

**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**

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	)	
In re: ESSROC Cement Corporation	)	
	)	
RCRA Permit No. IND 005 081 542	)	Appeal No. RCRA 13-03
	)	

**DECLARATION OF JANE HENRIQUES DOHERTY**

I, Jane Henriques Doherty, under penalty of perjury, affirm and declare that the following statements are true and correct to the best of my knowledge and belief, and are based on my own personal knowledge or on information contained in the records of the United States Trade Representative's Office.

1. I am the Director of Sanitary and Phytosanitary Affairs, in the Office of the United States Trade Representative (USTR), in the Executive Office of the President, a position I have held since 2007. USTR is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and overseeing negotiations on such matters with other countries.

2. Prior to joining USTR, I have worked in senior management positions in EPA's Administrator's and Congressional Affairs offices as well as the Office of Enforcement and Compliance and the Office of Pollution Prevention and Toxic Substances. I have a Bachelor of Arts in International Affairs from The George Washington University and a Juris Doctor from the George Washington School of Law.

3. In my current capacity as Director of Sanitary and Phytosanitary Affairs, I am responsible for coordinating U.S. government trade negotiations and policy development and coordination regarding Sanitary and Phytosanitary ("SPS") matters, which are generally defined as regulatory matters governing animal and plant health and food safety. In this capacity, I have been the lead negotiator for the chapter of the proposed Trans-Pacific Partnership (TPP) Agreement that covers Sanitary and Phytosanitary Issues. The U.S. objective for this chapter is to reinforce and build upon existing rights and obligations under the World Trade Organization Agreement on the Application of Sanitary and Phytosanitary Measures. The TPP Chapter on SPS issues will contain a series of commitments, including on the use of science and transparency in the development of SPS measures.

4. This declaration is filed in support of EPA's Motion for an Extension of Oral Argument in the above-captioned proceeding. The purpose of this declaration is to explain the timing and the basis for the decision to hold a Ministerial-level meeting and negotiating session which is intended to serve as the final negotiating session for the TPP Agreement the week of February 17, 2014.

5. In 2009, the United States Trade Representative notified Congress of the President's intent to negotiate a comprehensive free trade agreement among the participants—the TPP Agreement. Currently the negotiating parties are Australia, Brunei, Chile, Canada, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States, and Vietnam.

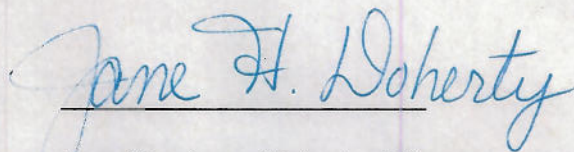
6. On December 10, 2013, trade ministers for each of the negotiating Parties completed a four-day Ministerial meeting in Singapore where progress was made toward completing the TPP Agreement. The Ministers stated their intent to meet again in 2014, following additional work by negotiators, to finalize the remaining issues and to complete the negotiations.

7. This subsequent Ministerial meeting and the accompanying negotiating session has been scheduled to take place from February 17-22, 2014 in Singapore.

8. The upcoming negotiating session and Ministerial meeting was scheduled early in the week of January 27, 2014. The decision regarding the date and venue was made based on the availability of the Ministers and chief negotiators of each of the 12 countries participating in the negotiations, as well as the availability of a venue. EPA was not consulted and had no involvement in either the decision to hold the negotiating session, or in the selection of the particular date. Ms. Celeste was informed of the scheduled negotiations only on January 28, 2014. Ms. Celeste serves as EPA's legal counsel at these negotiations and works closely with USTR on drafting text and evaluating the proposals of other negotiating partners.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this fourth day of February, 2014, at 600 17<sup>th</sup> Street, Washington DC, 20508



Jane Henriques Doherty, Director  
Sanitary and Phytosanitary Affairs  
Office of the United States Trade Representative