acknowledge receipt of your request and to let you know that I am looking into the status of the petition. I will be in touch as soon as I have gathered the pertinent information.

Thanks,  
Randy Waite

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Friday, March 22, 2013 1:26 PM  
**To:** Waite, Randy  
**Subject:** EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Mr. Waite,

I am writing to request a status update on EPA's consideration of the Environmental Integrity Project's pending April 5, 2011 petition to list ammonia under section 108 of the Clean Air Act as a criteria pollutant, and to request that EPA open a docket on the petition.

A copy of EPA's petition acknowledgement letter is attached. I would be happy to discuss the petition and request for a docket at your convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

**Schrock, Bill**

---

**From:** Tarah Heinzen [theinzen@environmentalintegrity.org]  
**Sent:** Thursday, June 27, 2013 2:04 PM  
**To:** Waite, Randy  
**Cc:** Schrock, Bill  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Thanks Randy and Bill,  
I'll be in touch about availability when Eric is back next week. Hopefully the 9<sup>th</sup> will work for us as well.  
Best,  
tarah

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [mailto:Waite.Randy@epa.gov]  
**Sent:** Thursday, June 27, 2013 1:52 PM  
**To:** Tarah Heinzen  
**Cc:** Schrock, Bill  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,  
I am out of the office from July 1 through July 8 and will not have email contact. A co-worker, Bill Schrock will be in on July 2. If you can send him an email with times that you and Eric are free, he will be happy to schedule the meeting for us. It looks like July 9 between 3:00 and 4:00 might be the best time for us.  
Thanks,  
Randy

---

**From:** Tarah Heinzen [mailto:theinzen@environmentalintegrity.org]  
**Sent:** Wednesday, June 19, 2013 2:02 PM  
**To:** Waite, Randy  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,

We would appreciate a status call. Our Executive Director, Eric Schaeffer, is out without email access until July 2<sup>nd</sup>, and I would like to schedule the call for a time when he can join. I'll check in with him about his schedule when he returns – in the meantime, if there are any good times on July 3<sup>rd</sup> or the week of the 8<sup>th</sup>, please let me know.

Thanks,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900

Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]  
**Sent:** Wednesday, June 19, 2013 8:38 AM  
**To:** Tarah Heinzen  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,  
We would like to have a call to discuss the status of the petition with you. What are some good times for you, possibly later this week or next?  
Thanks,  
Randy

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Monday, June 10, 2013 2:39 PM  
**To:** Waite, Randy  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant  
**Importance:** High

Hi again Randy,  
I am following up on the emails I have sent you over the past several months. Please let me know the status of this 2011 petition, and if the EPA contact for the petition has changed, please direct me to the appropriate contact. Again, EIP requests that EPA open a docket for the petition as soon as possible.  
Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Tarah Heinzen  
**Sent:** Monday, April 29, 2013 10:59 AM  
**To:** 'Waite, Randy'  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,  
I'm just following up on this email from several weeks ago. Please let me know the petition's status and when EPA will be able to open a docket at your earliest convenience.  
Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project



One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]  
**Sent:** Tuesday, April 09, 2013 2:32 PM  
**To:** Tarah Heinzen  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Ms. Heinzen,

I wanted to acknowledge receipt of your request and to let you know that I am looking into the status of the petition. I will be in touch as soon as I have gathered the pertinent information.

Thanks,  
Randy Waite

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Friday, March 22, 2013 1:26 PM  
**To:** Waite, Randy  
**Subject:** EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Mr. Waite,

I am writing to request a status update on EPA's consideration of the Environmental Integrity Project's pending April 5, 2011 petition to list ammonia under section 108 of the Clean Air Act as a criteria pollutant, and to request that EPA open a docket on the petition.

A copy of EPA's petition acknowledgement letter is attached. I would be happy to discuss the petition and request for a docket at your convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

**Schrock, Bill**

---

**From:** Waite, Randy  
**Sent:** Thursday, June 27, 2013 1:52 PM  
**To:** Tarah Heinzen  
**Cc:** Schrock, Bill  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,

I am out of the office from July 1 through July 8 and will not have email contact. A co-worker, Bill Schrock will be in on July 2. If you can send him an email with times that you and Eric are free, he will be happy to schedule the meeting for us. It looks like July 9 between 3:00 and 4:00 might be the best time for us.

Thanks,  
Randy

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Wednesday, June 19, 2013 2:02 PM  
**To:** Waite, Randy  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,

We would appreciate a status call. Our Executive Director, Eric Schaeffer, is out without email access until July 2<sup>nd</sup>, and I would like to schedule the call for a time when he can join. I'll check in with him about his schedule when he returns – in the meantime, if there are any good times on July 3<sup>rd</sup> or the week of the 8<sup>th</sup>, please let me know.

Thanks,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]  
**Sent:** Wednesday, June 19, 2013 8:38 AM  
**To:** Tarah Heinzen  
**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Tarah,

We would like to have a call to discuss the status of the petition with you. What are some good times for you, possibly later this week or next?

Thanks,  
Randy

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Monday, June 10, 2013 2:39 PM  
**To:** Waite, Randy

**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

**Importance:** High

Hi again Randy,

I am following up on the emails I have sent you over the past several months. Please let me know the status of this 2011 petition, and if the EPA contact for the petition has changed, please direct me to the appropriate contact. Again, EIP requests that EPA open a docket for the petition as soon as possible.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Tarah Heinzen

**Sent:** Monday, April 29, 2013 10:59 AM

**To:** 'Waite, Randy'

**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Hi Randy,

I'm just following up on this email from several weeks ago. Please let me know the petition's status and when EPA will be able to open a docket at your earliest convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

---

**From:** Waite, Randy [<mailto:Waite.Randy@epa.gov>]

**Sent:** Tuesday, April 09, 2013 2:32 PM

**To:** Tarah Heinzen

**Subject:** RE: EIP 2011 Petition to list ammonia as a CAA criteria pollutant

Dear Ms. Heinzen,

I wanted to acknowledge receipt of your request and to let you know that I am looking into the status of the petition. I will be in touch as soon as I have gathered the pertinent information.

Thanks,  
Randy Waite

---

**From:** Tarah Heinzen [<mailto:theinzen@environmentalintegrity.org>]  
**Sent:** Friday, March 22, 2013 1:26 PM  
**To:** Waite, Randy  
**Subject:** EIP 2011 Petition to list ammonia as a CAA criteria pollutant -

Dear Mr. Waite,

I am writing to request a status update on EPA's consideration of the Environmental Integrity Project's pending April 5, 2011 petition to list ammonia under section 108 of the Clean Air Act as a criteria pollutant, and to request that EPA open a docket on the petition.

A copy of EPA's petition acknowledgement letter is attached. I would be happy to discuss the petition and request for a docket at your convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)

**Schrock, Bill**

---

**From:** Laura Schierhoff [lschierhoff@humanesociety.org]  
**Sent:** Tuesday, June 25, 2013 1:13 PM  
**To:** Dunkins, Robin; Hannah Connor  
**Cc:** Schrock, Bill  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

---

Hi Robin,

Thanks so much for getting back to us regarding our petition. I spoke with Hannah and we both have afternoons free on Thursday the 11<sup>th</sup> and Friday the 12<sup>th</sup>. We are looking forward to discussing the status of our petition with you and please let me know if these days/times do not work for you.

Thanks,  
Laura Schierhoff

---

**From:** Dunkins, Robin [mailto:Dunkins.Robin@epa.gov]  
**Sent:** Tuesday, June 25, 2013 9:48 AM  
**To:** Hannah Connor  
**Cc:** Laura Schierhoff; Schrock, Bill  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Hannah,

I'm checking to see your availability the early part of the week of July 8. Please advise.

Thanks  
Robin Dunkins

---

**From:** Hannah Connor [mailto:hconnor@humanesociety.org]  
**Sent:** Thursday, June 06, 2013 6:15 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

That would be great.

Sincerely,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



Celebrating Animals | Confronting Cruelty

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

---

**From:** Dunkins, Robin [<mailto:Dunkins.Robin@epa.gov>]  
**Sent:** Thursday, June 06, 2013 6:09 PM  
**To:** Hannah Connor  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Connor, my apologies for not getting back to you sooner. I've been in and out of the office this past month. I will call you or Laura Schierhoff next week to set up some time to discuss a status update.

Thank you,  
Robin Dunkins

---

**From:** Hannah Connor [<mailto:hconnor@humanesociety.org>]  
**Sent:** Monday, May 13, 2013 3:48 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Dunkins,

I am writing to request that the EPA provide a status update on its consideration of the pending Humane Society of the United States petition to list concentrated animal feeding operations ("CAFOs") as stationary sources and to promulgate all commensurate standards of performance under the Clean Air Act. The petition was submitted to the Agency in September of 2009.

I would also like to formally request for the EPA to open a docket on this petition, if it has not done so already.

My predecessor's notes list you as the primary agency contact on this petition. If that is not accurate, I respectfully request that you please direct this inquiry to the correct contact, and that you provide me with that party's contact information.

I look forward to hearing from you on this matter at your earliest convenience.

Thank you,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



**Celebrating Animals | Confronting Cruelty**

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

**Schrock, Bill**

---

**From:** Dunkins, Robin  
**Sent:** Tuesday, June 25, 2013 9:48 AM  
**To:** Hannah Connor  
**Cc:** Laura Schierhoff; Schrock, Bill  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Hannah,

I'm checking to see your availability the early part of the week of July 8. Please advise.

Thanks  
Robin Dunkins

---

**From:** Hannah Connor [mailto:hconnor@humanesociety.org]  
**Sent:** Thursday, June 06, 2013 6:15 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

That would be great.

Sincerely,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



**Celebrating Animals | Confronting Cruelty**

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

---

**From:** Dunkins, Robin [mailto:Dunkins.Robin@epa.gov]  
**Sent:** Thursday, June 06, 2013 6:09 PM  
**To:** Hannah Connor  
**Cc:** Laura Schierhoff  
**Subject:** RE: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Connor, my apologies for not getting back to you sooner. I've been in and out of the office this past month. I will call you or Laura Schierhoff next week to set up some time to discuss a status update.



Thank you,  
Robin Dunkins

---

**From:** Hannah Connor [<mailto:hconnor@humanesociety.org>]  
**Sent:** Monday, May 13, 2013 3:48 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Dunkins,

I am writing to request that the EPA provide a status update on its consideration of the pending Humane Society of the United States petition to list concentrated animal feeding operations ("CAFOs") as stationary sources and to promulgate all commensurate standards of performance under the Clean Air Act. The petition was submitted to the Agency in September of 2009.

I would also like to formally request for the EPA to open a docket on this petition, if it has not done so already.

My predecessor's notes list you as the primary agency contact on this petition. If that is not accurate, I respectfully request that you please direct this inquiry to the correct contact, and that you provide me with that party's contact information.

I look forward to hearing from you on this matter at your earliest convenience.

Thank you,

**Hannah Connor**  
Staff Attorney  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



*Celebrating Animals | Confronting Cruelty*

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

**Schrock, Bill**

---

**From:** Dunkins, Robin  
**Sent:** Monday, May 13, 2013 3:51 PM  
**To:** Harnett, Bill; Culligan, Kevin; Fruh, Steve; Schrock, Bill; Elmore, Larry  
**Cc:** Igoe, Sheila; Zenick, Elliott; Ginsburg, Eric; McLamb, Marguerite  
**Subject:** FW: HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

fyi

---

**From:** Hannah Connor [<mailto:hconnor@humanesociety.org>]  
**Sent:** Monday, May 13, 2013 3:48 PM  
**To:** Dunkins, Robin  
**Cc:** Laura Schierhoff  
**Subject:** HSUS 2009 Petition to List CAFOs as Stationary Sources under the Clean Air Act

Ms. Dunkins,

I am writing to request that the EPA provide a status update on its consideration of the pending Humane Society of the United States petition to list concentrated animal feeding operations ("CAFOs") as stationary sources and to promulgate all commensurate standards of performance under the Clean Air Act. The petition was submitted to the Agency in September of 2009.

I would also like to formally request for the EPA to open a docket on this petition, if it has not done so already.

My predecessor's notes list you as the primary agency contact on this petition. If that is not accurate, I respectfully request that you please direct this inquiry to the correct contact, and that you provide me with that party's contact information.

I look forward to hearing from you on this matter at your earliest convenience.

Thank you,

**Hannah Connor**  
**Staff Attorney**  
The Humane Society of the United States  
Animal Protection Litigation

2100 L Street NW Washington, DC 20037  
t 202.676.2354 f 202.676.2357  
[hconnor@humanesociety.org](mailto:hconnor@humanesociety.org)  
[humanesociety.org/litigation](http://humanesociety.org/litigation)



Celebrating Animals | Confronting Cruelty

This is intended to be a confidential communication only to the person or persons to whom it is addressed, and may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer.

Dear Mr. Waite,

I am writing to request a status update on EPA's consideration of the Environmental Integrity Project's pending April 5, 2011 petition to list ammonia under section 108 of the Clean Air Act as a criteria pollutant, and to request that EPA open a docket on the petition.

A copy of EPA's petition acknowledgement letter is attached. I would be happy to discuss the petition and request for a docket at your convenience.

Best,

Tarah Heinzen  
Attorney  
Environmental Integrity Project  
One Thomas Circle NW, Suite 900  
Washington, D.C. 20005  
(202) 263-4441 (office)  
(202) 297-7808 (cell)  
[theinzen@environmentalintegrity.org](mailto:theinzen@environmentalintegrity.org)