

From: Dominguez, Alexander
Location: Location: 1200 Pennsylvania Avenue, NW (North) - Room 1332 WJCN
Importance: Normal
Subject: Meeting -US Poultry and Egg Association
Start Date/Time: Tue 7/11/2017 5:00:00 PM
End Date/Time: Tue 7/11/2017 5:30:00 PM
[DC Circuit 7-3-17.pdf](#)

Location: 1200 Pennsylvania Avenue, NW (North) - Room 1332 WJCN

Directions: Please use the William Jefferson Clinton North Entrance located on your right as you exit the Federal Triangle Metro Station.

EPA Contact: For an escort from Security to the meeting call 202-564-1016 or 202-578-5985

Request:

Follow up on CERCLA/EPCRA litigation regarding CAFOs air emission court decision

(Waterkeeper Alliance, et al. v. EPA, No. 09-1017, April 11, 2017).

One highly pertinent and timely item of which Mandy should be aware is Tuesday's (July 3) DC Circuit's denial of the industry's petition for a rehearing of the court's earlier decision on the agency's EPCRA/CERCLA reporting exemption. The 1-page order is attached for reference.

Attendees:

Paul Bredwell, US Poultry & Egg Association

Michael Formica, National Pork Producers Council

Tom Hebert, United Egg Producers

Christian Richter, US Poultry & Egg Association / National Turkey Federation

Andrew Walmsley, American Farm Bureau Federation

Scott Yager, National Cattlemen's Beef Association

Jamie Jonker, National Milk Producers Federation

Lisa Van Doren, National Council of Farmer Cooperatives

Contact:

Christian Richter

U.S. Poultry & Egg Association

National Turkey Federation

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United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-1017

September Term, 2016

EPA-73FR76948

Filed On: July 3, 2017

Waterkeeper Alliance, et al.,

Petitioners

v.

Environmental Protection Agency,

Respondent

National Chicken Council, et al.,

Intervenors

Consolidated with 09-1104

BEFORE: Brown and Srinivasan, Circuit Judges; Williams, Senior Circuit Judge

ORDER

Upon consideration of the petition of respondent-intervenors National Pork Producers Council's ("NPPC") and U.S. Poultry & Egg Association's ("U.S. Poultry") for panel rehearing filed on June 2, 2017; and petitioners' motion to strike Declaration of Timothy R. Gablehouse filed by NPPC and U.S. Poultry in support of their petition for rehearing, the opposition thereto, and the reply, it is

ORDERED that the petition be denied. It is

FURTHER ORDERED that the motion to strike be dismissed as moot.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail

Deputy Clerk