



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 13 2003

OFFICE OF  
AIR AND RADIATION

Ms. Ellen Garvey  
ALAPCO President  
STAPPA/ALAPCO  
444 North Capitol St., N.W.  
Washington, D.C. 20001

*ellen*  
Dear Ms. Garvey:

Thank you for your letter of April 7, 2003, to Administrator Christine Todd Whitman, regarding your concerns with the Environmental Protection Agency's (EPA) policy direction with respect to agricultural air emissions. Administrator Whitman and I understand your interest in ensuring that actions taken by the Agency not limit the ability of States and localities to address air emissions from the agricultural sector.

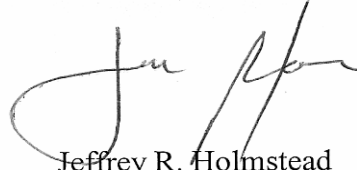
EPA continues to focus on adequately characterizing animal feeding operation emissions and developing appropriate responses to protect human health and the environment. The goals are to accurately characterize pollution from this sector and to require appropriate controls, where warranted, that will achieve real emission reductions. We will continue to take all necessary actions to protect human health and the environment. EPA will also address the need, identified by the December 12, 2002, characterization assessment study by the National Academy of Sciences (NAS), for additional emissions data to more adequately characterize emissions from the agricultural sector. Currently, we are working closely with the U.S. Department of Agriculture (USDA) to review recommendations from the NAS study and will also continue to involve other interested stakeholders to develop scientifically valid emission estimates that can be used to inform our regulatory decisions.

In our effort to identify potential sources of information to adequately characterize these emission sources and to identify appropriate control measures, we have spoken with contacts in your organization, as well as within USDA, EPA's Office of Research and Development, EPA's Office of Enforcement and Compliance Assurance, states, regions, academia, and industry. EPA is also reviewing Clean Air Act requirements and Agency policies to develop an approach for implementing applicable requirements to the agricultural sector, a sector containing the kinds of sources not typically addressed under past Agency programs. This review has included an assessment of what constitutes "fugitive" and "nonfugitive" emissions. All discussions have been internal to the Agency and are pre-decisional. Documents associated with those discussions are withheld as deliberative documents. The basis for our exemption is found in the Code of Federal Regulations (40 CFR 2.118(a)(5)).

The issues you have raised are among those that we will look into in the near term. We fully recognize the importance of these issues, and we will continue to work to develop solutions that protect public health and the environment. Moreover, I encourage you to contact J.P. Suarez, in EPA's Office of Enforcement and Compliance Assurance, to further discuss these issues.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey R. Holmstead', written in a cursive style.

Jeffrey R. Holmstead  
Assistant Administrator