

**From:** Jones, Enesta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65B8E6C6E5CA4A7A9AE85D98A4C8EEDB-EJONES02]  
**Sent:** 3/2/2018 8:00:31 PM  
**To:** Morgan Niezing [REDACTED] Ex. 6  
**CC:** Press [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b293283291dc44e0b5d1c36be9281d8a-Press]  
**Subject:** RE: CAFO Inquiry

Morgan,

**On background:**

After a thorough review, EPA denied the petition to list concentrated animal feeding operations (CAFOs) for regulation under section 111 of the Clean Air Act given EPA's multiple ongoing actions to address CAFO emissions. Continuing to implement the agency's strategy for this complex sector remains the best approach to addressing CAFO emissions at this time. That strategy focuses first on evaluating CAFO emissions and then determining what approach would be most appropriate to address CAFO emissions to protect public health and welfare. It also includes other actions the agency is undertaking, such as issuing best management practices for addressing CAFO emissions: EPA and USDA released best management practices for livestock and poultry production farms in September 2017.

**In the denial of the 2009 petition, Mr. Pruitt states that there are cases in which a CAFO with fewer animals could have higher emissions than a CAFO with greater numbers of the same species. What are some examples of those cases?**

As noted in the letter responding to petitioners (docket ID number EPA-HQ-OAR-2017-0638-003), CAFO emissions cannot be standardized based solely on the number and type of animals at each operation. Many other factors influence CAFO emissions, including: the geographic location and environmental conditions (such as the soil type, soil type, precipitation, humidity, temperature, water availability, wind conditions and terrain); what the animals are fed and how manure is managed; the type of housing used at the CAFO; and other general management practices. Because of this, emissions can vary significantly by CAFO.

**A lack of accurate emissions estimation methodologies is listed as one of the reasons for denial of the 2009 petition. What estimation methodologies are being explored?**

As EPA noted in the letter responding to the petitioners, the agency is developing emissions estimating methodologies based on emissions data collected for the National Air Emissions Monitoring Study (NAEMS), in consideration of recommendations from EPA's Science Advisory Board. More detail is available in section III.B. of the letter.

**What would process-based methodologies involve?**

The National Research Council report referenced in the letter to petitioners, *Air Emissions from Animal Feeding Operations: Current Knowledge, Future Needs*, describes process-based modeling approaches for estimating air emissions from animal feeding operations" "Process-based modeling approach[es] involve analysis of the farm system through study of its component parts. [They] integrate mathematical modeling and experimental data to simulate conversion and transfer of reactants and products through the farm enterprise (Denmead, 1997; Jarvis, 1997)." For an in-depth discussion of this approach, please refer to chapter 5 of the report. A link is below.

*[Full reference –Ad Hoc Committee on Air Emissions from Animal Feeding Operations, Committee on Animal Nutrition, National Research Council, Air Emissions from Animal Feeding Operations: Current Knowledge, Future Needs (2003). ISBN: 0-309-50758-8. <http://www.nap.edu/catalog/10586.html>.]*

**How is the EPA working to gather information on CAFO emissions in order to possibly regulate them under CAA section 111 in the future?**

As the letter responding to the petitioners notes, the EPA gathered information for NAEMS to better understand and evaluate CAFO emissions. A research team, led by Purdue University with EPA oversight, collected emissions data for

NAEMS from 2007 to 2010. This work is ongoing. More information about the study, including the final reports containing the data that was collected, are available [here](#).

**A shrinking staff and declining budget are also listed as reasons for the denial of the 2009 petition. What level of resources (staff, funding, etc.) are being put toward improving emissions estimations for CAFOs? What impact have staffing and budgetary concerns had thus far?**

Since a 2017 report, EPA has hired a new staff person with the appropriate expertise, and research support through Oak Ridge Associated Universities (ORAU) to complete the development of the methodologies.

**How does regulating CAFO emissions compare to other EPA initiatives currently in progress in terms of priority?**

Developing further information concerning CAFO emissions and determining appropriate next steps is one of the many important tasks before the agency.

**In response to the OIG's report, the EPA's Office of Air and Radiation outlined its plan to complete NAEMS and conduct systematic planning for future development of emission-estimating methodologies by April 2018. Is that initiative on track to be released on schedule?**

To clarify, as one step toward completion of NAEMS, OAR agreed with the OIG recommendation to conduct systematic planning (i.e., develop a Quality Assurance Project Plan (QAPP)) for future development of emission-estimating methodologies by April 2018. At this time, we anticipate completing the QAPP on schedule and proceeding in accordance with the plan outlined in the OIG report.

**From:** Morgan Niezing; Ex. 6

**Sent:** Monday, February 26, 2018 3:51 PM

**To:** Jones, Enesta <Jones.Enesta@epa.gov>

**Subject:** Re: CAFO Inquiry

Hello Enesta,

Listed below are the specific questions. If you could have the answers submitted to me by March 2, that would be best, but please let me know if you would need more time to provide in-depth answers.

1. In the denial of the 2009 petition, Mr. Pruitt states that there are cases in which a CAFO with fewer animals could have higher emissions than a CAFO with greater numbers of the same species. What are some examples of those cases?
2. A lack of accurate emissions estimation methodologies is listed as one of the reasons for denial of the 2009 petition. What estimation methodologies are being explored?
3. What would process-based methodologies involve?
4. How is the EPA working to gather information on CAFO emissions in order to possibly regulate them under CAA section 111 in the future?
5. A shrinking staff and declining budget are also listed as reasons for the denial of the 2009 petition. What level of resources (staff, funding, etc.) are being put toward improving emissions estimations for CAFOs? What impact have staffing and budgetary concerns had thus far?
6. How does regulating CAFO emissions compare to other EPA initiatives currently in progress in terms of priority?
7. In response to the OIG's report, the EPA's Office of Air and Radiation outlined its plan to complete NAEMS and conduct systematic planning for future development of emission-estimating methodologies by April 2018. Is that initiative on track to be released on schedule?

Thank you for your assistance and feel free to contact me through email or by phone if you need any clarification on the questions or have other information on the EPA's decision to not regulate CAFOs under the Clean Air Act at this point in time.

Morgan Niezing

On Mon, Feb 26, 2018 at 1:55 PM, Jones, Enesta <[Jones.Enesta@epa.gov](mailto:Jones.Enesta@epa.gov)> wrote:

Hi Morgan, please see along specific questions and firm deadline.

Thanks,  
Enesta