



Friends of Toppenish Creek

March 6, 2023

U.S. Environmental Protection Agency
External Civil Rights Compliance Office
1200 Pennsylvania Avenue, N.W.
Mail Code 1201A
Washington, DC 20460

Dear EPA External Civil Rights Compliance Office:

This is a complaint from the Friends of Toppenish Creek (FOTC) against the Yakima Regional Clean Air Agency (YRCAA), a municipal corporation in Washington State, charged with implementation of the Clean Air Act in Yakima County. The YRCAA receives funding directly from the Environmental Protection Agency, as well as pass through monies from the WA State Dept. of Ecology (Ecology).

Yakima County is divided by an east west stretch of foot hills – Ahtanum Ridge and the Rattlesnake Hills. In Yakima County about 170,000 people live to the north of these hills and about 85,000 live to the south. About 33% of the northern residents are people of color and about 80% of the south residents are people of color. In this letter FOTC will show that the YRCAA provides a higher level of services to the northern population and does not adequately engage those with Limited English Proficiency (LEP) who predominantly live in the south.

Why does this matter? Because language is important. If people from the YRCAA spend any time in south Yakima County, they know that a great deal of conversation takes place in Spanish. When people in south Yakima County talk about odor in the ambient air, they do so in their native tongue. When they try to inform the YRCAA that “el aire está mal” the YRCAA staff respond to their concerns with unsupported phrases such as “that is part of living in the country” or “we are prohibited from regulating farm odors”, and that is the end of the discussion. This dismissive attitude further separates the LEP population from participation in public processes that English speakers take for granted.

When the YRCAA does not effectively engage people in Yakima County whose primary language is Spanish, misinterpretation and misinformation multiply. Regulation of air quality is too important to be conducted at a first grade level of conversation.

Sincerely,

Friends of Toppenish Creek

Specific Complaints

1. The YRCAA does not inform the Spanish speaking population about opportunities to nominate someone from the Spanish speaking community to serve as a member at large on the YRCAA Board of Directors. The only way that a monolingual Spanish speaker or an LEP citizen would know about this opportunity would be through a public announcement in the Spanish media. The YRCAA does not announce this opportunity that only presents every four years. The YRCAA board re-appointed an English speaking man to the position in December of 2022. There are potentially serious irregularities with this selection. ¹
2. The YRCAA hides notices of Community Forums under the “Resources” heading on the YRCAA website.² The YRCAA does not translate agendas for the forums into Spanish. The YRCAA does not advertise the forums in the Spanish media. The YRCAA holds forums in the City of Yakima, miles away from parts of the county where most people speak Spanish at home. The YRCAA holds community forums at 2 PM on Mondays when the Spanish speaking population is most likely at work and unable to attend. Recordings of the meetings are not translated into Spanish.
3. To participate effectively in air quality permitting and regulation in Yakima County the LEP population must understand YRCAA policies. Much of this information can only be obtained through public records requests. The YRCAA website has a page entitled “Public Records Requests” or “Solicitudes de registros públicos”.³ Four documents are available on that page:
 - a. YRCAA Public Records Policy or Política de registros públicos de YRCAA – This is YRCAA Administrative Code Part C, only available in English.
 - b. Fees for Public Records or Tarifas para registros públicos – This document is only posted in English.
 - c. Public Records Request Form or Formulario de solicitud de registros públicos – This document is only available on the web page in English.
 - d. Chapter 44-14 WAC or Capitulo 44-14 WAC – This WAC is only posted on the YRCAA website in English, although a translation into Spanish is available at <https://apps.leg.wa.gov/wac/default.aspx?cite=44-14>

¹ In August of 2022 (b) (6) Privacy (b) (7)(C) EMP submitted her application to serve on the YRCAA Board See Attachment 1 at <http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%202020Attachment%201.pdf> Mendoza highlighted her intent to secure regulation of the dairy industry. In December of 2022, Dr. Steven Jones, who receives a substantial portion of his income from dairy, nominated Jon DeVaney to that position. See Attachment 2 page 5/48 at http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%202020Attachment%202020YRCAA%20January_2023_Complete_Board_Packet.pdf Jones and Yakima Commissioner Amanda McKinney voted to install DeVaney as YRCAA board member at large. This may be a violation of WA conflict of interest rules and regulation.

² <https://www.yakimacleanair.org/resources/forum.html>

³ <https://www.yakimacleanair.org/services/public-records.html>

4. YRCAA Regulation 1 is the legal document that describes how the YRCAA performs the agency duties under the EPA approved WA State Implementation Plan (SIP). When a Spanish speaking person tries to access this document on the Spanish language Reglamentación YRCAA web page, he/she is linked to a copy of Regulation 1 in English.⁴
5. The YRCAA web site has a page entitled “Compliance Assistance” or “Asistencia de cumplimiento para el público en general”.⁵ That page is copied here. Each link connects the reader to an information sheet in English only.

I.	Introducción al programa de asistencia para el cumplimiento: una introducción básica y un esquema del marco regulatorio.
II.	Información específica de la actividad
a.	Quema al aire libre
i.	<u>Quema al aire libre</u> – Información básica y definiciones de los tipos de Quema al aire libre.
ii.	<u>Quema Interior v Exterior</u> – Contaminantes de la Quema y requerimientos básicos.
iii.	<u>Quema residencial al aire libre</u> : cosas que debe saber sobre la quema al aire libre.
iv.	<u>Materiales prohibidos</u> : artículos que son ilegales para quemar en un incendio al aire libre.
v.	<u>Burn Barrel Focus</u> - ¿Qué tiene de malo Burn Barrels?
vi.	<u>Póster Camp Fire</u> – No dejes rastro en tu humo.
vii.	<u>Desechos de inundaciones y tormentas</u> : cosas que debe saber sobre los escombros de inundaciones y tormentas.
b.	estufas de leña
i.	<u>Calor barato Costos de salud más altos</u> – Costos de atención médica a los ahorros presuntos de quemar madera para calentar.
ii.	<u>Sugerencias para calentar el hogar</u> – Orientación para la quema.
iii.	<u>Cómo el humo de leña daña su salud</u> – Cómo el humo de leña es dañino para la salud humana.
iv.	<u>Cobertizo de almacenamiento de madera</u> – Dibujos de construcción de almacenamiento de madera.
v.	<u>Manual de quema de leña</u> : cómo operar una estufa de leña o una chimenea de manera más eficiente.
vi.	<u>El humo de leña v su salud</u> : una discusión sobre lo que contiene el humo de leña y cómo afecta la salud humana.
c.	Prohibiciones de quema
i.	<u>¿Por qué hay una Prohibición de Quemadas?</u> – Cómo un día de Baja Contaminación puede ser un día en el que una Prohibición de Quemadas es apropiada.
ii.	<u>Hoja informativa sobre la prohibición de quemadas</u> : los objetivos de las prohibiciones de quemadas y los criterios para declararlas.
d.	Amianto
i.	<u>Asbesto en mi hogar</u> : una discusión detallada de los materiales que contienen asbesto en una residencia.
ii.	<u>Retiro del techo del propietario</u> : retiro del propietario de los materiales que contienen asbesto aplicado con rociador.
iii.	<u>Eliminación de pisos de propietarios de viviendas</u> : eliminación de materiales de pisos de vinilo que contienen asbesto por parte de propietarios de viviendas.
iv.	<u>Manejo del asbesto</u> : una guía para los propietarios de viviendas sobre el manejo de los materiales que contienen asbesto.
e.	Olor
i.	<u>Regulación de olores</u> : una discusión sobre cómo las leyes y regulaciones se relacionan con los olores
ii.	<u>Olores v calidad del aire</u> : una hoja informativa sobre cómo la Agencia trata las quejas por olores.
f.	Polvo
i.	<u>Polvo Fugitivo</u> – Una definición y discusión de las fuentes de Polvo Fugitivo y los pasos para minimizarlo.

If the person seeking information reads the document entitled “Odor Regulation” or “Regulacion de olores”, he/she is referred to a toll free hot line – 1-800-540-6950. The message, in English, is: “Welcome to America’s hottest talk line. Guys, Hot ladies are waiting to talk to you” . . .

⁴ <https://www.yakimacleanair.org/rule-making/>

⁵ <https://www.yakimacleanair.org/services/compliance-public.html>

6. The YRCAA website has a page entitled “Forms and Registration” or “Formularios y registro”. Forty forms are posted on this page with titles in English and Spanish, but the forms are only in English.⁶
7. If anyone wishes to do outdoor burning in Yakima County, he/she is required to obtain a burn permit from the YRCAA. These permits and instructions are only provided in English.⁷ The permittee must sign an affidavit, only available in English, that says:

“I, the undersigned, have read, understand and accept the responsibility to comply with all the conditions. Failure to comply with all conditions specified above is a violation, subject to penalty. I agree that YRCAA may enter my property for inspection of compliance with permit conditions.”

8. Since 2021 neighbors of two privately owned limited use landfills in the northern part of Yakima County have complained about air and water pollution from the landfills.⁸ The WA State Dept. of Ecology, Yakima County, the Yakima Health District, and the Yakima Regional Clean Air Agency have responded and investigated, as they should. A 2021 Air Monitoring Report from DTG Recycling shows 15 methane monitoring sites around that facility.⁹ According to the reports, YRCAA is actively involved in addressing problems.

Since at least the year 2000 citizens who live next to concentrated animal feeding operations in the southern part of the county have complained to these same agencies about emissions from the CAFOs.¹⁰ After 20 years there is no air monitoring of Yakima CAFOs. Neighbors now learn that there is so much methane in the air that investors are willing to spend millions to gather it. Harvestable methane is only 25% of the methane produced by milk cows.¹¹

⁶ <https://www.yakimacleanair.org/services/forms.html>

⁷ <https://www.yakimacleanair.org/img/pdf/73.pdf>

⁸ <http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%205%20Landfills.pdf>

⁹ <http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%203%20DTG%202021%20-%20Annual%20Methane%20Monitoring%20Report%20I.pdf>

<http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%204%20DTG%202021%20-%20Annual%20Methane%20Monitoring%20Report%20II.pdf>

¹⁰ <http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%207%20FOTC%20Arguments%20for%20Dissolving%20the%20YRCAA.pdf>

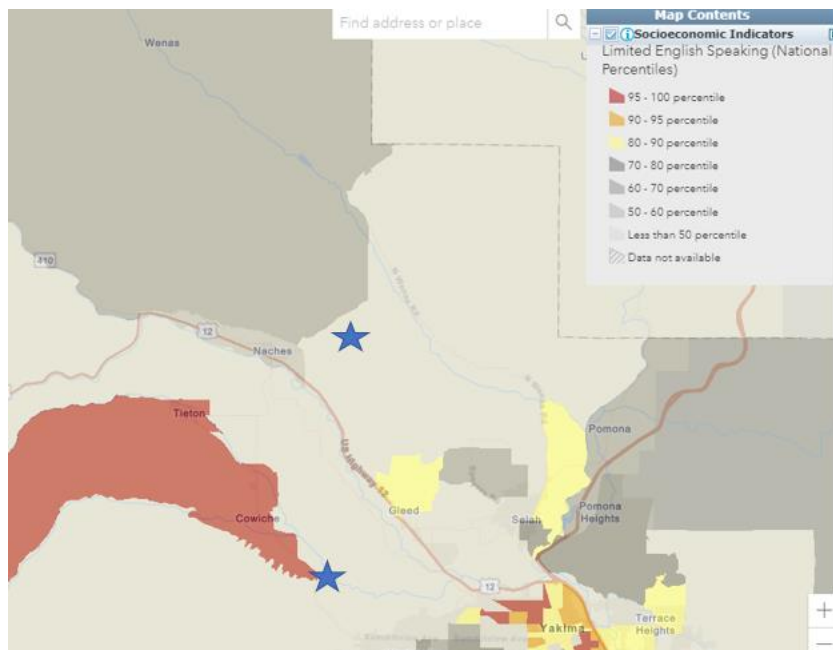
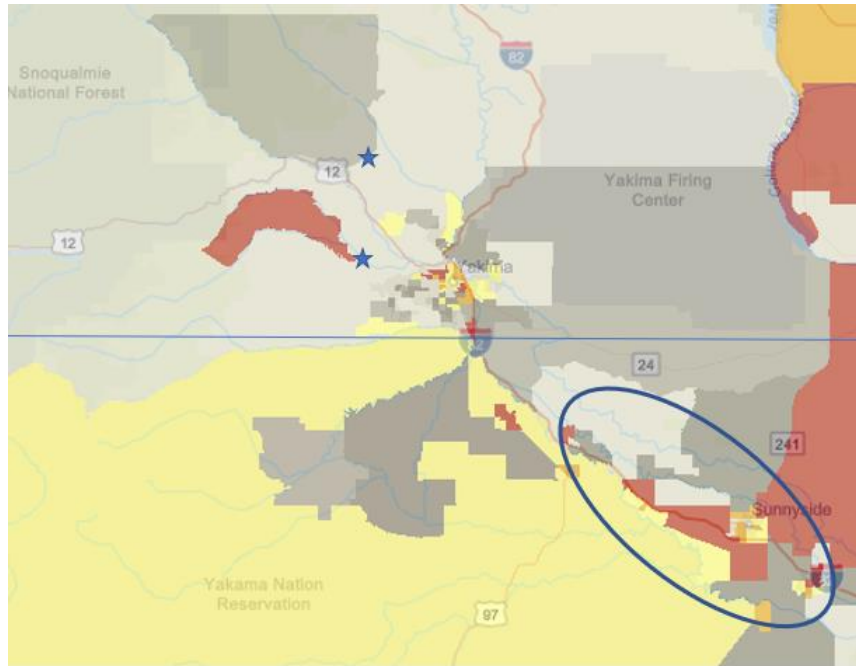
¹¹ Overview of Greenhouse Gasses at <https://www.epa.gov/ghgemissions/overview-greenhouse-gases#methane>



¹² See Attachment 14, page 41.

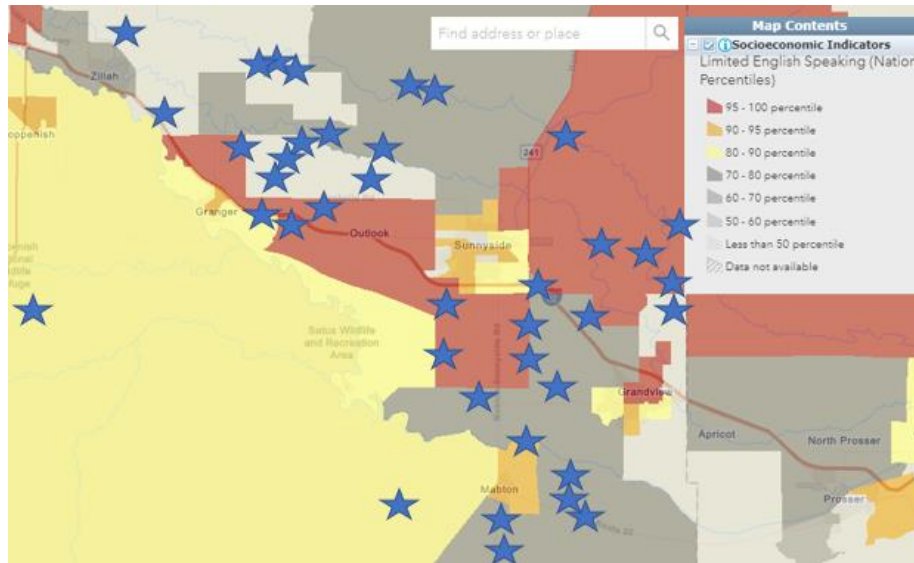
<http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2014%20YRCAA%20February%202023%20Complete%20Board%20Packet.pdf>

In December of 2022 FOTC asked YRCAA a simple question: “Which facility has greater toxic air emissions, a limited use landfill or a million gallon manure lagoon?”¹² No reply.

The landfills in north Yakima County are located in areas where more affluent white people live. The CAFOs in south Yakima County are located where 80% of the people are people of color and per capita income is about \$10,000 lower. Here are maps from the EPA EJScreen for LEP that show where the impacted areas lie:



Upper Star =  Landfill (zip code 98937), Lower Star =  Recycling (zip code 98908)



Stars = CAFO Dairies (zip codes 98930, 98932, 98935, 98938, 98944, 98953)

	Current Population*	Households	Average Income per Household	White Population	Hispanic Population	American Indian Population	Median Age	
North Yakima County								
98908	40,097	14,064	\$71,908	30,982	5,700	782	41.20	W Valley
98937	3,895	1,633	\$67,331	3,824	425	64	44.70	Naches
Total	43,992	15,697		34,806	6,125	846		
South Yakima County								
98930	16,018	4,292	\$58,640	9,499	11,067	193	27.70	Grandview
98932	3,728	1,286	\$61,488	2,811	3,828	240	24.80	Granger
98935	2,197	1,070	\$60,208	2,298	3,422	75	26.40	Mabton
98938	2,016	589	\$40,625	1,505	1,418	45	27.40	Outlook
98944	23,185	6,124	\$50,859	11,135	16,880	347	26.60	Sunnyside
98953	6,062	2,210	\$72,449	4,683	2,719	293	33.80	Zillah
Total	53,206	15,571		31,931	39,334	1,193		
From https://www.zip-codes.com/zip-code/98953/zip-code-98953.asp								
* Totals do not equal current population. This is data as presented by zipcodes.com. Presumably some people in the Hispanic group are counted twice.								

9. Due to incentives provided by the WA legislature and certain parts of the WA Climate Commitment Act, public funds are available to promote construction of facilities that convert

animal manure into methane and then renewable natural gas. The 90,000 milk cows in south Yakima County produce lots of manure. Investors say they will put up millions of dollars to construct such facilities in south Yakima County.^{13, 14, 15}

According to the WA State Dept. of Ecology, “The CCA also puts environmental justice and equity at the center of climate policy, making sure communities that bear the greatest burdens from air pollution today see cleaner, healthier air as the state cuts greenhouse gases.” This means that people who are impacted by greenhouse gasses deserve an opportunity to comment on related public policies.¹⁶

Without reliable data on the amount of methane emitted from Yakima CAFO dairies, it is difficult, if not impossible for citizens to formulate opinions and provide input. FOTC has asked the YRCAA to address methane from CAFOs, RNG from manure methane, and ozone from the chemical combination of volatile organic compounds and nitrogen oxides. (Methane is a volatile organic compound). The YRCAA has so far refused to provide this information or hold discussions. FOTC asserts that this is a violation of the YRCAA mission which includes, “Inform(ing) the public about air quality conditions and health implications.”¹⁷

- a. On Oct. 6, 2022, FOTC asked the YRCAA to discuss conversion of manure methane to renewable natural gas at the agency’s October board meeting. Executive Director Marc Thornsbury replied at length, but the YRCAA Board did not add this discussion to the meeting agenda.¹⁸ In fact, the YRCAA board has never discussed manure methane at a board meeting.
- b. On Nov. 4, 2022, FOTC sent the YRCAA another letter asking the agency to publicly address issues related to conversion of manure methane to renewable natural gas.¹⁹ YRCAA did not respond and has taken no measures to inform the public about this issue.

¹³ Sunnyside Oks agreement to build biomethane plant at port. Available at https://www.yakimaherald.com/news/local/lower_valley/sunnyside-oks-agreement-to-build-biomethane-plant-at-port/article_b7631a1a-70c9-11ed-80f7-47c5d43ef634.html

¹⁴ <http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%208%20SS%20RNG%20CU%20Instruction%20Application.pdf>

¹⁵ [http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%209%20SS%20RNG%20CUP2021-00059_SEP2021-00044_\(Under_Review\).pdf](http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%209%20SS%20RNG%20CUP2021-00059_SEP2021-00044_(Under_Review).pdf)

¹⁶ [https://ecology.wa.gov/Air-Climate/Climate-Commitment-Act#:~:text=The%20Climate%20Commitment%20Act%20\(CCA,path%20to%20lower%20carbon%20emissions.](https://ecology.wa.gov/Air-Climate/Climate-Commitment-Act#:~:text=The%20Climate%20Commitment%20Act%20(CCA,path%20to%20lower%20carbon%20emissions.)

¹⁷ <https://www.yakimacleanair.org/about/>

¹⁸ <http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2010%20Request%20for%200Agenda.pdf>

¹⁹ <http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2011%20RNG%20Request.pdf>

- c. On November 19, 2022, FOTC sent the YRCAA a copy of a letter from U.S. Senators to USDA Secretary Tom Vilsack that detailed problems with manure bio-digesters.²⁰ The YRCAA did not respond.
- d. On November 26, 2022, FOTC submitted a public records request for YRCAA studies of ground level ozone (a criteria air pollutant) in Yakima County. On Jan. 31, 2023, the YRCAA replied that the agency has no responsive records. On Feb. 16, 2023, the YRCAA sent a WA Ecology Fact Sheet on Toxic Air Pollutants, several undated excel spreadsheets for toxic emissions in all Washington counties, and a series of 1999 EPA Risk Assessments by county for the U.S.²¹
- e. On November 28, 2022, FOTC submitted a public records request for times and dates of YRCAA meetings with Friends of Rocky Top and the results of air testing at the DTG landfill. On Feb. 16, 2023, YRCAA replied that there were no responsive records for meetings.²² FOTC disagrees.³⁴ YRCAA sent results of air testing at the DTG site.²³
- f. On Nov. 29, 2022, FOTC requested a meeting with YRCAA Executive Director Marc Thornsbury to discuss FOTC’s 2016 Civil Rights complaint to the Environmental Protection Agency (EPA). On Dec. 13, 2022, FOTC sent the request again and Mr. Thornsbury replied that he would consider a meeting after the first of the year.²⁴ In January 2023, he told us that he did not have time to meet.
- g. On December 5, 2022, FOTC cc’d the YRCAA in a letter to WA Ecology that outlined potential problems with manure bio-digesters in Yakima County.²⁵ The YRCAA did not respond.
- h. On Dec. 14, 2022, FOTC submitted a public records request for “a listing of the Washington laws, rules, and regulations that prohibit the Yakima Regional Clean Air Agency from permitting and controlling emissions from Yakima County dairies.” YRCAA replied that they are not obligated to respond but sent us a link to the Laws of the State of Washington. (FOTC knows how to access WA laws on-line. We have studied the laws for years and find no rules or regulations that prohibit YRCAA from addressing air emissions from dairies.) FOTC followed up with a request for documentation of YRCAA conversations with attorneys who advise the YRCAA that Washington laws “prohibit the agency from permitting and controlling emissions from Yakima dairies.” YRCAA replied that there are no responsive records.²⁶

²⁰ <http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2012%20RNG%20Letter%20from%20US%20Senate.pdf>

²¹ <http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2013%20Ozone%20PRR.pdf>

²² <http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%206%20PRR.pdf>

²³ <http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%203%20DTG%202021%20-%20Annual%20Methane%20Monitoring%20Report%20I.pdf>

<http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%204%20DTG%202021%20-%20Annual%20Methane%20Monitoring%20Report%20II.pdf>

²⁴ <http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2015%20LEP.pdf>

i. On Dec. 15, 2022, FOTC sent the YRCAA a letter providing additional information on creation of ozone from nitrogen oxides and volatile organic compounds such as methane in south Yakima County. FOTC hoped the letter would correct misinformation from the Dec. 12, 2022, Community Forum.²⁷ YRCAA has not replied.

10. In FOTC’s opinion, the YRCAA has a long history of failure to comply with Washington Rules and Regulations. Please read “Arguments for Dissolving the YRCAA”, pages 15 – 21.²⁸

11. The YRCAA mis-informs and mis-characterizes:

- a. The YRCAA website presents information that promotes the dairy industry but withholds research from the University of Washington and John Hopkins University that describes adverse health impacts from dairy emissions in Yakima County.²⁹
- b. In December of 2021, the American Journal of Environmental Protection published an article entitled, “Regional Air Emissions Reduction from Dairy Operations Via Best Management Practices” that was authored by YRCAA staff.³⁰ Here is the abstract:

Abstract: The Yakima Regional Clean Air Agency (YRCAA) in collaboration with the Dairy industry and environmental scientists, has developed, over a period of three years, an Air Quality Management Policy for Dairy Operations. The Policy is geared towards a systematic implementation of proven Best Management Practices (BMPs), which are specific for each dairy operation, to reduce air emissions in the Yakima Valley, WA. The BMPs are grouped in tiers with respect to effectiveness, cost, ease of implementation, and compatibility with the State mandated nutrient management plans for dairies. Tier 1 BMPs are generally the least expensive and easiest to implement, while Tier 3 BMPs are the most challenging and expensive to implement. The BMPs focus on air emission reduction of major air pollutants from dairy operations, namely; ammonia, nitrous oxide, hydrogen sulfide, volatile organic compounds, odor, particulate matter and methane. The dairy operations are broken down into the following components/systems: nutrition, feed management, milking parlor, housing (freestall and drylots), grazing, manure management and land application. The components in each dairy depend on the overall management design and not every dairy has all these components. A total of 41 dairy operations within the YRCAA jurisdiction were included in the policy representing a total of 145,000 head of cattle (lactating cows, dry cows, heifers and calves). To obtain baseline data, the YRCAA staff conducted site visits for each facility in 2014 and assigned a “score” for each dairy component ranging from A to D. The results presented here are not specific to each facility but aggregated. Based on all participating dairies; 21% scored an “A”, 30% scored a “B”, 37% scored a “C”, and 12% scored a “D”. These data will be used as a baseline to compare future BMPs implementations to determine air emission reductions. In general, results show that guided and voluntary implementation of BMPs has the potential to significantly reduce ammonia, volatile organic compounds, and odor emissions in the Valley.

The project described in this article was rescinded in 2018.³¹

²⁵<http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2016%20FOTC%20Letter%20to%20Ecology%20re%20RNG%20Dec%202022.pdf>

²⁶<http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2017%20Laws%20re%20Ag%20Air.pdf>

²⁷<http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2018%20Hello%20YRCAA%20Dec%202014%202022%20II.pdf>

²⁸<http://www.friendsoftoppenishcreek.org/cabinet/data/ECRCO%20%20Attachment%207%20FOTC%20Arguments%20for%20Dissolving%20the%20YRCAA.pdf>

²⁹<https://www.yakimacleanair.org/resources/education.html>

³⁰https://www.yakimacleanair.org/site/files/file_manager/page/shared/1-Regional_Air_Emissions_Reduction_from_Dairy_Operations.pdf

- c. The YRCAA does not do all the things it claims to do on the “About Us” web page at <https://www.yakimacleanair.org/about/>
- i. The YRCAA does not inspect “pollution sources” in south Yakima County.
 - ii. The YRCAA does not “inventory and assess the health risks of toxic air emissions” in south Yakima County where VOC emissions are so high that investors are willing to spend millions to harvest methane.
 - iii. The YRCAA does not “identify how much pollution is in our air, where it comes from, and how to control it most effectively.”
 - iv. The YRCAA does not “analyze the air quality impact of new businesses and land development projects” specifically manure bio-digesters in communities of color.
 - v. The YRCAA does not “inform the (Spanish speaking) public about air quality conditions and health implications.
- d. The YRCAA has not complied with the 2019 agreement with EPA ECRCO. Evidence is provided in FOTC’s Feb. 6, 2023, letter of complaint to ECRCO, on pages 5–12.³² Notably the YRCAA only pretends to engage people with LEP.
- e. In 2021 the YRCAA refused to add a representative from south Yakima County to the search team that recruited a new Executive Director for the YRCAA. Instead, the YRCAA board promised to hold public meetings in the south county at which the public could meet applicants. As it turned out, the YRCAA held one meeting in south Yakima County in 2022 at which two out of three finalists were introduced. The YRCAA provided 24 hour notice of the meeting and only notified 30 south county residents, in English, of the meeting.³³
- f. On Dec. 12, 2022, at a YRCAA Community Forum, the YRCAA leaders told attendees that the EPA and WA Ecology had informed the agency that Yakima County does not have an ozone problem.³⁴ FOTC disagrees.³⁵

³¹ YRCAA Non Discrimination Plan, page 40.

https://www.yakimacleanair.org/site/files/file_manager/page/shared/Final%20Complete%20YRCAA%20Non-Discrimination%20Plan%2019Aug2020.pdf

³²<http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2019%20Dear%20EPA%20ECRCO%20V.pdf>

³³<http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2020%20Dear%20Chairman%20Devaney%20August%2024%202022.pdf>

<http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2021%20Dear%20Chairman%20Devaney%20Sept.%2012%202022.pdf>

³⁴ Community form meeting recording available on request

³⁵<http://www.friendsoftopenishcreek.org/cabinet/data/ECRCO%20%20Attachment%2018%20Hello%20YRCAA%20Dec%2014%202022%20II.pdf>

Thank you for considering this request to investigate the Yakima Regional Clean Air Agency for discrimination based on race, color, and national origin.

Sincerely,

A handwritten signature in blue ink that reads "Jean Mendoza" is written over a horizontal line.

Jean Mendoza

Executive Director, Friends of Toppenish Creek

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

A solid black rectangular redaction box covers the text below the redaction code.

Cc: WA Ecology

WA Environmental Justice Council

EPA Region X