Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/29/2017 8:33:18 PM
To: Abboud, Michael [abboud.michael@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: Information on Superfund site

Am I reading that this article was from 9/3?

Sent from my iPhone

On Sep 29, 2017, at 3:22 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

> Is there anything we can add here David?
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **Resent-From:** <Press@epa.gov>
> > **From:** Jessica Kwong <j.kwong@newsweekgroup.com>
> > **Date:** September 29, 2017 at 3:48:52 PM EDT
> > **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> > **Cc:** Press <Press@epa.gov>
> > **Subject: Re: Information on Superfund site**
> >
> > Hello EPA press team,
> > In addition to my earlier question, would you comment on the San Jacinto Waste Pits Superfund site being reported in the AP's story, and why the cap damage and high levels of dioxins were not discovered earlier?
> >
> > https://www.apnews.com/27796dd13b9549b0ac76aded58a15122
> >
> > Jessica Kwong | Staff Writer
> > NEWSWEEK MEDIA GROUP
> > 7 Hanover Square, Floor 5, New York, NY, 10004
> > T | +1 646 484 7565
> > E | j.kwong@newsweekgroup.com
> > W | newsweekgroup.com
> >
> > On Fri, Sep 29, 2017 at 2:20 PM, Jessica Kwong <j.kwong@newsweekgroup.com> wrote:
> > > Thank you, Liz. Is this the first Hurricane Harvey-damaged Superfund site the EPA has found to have exposed waste material?

Jessica Kwong | Staff Writer
NEWSWEEK MEDIA GROUP
7 Hanover Square, Floor 5, New York, NY, 10004
T | +1 646 484 7565
E | j.kwong@newsweekgroup.com
W | newsweekgroup.com

On Fri, Sep 29, 2017 at 2:10 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Jessica – The information that we have is on the press release distributed last night. Please quote from here: https://www.epa.gov/newsreleases/epa-statement-san-jacinto-river-waste-pits-superfund-site-data

From: Jessica Kwong [mailto:j.kwong@newsweekgroup.com]
Sent: Friday, September 29, 2017 2:02 PM
To: Press <Press@epa.gov>
Subject: Information on Superfund site

Hello EPA press contact,

I'm a Newsweek reporter seeking information on the following report that chemicals from the San Jacinto River Waste Pits may have washed downstream.

https://www.cbsnews.com/news/hurricane-harvey-chemicals-linked-to-birth-defects-found-houston-superfund-site/?ftag=CNM-00-10aab7e&linkId=42926857

My deadline is this afternoon. Thank you for your time and attention.

Jessica Kwong | Staff Writer

NEWSWEEK MEDIA GROUP

7 Hanover Square, Floor 5, New York, NY, 10004

T | +1 646 484 7565

E | j.kwong@newsweekgroup.com

W | newsweekgroup.com

To: Henderson, Dedre[Henderson.Dedre@epa.gov]
From: Henderson, Dedre[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C5BF6DD9430F435F9486A3A76402D904-HENDERSON, DEDRE]
Sent: Mon 9/25/2017 4:30:27 PM (UTC)
Subject: Environmental Headlines September 25, 2017

Environmental Headlines – prepared by the Region 8 Librarians – September 25, 2017

Note: Many newspapers are beginning to adopt subscription policies to govern access to their online editions. In some cases, this involves the creation of a free user account; in others, paid subscription is necessary to view more than a set number of articles (usually 20) per month. If you have difficulty accessing the news articles you need, please contact the library (library-reg8@epa.gov or (303) 312-7226) for assistance. Please note that the new Region 8 intranet site does not allow access to older headlines; if you need assistance retrieving a news article from a previous week or month, please contact the library.

Colorado

Colorado landfills are illegally burying low-level radioactive waste from oil and gas industry, Denver Post learns
http://www.denverpost.com/2017/09/22/colorado-landfills-illegally-burying-radioactive-waste-oil-gas/

Feds, state contend polluted stormwater is impacting Arkansas River
http://www.chieftain.com/news/region/feds-state-contend-polluted-stormwater-is-impacting-arkansas-river/article_a2bf58f0-c084-58dc-a578-b5dc4197870a.html

Weld County oil and gas spill report for Sept. 25
http://www.greeleytribune.com/news/local/weld-county-oil-and-gas-spill-report-for-sept-25/

Colorado editorials: Study shows high cost of 'clean power' in Colorado
http://www.summitdaily.com/news/colorado-editorials-study-shows-high-cost-of-clean-power-in-colorado/
Is Governor Hickenlooper going far enough with his climate plans?
http://www.westword.com/news/conservation-groups-as-colorado-gov-hickenlooper-to-up-climate-change-plan-9506158

EPA head met with mining CEO, then pushed forward controversial mining project
http://www.westernslopenow.com/news/politics/epa-head-met-with-mining-ceo-then-pushed-forward-controversial-mining-project/816837796

Montana

The state says, 'It's a go!' on Parrot removal
http://mtstandard.com/news/local/the-state-says-it-s-a-go-on-parrot-removal/article_9a6fabeb-1613-5044-b697-19420684ca81.html

State filed to stop mining near Yellowstone in Montana
http://mtstandard.com/news/state-and-regional/lawsuit-filed-to-stop-mining-near-yellowstone-in-montana/article_d886a7e6-64cb-5969-863b-1e4877fa42e6.html

Montana's average temperature continues to increase, study shows
http://mtstandard.com/news/state-and-regional/montana-s-average-temperature-continues-to-increase-study-shows/article_587d27a9-8c91-5e22-8759-7ab7c464cbdb.html

Montana preparing to take over after $600M EPA asbestos cleanup near Libby
http://mtstandard.com/news/state-and-regional/montana-preparing-to-take-over-after-m-epa-asbestos-cleanup/article_44b4a568-d750-54ff-9d1a-2eca8fe3b657.html

Coal cleanup underway on Clark Fork weeks after train wreck
http://mtstandard.com/news/state-and-regional/coal-cleanup-underway-on-clark-fork-weeks-after-train-wreck/article_5afc493c-fdfd-55d9-ad18-e5799714b51f.html

Proposed Tintina mine could include state mineral rights
http://helenair.com/news/state-and-regional/proposed-tintina-mine-could-include-state-mineral-rights/article_f023d12b-c9c4-571d-b5b7-356de93bb856.html

Libby asbestos management enters new phase
http://www.kpax.com/story/36424676/libby-asbestos-management-enters-new-phase

Utah

Washington County landfill receives special designation
https://www.deseretnews.com/article/865689403/Washington-County-Landfill-receives-special-designation.html

Chevron, Rocky Mountain Power reach deal on oil spill costs
https://www.deseretnews.com/article/865689446/Chevron-Rocky-Mountain-Power-reach-deal-on-oil-spill-costs.html

Native Americans, Allies To Rally Against Inaccurate Bear River Massacre Reenactment
http://kuer.org/post/native-americans-allies-rally-against-inaccurate-bear-river-massacre-reenactment

Visitors to Mill Creek Canyon impact ecology, public safety
http://www.moabsunnews.com/news/article_4342c300-9ed9-11e7-9d01-e76fdd9096e5.html

Wyoming

Conservationists seek oil and gas leasing reform
http://trib.com/business/energy/conservationists-seek-oil-and-gas-leasing-reform/article_56c54c45-55cf-595f-a106-d9d9a92e66d9.html

National

EPA chief Pruitt met with many corporate execs. Then he made decisions in their favor.
https://www.washingtonpost.com/news/energy-environment/wp/2017/09/22/epa-chief-pruitt-met-with-many-corporate-execs-shortly-before-making-decisions-in-their-favor/?utm_term=.1a9670c22257

Solar industry roiled by trade ruling that some fear could lead to tariffs
https://www.washingtonpost.com/news/energy-environment/wp/2017/09/22/solar-industry-roiled-by-trade-ruling-that-some-fear-could-lead-to-tariffs/?utm_term=.86e6bb89f4e8

EPA Clarifies Earlier FEMA Statement on Texas Toxic Sites
https://www.nytimes.com/aponline/2017/09/24/us/politics/ap-us-harvey-toxic-sites-underwater.html?_r=0

EPA Removes Waste at Texas Toxic Sites, Won't Say From Where
https://www.nytimes.com/aponline/2017/09/23/us/politics/ap-us-harvey-toxic-sites-underwater.html

We Charted Arctic Sea Ice for Nearly Every Day Since 1979. You'll See a Trend.
https://www.nytimes.com/interactive/2017/09/22/climate/arctic-sea-ice-shrinking-trend-watch.html

Appeals Court Sidesteps Decision on US Fracking Regulations
https://www.nytimes.com/aponline/2017/09/21/us/ap-us-gas-drilling-public-lands.html

Montana set to take over deadly asbestos cleanup site (9/21/17)
http://abcnews.go.com/Health/wireStory/montana-set-deadly-asbestos-cleanup-site-50007109

Arkansas Defies Monsanto, Moves To Ban Rogue Weedkiller
http://www.kunc.org/post/arkansas-defies-monsanto-moves-ban-rogue-weedkiller

Duke Energy reverses, will disclose coal ash disaster maps (N. Carolina)
http://gazette.com/duke-energy-reverses-will-disclose-coal-ash-disaster-maps/article/feed/495352

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 9/22/2017 2:54:33 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: APPROVAL: CHRON: After Harvey, EPA administrator vows bold response to polluted sites around Houston - Preview

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 22, 2017, at 6:31 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Sent from my iPhone

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 22, 2017 at 6:28:31 AM EDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: CHRON: After Harvey, EPA administrator vows bold response to polluted sites around Houston - Preview
Reply-To: press@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

To: Henderson, Dedre[Henderson.Dedre@epa.gov]
From: Henderson, Dedre[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C5BF6DD9430F435F9486A3A76402D904-HENDERSON, DEDRE]
Sent: Wed 9/20/2017 3:34:07 PM (UTC)
Subject: Environmental Headlines September 20, 2017

Environmental Headlines – prepared by the Region 8 Librarians – September 20, 2017

Note: Many newspapers are beginning to adopt subscription policies to govern access to their online editions. In some cases, this involves the creation of a free user account; in others, paid subscription is necessary to view more than a set number of articles (usually 20) per month. If you have difficulty accessing the news articles you need, please contact the library (library-reg8@epa.gov or (303) 312-7226) for assistance. Please note that the new Region 8 intranet site does not allow access to older headlines; if you need assistance retrieving a news article from a previous week or month, please contact the library.

Colorado

Tenderfoot 2 Fire now 50 percent contained, officials "cautiously optimistic"
http://www.denverpost.com/2017/09/19/tenderfoot-2-fire/

Montana

State "hamstrung" by money woes on the Montana Pole Plant
http://mtstandard.com/news/local/state-hamstrung-by-money-woes-on-montana-pole-plant/article_95f86350-2138-5f68-96e8-74a755157d7e.html

Central Montana underground copper mine gets draft operating permit
http://mtstandard.com/news/state-and-regional/central-montana-underground-copper-mine-gets-draft-operating-permit/article_9c874d59-c0d5-5baa-8555-6c61efdb3721.html
Coming soon: City-supplied drinking water to Butte's industrial park
http://mtstandard.com/politics/coming-soon-city-supplied-drinking-water-to-butte-s-industrial/article_429b9c69-db8c-5564-9897-cbd05c10fd3b.html

Nominee for EPA chemical safety post has deep industry ties
http://mtstandard.com/news/national/govt-and-politics/nominee-for-epa-chemical-safety-post-has-deep-industry-ties/article_f651e141-ba86-5442-a35d-c9d75d58bc0a.html

South Dakota

Mayor says more action needed on Big Sioux River pollution
http://www.argusleader.com/get-access/?return=http%3A%2F%2Fwww.argusleader.com%2Fstory%2Fnews%2F2017%2F09%2F19%2Flive-2-mayor-says-more-action-needed-big-sioux-river-pollution%2F681273001%2F

My Voice: 'CAFO's are in it for the dollars'
http://www.argusleader.com/story/opinion/voices/2017/09/19/voice-cafos-dollars/105694530/

EPA nominee Michael Dourson endorsed weak standard for chemical linked to tumors in industry-funded research
http://www.argusleader.com/story/news/politics/2017/09/19/epa-nominee-michael-dourson-endorsed-weak-standard-chemical-linked-tumors/682962001/

Utah

'Water War' declared between Utah's 7 institutions of higher ed
https://www.deseretnews.com/article/865689137/6Water-War7-declared-between-Utah7s-institutions-of-higher-ed.html

Weber Fire District putting out dumpsters for green waste from the Uintah Fire
http://www.standard.net/Police-Fire/2017/09/16/Weber-Fire-District-putting-out-dumpsters-for-green-waste-from-the-Uintah-Fire.html

Wyoming

Tribes gather in Yellowstone to advocate for changing names of mountain, valley
http://trib.com/news/state-and-regional/tribes-gather-in-yellowstone-to-advocate-for-changing-names-of/article_81ca81ae-c50f-59cb-8488-d33c186a76fa.html

National

At EPA, guarding the chief pulls agents from pursuing environmental crimes
https://www.washingtonpost.com/national/health-science/at-epa-guarding-the-chief-pulls-agents-from-pursuing-environmental-crimes/2017/09/19/7b7b8b6c-9ce0-11e7-8ea1-ed975285475e_story.html?utm_term=.e5612d6a16fd

Chemical Industry Ally Faces Critics in Bid for Top E.P.A. Post
https://www.nytimes.com/2017/09/19/science/epa-chemical-industry-dourson.html?rref=collection%2Fsectioncollection%2Fscience&_r=0

Internal Watchdog Says EPA Mismanaging Toxic Site Cleanups
https://www.nytimes.com/aponline/2017/09/19/us/politics/ap-us-epa-superfund-delays.html

To: Henderson, Dedre[Henderson.Dedre@epa.gov]
From: Henderson, Dedre[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C5BF6DD9430F435F9486A3A76402D904-HENDERSON, DEDRE]
Sent: Tue 9/19/2017 5:12:01 PM (UTC)
Subject: Environmental Headlines September 19, 2017

Environmental Headlines – prepared by the Region 8 Librarians – September 19, 2017

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Colorado

Evidence of spills at Houston Superfund sites following Harvey floods
http://www.denverpost.com/2017/09/18/ap-exclusive-evidence-of-spills-during-floods-at-toxic-site/

Tenderfoot Fire near Dillon spreads to 21 acres
http://www.denverpost.com/2017/09/18/tenderfoot-fire-dillon-spreads/

Plans for pipeline to move Poudre water to Thornton take shape
http://www.coloradoan.com/story/news/2017/09/19/plans-pipeline-move-poudre-water-thornton-take-shape/672594001/

Weld County to continue pipeline regulations discussion
http://www.greeleytribune.com/news/local/open-meeting-to-discuss-local-pipelines/

Montana

EPA to dig up contaminated soil in Lockwood superfund site
http://billingsgazette.com/news/local/epa-to-dig-up-contaminated-soil-in-lockwood-superfund-site/article_65a86d3c-e771-529c-acee-b0585c97298f.html
Protecting wetlands, headwater streams makes good sense (letter)
http://mtstandard.com/opinion/letters/protecting-wetlands-headwater-streams-makes-good-sense/article_b85515ac-cc17-5d47-bc07-7a4f60f27e84.html

Montana quadruples solar energy capacity in one year
http://helenair.com/news/local/montana-quadruples-solar-energy-capacity-in-one-year/article_b1807ce1-b537-55cc-8f0b-fa883599764d.html

Are wildfires the smoking gun of Western climate change? (opinion)
https://www.bozemandailychronicle.com/opinions/guest_columnists/are-wildfires-the-smoking-gun-of-western-climate-change/article_f3e32cb7-bac3-5e74-b630-fd0d6adf42d4.html

South Dakota

Two wildfires burn 1,600 acres
http://rapidcityjournal.com/news/local/communities/hot-springs/two-wildfires-burn-acres/article_877f502c-9cba-11e7-9dc9-cbe060c6b7e4.html

Utah

Leaked 'memo' details possible monument changes at Bears Ears, Grand Staircase
https://www.deseretnews.com/article/865689044/Leaked-memo-details-possible-monument-changes-at-Bears-Ears-Grand-Staircase.html

Leaked memo: Zinke wants smaller monuments but how small?
http://www.sltrib.com/news/environment/2017/09/19/leaked-memo-zinke-wants-smaller-monuments-but-how-small/

3.3 magnitude earthquake hits near Lambs Canyon
https://www.deseretnews.com/article/865689035/33-magnitude-earthquake-hits-near-Lambs-Canyon.html

Small earthquake hits near Park City but no damage
http://www.heraldextra.com/news/local/small-earthquake-hits-near-park-city-but-no-damage/article_b4b23a11-d778-5e1d-a28f-99081e62dee9.html

Lehi company pleads guilty to trafficking oils from endangered plants
https://www.deseretnews.com/article/865689097/Lehi-company-pleads-guilty-to-trafficking-oils-from-endangered-plants.html

Commentary: Mormons are among the few who want less federally protected land. Their history explains why.
http://www.sltrib.com/opinion/commentary/2017/09/19/commentary-mormons-are-among-the-few-who-want-less-federally-protected-land-their-history-explains-why/

Commentary: There is no question that air pollution is bad for your health
http://www.sltrib.com/opinion/commentary/2017/09/19/commentary-there-is-no-question-that-air-pollution-is-bad-for-your-health/

National

EPA Employees Leak Memo On Agency's Mandatory Anti-Leaking Courses
http://dailycaller.com/2017/09/19/epa-employees-leak-memo-on-agencys-mandatory-anti-leaking-courses/

These stark photos show the charred remains of the Texas chemical fire that ignited after Harvey
https://www.washingtonpost.com/news/energy-environment/wp/2017/09/19/these-stark-photos-show-the-charred-remains-of-the-texas-chemical-fire-that-ignited-after-harvey/?utm_term=.36a31fd73909

New climate change calculations could buy the Earth some time — if they're right
https://www.washingtonpost.com/news/energy-environment/wp/2017/09/18/new-climate-calculations-could-buy-the-earth-some-time-if-theyre-right/?utm_term=.a4b492d4e691

From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Sat 9/16/2017 7:10:06 PM (UTC)
Subject: FEMA: Media Analysis Report - SATURDAY EDITION - 9 16 17 -DR 4332 TX

Media Analysis Report
Saturday, September 16, 2017
DR-4332-TX

Hot Issues –

- **Housing/Homelessness –** While the topic of housing has provoked a wide variety of emotions, there remain pockets of survivors that feel "abandoned" by the recovery process with no home to return to and no sense of optimism as they move forward with the recovery process. – *See the article listed below.*

Hurricane Harvey Victims Homeless in Texas Town amid Housing Crisis
By Phil McKenna –Inside Climate –September 16, 2017
More than two weeks after a plea from the mayor of Port Arthur, Texas—"Our whole city is under water"—went viral, thousands of flooded-out residents remain homeless with nowhere to go, and community leaders, angry with the speed of the federal government's response, are considering a former youth correctional facility or even tents as options for housing…

- **Denials/Lack of Assistance –** Some survivors are starting to vent their frustration over "denial from FEMA" and a lack of assistance from various voluntary organizations, such as Red Cross. Perception is key, as there are numerous reasons for the denial, but emotions are heightened nonetheless – *See the article/video listed below.*

Appreciation Turns to Frustration for Some Harvey Evacuees in Dallas
By Jack Fink –CBS-Dallas –September 15, 2017
DALLAS (CBSDFW.COM) – For Louis Boudreaux, a quick game of football with his four children ages five to nine outside the Dallas mega-shelter brings him joy. But after being flooded out of their apartment in Orange, Texas three weeks ago, Boudreaux says they feel like a ball that's been tossed around from agency to agency. This is their third shelter and they still haven't scored any financial disaster assistance…

Noteworthy issues:

FEMA auctioned off emergency response trailers even as Harvey was bearing down
Press-Herald –September 16, 2017
The federal government auctioned off disaster-response trailers at fire-sale prices even as Harvey devastated southeast Texas, reducing an already diminished supply of mobile homes ahead of what could become the nation's largest-ever housing mission….

Media Monitoring Trends –

Print/Online –

- Housing continues to be a "hot topic" as numerous officials and survivors alike remain curious about whether or not the federal government could have been better prepared for Harvey's wrath and the current housing shortage. Though not all the conversations would be considered hot issues, it's fair to say that it's stirred some emotions and will likely be a sore subject for weeks to come.
- Flood insurance is becoming a more readily seen topic as families return home and start to realize the magnitude of the damage. For some, it's a matter of sorting through the details of their policy. For others, it's a search for solutions as they realize their homes were not covered. In both cases, however, it's a painful process that is being thoroughly examined by multiple print and online media outlets.
- Community outreach continues to dominate the headlines as locals and outsiders alike step up to assist those still struggling with the recovery process. Whether it be assisting animals or helping to gut the interiors of water-logged homes, the acts of kindness are endless, and have become a staple in daily reports.

Radio/Television –

- Echoing the sentiments seen in print media, broadcast media is focused on stories related to survivor housing and the so-called discrepancies of flood insurance. While some families have been fortunate enough to find decent accommodations and help with

their policies, others continue to struggle, saying the recovery process is hopeless and frustrating.

- When not talking about the recovery process, housing or the struggles associated with flood insurance, broadcast media is emphasizing the difference volunteerism can make in flood-riddled communities. For many families it's the generosity of others that is making recovery more bearable.
- As Harvey waters recede, media continues to remind residents to be diligent in taking necessary precautions and be sure to clear away debris. The longer debris sits, the more likely it will pose a threat to both the homeowners and the environment.

Social Media –

- Conversations as they pertain to Hurricane Harvey continue to be steady in today's report.
- While previous posts have been slightly negative, and at times reflecting a significant amount of frustration, it appears as though some survivors are a little more optimistic, mentioning the FEMA inspections and moving forward with the process.
- Per usual there is some negativity, but much of it stems from lingering debris and fear that families may not get the assistance they're hoping for.
- To learn more about today's social media trends, please refer to the Social Listening Report at the end of this document.

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City of Steamboat donating work trucks to Texas city devastated by Hurricane Harvey. 27

South Bay students empty piggy banks for Hurricane Harvey victims. 28

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Trailer leaves for Texas with donations for Hurricane Harvey victims. 35

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American Red Cross will resume payments to Hurricane Harvey victims Sept. 21. 37

World Care collecting supplies so Hurricane Harvey survivors can clean up. 38

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FEMA auctioned off emergency response trailers even as Harvey was bearing down. 40

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What Others Are Saying –

More than two weeks after a plea from the mayor of Port Arthur, Texas—"Our whole city is under water"—went viral, thousands of flooded-out residents remain homeless with nowhere to go, and community leaders, angry with the speed of the federal government's response, are considering a former youth correctional facility or even tents as options for housing.

"They are living wherever they can lay their heads at this particular point—garages, with relatives, with friends, in cars, you name it," Hilton Kelley, director of Community in Power and Development Association, said. "Infants, the handicapped are also homeless. We have a lot of elderly folks; all of them are homeless."

Inside Climate, September 16, 2017

Senator Ted Cruz vowed to fight for Southeast Texas, saying he would help to get federal dollars to help with Hurricane/Tropical Storm Harvey recovery….

"We need some action less talking more action," said Port Arthur resident Patricia Mooney.

Sen. Cruz heard from people like Mooney who say they're tired of hearing relief is coming.

"I don't know it's like we've been left out," said Mooney, who was evacuated from her home a week ago.

KFDM, September 15, 2017

Video/Audio –

Appreciation Turns to Frustration for Some Harvey Evacuees in Dallas
By Jack Fink –CBS-Dallas –September 15, 2017
DALLAS (CBSDFW.COM) – For Louis Boudreaux, a quick game of football with his four children ages five to nine outside the Dallas mega-shelter brings him joy. But after being flooded out of their apartment in Orange, Texas three weeks ago, Boudreaux says they feel like a ball that's been tossed around from agency to agency. This is their third shelter and they still haven't scored any financial disaster assistance…

Harvey evacuees and displaced residents move to temporary tent shelter
By Jacque Masse, KBMT – 12NewsNow –September 15, 2017
PORT ARTHUR - Harvey evacuees that took shelter at Thomas Jefferson middle school have been moved to temporary tents at the Bob Bowers Civic center. There are 250 soft-shelled tents in the parking lot but emergency management officials want to emphasize the area is not open to the public at this time…

The Government's Growing Flood Problem
By Shelby Holliday –WallStreetJournal –September 15, 2017
The government is facing billions of dollars in flood insurance claims following hurricanes Harvey and Irma, and residents that live in flood-prone homes are applying for government buyouts though the Federal Emergency Management Agency, also known as FEMA. So can the financially-troubled National Flood Insurance Program move fast enough to help residents before they accept federal funding to rebuild?

Aransas County's biggest need since Harvey is housing
By Brian Burns, KIII –KIIITV –September 15, 2017
ROCKPORT (KIII NEWS) - Emergency housing has been identified as the number one need in Aransas County. "We're staying at a church here in Rockport because we don't have nowhere to go," Horace and Mary Escovel said. The Escovels and their four children evacuated before Hurricane Harvey and returned home to find it virtually destroyed. Horace gave 3News a tour of the home to show how the storm had ripped off the roof, destroying virtually everything inside. Horace would like to see FEMA provide the prefabricated homes for him and his family….

Marley's Mutts returns from Texas with 40 saved pets displaced from Hurricane Harvey
ABC23 –September 16, 2017
40 dogs and cats rescued from Hurricane Harvey, being brought here to Kern County by one local rescue. 23ABC's Adam Bowles went to Tehachapi where he met with Zack Skow with Marleys Mutts and talked to him about this journey to save dozens of furry friends…

World Care collecting supplies so Hurricane Harvey survivors can clean up
By Whitney Clark –KGUN –September 15, 2017
TUCSON (KGUN9-TV) As people in Texas start to clean up after Hurricane Harvey, they're in need of crucial supplies. On Friday boxes of supplies at World Care were packed up and ready to go. Steve Boice is with Horse'n Around Rescue Ranch and Foundation in Hereford and is getting ready to drive to Galveston, Texas…

Mayor: Hurricane Harvey Victims "Still Running On Generators", Thankful For RGV Donations
By Derick Garcia –RGVProud –September 15, 2017
Woodsboro, TX - Three weeks after Hurricane Harvey's catastrophic force pounded the Texas Gulf Coast, the small town of Woodsboro has areas still without power, "We're having a hard time finding electricians because it did mess up a lot of the homes, not just the city stuff. People are still running on generators." said Mayor Kay Roach outside of the Eagle's Nest Family Center. It's one of the largest standing building in the small town in Refugio County…

Full Stories –

RECOVERY

Appreciation Turns to Frustration for Some Harvey Evacuees in Dallas
By Jack Fink
CBS-Dallas
September 15, 2017

DALLAS (CBSDFW.COM) – For Louis Boudreaux, a quick game of football with his four children ages five to nine outside the Dallas mega-shelter brings him joy.

But after being flooded out of their apartment in Orange, Texas three weeks ago, Boudreaux says they feel like a ball that's been tossed around from agency to agency.

This is their third shelter and they still haven't scored any financial disaster assistance — weeks after they arrived here and despite what they say they were told. "Red Cross, FEMA would help us get back home, give us cash benefits to help us get situated and it has gone on two weeks and I'm still here and I haven't gotten one cent."

Boudreaux says when the National Guard came to evacuate them on August 26, water was coming into their apartment and was running over the hood of their Chevy Suburban.

He says FEMA has denied him assistance so far because there hasn't been any way for him or anyone he knows to meet an adjuster to verify their apartment was flooded. "I was told you have three hours to come and meet with the adjuster but I'm six and a half hours away from home. With no transportation."

Every time he calls FEMA's 1-800 number, Boudreaux says he gets a recording.

And even after waiting for hours on the phone, he says no one picks up, and it's the same story when he calls the Red Cross.

CBS11 watched as he called both agencies and heard the same recordings.

Boudreaux says, "FEMA and Red Cross, I don't know who's running it but it doesn't take a rocket scientist to see what's going on. Giving people the run-around, some people, the only help they have is this cash money."

Boudreaux says he and his family need the money. He says bills are piling up, and that he hasn't been able to get to work to earn a paycheck.

His job is safe he says, but he just wants to get home.

Boudreaux isn't alone.

A spokeswoman with the Red Cross, Lisa Morgan says there are 660 Harvey evacuees at the Dallas mega-shelter at the Kay Bailey Hutchison Convention Center, and that it's safe to say, none of them has received any cash assistance from either the Red Cross or FEMA.

Morgan says the agency is adding call takers to its hotline to ease the backlog of requests for cash assistance.

Red Cross spokesman Jay Bonafede says they gave $45 million in assistance to 100,000 households on Monday.

He says the agency's website was overwhelmed, and that they plan to provide more assistance to those in need beginning Thursday, September 21 through October 10.

A FEMA spokeswoman has said people like Boudreaux should continue trying to get in touch with their agency.

While he may have lost everything in his home, he has not lost his faith. "Trust in the Lord, Jesus. Been thankful for the ones who are trying to help."

Boudreaux did get some good news.

The Tzu Chi Foundation bought him and his family and other evacuees' bus tickets home. They're scheduled to leave Dallas Friday night.

Hurricane Harvey Victims Homeless in Texas Town amid Housing Crisis
By Phil McKenna
Inside Climate
September 16, 2017

More than two weeks after a plea from the mayor of Port Arthur, Texas—"Our whole city is under water"—went viral, thousands of flooded-out residents remain homeless with nowhere to go, and community leaders, angry with the speed of the federal government's response, are considering a former youth correctional facility or even tents as options for housing.

"They are living wherever they can lay their heads at this particular point—garages, with relatives, with friends, in cars, you name it," Hilton Kelley, director of Community in Power and Development Association, said. "Infants, the handicapped are also homeless. We have a lot of elderly folks; all of them are homeless."

Flooding from the remnants of Hurricane Harvey forced residents of the largely African American community to evacuate their homes, as well as the city's emergency shelter, after 26 inches of rain fell on August 29.

Port Arthur's residents have long struggled with environmental issues. Toxic air emissions from refineries that surround the city, including the largest oil refinery in the country, routinely release pungent emissions that cause residents eyes and noses to sting. Now, an estimated 3,000 to 5,000 residents in the town of 55,000 are displaced. Many of them were evicted from low-income rental units that are now being gutted to prevent mold growth following the flood.

Amid the intense frustration and deprivation after the storm, community leaders are at odds with the Federal Emergency Management Agency (FEMA) over the speed of federal aid to their city, saying FEMA is to blame for the failure to provide adequate housing.

"We were delayed because we were not put on the housing list, it was just Tuesday that the order came down that they were going to release the funds for emergency housing for the city of Port Arthur," Kelley said. "We were somehow left off the damn list."

FEMA spokesman Robert Howard said Jefferson County, which includes Port Arthur, was approved for FEMA assistance starting on Aug. 30, and that all disaster housing assistance was available to Jefferson County residents at that time. The agency had provided $12 million in assistance to 20,092 residents in Jefferson County as of Sept. 11, he said.

Port Arthur officials say additional housing assistance wasn't made available to them until Sept. 12.

"Typically under lesser circumstances they are able to place survivors in hotels and apartments and other rental facilities, but because the damage was so widespread, they had to enact these other housing options," City of Port Arthur spokesperson LaRisa Carpenter said.

Port Arthur is also disadvantaged by its size when it comes to securing federal assistance. While a large city like Houston has teams of

employee trained in the bureaucratic technicalities of dealing with FEMA, Port Arthur has a small staff scrambling to deal with extraordinary demands amid the flooding.

"It's local governments' responsibility to plug in and tell the state what they want but not all local governments are as resourced as major metropolitan areas like Houston and Galveston," said Lillie Coney, legislative director for U.S. Rep. Sheila Jackson Lee (D-Texas).

FEMA has to "have some resource in place to help them with the administrative burden of being able to plug in and do the things they need to do, especially a place like Port Arthur that was completely under water," she said.

Finding temporary housing for the residents of Port Arthur has not been easy.

City officials working with FEMA arranged for two barges, with berths for approximately 600 individuals, to provide temporary housing earlier this week. Inspection of the World War II-era barges by the U.S. Coast Guard, however, found safety issues, including missing guardrails, and permits for the barges were denied, causing further outrage from the community.

"They are playing games with the lives of thousands of African Americans here in the city of Port Arthur," Kelley said. "I do believe that if this was a more affluent community that we would be seeing immediate action. We would see tents up, we would see trailers rolling in, and yet, now we are playing games with two raggedy barges that the Coast Guard would not even let be towed to the city of Port Arthur."

Michael Sinegal, a county commissioner for Jefferson County said he is working with FEMA on other potential housing options, including tents, some of which are now going up, vacant stores and a former juvenile correction facility in the nearby town of Nederland that could provide temporary housing.

Others have objected to the latter option because it looks like a prison, but the county is running out of options, Sinegal said.

"With the housing needs we have, if we have to put some daisies around it and dress it up a little bit, if it's the only option we have, we need to use it."

Aransas County's biggest need since Harvey is housing
By Brian Burns, KIII
KIIITV
September 15, 2017

ROCKPORT (KIII NEWS) - Emergency housing has been identified as the number one need in Aransas County.

"We're staying at a church here in Rockport because we don't have nowhere to go," Horace and Mary Escovel said.

The Escovels and their four children evacuated before Hurricane Harvey and returned home to find it virtually destroyed. Horace gave 3News a tour of the home to show how the storm had ripped off the roof, destroying virtually everything inside.

Horace would like to see FEMA provide the prefabricated homes for him and his family.

"I would hope for something," Horace said. "A house where my children and us can take a shower. I got to take them to school in Portland every day and it's kind of tough."

County Judge Burt Mills believes that half the people in Aransas County can't live in their homes.

"This is a county of 24,000 people, and that's a lot of structures that have been hit," Mills said.

FEMA representatives said they have several emergency housing ideas, from berthing barges that can sleep 1,000 people to prefabricated cottage homes that can be moved onto any lot.

However, Mills said he is frustrated by a FEMA email that shows some emergency housing has already been moved into the Port Arthur area.

"We were hit first. We're the smallest, and a lot of people in Aransas County think we've already been forgotten," Mills said. "We need housing, and FEMA has said we're working on it, but we need it last week. We don't need it next month."

With possibly as many as half of Aransas County's permanent residents without a livable home, it gives you just a small idea of how much work is still ahead.

Houston mayor ends Hurricane Harvey flood-related curfew
Star-Telegram
September 15, 2017

HOUSTON — Houston is no longer under a Hurricane Harvey flood-related curfew.

Mayor Sylvester Turner on Friday ended the curfew that began after Harvey slammed Texas and associated rain swamped parts of Houston.

Turner lifted the midnight-to-5 a.m. curfew for all of the nation's fourth-largest city. Turner several days ago halted the curfew for most of Houston, but the order had remained for some neighborhoods flooded by reservoir releases.

Harvey made landfall Aug. 25 in South Texas, causing rainstorms and disastrous flooding in Houston. Turner on Aug. 29 announced the curfew to stop any property crimes against evacuated homes.

Turner says the number of citations and arrests for curfew violations was minimal. He didn't elaborate.

Flood control district officials estimate more than 150,000 dwellings in the Houston area were damaged by flooding.

Displaced Rockport mother searches for answers for her family after Hurricane Harvey
By Rick Spruill
KRISTV
September 16, 2017

A small army of local, state and federal workers is fighting to help victims of Hurricane Harvey rebuild their lives. But we found one Rockport woman who has been fighting a solitary battle, for her family's future.

Leslie Bradley's life, post-Hurricane Harvey is difficult. She is a mother of three children, who are staying at a motel room for two adults and is forced to use a car trunk as a closet for the past two and a half weeks.

She did have a home and a full-time job in Rockport. But since Hurricane Harvey made landfall as a Category Four Hurricane, both her family's home and place of employment are now gone.

After the historic storm hit, the young mother applied for housing assistance from the Federal Emergency Management Agency, while she was waiting out the storm in Gatesville, Texas.

The agency asked her to meet them back in Rockport, and then according to Bradley, unforeseen circumstances caused her to miss the meeting.

"My car broke down the night we were supposed to leave," Bradley says.

The situation forced her to miss the meeting with FEMA officials.

"And we were still waiting to hear from them," Bradley added.

A couple of days went by and Friday, Bradley was back to her former place of employment, picking up the pieces. Why?

Bradley wasn't there helping clean up because she knows she is going to get her old job back. Her old job position is gone. She's just looking to get enough money for one night in that motel room.

Representatives with FEMA showed up to help Bradley with her claim. But spokesman Paul Corah tells us he can't discuss her case specifically, and though he's not sure what happened in Bradley's case, Corah did say that human error causes many times delays.

"In most people's applications if they have to wait, in most cases there's something missing. Is their social security that's wrong? Is it how do we contact this person? Do they have a phone number? Where do they live?" Corah explained.

As for the moment, Bradley and her children are homeless.

As for where Bradley will go with her family Friday night, she didn't have an answer. She says it's something she will have to face, night after night.

Hauling off Harvey debris will take time
By Dug Begley and Maggie Gordon
Chron
September 15, 2017

Picking up the pieces - literally - will provide a big lift to Houston-area residents but will require a massive effort from government agencies that need to quickly remove tons of contaminated trash from curbs and streets.

Houston Mayor Sylvester Turner has called cleaning up debris from flooded homes a "herculean" task, both for public health reasons and for the mental health of the storm's victims. The city's success in dealing with Harvey will be judged "by how quickly we can move that debris from in front of their house," Turner said. "Because that will be a constant reminder of this storm."

President Donald Trump's approval of disaster assistance authorized the federal government to pick up 90 percent of the cost of debris removal, accelerating cleanup efforts.

Meanwhile, with debris from tens of thousands of flooded homes piling up and deteriorating in the humid Texas heat, officials are warning homeowners and remodelers to separate the loads, keep vehicles out of the way of equipment and avoid blocking roads.

The sheer volume of junk headed for recycling centers and landfills has led to trash trucks from across the state descending on Houston. In Kingwood, San Antonio trash trucks are helping. Dallas and Austin trucks also will be in the Houston area.

Floodwaters gone in South Houston, but no sign of FEMA
By John D. Harden |
Houston Chronicle
September 16, 2017

Irene Tamayo, 69, sat on the porch of her gutted home in the city of South Houston on Thursday, thumbing through water-stained documents, hand shredding those she no longer needed.

It's been about two weeks since Hurricane Harvey ceased its devastating torrential rains on South Houston, but Tamayo said the Federal Emergency Management Agency has yet to pay her or the city of about 16,000 residents a visit.

"I'm still listed as pending," she said. "I tried to schedule an appointment a week ago, but I'm still waiting."

According to Tamayo and many residents in South Houston, FEMA has the area listed as inaccessible when they try to arrange for an inspector to visit through the agency's website in order to assess damages.

At least 42 inches of rain fell on the city, in which 80 percent of its properties rest in the Harris County floodplain, according to a Houston Chronicle analysis of floodplain and county data.

Many residents there feel mired in limbo until they receive significant federal assistance beyond an initial FEMA check of $500.

According to FEMA, the agency will list an area or a home inaccessible if damages are too great for inspectors to enter.

This, however, is in spite of many city services returning, postal delivery resuming and roadways drying.

FEMA data estimates thousands of homes were affected in South Houston. FEMA spokesman Peter Herrick added that federal officials know residents are still waiting for an inspector to visit their homes.

Herrick said residents should continue reaching out to the agency for help until it arrives.

He added that inaccessibility is usually determined by the condition of a individual's home or block and not the community as a whole.

'Sad and frustrating'

Until FEMA assesses damages to their homes to kick start the flow of federal aid, South Houston residents are relying on dwindling bank accounts and strained fixed incomes to get by.

"It's been sad and frustrating," said Mayor Joe Soto, whose mother was displaced in the flood. "My mom is living with me, so I'm going through the same struggle firsthand that my city is going through."

In addition to helping his mother with her home, Soto is also bearing the responsibilities of leading a community where he says at least 3,000 homes took in water.

"I'm hoping we can get our streets cleaned before Thanksgiving," he said. "It's a lot of trash, and it'll take multiple trips just to clear one block."

Soto is frustrated by what he said appears to be a lack of coordination from FEMA officials.

He said he's juggled multiple calls from the agency often repeating the same answers to different people. "I'm trying to talk to them, but it's like the left hand isn't talking to the right," he said. "But I get it. These guys are from New York, or wherever, and they don't know the area and what's outside of Houston."

Tamayo is retired and like most of her neighbors on her quiet block she lost much of her belongings in waist deep water that followed Hurricane Harvey in late August.

The smell of mold lingers in the air as mounds of flood-damaged sheetrock, toys, furniture and ceramic floor tiles sit in the sun.

And though much of the city sits in the floodplain, many residents in this area don't have flood insurance.

Tamayo has lived in her home for more than 35 years, and it was the first time it had flooded since she's lived there.

"I'd never seen anything like it," she said. "The water was even deeper at the end of the road. I tried to save as much as I could, but my daughter told me it was no use - there was just too much water."

The delayed response for federal assistance isn't uncommon for rural or small municipalities during catastrophic events, say emergency response experts.

A valid fear

South Houston residents fear a higher priority is being placed on Houston, and experts believe the fear is valid.

Jeff Schlegelmilch, deputy director for Columbia University's National Center for Disaster Preparedness, said large urban areas tend to absorb much of attention during disaster relief.

More than 220,000 applicants have received federal assistance in the Houston region and more than $342.5 million has been approved, according to FEMA.

Many of those affected in South Houston received the initial $500 check from FEMA to help with immediate needs. But after almost two weeks since the storm and efforts to refurbish homes, the money was spent quickly for many.

"It would be a big help if FEMA could help," Tamayo said. "We'll figure out a way to manage until then."

Despite its name, South Houston, or SOHO, isn't a part of the city of Houston. With its own mayor and council, the city sits in southeast Harris County along the Gulf Freeway almost surrounded by Houston with Pasadena to the east.

In the 1960s, residents adopted the unofficial motto, The Friendly City within a city.

The community, anchored by trucking, construction and manufacturing companies, is predominately Hispanic, according to U.S. Census data. Almost 1 in 4 South Houston residents live in poverty.

The area's claim to fame came in 1919 when George Washington Christy - a former mayor of South Houston - opened a Christy Bros. Circus.

The circus wintered first in Galveston and then in South Houston, where Christy had built a home.

Taking 'baby steps'

Jaime Gonzales, 52, has called SOHO home since he was a teen when his parents immigrated to the area when they moved from Mexico.

"It's devastating," he said. "Every yard looks and smells the same. You wake up every morning hoping it's not going to be like it was."

Gonzales said he and his family are trying each day to add some level of normalcy to their lives since Harvey.

"Baby steps," he said. "There's nothing you can do but keep living."

As Tamayo continued shredding sensitive documents, her neighbor across the street, Raul Mendez, 67, slowly walked through his brick veneer home, which he shares with his nephew Jose Melchor.

The floorboards have been removed, exposing a slab foundation, and all that remains inside are a couple of air mattresses, a few lamps and some foldable tables.

As of Friday Mendez was also waiting for FEMA to assess his home's damages.

"I bought my home in brand new in 1988 with my late wife and paid it off. It's mine, and I'm very proud of my home," he said. "It breaks my heart to see it like this, but I know help will get here."

Harvey evacuees and displaced residents move to temporary tent shelter
By Jacque Masse, KBMT
12NewsNow
September 15, 2017

PORT ARTHUR - Harvey evacuees that took shelter at Thomas Jefferson middle school have been moved to temporary tents at the Bob Bowers Civic center.

There are 250 soft-shelled tents in the parking lot but emergency management officials want to emphasize the area is not open to the public at this time.

Patrick Peshoff, has stayed at the Red Cross shelter at TJ Middle School for weeks and said he doesn't mind moving to a new location.

"It's better than nothing, better than staying in a gym," said Peshoff.

He is trying to stay positive even though his home in Nederland was destroyed during Harvey.

"We've been through a lot right now but we'll build it back up," said Peshoff.

The tents are provided by the company BCFS and will hold 12 to 14 people inside.

The BCFS incident commander explained men and women will be separated in different tents. Families will be grouped together in separate tents as well.

"It's a lot of people, as long as people aren't stealing or anything like that"

City officials expect to have another tent set up to hold 250 people at the center by tomorrow night. There will be barriers that will separate men and women inside.

Mayor Derrick Freeman said he expects evacuees from Garland and Dallas to come back to Port Arthur to live inside these temporary shelters tomorrow.

"We are finally finding a balance after a couple weeks and we are happy people will be safe and comfortable here," said Freeman.

His next focus will be on where to place the other 750 residents who are either displaced or evicted from their apartments.

Freeman believes about 250 were evicted from their apartments due to mold growth or major water damage.

In the future, the county will set up a phone line so evicted apartment renters can call and reserve a spot at another temporary shelter.

Freeman said FEMA will be aiding homeowners with the disaster recovery centers and their STEP Program. He said homeowners will also have the chance to apply for FEMA trailers.

The tents are available as a temporary shelter for about 30 days but could get extended. The mayor emphasizes county officials and FEMA representatives are working to find a solution.

At the Bob Bowers Civic Center three hot meals will be offered to residents each day. Residents will also have the opportunity to eat snacks like fruit and granola bars during the day.

At the temporary shelter people will be able to shower and use the bathrooms in trailers at the civic center.

There will be medical staff and police at the temporary shelter.

Hurricanes Irma and Harvey have racked up billions in damages. Who pays?
By Julia Horowitz
CNN
September 15, 2017

Who will pick up the tab in Florida, Georgia and Texas?

That's the big question, now that flood waters from Hurricanes Irma and Harvey have receded. Left behind is damage that Moody's Analytics expects will exceed $150 billion, on par with the cost of Hurricane Katrina.

After any major natural disaster, a patchwork of public and private actors step up to cover costs. Payouts from insurers, along with a miscellany of local, state and federal aid programs, will help those affected to pay for rebuilding.

Still, not everyone will be made whole again.

"Individuals will have to use some of their own resources, too," said Shahid Hamid, a professor of finance at Florida International University's College of Business. "Those who can afford it."

Here's a look at who's footing the bill.

The federal government's flood insurance program

Amount paid out to date: $204 million

The National Flood Insurance Program, part of FEMA, is often the only form of flood insurance available to homeowners. Flooding typically isn't covered under standard home insurance policies.

The program had made more than $204 million in flood insurance payments for Harvey as of Thursday. It anticipates payments could reach $11 billion for that storm alone. The agency is just beginning to sort through claims related to Irma, and doesn't have a dollar figure for Irma flood payouts yet.

Worth noting: these policies have a cap. Homeowners who are enrolled are covered up to $250,000 in damages on the structure of their home and up to $100,000 on damages to its contents.

Even so, not everyone has coverage.

"In Florida, only 18% of homeowners are insured for flood [damage], which is not covered by regular insurance policies," Hamid said. "That's a problem."

Harvey evacuees moving out of GRB shelter
By Grace White and Jason Miles, KHOU
KHOU
September 15, 2017

HOUSTON - The city is moving people out of the shelter at George R. Brown Convention Center.

The shelter is expected to close soon but will stay open through at least the weekend to facilitate the moves.

People started leaving the GRB Friday night. FEMA funds freed up to get evacuees help with where to go.

Flood evacuees will not be moving to an old mall, after all. KHOU 11 News was first to confirm Northwest Mall was off the table.

"It's just not an easy job," said Houston Mayor Sylvester Turner.

People who can't get leases on their own moved to an apartment complex called Residences at Emancipation. Saturday, people who qualify for leases will start moving, too. Basically, they're getting 60 days of free rent from FEMA. But it's not a voucher, so they can't just move anywhere they want; only to FEMA-approved spots.

The Red Cross distributed flyers Thursday announcing that GRB evacuees were bound for the old Northwest Mall. KHOU 11 even saw portable toilets set up outside. That plan was dead 24 hours later and the mayor says the GRB will not necessarily close on Saturday.

"We're not going to put people out on the streets," Turner said. "That's not going to happen."

Turner says the city is still working with the Red Cross and others to identify housing options, including apartments. Some $9 million is allocated for those remaining at the GRB alone.

Nigeria native Zina Nwamadi is one of the approximately 300 people who were homeless before the flood.

"Just a lot of hustle and bustle, moving around," Nwamadi said about her life on the streets. She'd like to think the GRB could be bridge from being homeless to a more permanent place to live.

"So I can settle down and take care of myself," Nwamadi said.

Despite the city's willingness to spare no expense, Turner says it's important to note not everyone will be happy.

"Just because we provide you with housing doesn't mean people are going to accept the housing," Turner said.

Right now, non-profit Baker Ripley continues to run a shelter at NRG Center as well.

FLOOD INSURANCE

The Government's Growing Flood Problem
By Shelby Holliday
WallStreetJournal
September 15, 2017

The government is facing billions of dollars in flood insurance claims following hurricanes Harvey and Irma, and residents that live in flood-prone homes are applying for government buyouts though the Federal Emergency Management Agency, also known as FEMA. So can the financially-troubled National Flood Insurance Program move fast enough to help residents before they accept federal funding to rebuild?

This video explains the steep challenges facing the NFIP, which was roughly $25 billion in debt before the costly back-to-back hurricanes.

Congress May Need to Throw a Lifeline to Flood Insurance Program
Rollcall
September 15, 2017

Congress may have to act to prevent a federal flood insurance program that is already $24.6 billion in debt from running out of money because of flooding caused by this season's hurricanes.

The National Flood Insurance Program is likely to lack sufficient funds to pay out all flood damage claims caused by Hurricane Harvey in Texas, according to estimates by the Federal Emergency Management Agency, which administers the program.

FEMA estimates it will pay $11 billion in flood claims for Harvey to National Flood Insurance Policyholders in Texas, Roy E. Wright, the deputy FEMA administrator in charge of the program, told reporters in a briefing. The estimate, which doesn't include cost projections for Hurricane Irma in Florida, exceeds the roughly $1.5 billion FEMA says the National Flood Insurance Program has on hand.

Congress appropriated $7.4 billion for FEMA in an emergency measure enacted last week. But that money doesn't go to the flood insurance program. Most of the rest of the $15.25 billion emergency relief package would go to the Small Business Administration and the Housing and Urban Development Department.

The flood insurance program's $24.6 billion in debt, caused largely by damage claims from hurricanes Katrina and Rita in 2005 and Superstorm Sandy in 2012, leaves FEMA with the ability to borrow $5.8 billion from the Treasury to cover claims. Congress would need to increase the borrowing limit for the program if those funds aren't adequate, lawmakers say.

"Even though we reauthorized it for three months, and extended it, it's gonna run out of money probably in October," Rep. Tom MacArthur, R-N.J., said. "They've got $1.5 billion in hand, maybe $5.5 billion left in borrowing authority, and then they're going to be coming to Congress saying they need more."

MacArthur, a former insurance executive whose New Jersey district was hit by Sandy, said he wants to ensure the program has the funds to pay out the claims.

"We're going to have to give it more money. I don't know what form that will take," he said, adding that extra funds "must come with reform."

Congress last week also extended the authorization for the National Flood Insurance Program until Dec. 8, pushing back the expiration date from Sept. 30. The deal to extend the program did not include any provision to increase the borrowing limit or to provide additional funds.

The Congressional Budget Office estimates the National Flood Insurance Program receives roughly $3.5 billion from policyholder premiums annually. These premiums can be supplemented by additional funds from appropriations, FEMA grants, and borrowing.

House Financial Services Chairman Jeb Hensarling, R-Texas, a long-time critic of the flood insurance program, said the funding shortfall should be a wake-up call to legislators to "get serious" about addressing the program's financial solvency.

"The program can't meet the needs of flood victims without another bailout," Hensarling said in a written statement. "To continue as is, with no reforms, is a slap in the face to both homeowners who depend upon it and hardworking taxpayers who have to bail it out once again. The NFIP in its current form is unsustainable and perverse."

Hensarling says the NFIP is a federal subsidy that encourages construction in flood zones. "After Harvey and Irma, it would be insane for the federal government to simply rebuild repetitive loss homes in the same fashion, in the same place," he said.

Harvey's Insured Losses Estimated to Cost Nearly $19 Billion
NBC
September 16, 2017

The nation's largest state insurance trade association estimates insured losses from Harvey at nearly $19 billion -- and that doesn't count damage not covered by insurance.

The Insurance Council of Texas says windstorm and other claims from Harvey will be worth nearly $3 billion. Approximately 250,000 damaged cars and commercial vehicles will trigger around another $4.75 billion in insurance claims.

The council cites the Federal Emergency Management Agency in estimating that Harvey's flooding will result in $11 billion in payments to homeowners with flood insurance. Those flood losses would be the second highest on record, trailing only Hurricane Katrina's $16 billion.

Harvey battered Texas' Gulf Coast and flooded a vast area stretching from Houston to the Louisiana border. The storm caused 70-plus deaths and damaged or destroyed more than 250,000 homes.

Hurricane Harvey insurance claims expected to reach $19 billion
KXAN
September 15, 2017

AUSTIN (KXAN) — As homeowners impacted by Hurricane Harvey continue to rip out moldy walls and work on rebuilding homes that were ripped apart, the Insurance Council of Texas estimates the insured losses from the storm will be $19 billion.

The group estimates windstorm and other storm-related property losses are expected to top $3 billion. When Harvey made landfall as a category 3 hurricane on Aug. 25, it came barreling with 130 mph winds.

The council says with approximately 250,000 vehicles experiencing flood damage, those losses are expected to reach $4.75 billion. These totals do not include residential property losses due to flooding or uninsured losses.

Hurricane Ike, which made landfall near Galveston on Sept. 13, 2008, had been the costliest storm in Texas history with $12 billion in insured losses. Last year, the agency saw $5 billion in auto and homeowner hail claims after Texas was hammered with massive hail storms.

The Texas Department of Insurance is also reassuring Texas policyholders that storm claims will be paid and that the agency will aggressively enforce state laws and policy provisions to protect victims of Hurricane Harvey and the widespread flooding that followed.

GOVERNMENT/ POLITICS

Sen. Ted Cruz promising help for Port Arthur residents
By Elaine Kong|
KFDM
September 15, 2017

Senator Ted Cruz vowed to fight for Southeast Texas, saying he would help to get federal dollars to help with Hurricane/Tropical Storm Harvey recovery.

KFDM/Fox 4's Elaine Kong spoke with Cruz while he was at a shelter for flood victims in Port Arthur.

The senator listened as a woman demanded action to help flood victims recover.

Twice in two weeks Sen. Cruz has visited Port Arthur and seen the devastation.

"We need some action less talking more action," said Port Arthur resident Patricia Mooney.

Sen. Cruz heard from people like Mooney who say they're tired of hearing relief is coming.

"I don't know it's like we've been left out," said Mooney, who was evacuated from her home a week ago.

She took refuge at Thomas Jefferson Middle School, which is set to close as a shelter.

Last week, President Trump signed a bill for $15 billion in Harvey relief.

Mooney says the government needs to do more.

"Everyone recognizes that's just a down payment," said Sen. Cruz. "Most of the estimates for the cost of rebuilding are north of a 100 billion dollars."

Cruz says he dedicated a portion of his staff to Harvey relief efforts

He says he's working with FEMA and Gov. Abbott to speed up assistance for housing.

"For the people in need of shelter, we are working in here at this shelter to find new shelters to temporary housing to permanent housing," Cruz said.

He says the city of Houston has received a lot of the post-hurricane attention, but he maintains Port Arthur isn't forgotten.

"Houston has been devastated, but I don't think there is a community in the whole State of Texas that has seen such incredible devastation like Port Arthur has," Cruz said.

Mooney was born in Port Arthur and don't believe it's all talk.

"It kind of felt like he was sincere about helping and not just helping a few but helping everybody," Mooney said of Cruz. "He wants everybody to be helped."

BUSINESS & ECONOMY

Houston restaurants hit hard by Harvey
By Carolina Gonzales
Chron
September 16, 2017

In the days after Hurricane Harvey, the Houston Health Department was out in full force.

From Aug. 31 through Sept. 13, inspectors checked on facilities known to serve food to survey the damage.

Open restaurants gave inspectors the opportunity to note the visible damage, and often, speak with managers about what happened during and after the storm.

Many restaurants still had notes on their doors saying they were closed when inspectors dropped by.

For those establishments that didn't fare well, the damaged varied either because of flooding or power outages.

The Chick-Fil-A located at 753 Dairy Ashford lost power for four days and as a result, had to throw out 8,000 pounds of food. Several more restaurants ran into this same problem.

In the gallery above are the disaster survey results of hard hit restaurants in Houston.

State unemployment rate for August improves to 4.2 percent
Victoria Advocate
September 15, 2017

AUSTIN (AP) - The statewide unemployment rate for August improved to 4.2 percent for the fourth straight month of declining jobless figures, the Texas Workforce Commission reported Friday.

Last month's unemployment rate compared to a 4.3 percent statewide jobless rate in July, according to the TWC.

Nationwide unemployment for August was 4.4 percent.

"Texas employers added 298,600 jobs over the year in the diverse and competitive Texas economy," said commission chairman Andres Alcantar. "TWC is dedicated to building and deploying the partnerships necessary to support the rebuilding of our Texas communities impacted by Hurricane Harvey and to put our fellow Texans back to work."

Harvey made landfall in South Texas on Aug. 25. The Insurance Council of Texas on Friday estimated insured losses from Harvey at almost $19 billion.

Amarillo had the lowest unemployment rate across Texas last month at 3.1 percent, according to a TWC statement.

The McAllen-Edinburg-Mission area had the highest jobless rate in Texas during August at 8 percent.

The Texas economy expanded for the 14th consecutive month with the addition of 5,500 seasonally adjusted nonfarm jobs in August, according to commission officials.

The trade, transportation and utilities industry recorded the largest private-industry gain for August with 9,100 jobs added.

Construction expanded by 2,600 jobs, adding 15,200 jobs over the year, the TWC reports.

Hurricanes pull consumer confidence down in early September
Housing Wire
September 16, 2017

Americans became less confident in the economy after Hurricane Harvey and Hurricane Irma swept across Florida and South Texas, according to the Survey of Consumers conducted by the University of Michigan.

The Index of Consumer Sentiment decreased to 95.3 in the first part of September. This is down 1.5% from 96.8 in August, but still up 4.5% from 91.2 in September last year.

"Consumer confidence edged downward in early September due to concerns over the outlook for the national economy," Survey of Consumers Chief Economist Richard Curtin said. "Consumers' assessments of current economic conditions improved, however, with the Current Conditions Index reaching the highest level since November of 2000."

An article by Jill Mislinski for Advisor Perspectives explains what this means historically:

The Michigan average since its inception is 85.4. During non-recessionary years the average is 87.6. The average during the five recessions is 69.3.

Last month, Curtin explained Hurricane Harvey could impact consumer confidence in the months ahead. Now, it seems to play the greatest role in bringing down confidence among Americans.

"The two hurricanes had a greater impact on expected economic conditions," Curtin said. "Across all interviews in early September, 9% spontaneously mentioned concerns that Harvey, Irma, or both, would have a negative impact on the overall economy."

"Among those who mentioned the hurricanes, the Sentiment Index was 80.2, while among those who did not spontaneously mention either hurricane, the Sentiment Index remained unchanged from last month at 96.8," he said. "Given the widespread devastation in Texas and Florida, it is not surprising to find these very negative initial reactions, nor would it be surprising if these negative assessments last longer than following most past hurricanes."

The Current Economic Conditions index increased 2.7% from last month's 110.9 to 113.9 and 9.3% from 104.2 last year.

The Index of Consumer Expectations, however, created the drag on confidence with its decrease of 4.9% from last month's 87.7 to 83.4 in September. However, this is still up 0.8% from 82.7 last year.

"While consumers anticipated slight increases in gas prices and a slightly higher overall inflation rate, those concerns were neutralized by the best assessments of their financial situation in more than a decade," Curtin said. "Renewed gains in incomes as well as rising home and equity values have acted to counterbalance the negative impacts from the hurricanes. Given the current resilience of consumers, recent events are unlikely to derail confidence."

Hurricane Harvey slams U.S. retail sales, industrial output
By Lucia Mutikani
Reuters
September 16, 2017

WASHINGTON (Reuters) - U.S. retail sales unexpectedly fell in August and industrial output recorded its biggest drop since 2009 as Hurricane Harvey disrupted activity, suggesting the storm could dent economic growth in the third quarter.

Harvey, which lashed Texas in the last week of August, also has impacted the labor market. Hurricane Irma, which struck Florida last weekend, also is likely to hurt the economy, though analysts expect a rebound in the fourth quarter.

"The early returns from Harvey are trickling in and the news is not good," said Joel Naroff, chief economist at Naroff Economic Advisors in Holland, Pennsylvania. "Economists are likely marking down third-quarter growth and marking up the fourth quarter."

The Commerce Department said retail sales dropped 0.2 percent last month, the biggest decline in six months as motor vehicle sales tumbled 1.6 percent. Sales of building materials, electronics and appliances as well as clothing also fell.

While noting that it could not isolate the impact of Harvey on retail sales, the department said it received indications from companies that the hurricane had "both positive and negative effects on their sales data while others indicated they were not impacted at all."

Though Harvey likely depressed retail sales last month, data for July and June were revised down, suggesting a moderation in consumer spending after brisk growth in the second quarter.

Economists had forecast retail sales nudging up 0.1 percent in August. While last month's drop in motor vehicle sales was the largest in seven months, the replacement of flood-damaged vehicles, especially in the Houston area, is expected to deliver a boost.

Overall retail sales increased 3.2 percent in August on a year-on-year basis. Excluding automobiles, gasoline, building materials and food services, retail sales fell 0.2 percent last month after an unrevised 0.6 percent increase in July.

These so-called core retail sales correspond most closely with the consumer spending component of gross domestic product. Consumer spending, which accounts for more than two-thirds of U.S. economic activity, increased at a 3.3 percent annualized rate in the second quarter. That boosted GDP growth to a 3.0percent rate in the April-June period.

U.S. stocks inched up to record highs, while prices of U.S. Treasuries slipped. The dollar fell against a basket of currencies .DXY.

'WALKING WOUNDED'

In a separate report on Friday, the Federal Reserve said industrial production declined 0.9 percent in August. That was the biggest drop since May 2009 and followed six straight monthly gains.

The Fed attributed about 0.75 percentage point of the decline to storm effects that "temporarily curtailed drilling, servicing, and extraction activity for oil and natural gas."

Economists expect industrial output to decline further in September, with Irma likely weighing on utilities.

"Food processing is also going to join the list of the walking wounded because South Florida grows and processes a lot of food," said Michael Montgomery, a U.S. economist at IHS Markit in Lexington, Massachusetts.

Other data from the New York Fed on Friday showed its index of factory activity in New York state remained at lofty levels in September amid strong orders growth, indicating that manufacturing remains on solid ground apart from the storm-related distortions.

The weak retail sales and industrial output reports prompted the Atlanta Fed to slash its third-quarter GDP estimate to a 2.2 percent rate from a 3.0 percent pace.

The data, however, did little to change expectations that the Fed will announce a plan to start shrinking its $4.2 trillion portfolio of Treasury bonds and mortgage-backed securities at its Sept. 19-20 policy meeting.

The U.S. central bank is expected to raise interest rates again only in December. It has increased borrowing costs twice this year. Despite sluggish wage growth, even as the labor market nears full employment, the fundamentals for consumer spending are solid. In addition to the strong stock market, house prices have continued to rise.

Last month, sales at building material stores fell 0.5 percent after surging 0.9 percent in July. Clean-up and rebuilding in the aftermath of Harvey and Irma could buoy sales of building materials in September.

Receipts at service stations increased 2.5 percent in August, reflecting higher gasoline prices. Sales at electronics and appliance stores fell 0.7 percent and receipts at clothing stores dropped 1.0 percent after rising 0.5 percent in July. Sales at online retailers declined 1.1 percent in August, the biggest drop since April 2014. That was likely payback following a 1.8 percent surge in July, which was driven by Amazon.com's (AMZN.O) Prime Day promotion.

Receipts at restaurants and bars rose 0.3 percent and sales at sporting goods and hobby stores edged up 0.1 percent.

HUMAN INTEREST & COMMUNITY OUTREACH

Mayor: Hurricane Harvey Victims "Still Running On Generators", Thankful For RGV Donations
By Derick Garcia
RGVProud

September 15, 2017

Woodsboro, TX - Three weeks after Hurricane Harvey's catastrophic force pounded the Texas Gulf Coast, the small town of Woodsboro has areas still without power, "We're having a hard time finding electricians because it did mess up a lot of the homes, not just the city stuff. People are still running on generators." said Mayor Kay Roach outside of the Eagle's Nest Family Center. It's one of the largest standing building in the small town in Refugio County.

Population is a little more than 1,400 residents and many live in older homes which took a heavy hit from the category 4 storm. Mayor Roach has been in office for fewer than 5 months, "I wanted to do a little bit of cleaning up in the area, but I didn't realize that we were going to do this kind of cleaning up." As a resident of the small town for more than 20 years, she's taking the situation with grace and optimism, "this is going to be a marathon, this is going to go on for if not months, years to overcome this. Because, there's just no way to-- Rome wasn't built in a day. And Woodsboro's going to have to take three to four years just to be rebuilt."

To help with the rebuilding efforts, the city has opened their arms to volunteers and donations from across the country. News Center 23's Derick Garcia supervised the delivery of 40,000+ pounds of donations. News Center 23, Habitat for Humanity and Valley Trucking Company partnered to deliver food, water, bug spray and essential child care needs to Harvey Victims. On Wednesday, September 13th, the donations collected by the Rio Grande Valley community were unloaded at the Eagle's Nest, which now serves as a distribution hub for the citizens of Woodsboro.

The city has plenty of new faces, many former military service members with the clothing apparel company Grunt Style. The veteran owned and operated company is taking a hands on approach to humanitarian efforts, "They come in every day, it's always something new and whatever we can do to help them out; whether I don't have the supplies, whether I don't have the guys, I'm going to call in reinforcements and make sure these people get what they need." said Drew Strong. His military tattoos cover both arms and is a coordinator for the city's recovery, "[we're] taking in supplies and handing them out to the community, that's what we're here for."

While Strong and Mayor Roach continue to rebuild Woodsboro, the road to recovery will be a long one. News Center 23 is expected to return to the city within the coming weeks. Check back for updates.

Farmers share crops with hurricane victims
By Michael Randall
Record Online
September 15, 2017

PINE ISLAND – Farmers in Orange and Ulster counties joined forces Friday to fill a tractor trailer with fresh fruits and vegetables for victims of hurricanes Harvey and Irma.

A year after a drought plagued the region, farmers had a good growing season this year, and they wanted to share their surplus.

“We’ve been blessed with a great crop this year,” said Steve Pennings of Pennings Orchard and Farm Market, a family-run operation in Warwick. “Last year, we wouldn’t have been able to do this.”

The farmers turned to Maire Ullrich, agriculture program leader at Cornell Cooperative Extension of Orange County, who coordinated the operation and arranged for Feeding America to provide the tractor trailer. Donations were collected at Modern Produce in Pine Island before heading south.

The farmers first got the idea after Hurricane Harvey devastated Texas, but Ullrich said Feeding America would decide if this food goes to areas hit by Harvey, Irma, or both.

The farmers were asked to give so-called “hard crops” – apples, potatoes, cabbage, onions, carrots and others that could last a week at room temperature.

Mark Rogowski, who grows onions and mixed vegetables at his O&R Produce Farm in Pine Island, said there was plenty to give.

“The weather was a one-in-10-years type this year,” Rogowski said. “Cool temperatures and adequate rainfall.”

Ullrich agreed.

“The weather has been pretty favorable this year, so I think the farmers are feeling pretty generous,” she said.

She credited Pennings with the idea.

“It’s the least we can do,” Pennings said. “It was very little sweat off our backs. Our employees were happy to help.”

Farmers donated 20 pallets of fruits and vegetables, enough to fill the tractor trailer. Ullrich estimated that translated to 15 to 18 tons of food.

Ullrich said similar collections are happening around the state, including in Albany, Buffalo and the Finger Lakes region.

If there’s enough interest, there might be a second local truckload shipped next week from Ulster County, she said.

Pennings figures farmers in the South would do the same if the situations were reversed.

“If a hurricane hit up here, I hope they’d send us some oranges and tomatoes,” he said.

Marley's Mutts returns from Texas with 40 saved pets displaced from Hurricane Harvey
ABC23
September 16, 2017

40 dogs and cats rescued from Hurricane Harvey, being brought here to Kern County by one local rescue. 23ABC’s Adam Bowles went to Tehachapi where he met with Zack Skow with Marleys Mutts and talked to him about this journey to save dozens of furry friends.

Zack Skow with Marleys Mutts is back from Houston after rescuing forty dogs and cats from the destruction of Hurricane Harvey, the most extreme rain event in U.S. history.

Tens of thousands of people were flooded out of their homes because of Hurricane Harvey in late August.

One local dog rescue wanted to do something about it, thinking about the animals displaced by the record breaking floods.

"We got to see the best of people, the whole trip was really inspiring and we just felt connected to everyone along the way. Because of it, we were able to come away from Texas with forty animals and forty saved lives,” Zack Skow says.

Forty lives given a second chance, because of Zack Skow with Marleys Mutts and one trip decided last week to do something powerful to help others.

"This mission, It has given me a boost of confidence and motivation and Im really fulfilled for sure," Robert Villaneda says.

Forty lives saved, because of the love of others.

"Its always rewarding to be apart of something greater than yourself. Its always,you know, you always feel the most alive when you are being of service and we felt very alive on this trip helping as many people as we could," Skow says.

The trip was tiring, But Zack can rest easy knowing he did a good deed for those in need.

"We call our dogs and cats the Houston hoard. Its our hoard of critters from Harvey and Houston," Skow says.

Some of this Houston hoard is staying at this ranch being checked up by Marleys Mutts, but if you want to adopt one of these Houston animals you can contact Marleys Mutts.org and in a few weeks, you could have a new friend that survived one of the most destructive storms in our history.

City of Steamboat donating work trucks to Texas city devastated by Hurricane Harvey
By Scott Franz
Steamboat Today
September 15, 2017

STEAMBOAT SPRINGS — The city of Steamboat Springs is donating six of its recently-retired fleet vehicles to a Texas city that lost its entire fleet of public works vehicles in the aftermath of Hurricane Harvey.

"To a city that's lost everything, they could be pretty helpful for a few years," Steamboat Public Works Director Jon Snyder said

Friday.

The city of Port Aransas will get three Dodge Durangos, two pickups and a Jeep Cherokee from Steamboat.

Snyder said the vehicles, which were sitting in storage here, will be shipped to Texas sometime next week.

Port Aransas is located on a barrier island near Corpus Christi, Texas.

The city of 3,400 people was devastated after Harvey made landfall as a Category 4 hurricane nearby.

"The emotional toll of what's happened to our friends and families is indescribable," Port Aransas Police Chief Scott Burroughs said at a news conference following the storm.

Snyder said Steamboat City Manager Gary Suiter came up with the idea for the city to reach out and find a way to help Texans who were impacted by the storm.

Suiter said the city asked the Texas Municipal League how it could best assist.

The League reached out to Port Aransas, which was in desperate need of vehicles.

Suiter credited Steamboat Fleet Superintendent Jason Weber for reaching out to Port Aransas and putting the donation together.

Snyder said the donated trucks are a mix of ones that were just replaced this year and a few that were put out to bid last year but did not get any attention from potential buyers.

Government vehicles in Steamboat are regularly replaced on a set schedule.

The estimated value of the vehicles is about $14,000.

South Bay students empty piggy banks for Hurricane Harvey victims
By Judy Peterson
Mercury News
September 15, 2017

Fisher Middle School students emptied their piggy banks and many parents emptied their wallets to raise money for students impacted by Hurricane Harvey. The fundraising drive was organized by Fisher's Leadership students, who adopted Henderson Middle School in Sour Lake, Texas, shortly after Hurricane Harvey struck.

Sour Lake is near Beaumont in southeastern Texas.

The Fisher students sent about $3,000 worth of gift cards to Henderson Middle School this week. A good portion of the money to purchase the cards was collected on Aug. 31 during Back to School Night. But on a couple of mornings, students solicited donations from parents who were dropping off kids curbside.

"A lot of kids came out to help. I gave them a bucket and said, 'Here, go.' It's been amazing," eighth-grader Sree Sareday said.

Sree came up with the fundraising idea after learning of Harvey's devastation. "My first thought was, 'Wow, what a difficult situation to be in,'" she said. "A few days later I thought I should do something."

Like the Los Gatos Weekly Times Facebook page for neighborhood news and conversation from Los Gatos and beyond.

Sree is a Fisher Leadership student, so she approached other Leadership students, who backed the idea of a fundraiser for people hurt by Harvey.

And there's no doubt the school and surrounding community have been hurt: The damage to the middle school was so extensive that its student body will be split between three other schools when classes resume Sept. 19.

"Every home in the district was flooded, and the the school was destroyed," Leadership co-adviser Tanya Boyle said.

The middle school building was flooded with two feet of water and is uninhabitable. Plans call for it to be replaced with modular

buildings in about two months.

Henderson's student council adviser, teacher Teri Smith, is coordinating the Fisher donations on the Texas end and talked about the difficulties the Sour Lake community is experiencing.

"We have more than 700 families who lost their homes and 90 percent of their belongings. We have quite a few displaced students living with friends and family or in trailers and hotel rooms. It's hard when you lose everything."

Smith said the Fisher gift cards will go a long way toward helping the students and their families get back on their feet.

"We just want to establish a sense of normalcy as quickly as possible," she said.

Smith lost her home, too, but now she's trying to focus on positives.

"We feel very overwhelmed that a school that's thousands of miles away wants to help us. It's very humbling," she said. "It's moments like this that make you realize there is good in the world, so we're trying to focus on the blessings right now."

Sree, meantime, says the fundraiser has been enlightening.

"I've learned how much power one person has to make a difference," she said. "Everyone in Leadership has made a difference, and this has become a school-wide event. I hope it goes community-wide."

To that end, students were making plans to ask Los Gatos grocery stores for permission to post donation signs near gift card racks. Since the fundraiser will continue through Sept. 22, there's still time for community members to purchase cards or donate cash.

Donations should be dropped at the Fisher front office, 19195 Roberts Road, on weekdays between 8 a.m. and 3 p.m.

If gift cards are purchased, they should be for Walmart, Target, Home Depot, Amazon, Starbucks or Taco Bell, Boyle said.

Both Boyle and Sree are impressed with the compassion shown by students and parents alike.

"A lot of kids were emptying their piggy banks," Sree said.

Boyle added, "A couple of kids saw parents emptying their wallets. I think they were surprised by that."

Henderson is one of 20 schools asking for help through the Texas Association of Student Councils. Since the association's home page says Henderson families need clothing, toiletries, bedding, towels, blankets, food and water, Fisher's gift cards can be used to purchase those items.

Fisher adopted Henderson Middle School before Hurricane Irma slammed into Florida, but Boyle said, "We've committed to this school," so all donations will continue to be sent to Texas.

Local couple brings supplies and hope to hurricane ravaged Texas
By Howard Dukes South Bend Tribune
SouthbendTribune
September 16, 2017

I remember when Hurricane Katrina hit Louisiana.

People seemed to be genuinely shocked by the level of damage as they tried to figure out how to respond. Eventually, trailers began appearing in shopping center and church parking lots and concerned citizens began dropping off supplies.

The American instinct to help clicked in much sooner during subsequent disasters, and now, citizens often don't wait for the official call to help. They know how to act. And, they want to act.

That is certainly the case for Ericka Schelstraete and her boyfriend Brian Ruckert. On Labor Day, the two drove a camper filled with supplies to the Lone Star State and spent the next couple of weeks dispensing bottled water, toiletries and hope to beleaguered Texans.

Ruckert, a veteran South Bend firefighter, reshuffled his vacation time so he could accompany his girlfriend to Texas after his Facebook request for donations went viral. Schelstraete recently lost her job, and decided to occupy her time by helping others. "My

personality is that I like to help others, and fortunately or unfortunately I'm unemployed, and have time to go down, and I just felt compelled to help as much as possible," she said.

As those donations from friends and family poured in, Ruckert also received help in the form of donations from his firefighting family.

With their camper filled with supplies, they headed south, originally planning to sleep in the camper because they didn't want to potentially take a hotel room away from a family that had a flood-damaged home. The supplies filled the camper, however, so they had to rent a room.

That was one of several unexpected things that occurred during their time in Texas. The storm was unprecedented, so the couple knew to leave their preconceived notions in South Bend. "I didn't know what to expect when I got down there to be honest with you," Ruckert said. "I'm a member of our river rescue team, and I teach in the river rescue team, (so) I took my gear."

Schelstraete said they linked with a group of boat rescuers called The Cajun Navy, which is an organization of volunteers who use their personal boats to rescue stranded residents. "When we arrived in Texarkana, we reached out to them and they said they needed donations delivered to the Cowboy Church, which is in Orange, Texas," she said.

The plan was to unload their filled-to-the-gills trailer, but the couple found out that the church needed volunteers to help hand out the supplies. "So we stayed and helped pass out donations of supplies and food to community members, and honestly when I got down there I didn't realize that it was going to be as involved as it was.

"But we were so glad we could help because I don't know how many people came through who lost everything. Who had nothing."

Schelstraete said many of the flooded homes did not sit in flood zones, and those residents did not purchase flood insurance. "Some of them work locally and their places of employment flooded, so they no longer have a job or a car or a house," she said.

Both say the scale of the damage hit home when they walked or drove through flood-damaged neighborhoods.

"The outside of places looked normal, but out by the curb things were piled up by the road," Ruckert said.

Schelstraete agreed, saying that often the story of a family's life could be seen in the carpeting, mattresses, clothing and appliances sitting on the curb.

During their trip, the couple also helped out an animal shelter in Port Arthur, Texas.

And, they connected with Tammy Roberts, operation supervisor for the Prairie Paws Adoption Center in Grand Prairie, Texas. Roberts formerly worked for South Bend's animal control department, where she and Schelstraete formed a friendship over their love of animals.

"She is a huge advocate for animals and volunteered with our shelter after she took home an American bulldog to foster (and eventually adopted) many years ago that was seized from a drug house, and was an advocate for the bully breeds and rescued and placed many through our shelter," Roberts said of Schelstraete.

Roberts said the massive hurricane caused flooding in Grand Prairie, a town near Dallas and Fort Worth — far north of where Harvey made landfall. Many volunteers went to the Houston area, but flooding also dislocated families and their pets elsewhere in the state.

"By them setting the example that they did," Roberts said of the couple, "it was humbling to those of us who could not break away to help in the way that they did."

Schelstraete and Ruckert both say the gratitude expressed by their friend was commonplace throughout Texas. Both were also inspired by the willingness of volunteers from Texas and from around the country to help.

"I think part of being an American is helping people less fortunate than you," Schelstraete said. "Everybody had hope and were helping each other.

"Even the people who were coming to get donations for themselves would park their cars and get out and help us and volunteer."

Commentators have noted that one side effect of disasters such as hurricanes Harvey and Irma that struck Texas and Florida is the political divisions that take up so much time on TV seem to fade away.

"The best thing about it is that race, religion, all those things go out the window," Ruckert said. "When people need help, that's when

everybody comes together."

Former firefighter makes drive to Houston for Harvey aid
By Rafael Guerrero•
Chicago Tribune
September 15, 2017

As a firefighter in Blue Island, Daniel Vasquez found a way to assist those in times of emergencies.

An injury in 2010 forced the former Streamwood resident out of firefighting after only 10 years, but his penchant to help those remained.

When Hurricane Harvey hit the Gulf Coast, devastating communities in Texas and Louisiana, Vasquez wanted to help. The Streamwood native left for Texas Friday with a pickup truck, a small trailer and numerous supplies to hand out to those in need.

"You miss doing all that, this feels like it helps me get back into it, helping whoever I can," Vasquez, 37, said.

Vasquez left his Woodstock home with more than two dozen garbage bags filled with clothes, more than 200 toothbrushes, 50 cases of water, and countless numbers of toiletries like deodorants, disinfectant wipes, toilet paper and bandages.

Everything was donated to Vasquez, he said — including the truck and trailer. Other notable items he will be handing out are make-up supplies and comic books. He said the approximately 300 comic books were donated by a Schaumburg store. While make-up and reading material aren't essentials, he said they provide comforting distractions.

A GoFundMe account he set up immediately after Harvey struck has raised almost $2,800, according to the account page.

Monetary donations helped Vasquez gather approximately 500 meals-ready-to-eat rations, far more than he anticipated. The meals are already in a Texas warehouse, waiting for him to arrive from his 17-hour-drive, Vasquez said.

What was supposed to be only a monetary drive grew, he said. "As I was collecting donations, people were asking if I could take clothes and water and food and goods, and it just grew from there," he said.

Beverly Foy, who works with Vasquez at Elgin-based BDG International, said upon his first day back at work after Harvey hit, Vasquez was already plotting his ambitious plan. Foy helped Vasquez gather donations through their work, providing "the muscle" while he thought it up and served as "the mind" of the plan, she said.

"He wants to reach people in places that no one has been to yet," Foy said.

In Texas, Vasquez will be staying with Christina Jakubowski, a childhood friend from growing up in Streamwood. Jakubowski said it has been 20 years since they saw each other, although they kept in contact through social media.

"For somebody that doesn't live here and wants to accomplish that…my first reaction was if you need a place to stay, you come stay with me," said Jakubowski, who lives in Spring, about 25 miles north of downtown Houston.

While Jakubowski's second-floor apartment was spared from Harvey, the same cannot be said about others in the vicinity, she said. Jakubowski cannot work from her office yet because of water damage, nearby creek banks overflowed, first-floor apartments in surrounding communities had six to seven feet of water in them, and trips to retailers still consist of coming up empty handed for items like containers and bins, she said.

To hear people like Vasquez are going beyond to help is "not surprising, I'm really not," she said. "He is such a nice guy and everybody knows that."

United Family Guests Show Major Support for Hurricane Relief Efforts
Everything Lubbock
September 16, 2017

LUBBOCK, TX (NEWS RELEASE) - Thanks to guests of United Supermarkets, Market Street and Amigos and a corporate match donation, $406,641 will be disbursed to the American Red Cross to support relief efforts for those affected by Hurricane Harvey. In an emergency company-wide fundraising register campaign, guests from all United Family stores in Texas and New Mexico had the

opportunity to add a monetary contribution to their grocery total almost immediately following Harvey's devastation.

"There are three primary areas where we are uniquely positioned to lend a hand: collecting funds, sending people and delivering donated product," said Robert Taylor, president of The United Family®. "As we all surveyed the aftermath in disbelief it became immediately clear that our guests felt an overwhelming call to help and we wanted to be a conduit for that generosity. As always, our communities turned out in full force; no questions asked. The United Family is proud to have been a part of such an effort."

According to the American Red Cross, the organization will be providing financial assistance to Texas households that were severely impacted by Hurricane Harvey and need help taking care of emergency needs. Right now, the American Red Cross is in the early stages of implementing that effort while continuing to assist families who remain in emergency shelters. More information may be found here.

In the early days following the storm, 65 United Family store and support team members volunteered to go to South Texas to work for 1-2 weeks alongside relief effort teams and affected families.

Over the course of the last two weeks, United Family store parking lots have hosted a number of community supply and food drives as well as donated three trailers to make delivery runs. The first donation was a full trailer of bleach; one of the most requested emergency response items. Two additional trailers in partnership with Reagor Dykes Auto Group and RE/MAX delivered thousands of pounds of food, cleaning supplies and water to those affected in the city of Rockport.

A Look at the Wildlife Rehabilitation Efforts after Hurricane Harvey
Pacific Standard
September 15, 2017

When the team at Bat World Sanctuary in Weatherford, Texas, a town about 30 miles west of the Dallas/Fort Worth area, heard about what was happening to bats as Hurricane Harvey battered Houston, they knew immediately that they had to help.

Bat World Sanctuary's lead animal caretaker, Erika Quinzel, headed down to Houston with a boat in tow. Her first stop was the parking garage of a skyscraper close to downtown, where hundreds of bats had taken refuge from the storm. Bats are small creatures, typically about the size of a hummingbird, and they simply couldn't fly in the strong winds generated by Hurricane Harvey. By the time Qinzel arrived, the bats were already starving and dehydrated—even in a flood, animals can become dehydrated, because most animals won't drink flood water.

Amanda Lollar, founder and president of Bat World Sanctuary, estimates that tens of thousands of bats lost their lives during the storm and subsequent flooding. Bats must first drop off of whatever they're clinging to in order to take flight, but the waters rose so high that many were unable to leave their roosts under bridges. There were bridges that were entirely engulfed by flood waters, where whole colonies drowned. Some that tried to leave their roosts dropped into the water and didn't make it out. Many of the bats that did manage to fly out from their roosts still ended up in the water.

All told, Quinzel rescued about 400 bats found in parking garages, clinging to trees, or on the banks of the flooded areas. Some people who had come across injured bats called Quinzel and her team of volunteers, who went and picked the animals up. With the exception of 22 bats that were in critical condition when Quinzel got to them and didn't make it through their first night under her care, all of the bats rescued by the Bat World Sanctuary team were triaged in the field and eventually released back into the wild. Most of them went right back to their original colony—if their colony had survived.

A wildlife rehabilitator's job is something like a cross between an emergency medical technician and a veterinarian. "The first thing we do with any animal or bat that needs rehab is assess its condition, look for injuries, rehydrate with subcutaneous fluid," Lollar says. "We have emergency food, which is basically hydrolized protein so the bats can absorb it readily and it's almost like instant energy, to get their energy level up and give them the strength to survive. Bats that are in shock are treated differently. Bats that are injured receive pain medication, antibiotics, their wounds are assessed. It just depends, but every bat is examined just like you would examine an animal at a veterinary office, for injuries and illness and treated according to whatever's wrong."

It wasn't just bats that needed saving, of course: Wildlife rehabilitators rescued numerous species after the storm, from common animals like beavers, deer, ducks, opossums, owls, and raccoons to rarer wildlife like alligator snapping turtles and magnificent frigatebirds.

Many of the animals were treated in the field and released, but those that needed more extensive medical attention were taken to wildlife rehab facilities across the state of Texas.

"You know in Houston there's gonna be a lot of birds," says Michelle Camara, a wildlife rehabber and founder of Southern Wildlife

Rehab in San Antonio, Texas. Harvey also happened to hit during baby squirrel season, causing many infant squirrels to be blown out of their nests. "There were hundreds and hundreds of squirrels that got flung all over the place. Maybe 800 squirrels? There were so many that they had to be passed out all the way up to Amarillo," Camara says.

While numerous wildlife rehabilitators self-deployed to the field in the aftermath of Harvey, going out and patrolling is not how rehabbers usually work. "Generally what happens is somebody calls us, we're usually listed on a state list. As permitted officers, most states have a list of wildlife rehabbers, to let people know who can legally take wildlife," Camara says. "You have to have a permit in every state to possess native wildlife. Some places have the people drop them off, some places pick them up, and some places like myself do both."

Becoming a wildlife rehabilitator requires extensive training and not inconsiderable expenses, and that's just to get the necessary permit. This makes sense, as permitted wildlife rehabbers are legally allowed to perform surgeries and administer tranquilizers and sedatives. But there's also vaccinations to be kept up with, especially for rehabbers who work with animals that might be infected with diseases like rabies, which requires them to get pre-exposure shots and, in some states, specialized training for handling disease vectors.

Despite such stringent regulations governing their work, wildlife rehabilitators do not frequently receive much institutional support, from the government or otherwise. Coordination of their efforts—say you're taking calls but your facility has been damaged by the storm and can't take in any more animals, or you've been called about an injured bat but you specialize in amphibians and reptiles and need to find another facility to take the animal—is frequently done on an ad hoc, interpersonal basis.

Nothing illustrates the dedication of wildlife rehabbers even in the face of the often insufficient support and resources they have to do their job than the fact that, as they braced for Harvey to make landfall, many rehabbers prepared by taking animals home to ride out the storm. "There was a lot of work done before the disaster as we had many animals in our onsite programs as well as our education animals at the center," says Liz Compton, rehab coordinator at the Houston-based TWRC Wildlife Center. "These animals needed to go home with staff and rehabbers in case the center was flooded or otherwise damaged and/or we could not get to the center to take care of them."

Unlike neighboring Louisiana, Texas does not have a formal system in place for coordinating wildlife rescue efforts or raising funds for cash-strapped rehabilitation centers. But a number of individuals and groups stepped in to do what they could, even if they were nowhere near Texas.

"In a disaster people find wildlife in need of help—but when the wildlife centers have downed phone lines and no electricity, where do they go?" asked Kai Williams, executive director of the Portland, Oregon-based International Wildlife Rehabilitation Council. "We've found that, in the hours before the wildlife centers get back online people go to the Internet—finding both good and bad information. There have been some great examples during Harvey of the Web 2.0 community responding to a disaster—for wildlife this has happened with Reddit and Facebook users who are wildlife rehabilitators from outside the affected area providing auxiliary support to the public."

During Harvey, Williams and the staff at IWRC checked in with their members and other rehabilitators in and near the affected area in order to find out what needs there were on the ground. IWRC also connected with a group called Animal Help Now and Southern Wildlife Rehab's Michelle Camara, both of whom were in touch with rehabbers in Houston and other impacted areas, as well, and created an informal network for coordinating rehab efforts.

"It worked pretty good this time, even though it was a throw-together because nobody knew they were going to be doing that," Camara says.

The need for this type of support network in the wake of a disaster like Harvey quickly became apparent. Together with LoveAnimals.org, Animal Help Now, Southern Wildlife Rehab, and IWRC launched a fundraising effort in order to aid wildlife rehabbers and rescuers working to save animals affected by Hurricane Harvey and the subsequent flooding. As Hurricane Irma slammed into the Caribbean and Florida, they expanded the fundraiser to support wildlife rehabilitators affected by other hurricanes, and hope that this effort will serve as a model in the future for responding to these kinds of extreme weather episodes and their impacts on wildlife.

Animal Help Now co-founder and executive director David Crawford said in a statement: "It is clear that coordinated efforts to assist wildlife and wildlife rehabilitators must be in place in advance of anticipated disasters such as floods and hurricanes. This collaborative effort, facilitated in exemplary fashion by John Irvine, president of LoveAnimals.org, will help create a model going forward. We have learned a lot, and Harvey has again demonstrated that wildlife is especially vulnerable to environmental disasters in this new century."

Trailer leaves for Texas with donations for Hurricane Harvey victims
By Christopher Heimerman
Daily-Chronicle
September 15, 2017

DeKALB – Kathy Elliott was relieved she made it to Crossview Church on Friday before it was too late.

The DeKalb woman flashed a huge smile as she stepped out of her burgundy sedan Friday afternoon and pulled a box of diapers from the back seat.

"I almost didn't make it," she said. "I'm so glad you haven't left yet."

The diapers, a couple of cases of water and bleach were loaded onto the 53-foot trailer by Kathy Hall, a Genoa woman and a volunteer with Crossview Church, 150 Bethany Road, DeKalb. Volunteers and donors have helped load a trailer that has been in the parking lot the past couple of weeks. On Friday, two drivers were set to hit the road for Texas to distribute locally donated items to those affected by Hurricane Harvey.

Even before Elliott's donations were loaded, the haul weighed 30 tons, according to one of the organizers, who asked to remain anonymous because they did not want credit for the effort.

"I wish I could do more, but it looks like it's filling up, and that's exciting," Elliott said. "A lot of folks can't just pack up and go down there. If I could, I'd be there cleaning with my Clorox and helping out."

The Insurance Council of Texas, the nation's largest insurance trade association, estimates damage from Harvey at $19 billion.

Harvey battered Texas' Gulf Coast and flooded a vast area. The storm caused more than 70 deaths and damaged or destroyed more than 250,000 homes.

Church members have volunteered their time the past couple of weeks to help load the truck daily. Hall has worked three shifts, and she enlisted her nephew, 26-year-old Justin Campbell, to help finish loading and organizing donations Friday.

"I told him we needed a little more muscle today," she said. "His back is younger than the rest of ours."

Toward the front of the trailer, another church member, Paul Radtke of Sycamore, was helping maximize space. He works for CHS Elburn in Sycamore, which is picking up the tab for all of the travel expenses – including Radtke and another driver, Paul Ramm, who will drive through the night Friday. They planned to leave about 9 p.m. Friday, and collections continued until 7 p.m.

Blackhawk Moving and Storage donated the 53-foot tractor-trailer. Radtke said he's more than happy to donate his time.

"We've got the resources," he said. "I had a calling. It's just something we should do."

Banners with messages of support reach Hurricane Harvey shelter
By Jeff Landa•
LA Times
September 15, 2017

A Burbank resident delivered banners earlier this month representing the city of Burbank and Roosevelt Elementary School to the George R. Brown Convention Center in Houston, Texas, to show those sheltered from Hurricane Harvey that the California city and school care for them.

Hurricane Harvey displaced thousands along the Texas Gulf Coast, and those forced to flee have relied on shelters such as stadiums, religious centers and even homes normally used as vacation rentals.

Lorena Mendez Quiroga spent the first weekend of September in the afflicted Texas city and brought two banners, each with handwritten messages written on them as a show of local support for those impacted by Hurricane Harvey.

"They are just a symbol of solidarity, that we are with them like the country is with every single one of those Houstonians," Quiroga said.

One banner represented Burbank and was covered with several hundred names, messages and prayers to the ailing evacuees, written

outside of Porto's Bakery in Burbank the day before Quiroga left for Texas on Sept. 1.

The 4-foot-by-12-foot white banner with the image of an American flag was provided for free by Yes Signs & Banners in Burbank.

The other banner was created on behalf of Roosevelt Elementary school. The bright, larger yellow banner was covered with names and messages from students, often enclosed by hearts drawn in marker.

"Within the convention center, there were these playgrounds and, as soon as we made our way there, [the evacuees] were so appreciative," Quiroga said. "I told them that our kids and residents worked so hard to express their love, prayers and solidarity with you."

Quiroga, a documentary filmmaker, dedicated a major part of her visit to focus on speaking with undocumented immigrants who feared going to the larger shelters and, instead, relied on small churches where they felt safe from possible deportation.

She met with a cameraman and two producers in Texas, relying on favors from friends living in the area to drive to some of the flooded regions as well as a small Catholic church that sheltered a number of undocumented Latino immigrants.

"To me, these families look like refugees and are hardworking and just seem absolutely devastated to me," Quiroga said.

In an Aug. 25 statement made ahead of Hurricane Harvey's Texas approach, U.S. Immigration and Customs Enforcement said, "Routine noncriminal immigration enforcement operations will not be conducted at evacuation sites or assistance centers such as shelters or food banks."

American Red Cross will resume payments to Hurricane Harvey victims Sept. 21
By Robert Downen
Chron
September 15, 2017

A new website will be launched Sept. 21, and Red Cross said they are processing registrations that were not completed because of the system overload.

Some applicants, the organization said, did not receive reference codes or were unable to select payment methods

World Care collecting supplies so Hurricane Harvey survivors can clean up
By Whitney Clark
KGUN
September 15, 2017

TUCSON (KGUN9-TV) As people in Texas start to clean up after Hurricane Harvey, they're in need of crucial supplies.

On Friday boxes of supplies at World Care were packed up and ready to go. Steve Boice is with Horse'n Around Rescue Ranch and Foundation in Hereford and is getting ready to drive to Galveston, Texas.

He's going to the fairgrounds to assist people that need help with their horses. Many of them have been living in miserable conditions.

"They're looking for everything," Boice said. "They're needing everything. These guys are soaking feet on horses in plastic bags in Saran wrap."

Animals of all kinds have been displaced since the storm hit, including horses stuck in flood waters. When left in water for too long, Boice says it can cause some serious problems for the horses.

The donations Boice is bringing from the community include stuff to protect horses hooves and other supplies.

"When we had the Monument Fire down there, we had a lot of support from all over," Boice said. "And it's time for us to do some things for them and that's what we're doing."

World Care has been a hub of activity the last few weeks.

World Care office manager Sam Matz says the organization has shipped off more than 34,000 pounds of donations to Texas.

Matz says the focus now is on clean-up, and World Care is collecting things including insect repellent, sunscreen, tarps, extension cords, rope, and heavy duty gloves.

It could take months, even years for life in Texas to get back to normal. For now World Care is collecting supplies for Hurricane Harvey survivors, and is on standby to assist with Hurricane Irma.

You can also donate money, Matz said.

BreakPoint: Relief efforts depend on faith-based organizations
By John Stonestreet and Roberto Rivera
TimesFreePress
September 16, 2017

"Florida Staggers Towards Long Recovery." That was among the headlines describing the impact Hurricane Irma had on the Sunshine State.

Much the same thing has been said about areas afflicted by Hurricane Harvey. Though our national attention has been riveted on South Texas and Florida these past few weeks, soon the television crews will pack up and leave and will take our attention with them.

So what will be left — or should we say, who will be left? Only those who are committed to the long, difficult and mostly anonymous work of helping and rebuilding. In other words, people of faith.

And not just a few. The headline of a recent story in USA Today reads "Faith groups provide the bulk of disaster recovery, in coordination with FEMA."

The paper's Washington correspondent, Paul Singer, begins by telling readers something they may not know: "If you donate bottles of water, diapers, clothing or any other materials to hurricane victims in Texas or Florida, your donation will likely pass through the hands of the Seventh-day Adventists before it gets to a storm victim."

Who knew? And Singer continues, "The Adventists, over several decades, have established a unique expertise in disaster 'warehousing,' collecting, logging, organizing and distributing relief supplies, in cooperation with government disaster response agencies."

As Singer tells readers, "In a disaster, churches don't just hold bake sales to raise money or collect clothes to send to victims; faith-based organizations are integral partners in state and federal disaster relief efforts. They have specific roles and a sophisticated communication and coordination network to make sure their efforts don't overlap or get in each other's way."

Singer went on to mention the Convoy of Hope and Samaritan's Purse, while clarifying that these groups don't "merely" supplement government relief efforts. In many instances, they are the government response. Not in the sense that their actions are directed by government but, instead, that government recognizes their integral role and seeks to facilitate their actions.

Federal agencies such as FEMA and their state counterparts rely on these groups. So much so that, as Singer tell us, FEMA ran interference for Samaritan's Purse with other agencies such as U.S. Customs and Border Protection.

And there's a lot more where that came from. According to the CEO of National Voluntary Organizations Active in Disaster, an umbrella group, "About 80 percent of all recovery happens because of nonprofits, and the majority of them are faith-based."

Let the implications of that number sink in. And yet, as I have told you several times, an increasing percentage of Americans — nearly half — think "that the government could replace religious organizations and the charitable services they offer with no problems and nothing lost."

To see just how wrong this is, we only need to look at South Texas and Florida.

But just as important as the efforts offered by people of faith is the reason why they do what they do. The answer of course is, if I may paraphrase Sen. Diane Feinstein's anti-religious questioning of a judicial nominee last week, that the "dogma lives loudly in them."

They believe deeply in God and that people are made in his image. That God has been very kind and generous to them and asks of his people, if I might use the summary of all Christian dogma offered by Jesus Christ himself, that they love God with all they have and love their neighbors as themselves.

If such dogma were at the volume that Feinstein and others found more acceptable, i.e., only hearable in the privacy of our own thoughts and houses of worship, well, Florida's road to recovery would be a lot longer.

But thank God that his people are everywhere, and for their deeply held dogmas that drive them to offer their time, their money, their talent and their treasure to those in need around them.

MISCELLANEOUS

FEMA auctioned disaster trailers as Harvey made landfall
Chicago Tribune
September 16, 2017

The federal government auctioned off disaster-response trailers at fire-sale prices even as Harvey devastated southeast Texas, reducing an already diminished supply of mobile homes ahead of what could become the nation's largest-ever housing mission.

More than 100 2017-model Federal Emergency Management Agency trailers were sold over the two days before the Category 4 hurricane landed in the Gulf Coast, an analysis of government data by The Associated Press found. Harvey was already projected to be a monster storm that would inflict unprecedented damage. The sales continued until Aug. 28, when floodwaters sent thousands of Texans onto rooftops and into shelters.

About 79,000 homes in the areas affected by the hurricane were flooded with 18 inches or more of water, Michael Byrne, FEMA's federal disaster recovery coordinator for Harvey, told AP.

The auctions — about 300 since the beginning of the year — have left FEMA with a standing fleet of only 1,700 units. The agency has put out bids for another 4,500, but officials could not say when they would be ready to meet needs arising from Harvey, Irma and potentially future storms.

FEMA auctioned off emergency response trailers even as Harvey was bearing down
Press-Herald
September 16, 2017

The federal government auctioned off disaster-response trailers at fire-sale prices even as Harvey devastated southeast Texas, reducing an already diminished supply of mobile homes ahead of what could become the nation's largest-ever housing mission.

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FEMA officials said that the units that were sold had housed survivors of last year's floods in southern Louisiana and were unfit for redeployment.

SOCIAL LISTENING

Hurricane Harvey – Social Listening Report – 9/16/17 12:30 CST
Compiled by: Zella Campbell, Scott Reuter, Bree Constance Huffin and Brian Miller

This report is being distributed to the 4332 Joint Field Office, FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, Red Cross, USCG, and HHS/ASPR.

Summary: The conversation as it relates to Hurricane Harvey has remained to stay steady since yesterday. Some survivors are excited about their visits from the FEMA inspectors but are receiving discouraging comments from other survivors stating they will most likely get denied as well. Survivors are concerned with debris removals on the way, where will the debris be moved to. Conversation related to the temporary FEMA tents for displaced survivors continues from Twitter to Facebook with shocking and positive reactions from both the public and local residents. A lot of survivors are reaching out through community groups for assistance with cleanup and construction. A survivors shares her frustration of having to stay in a FEMA tent alongside 1,200 other survivors is receiving low engagement form local residents. A non-local doctor expresses his negative views on FEMA using Air Force planes to spray insecticides is gaining similar responses from the public and local residents. The whole city of the San Jacinto County will be getting sprayed for mosquitos on September 18th. Tide is in the Port Arthur area washing survivors clothes for free daily 9am-5pm. Brazoria County Hurricane Harvey Recovery Fund has reach $414,988.

Report sections

- FEMA Conversation
- Operations
- Public Perception
- Rumors/Misinformation

FEMA Conversation

- A non-local professional doctor expressing his negative views on FEMA planning to use modified Air Force planes to spray insecticides is receiving a lot of his similar frustrations from both local & non-local residents.

- A survivor expresses her frustration with losing everything and having to live in a FEMA tent alongside 1,200 other survivors is receiving shocking reactions but low engagement from local residents.

Operations

RECOVERY:

- As of 15:24 CST today, the San Jacinto County Office of emergency management announced that the whole county is schedule for mosquito spraying on September 18th.

ANIMALS:

- Efforts continue with animal shelters and the public to help displaced pets get reconnected with their families or with a foster family.

PRIVATE SECTOR

- As of today at 6:48 CST, Tide announced they will be in the Port Arthur area washing survivors clothes for free daily at 9am-5pm.

- As of yesterday at 13:15 CST, United way of Brazoria County announced the Brazoria County Hurricane Harvey Recovery Fund has reached $414,988.

Public Perception

- Some survivors are looking forward to their visit from the FEMA inspectors but other survivors are responding negatively stating that they will most likely get denied like others already have.

  (Example 1) (Example 2)
- Conversation as it relates to debris removal continues to receive mixed reactions from both the public and survivors.

  - A lot of survivors are suggesting that the debris be recycled and reused for energy.
  - Some survivors are very concerned on where will they place the debris.

- Conversations continue about images that surfaced online of the temporary tent homes in Port Arthur, TX for displaced survivors is receiving a lot of shocking and positive reactions from both local and non-local residents.
- A non-profit organization article discussing a brave 13 year old teen courage to save 17 of his neighbors with a mattress

during hurricane Harvey is receiving a lot of positive praise from the public.

- A lot of survivors continue to reach out in community group pages for cleanup and construction help along with volunteers offering to help. (Example 1) (Example 2) (Example 3)

Rumor/Misinformation

The City of Port Arthur posted a rumor control post that informed residents that FEMA does not have requirements for debris.

From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Fri 9/15/2017 9:47:52 PM (UTC)
Subject: FEMA: TX Media Analysis Report Evening 9 15 17 DR 4332

Media Analysis Report
Friday, September 15, 2017
DR-4332-TX

Hot Issues –

- ***Social Media Hot Issue*:** Survivors continue to express frustration over hotels not accepting the vouchers received by FEMA. They're also becoming slightly more irritated by the lack of options, including no trailers being made visible or available. *Please see the Social Listening Report for further details.*

Noteworthy issues:

Texas General Land Office to lead Harvey housing effort
Madlin Mekelburg, USA Today Network –Reporter-News –September 15, 2017
AUSTIN — The Texas General Land Office, the agency tasked with managing state-owned lands, will oversee short- and long-term housing for Texans displaced by Hurricane Harvey, Gov. Greg Abbott announced Thursday….

Hurricane Harvey's Survivors Still Reeling; Thousands in Shelters, Hotels Three Weeks Later
By Sean Breslin-Weather.com –September 15. 2017
It has not been an easy road for the survivors of Hurricane Harvey, trying to piece their lives back together three weeks after the storm changed everything. Some 20,000 people are still in shelters or hotels 20 days after the hurricane made landfall along the Texas coast, according to CNN.com. Some have yet to get their power restored, the report said, while others are unable to live in their storm-damaged homes, so they've been forced to sleep elsewhere…

U.S. Small Business Admin sets up recovery center for SE Texas businesses at Lamar University
12News –September 14, 2017 … *SBA was made aware of the incorrect date, which is listed below. A rapid response will be provided.*
BEAUMONT - The U.S. Small Business Administration has opened an SBA Business Recovery Center at Lamar University to help businesses in Southeast Texas. The center will open Friday morning, Sept 18, at 8 a.m…

Media Monitoring Trends –

Print/Online –

- As recovery continues, one of the most readily discussed topics in media is housing. Not only has Governor Abbot said he would seek $50 billion in federal housing funding, but it's also weighing heavily on the minds of survivors, who have yet to reoccupy their homes and recapture a sense of normal.
- While the concern is not as prevalent as it's been in previous reports, some survivors tell the media they're still worried that their needs are being overlooked and overshadowed by the devastation in Florida.
- The outpouring of support for Harvey survivors continues as several additional benefit concerts were announced and volunteers stepped up their efforts in flood-ravaged communities. Besides repairing homes, delivering household goods, and simply working to clear away debris, many of the volunteers have been the "shoulder to lean on" and someone to listen as survivors face the reality of their situations.

Radio/Television –

- Reiterating the disaster-related coverage surfacing in print media, broadcast media has consistently mentioned the openings of DRCs. Additionally there have been periodic recovery progress reports and reminders to survivors about the importance of registering for disaster assistance.
- With regard to the recovery itself, several communities have reminded viewers that their residents are still reeling from the disaster. Whether it be a lack of power, homes that remain inhabitable, or a lack of finances to "feel whole again," the frustration is mounting as some survivors lose confidence in the ability to move forward.
- The topics of flood maps and flood insurance are starting to become more visible in daily on-air reports, but continue to be somewhat overshadowed by conversations surrounding housing, environmental hazards and the pure devastation that has survivors searching for solutions to a multitude of disaster-related obstacles.

Social Media –

- Conversations related to Hurricane Harvey remain steady with survivors covering a gambit of topics.
- That said, there does appear to be some frustration among some of those survivors as various hotels are rumored to not be accepting the vouchers and there has yet to be any sign of the so-called FEMA trailers. *Mentioned in the hot issues section above*

- Some say FEMA leadership is lacking, but mostly due to the fact that survivors are growing frustrated and restless with the recovery process. While the emotions continue to grow, not all are negative.
- To learn more about today's social media trends, please refer to the Social Listening Report at the end of this document.

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What Others Are Saying –

The Texas General Land Office, the agency tasked with managing state-owned lands, will oversee short- and long-term housing for Texans displaced by Hurricane Harvey, Gov. Greg Abbott announced Thursday.

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Reporter-News, September 15, 2017

Video/Audio –

Texas General Land Office to lead Harvey housing effort
By Madlin Mekelburg –Caller-Times –September 15, 2017
AUSTIN — The Texas General Land Office, the agency tasked with managing state-owned lands, will oversee short- and long-term housing for Texans displaced by Hurricane Harvey, Gov. Greg Abbott announced Thursday. "It makes sense because housing in Texas is a natural fit for the GLO, as it specializes in disaster recovery," Abbott told reporters after a lengthy briefing on the state and federal response to the storm at the Federal Emergency Management Agency's headquarters in Austin. "More will be announced about these duties in the next week, as we explain more about where we're going."

Governor Abbott suspends Corpus Christi's budget, property tax rate deadline
KIIITV –By Jonathan Munson, KIII – September 15, 2017
CORPUS CHRISTI (KIII NEWS) - Governor Greg Abbott issued a proclamation Thursday to suspend the deadline for the City of Corpus Christi to adopt a budget and property tax rate. The City Council approved Tuesday on first reading a two-cent increase in the tax rate in order to raise money to fix the streets. Under Texas law, the City has until Sept. 30 to adopt a budget and property tax rate, and requires that three public meeting be held beforehand so the public can have input. The governor's proclamation will suspend that Sept. 30 deadline so that those still dealing with Hurricane Harvey's aftermath can still have a chance to participate in those public meetings….

"We're going to make it personal," Edmond students learning about Hurricane Harvey by helping victims
By Lacey Lett –News4Oklahoma –September 15, 2017
EDMOND, Okla. - Pens, notebooks and gift cards fill a classroom at Heartland Middle School, but none of the supplies will be used by Oklahoma students. Instead, students at Central Middle, Cheyenne Middle and Heartland Middle School have been gathering as many supplies as they can to help hurricane victims…

Beaumont family who escaped Harvey to Waco struck by second tragedy
WWLTV –September 15, 2017
WACO - One month after Hurricane Harvey, tragedy has struck a father and his daughters for the second time. Days after checking into a Waco Hotel to escape the storm, Joseph Ardoin's wife suddenly died – leaving him with little money and five girls to raise…

Gas prices finally going back down after post-Harvey spike
By Rachael Cardin –WTKR –September 15, 2017
Good news for families who plan to travel this weekend; gas prices are on the decline! After Hurricane Harvey hit the Gulf Coast, the nation saw a major spike. But now that oil refineries are back online, the prices are going down…

Comanche County to provide hurricane relief
By Haley Wilson –KSWO –September 14, 2017
LAWTON, OK (KSWO) - Comanche County Emergency Management is teaming up with local volunteer firefighters, businesses, the city of Lawton and Walmart to host a drive to collect donations for hurricane Harvey victims this Saturday. They decided to have this drive when residents started asking where they could donate to hurricane Harvey victims…

Full Stories –

RECOVERY

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Madlin Mekelburg, USA Today Network
Reporter-News
September 15, 2017

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Officials predict it will take years to fully recover from the storm, which left more than 70 people dead and destroyed countless homes in Houston and along the Gulf Coast. As cities and counties look to start the lengthy rebuilding process, residents are relying on temporary housing assistance from FEMA and help from volunteers distributing clothing, food and water donations.

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More: Exclusive: Get an aerial look at Aransas County after Harvey

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More: Sharp promises fast action as post-Harvey rebuilding czar

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Hurricane Harvey's Survivors Still Reeling; Thousands in Shelters, Hotels Three Weeks Later
By Sean Breslin
Weather.com
September 15. 2017

It has not been an easy road for the survivors of Hurricane Harvey, trying to piece their lives back together three weeks after the storm changed everything.

Some 20,000 people are still in shelters or hotels 20 days after the hurricane made landfall along the Texas coast, according to CNN.com. Some have yet to get their power restored, the report said, while others are unable to live in their storm-damaged homes, so they've been forced to sleep elsewhere.

At least 75 deaths have been reported from Harvey – more than the combined death toll in the Caribbean and United States from Hurricane Irma, as of Thursday evening.

At Houston's George R. Brown Convention Center, where more than 10,000 evacuees took shelter during the storm, at least 1,000 people who fled Harvey remained there Thursday morning, according to KHOU.com. The Red Cross is preparing to move those evacuees to a different shelter 11 miles away at the Northwest Mall, a largely abandoned shopping center.

They're hoping to have all evacuees out of the convention center by Saturday, Mayor Sylvester Turner said, and the city continues to work with all who lost their homes on an option that would set them up with six months of free housing, KHOU.com also reported.

"All I'm wanting to do is go home," Candace Levee, who was among the 2,000 evacuees still in the NRG Center shelter, told KHOU.com on Monday. "I don't want to be in a shelter."

The waiting game, coupled with the horrors of the massive storm, has taken its toll on some. Mental and behavioral health officials have descended on the shelters, offering to speak with anyone who feels overwhelmed by the situation, according to NBC News.

"The general idea is losing everything, what do we do now?" Karen Winston, a clinical social worker who works at the Baylor College of Medicine, told NBC News. "I'll ask people where they're from and they can't give me the neighborhood they're from. They say, 'I think I'm crazy,' but they're not crazy. They're suffering."

4,000 Texas homes, facilities without power weeks after Harvey, governor says
CBSNews
September 14, 2017

AUSTIN, Texas -- An estimated 4,000 Texas homes and other facilities are still without power weeks after Harvey slammed the state, Gov. Greg Abbott said Thursday.

Abbott said at a news conference that Texas expects to seek more than $50 billion in federal housing funding for recovery.
Winnie, Texas, and the Hurricane Harvey victims the news doesn't show

Abbott said those displaced by the storm can seek help via community development grants covering long-term housing needs as well as temporary costs while waiting for their homes to be repaired.

Texas begins recovery from Harvey's catastrophic damage

The governor said he's been told by the White House and members of Congress that as many as three more federal aid packages for Harvey victims may be approved before the end of the year. Congress already passed $15.3 billion for initial Harvey recovery.

Harvey drenched Texas -- especially in Houston, the state's largest city -- with five days of rain after first making landfall on Aug. 25 near Corpus Christi. The storm made a second landfall on Aug. 29 in southwest Louisiana, about 40 miles from Beaumont, Texas, leading to more devastating floods.

Harvey could become one of the nation's costliest storms ever.

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Reporter-News
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Governor tours Austin FEMA Command Center
By Rudy Koski
FOX7
September 15, 2017

A small army of 2000 emergency response managers with FEMA has set up shop in what was the corporate office for Golfsmith. What's being teed up by the 2000 workers is part of a unified effort to help the communities damaged by Hurricane Harvey.

Gov. Greg Abbott was briefed on the recovery work coordinated out of this central location in N Austin.

"This is incredibly impressive, and I’m awestruck by how effective they are and how compassionate they are working to help Texans rebuild,” said Abbott.

Abbott was joined by Texas A&M Chancellor John Sharp, who heads up the Governor's recovery commission.

The main goal, according to Sharp, is to strengthen lines of communication with local leaders and catch any potential miscues. "Where you really get in trouble, where local governments don’t get this paperwork right, then all of a sudden 5 years from now you've got the federal government clawing back money from them, because some previous mayor or previous judge didn't fill out the paperwork right,” said Sharp.

Debris removal is among the biggest jobs at hand.

130 debris removal sites have been set up by TCEQ.

It's estimated that 200-million cubic yards will be collected. That's an amount that could fill Kyle Field at Texas A&M 125 times, according to the governor. "It is going fast, but candidly not fast enough," said Abbott.

There was also an assessment on schools.

52 campuses are listed as catastrophic
234 with significant damage.
678 needing some type of repair.

"Over the course of the year, we will be analyzing every issue associated with Harvey, very similar to how we responded from the Ike and Rita to Hurricanes," said Mike Morath with TEA.

38 relief aid distribution centers are opened between Port Aransas and Orange County. 28 shelters, as of Thursday, have 5250 people in them. Innovation is the word that was used to describe the recovery process- especially with providing temporary housing. Providing a fleet of federally purchased trailers, like what was done after Hurricane Katrina, apparently isn't in the works.

"But manufactured housing, and recreational vehicles may be an option that a local government chooses to use, and we are not going to prohibit them from doing that, but we are going to work through our local governments and state agencies as to what's the best solution that takes care of getting folks back into the affected areas, they can get their kids back to school and go back to their jobs and get back to their normal life," said Tony Robinson with FEMA.

The state General Land Office will also help with the housing problem.

The plan is to use Community Block Grants and it's estimated that more than $50 billion will be needed.

Don't wait on repair, tossing debris, FEMA says
By Stephany Garza
The Facts
September 15, 2017

ANGLETON — Piles of debris lined streets along Tamarind Woods subdivision Thursday morning, some with makeshift signs reading "don't take" and other variations. County and federal officials aim to quell the rumor centered around these signs.

Officials received reports of residents not removing flood-damaged debris from their homes until a Federal Emergency Management Agency and insurance representatives looked at it. The common belief is it would disqualify them from receiving funds, according to the Brazoria County website.

"It's important to get rid of those painful reminders," FEMA spokesman William L. Rukeyser said. "We want that debris to be gone from people's property. Of course, document it. It's so vitally important so we have not only a full understanding of losses, but we have proof as well. It's vitally important to take pictures."

For those who are waiting on their insurance adjuster to assess damages, City Manager Michael Coon advises residents consult their insurance company.

"Check with the insurance company to find out their policy, but there are a lot saying to just take pictures and feel free to move to the curb for debris pickup," he said.

Another common mistake people make after a disaster is delaying contractors from making repairs to the home, he said.

"It's totally untrue," Rukeyser said. "If you're handy and you can replace that broken window or door that got ripped off and you can hang a new door or buy a door and install it — go ahead and do it. Take pictures of you doing it, have the receipt from the hardware store or get the contractor to write on the bid it's a result of flood or wind damage."

Documenting everything through photos and keeping records of all expenses is the best thing to do, he said.

For those needing help registering for FEMA assistance, agency representatives will be at West Columbia City Hall, San Jacinto Room at 512 E. Brazos Ave., from 10 a.m. to 6 p.m. today, Disaster Survivor Assistance specialist J.D. Cui said.

FEMA representatives began registering residents at the West Columbia location Wednesday, but it's not an official Disaster Recovery Center. A highly visible FEMA communications van parked outside West Columbia's City Hall gained attention from passersby, Rukeyser said.

"People started knocking on the door asking, 'What can we do about this and what can we do about that.' We normally work in teams going door-to-door and helping people register. But because it was high-visibility and people going there, we pulled disaster assistance people together, set up portable tables in the heat outside to help, then the city very kindly offered us that room on a temporary basis."

FEMA representatives assisted 200-plus residents Wednesday. By Thursday afternoon, about 91 residents signed in either to get registered or find out their status, Cui said.

Tammy Garcia of Brazoria was one of the residents who went to speak with FEMA representatives. While going through the process with her flood insurance claim, representatives advised her to begin filling out paperwork for assistance, she said.

Her home on CR 244 received about 4 feet of water, which displaced her and her family.

“The insurance company came out and said the house is totaled,” she said.

Another big concern is replacing her 11-year-old daughter’s wheelchair and other handicap equipment. The equipment was custom-made to fit her daughter’s needs, she said.

For those wanting to add their house to a crisis clean-up database, residents can call 979-864-1064 starting at noon today and from 10 a.m. to 6 p.m. Saturday and Sunday, county spokeswoman Sharon Trower said.

The household is added into a database which is shared with various organizations who are coming into the area to clean out houses with flood debris, she said.

Harvey recovery continues in Texas town of Bayside
UMTOnline
September 15, 2017

BAYSIDE, Texas (AP) — Sharon Scott, 75, has been mayor of this tiny community on the southwestern shore of Copano Bay for only a couple of months.

The Houston Chronicle reports she assumed office when her predecessor resigned unexpectedly.

"If I'd known Harvey was coming, I think I would have said no," she said Thursday morning. Sitting at the kitchen table in her stepmother's house, the expression on her face was a combination of grin and grimace. In the next room, her 101-year-old father, a retired shrimper and Bayside pioneer, lay on a hospital cot under hospice care.

Scott's father, J.D. Derrough, was with out-of-town relatives when Hurricane Harvey roared ashore three weeks ago at Rockport, 15 miles across the bay. Scott rode out the storm with her daughter, son-in-law and three dogs in their Bayside home. As the wind howled deep into the night, people and dogs moved from room to room seeking safety from crashing windows, collapsing ceilings and water rising throughout the house.

"That wind just would not stop," Scott recalled. "For 12 hours, the wind blew."

The next morning, with Harvey headed east toward Houston, Scott walked down the road to her own two-story modular home with its superb view of the bay. Windows were out, the roof was gone and most everything inside was ruined.

Many of her neighbors in this quiet, unassuming little community, population 325, were even worse off. Barbara and Eddie De Luna, Bayside residents for 32 years, stayed with relatives in Seguin the weekend of the storm. They came home to find their mobile home literally flattened, as if a bomb had exploded inside and propelled everything outward.

"It was my worst nightmare," De Luna said Thursday, as a group from an Abilene church cleared away debris that used to be her home. "I told my husband it was like a nightmare in a horror story, and I'm still trying to wake up from it."

For now, the De Lunas are living in a Motel 6 in Beeville. They plan to stay in Bayside. Maybe they'll build a house, she said.

"Eighty percent of the homes are not livable," the mayor said. "Without help, we don't have the manpower to get back on our feet. We have two maintenance guys who work for the city and two office people. That's it."

Among those unlivable houses is a magnificent mansion on the bay, now leaning perilously to one side. It was constructed by John Howland Wood, a New Yorker who moved to Bayside's predecessor community, St. Mary's on the Aransas, in 1836, in time to participate in the Battle of San Jacinto. He and his wife, Nancy, constructed their rambling Greek Revival mansion in 1875. It was a house big enough for their 12 children.

They had high hopes for St. Mary's, and for several years, the town was a thriving port. Ships offloaded lumber onto wagon and cart trains bound for Refugio, Goliad, Beeville, San Antonio and Uvalde. That period of prosperity and promise ended in 1886 when the San Antonio & Aransas Pass Railway chose Rockport over St. Mary's. Two speculators in the early 1900s laid out Bayside near the St. Mary's site, but the town never became the thriving community they envisioned.

These days, traffic between Refugio and Corpus Christi speeds by on FM 136. Coastal Bend residents are likely to know Crofutt's Sandwich Shop, a 4-decades-old landmark famous for its sandwiches made with homemade bread, its cinnamon rolls and its cookies. Otherwise, little Bayside offers little reason to stop.

Today, Crofutt's sits beside the highway, locked up and empty. Owner Lorraine Short hasn't decided whether to reopen. "People are going to be disappointed if she doesn't," Scott said.

Among the retirees and second-home Texans living in Bayside are several newcomers, families with children. The mayor worries that they won't stay post-Harvey.

"So far, we've heard that eight families, and counting, are not coming back," she said.

That's also a concern to city council member Gloria Derrough, who's married to the mayor's centenarian father. "Property taxes and a water system are our only sources of income," she said. "We need to help people to stay."

Bayside, like Houston, has land-use and affordable housing issues to deal with after the storm. Residents who want to stay need a place to live while they're rebuilding, and the current Bayside zoning codes don't allow single-wide trailers.

"It's really an important issue," Derrough said. "It's going to affect Bayside's future, and we're just starting to address that. Are we going to break the ordinance and allow single-wides? Single-wides just for a year? Single-wides forever? We're trying to reach out to citizens, and some of them can't afford to rebuild."

After a barbecue lunch on Thursday provided to Bayside residents and volunteers by a West Texas rancher named Mike Gibbs, the mayor walked over to her ruined house, the home she and her late husband built in 1970.

Before digging through files hoping to find insurance papers, she glanced across the sparkling bay, toward what her husband always called their "million-dollar view."

"At least my pier stayed," she said. "My husband built it for me, because he knew I liked to fish. Someday I'll get to fish again."

Harvey evacuees remain in limbo in San Antonio
By Priya Sridhar, KENS
12News
September 14, 2017

SAN ANTONIO - It's been nearly three weeks since Hurricane Harvey made landfall and displaced thousands of Texans, about a thousand people ended up in local evacuation shelters. Wednesday almost two dozen boarded buses to head home to Beaumont, Corpus Christi and Houston.

"I'm very excited about that because I've just been waiting so patiently," said Tamara Davis, a Harvey evacuee heading back to Beaumont.

Others like Michelle McGowen know that there's nothing to go back to, the Aransas Park resident says her entire trailer is gone.

"I want to relocate to San Antonio because they have more resources, it seems and they're trying to help us," she said.

Several evacuees like McGowen can't get temporary housing through FEMA until they go back to their property even if they don't have any plans of rebuilding.

"Their house has to be determined to be uninhabitable and that's where the complication has come in because many of these people obviously can't get back to their home to let an inspector in to deem whether the house is habitable or not," said Jann Tracey with FEMA

For the evacuees that are left at Kazen Middle School, it's been an emotional road. Many say they want to begin the recovery process and don't want to be forgotten in the mix.

"We will not close the doors unless we know there is a viable option to go somewhere else," said Henry Van de Putte from the Red Cross.

Texas Begins Long March Toward Recovery From Hurricane Harvey
County Record
September 14, 2017

AUSTIN — as contaminated waters receded and mountains of debris from flooded homes and ruined belongings grew last week, a picture of post-hurricane Texas developed and the process of weighing impacts to lives, property and infrastructure began.

Gov. Greg Abbott delivered a series of announcements and proclamations related to catastrophic flooding and wind damage brought by Hurricane Harvey to more than 50 Gulf Coast and inland counties in late August and early September.

For Flooded Homeowners, What to Do and What to Avoid During Repairs
By Joseph Fanelli

Houston Press
September 15, 2017

One of the unfortunate effects of the unprecedented flooding from Hurricane Harvey is the number of Texans dealing with water in their homes for the first time. A report from the Center for Watershed Science at the University of California-Davis found that 50 percent of the flooding in Harris County occurred in areas outside of official flood zones.

Between clearing out your damaged belongings, dealing with insurers and finding a contractor you can trust, the days after the flood can be just as stressful as the deluge itself. We talked to three experts who can help: Rob Hellyer, the owner of Premier Remodeling and a member of the Greater Houston Builders Association; Joe Woods, the vice president of state government relations for the Property Casualty Insurers Association of America; and Brian Spitz, president of Big State Home Buyers, a Houston-based company that buys and sells homes.

As you start, or continue, to repair your home, here is a list of what to absolutely do and what to absolutely avoid to make sure the process goes as smoothly as possible.

Do clear out your house within 48 hours after floodwater recedes, Hellyer says.

The sooner you can move anything that's been touched by floodwater, the better. Mold starts to build on soggy materials within about two days, so don't wait until your insurance agent shows up before starting the muck-out process.

Do take more photos than you will need, Woods says.

Because you have to move fast before your agent arrives, you'll have to document everything that's been affected. Take as many photos as possible – even more than you'll likely need. Don't just photograph the kitchen; take photos inside drawers that have been swamped, inside cabinets and anything that's been ruined by floodwater. Also, keep any receipts of purchases for cleanup. Those are likely refundable as well.

Do wear protective face masks, Hellyer says.

The Centers for Disease Control and Prevention suggests using N95 face masks (which shield 95 percent of the tiny microbes in the air) when dealing with areas possibly infected by black mold, which can be dangerous for anyone with asthma or severe allergies. Likewise, any debris touched by floodwater has also been exposed to the mixture of nasty germs floating in the water. Long-sleeve shirts and pants might be a good idea, especially if you have any cuts or scrapes.

Do remove sheetrock and insulation, Hellyer, Woods and Spitz say.

The water that entered your house has seeped into the walls as well. There are differing opinions on how high above the water lines drywall should be cut. Some say at least two feet above the flood level. Hellyer isn't as sure about that, but said four feet up along walls is typically a good idea because sheetrock is cut in four-foot sheets.

Don't use bleach, Hellyer says.

After you've cleared out all the infected debris, the house will need to be coated with antimicrobial spray to kill mold. Bleach, especially when diluted, actually encourages mold growth because of the amount of water in it that then seeps into wood. It is also extremely corrosive, and will evaporate to where it can cause damage to the skin, lungs and eyes.

If you have insurance or can afford it, do use a professional remediation team for mold removal, Hellyer says.

Hellyer is unequivocal about this. "I can't recommend strongly enough to get a professional mediation company to do the dry-out," he said. It's one of the most important parts of the process. Moisture level in the frames of your house needs to be below 17 percent. After a flood, those levels can be as high as 50 percent, Hellyer said. The house just can't air out, especially in a city as humid as Houston. Dehumidifiers and air removers will be brought in to prevent water from wrecking your home.

If it's done incorrectly, you might have to cut back into your walls.

Don't hire a contractor without doing your due diligence, Woods and Hellyer say.

This is the one area Woods called the "No. 1 hazard" for homeowners. While there are many good contractors out there, there are just as many "folks in the streets in their pickup trucks trying to take people's money," he said.

There is a host of resources to learn more about your potential contractor. Organizations like the Better Business Bureau offer good insight, as do trade agencies. On the Greater Houston Builders Association website, contractors are listed with certificates of expertise. You can also ask potential contractors how long they've been in business and if they have a physical office in Houston, to expose potential scammers.

The Texas Attorney General's Office also released a list of steps to take to avoid being defrauded, like asking for referrals, getting multiple estimates beforehand and copying the license plate of the contractor. The office warned never to hand an insurer's check directly to a contractor before work is done. Woods said you may have to place a small down payment, but don't pay for the service until you're satisfied.

"It's bad enough your house has been flooded; you don't want to be victimized again by a bad contractor," said Hellyer.

If you do decide to sell, "don't hold out for price," Spitz says.

It's a lot to ask, but "you have to separate yourself from the emotion," Spitz said. The sooner you decide to sell the house, the more you will likely receive in return. Spitz said he remembers that after the Memorial Day floods devastated Meyerland in 2015, homeowners who waited six months to sell received about $50,000 less than their neighbors who sold early. Already, Spitz has contracted eight houses on a single street in Bear Creek. Understand there is a surge in supply and "you're handing off a big problem," he said. The return likely will not be as much as you want.

As with contractors, do your research before settling on an investor. Be wary of out-of-towners, Spitz said. The day after floods started, he received calls about investors going door to door in certain neighborhoods. Check the seller's website, his credentials and ask how many flooded houses he's bought. If the number seems too high, it is okay to question how well they can remodel all the homes.

For those without flood insurance, do check out these options.

There are some options for those without flood insurance, which could be as high as 80 percent of Houston homeowners. FEMA offers quick disaster grants ranging from $5,000 to $30,000. For longer-term fixes, the U.S. Small Business Administration might be your best option. Despite the name, the agency is actually the federal government's arm to hand out low-interest loans for homeowners seeking disaster relief. Homeowners can borrow up to $200,000 at interest rates as low as 1.75 percent – or about half the typical mortgage or college loan. Renters can also borrow as much as $40,000. As of Thursday afternoon, the small business agency had handed out $172 million in disaster loans to Texans.

FEMA program meant to help those displaced by Harvey
By William Blanchette, KBMT
12NewsNow
September 14, 2017

FEMA is working with state officials to solve the Harvey produced housing crisis by repairing homes. According to Orange County, the agency is currently limited on resources for those needing help from the effects of Harvey.

"We have had meetings with FEMA," said Brint Carlton, Orange County Judge. "Their resources are stretched pretty thin over the large areas of Texas and Florida."

Since hurricane Harvey, 1,700 trailers have been issued from FEMA for the purpose of temporary housing.

"Some of the trailers have been delivered to Jefferson County," said Carlton. The state of Texas and FEMA are trying to provide a program for people who are trying to get back in their homes. "

The program is called the "Sheltering and Temporary Essential Power" (STEP).

"The goal of the program is to get the flooded stuff out of people's homes and making sure they are able to live in it," said Carlton.

According to Orange County, the availability of the STEP program will be ready by Monday.

ENVIRONMENT

EPA won't release benzene levels collected post-Harvey; private tests show elevated levels
By Kiah Collier
Texas Tribune
September 14, 2017

As a longtime resident of Manchester, Guadalupe Hernandez is used to the chemical smells that waft through his southeast Houston neighborhood, a low-income, predominantly Hispanic community near a Valero Energy refinery.

But when Hurricane Harvey blew in the weekend of Aug. 26, the stench became noticeably stronger for about five hours, a scent like "glue or boiled eggs," he said.

The Environmental Protection Agency has assured the public they looked into complaints in the area a week after the storm hit, and spent several days taking air pollution measurements with a mobile laboratory. The agency didn't release any specifics, but said concentrations of several toxic chemicals, including the carcinogen benzene, met Texas health guidelines.

Now, environmental advocacy groups have shared their own, detailed data with ProPublica and the Texas Tribune, based on air sampling from the same Manchester streets over six days. It shows a more nuanced picture than the one given by the EPA: in numerous locations, benzene levels, though under the Texas threshold of 180 ppb, far exceeded California's guideline, which is 23 times more stringent and is well-respected by health advocates nationwide.

About 10 of the benzene measurements exceeded California's limit of 8 ppb. (Neither California's nor Texas' guideline is legally enforceable;

both are thresholds that can trigger regulatory scrutiny).

The readings may not have exceeded Texas' guideline, but they're still higher than usual, "and they are concerning," said Elena Craft, a senior health scientist at the Environmental Defense Fund, which sponsored the monitoring with Air Alliance Houston. "Did we actually capture the highest concentrations that blew into the neighborhood or not? We don't know."

The two highest benzene concentrations, 90 and 77 ppb, were detected within 1,600 feet of a damaged storage tank at the Valero refinery. At the time the data was collected, the wind was blowing from the direction of the tank toward the monitoring sites.

Valero reported on Aug. 27 that the rain from Hurricane Harvey had submerged the tank's floating roof, releasing benzene and crude oil. Satellite images from Aug. 31 released by DigitalGlobe show the caved-in tank at the refinery.

Air pollution experts say much of the benzene would have dissipated by the time the advocates began monitoring on Sept. 4. The EPA started its sampling a day later. Days before either monitoring effort, the city of Houston detected a single benzene concentration of 324 ppb in Manchester.

Hernandez said he believes the fumes he noticed during the hurricane came from the refinery. Margarita Zepeda, another Manchester resident, also remembers a strong smell during the storm.

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"During normal rains it would never smell bad but during [the hurricane], it did — chemicals, I guess. And I'm not the only one. All the neighbors" could smell it, too," Zepeda said.

The EPA said in a statement they inspected the refinery last week and were satisfied the company was making the necessary repairs. Valero did not respond to a request for comment.

Craft said EDF and Air Alliance Houston decided to take air samples after the hurricane triggered the release of millions of pounds of air pollutants from industrial facilities. They hired Entanglement Technologies, a California-based firm with a mobile monitoring lab, for $20,000, with the bulk of the funds coming from EDF.

"It's resource-intensive to bring folks from California, but we felt the threat was real enough to warrant it," Craft said.

The researchers monitored four different air pollutants, but the focus remains on benzene, a compound so potent that the American Petroleum Institute, a trade group for the oil and gas industry, acknowledged in 1948 "the only absolutely safe concentration … is zero."

Jill Johnston, an environmental health professor at the University of Southern California who wasn't involved in the monitoring, said because the samples were taken over a period of minutes, it's hard to tell if the elevated levels were brief spikes or representative of longer-term air quality. If those concentrations persist over days or weeks, then the community would be at much higher risk, she said.

Bakeyah Nelson, executive director of Air Alliance Houston, said the benzene is an added burden for fenceline communities that already have higher-than-average rates of asthma, cancer and other illnesses associated with continuous chemical exposures. The eastern side of Manchester, where most of the measurements were taken, is wedged between the refinery, two highways and multiple railroad tracks.

"This is real stuff, this is not theoretical. If you go there and try to breathe you can literally taste the petroleum and gasoline that's in the air," said Mustafa Ali, a former EPA environmental justice official who is now senior vice president of climate, environmental justice and community revitalization at the Hip Hop Caucus.

There are families in these communities who can reach through their backyard fence and touch the piping of the nearest facility, Ali said.

The Texas Commission on Environmental Quality, the state environmental regulator, has dozens of stationary air monitors across Texas, but the ones in Harvey-affected areas were temporarily turned off during the storm. That's why mobile, on-the-ground monitoring is so crucial, and the EPA and TCEQ should have "every available unit out there," Craft said.

She was frustrated when TCEQ officials told her in a meeting on Tuesday that a sophisticated TCEQ air monitoring unit — capable of gathering real-time, precise data in the field — has been in Austin since the storm, and wasn't deployed to Houston.

"If not now, when?" she said. "I feel like we've been doing the agency's job."

TCEQ spokeswoman Andrea Morrow did not respond directly to inquiries about the unit, but two other environmental advocates who attended that meeting confirmed TCEQ told them it was sitting in an Austin garage.

Morrow, in an emailed statement, said TCEQ and EPA investigators have used handheld monitoring equipment to survey facility fence lines, and sponsored aerial surveys to spot potential pollutant leaks. She said TCEQ would release its data once it's validated.

The EPA didn't respond to inquiries about the detailed data that came from its Manchester monitoring. The agency has posted maps showing additional monitoring it has conducted in other communities, but not the concentrations it found, only that all levels met Texas guidelines.

Aside from Manchester, Entanglement found another high benzene reading of 76 ppb at an industrial zone in Port Arthur, several miles from a residential area.

Hilton Kelley, a well-known community organizer in Port Arthur, said he noticed "a very pungent odor of sulfur dioxide and other toxic chemicals" during the week Entanglement was monitoring the air. "It makes your eyes water, it stings your sinuses, and it creates a scratchy feeling in your throat," he said.

The Port Arthur area is a hub of industrial activity including a Motiva refinery and an Oxbow facility that processes petcoke — a byproduct of oil refining.

Since the hurricane, local health concerns have been overshadowed by the more pressing need for housing, as hundreds of residents were evicted from damaged homes, Kelley said. "When your stomach's growling and you're sitting on the curb with three or four kids in the hot-ass sun, pollution is the last thing on your mind."

In the long-term, Kelley said he wants the TCEQ to put continuous air monitors at facility fence lines in Port Arthur. The current TCEQ monitors in Port Arthur only sample benzene and other air toxics once every six days.

Garden cleanup after the hurricane
By Laurie Garretson
Victoria Advocate
September 14, 2017

A hurricane can be a stressful experience. The strength of the wind and amount of rain has a lot to do with the amount of damage that's done. Damage or not, we've all been affected by Harvey in one way or another. Lack of safe drinking water and the lack of electricity are a couple of the problems Harvey brought us.

All the plants in your yard have also been affected by Harvey's visit. Plants can be stressed just as all other living things can be. It might not show it in major ways, like having a large tree uprooted, but it sure can show in more subtle ways like dry, brown or droopy leaves and even death.

The major stressor Harvey brought most of our landscapes was a lot of powerful winds that lasted for a long time. Wind of all magnitudes can stress plants depending on their sizes and types.

Damaged perennials should be cut back to the undamaged part of the stems if they are showing signs of brown leaves, droopy stems or lack of vigor. Established perennials should then have the strength to flush back out and regain its health. Feeding and watering, as needed, will play a big part in how well things in the landscape recover.

Many of us still have dead tree limbs piled on our front lawns waiting to be picked up and taken to the landfill. Needless to say, this isn't good for the lawn under the dead limbs. Thick, heavy layers of limbs and debris can quickly smother any plants under them. You may be replanting that area of lawn grass after the dead debris is removed. Feeding will help revitalize all your lawn, flowerbeds, vegetable gardens, trees, fruits, nuts and anything else that experienced Harvey.

Until next time, let's try to garden with nature, not against it, and maybe all our weeds will become wildflowers.

FLOOD INSURANCE

FEMA will need more funding for flood insurance program due to Hurricane Harvey
By Dave Kovaleski
FRNNews
September 15, 2017

The Federal Emergency Management Agency (FEMA) said it will need Congress to increase funding for the National Flood Insurance Program (NFIP) to cover costs associated with the damage from Hurricane Harvey in South Texas.

FEMA estimated that it will need as much as $11 billion as there have been some 84,000 claims related to Harvey. NFIP only has about $5.8 billion left of the $30 billion it borrows. This is just to cover Harvey as no estimates have come out yet for Hurricane Irma.

The NFIP is administered by FEMA, which works with nearly 90 private insurance companies to provide flood insurance to property owners and renters in NFIP-participating communities.

Rep. Jeb Hensarling (R-TX) said Congress must get serious about fixing the NFIP. The program was set to expire on Sept. 30. There have been several bills in Congress to reform the NFIP as part of reauthorization. Due to the storms, the NFIP was extended until Dec. 8 to give Congress more time to come up with reforms before it's reauthorized.

"Four years ago, after Hurricane Sandy, I warned my colleagues in Congress that the National Flood Insurance Program needed serious reform because it was not sustainable and was just one major storm away from needing another bailout. That sadly appears to be where we are today,"

said Hensarling, who was one of 180 members of Congress who voted against Hurricane Sandy relief.

"Because Congress failed to enact reforms over the past four years, the program can't meet the needs of flood victims without another bailout. To continue as is, with no reforms, is a slap in the face to both homeowners who depend upon it and hardworking taxpayers who have to bail it out once again," Hensarling added.

Hensarling said the NFIP in its current form is unsustainable and subsidizes people to live in harm's way.

"With pricing structures that do not reflect the reality of risk, it actually encourages the building and re-building – and re-building again – of homes and businesses in flood-prone areas. That is neither smart nor compassionate," Hensarling said. "After Harvey and Irma, it would be insane for the federal government to simply rebuild repetitive loss homes in the same fashion, in the same place."

Hensarling said the Financial Services Committee has produced legislation that seeks to stabilize the flood insurance program more stable and affordable.

GOVERNMENT/ POLITICS

Harvey-battered churches sue for FEMA funds
BRNow
September 15, 2017

Three small churches damaged in Hurricane Harvey's unprecedented Texas deluge are jointly suing a U.S. government agency for access to public recovery funds.

The Federal Emergency Management Agency (FEMA) religiously discriminates against churches by preventing them from seeking disaster recovery funding available to other nonprofits, the Becket Fund for Religious Liberty alleges in the suit filed Sept. 5 in Houston federal court.

The churches, Rockport First Assembly of God in Rockport, and Houston-area Harvest Family Church and Hi-Way Tabernacle, augment their case with a June U.S. Supreme Court decision affirming a church's right to participate in generally available programs on equal footing with secular organizations. None of the churches are Southern Baptist.

FEMA summarily bars churches from seeking emergency aid because churches primarily use their buildings for religious purposes, Becket said in its press release announcing the case.

"FEMA's policy violates the Constitution, as the Supreme Court recently ruled 7-2 in Trinity Lutheran," the law firm said.

In Trinity Lutheran Church v. Comer, the court said Missouri violated the church's right to exercise its faith freely by barring it from participating in a government-run, playground resurfacing program. The exclusion "from a public benefit for which it is otherwise qualified, solely because it is a church, is odious" to the U.S. Constitution, the court said in its June 26 opinion.

President Donald Trump supported the Texas churches' case in a Sept. 8 tweet. "Churches in Texas should be entitled to reimbursement from FEMA Relief Funds for helping victims of Hurricane Harvey (just like others)," the president tweeted.

FEMA regularly uses houses of worship as relief shelters as it used Hi-Way Tabernacle after Harvey, Becket said. Three feet of flood water accumulated in Hi-Way Tabernacle's sanctuary.

"After the costliest and most devastating natural disaster in U.S. history, the government should come to the aid of all, not leave important parts of the community underwater," Becket counsel Diana Verm said in the release. "Hurricane Harvey didn't cherry-pick its victims; FEMA shouldn't cherry-pick who it helps."

Repeatedly, FEMA has denied aid to houses of worship after such disasters as 2005's Hurricane Katrina and Superstorm Sandy in 2012, turning down a Jewish Chabad, a homeless shelter church ministry and a Unitarian Universalist congregation, the law firm said.

"Houses of worship are playing a vital role in helping Texans recover from this horrible storm," Verm said. "It's time for FEMA to start helping the helpers, not continue a policy of irrational discrimination against churches."

The suit, Harvest Family Church v. Federal Emergency Management Agency, was filed in the U.S. District Court for the Southern District of Texas.

Becket describes itself as a non-profit, public-interest legal and educational institute working "to defend the free exercise of all faiths, from Anglican to Zoroastrian."

Legacy of Harvey and Irma Turns on FEMA's Post-Disaster Response
By Brett Lingle
Brink News
September 15, 2017

Hurricane Harvey destroyed vital roads, public infrastructure, and hundreds of thousands of homes across Houston and southeast Texas. In Florida, Hurricane Irma has left communities reeling with widespread blackouts, severe coastal flooding, and crippled telecommunications systems. When floodwaters finally recede and the debris is cleared, recovery will be long. The Federal Emergency Management Agency (FEMA) will be in these areas for years. And costs will reach well into the billions.

President Donald Trump has promised a swift and robust federal response. Congress passed legislation to provide an initial $15 billion to FEMA, HUD and the Small Business Administration (SBA) for disaster relief. And so far, 700,000 Texas residents have registered for federal assistance, with more than 50,000 placed in temporary housing.

As early damage estimates approach $200 billion across Florida and Texas, what will the federal government's response look like? How will FEMA help communities and families in the coming months and years? And how much federal funding can the affected areas expect? Those questions are difficult to answer until the water recedes and damage assessments are completed, but FEMA's response to previous hurricanes may provide some clues.

FEMA spends more on hurricane recovery than on any other type of disaster. Data from OpenFEMA indicates that of the $81.1 billion (nominal dollars) of post-disaster aid the agency has distributed from 2005 to 2016, 70 percent was for hurricane response and recovery. Severe storms and floods accounted for another 25 percent, and all other disasters accounted for just 5 percent.

FEMA delivers post-disaster assistance through three major programs: the Public Assistance (PA) Program, the Individuals and Households Program (IHP), and the Hazard Mitigation Grant Program (HMGP). The PA program provides funds to state and local governments for debris removal, emergency protective measures, and the repair and reconstruction of public facilities. IHP provides two types of assistance: Housing Assistance (HA), which goes toward the repair or replacement of damaged homes or temporary housing needs, and Other Needs Assistance (ONA), which may be used to cover disaster-related expenses such as transportation, medical expenses, funeral costs, or replacing personal property. Finally, HMGP provides funds for measures to reduce damages from future disasters. This includes actions such as implementing flood control projects, elevating homes, or buying out high-risk properties and preserving them as open space.

Since 2005, 72 percent of FEMA's hurricane relief funds ($41.5 billion) have gone to state and local governments through the PA program. Roughly 20 percent ($11.2 billion) was provided to individuals and families through IHP, and another 8 percent ($4.8 billion) was provided through HMGP.

Texas Congressman Is Investigating Reports of Horrific Conditions in Hurricane Harvey-Hit Prisons
By Rafi Schwartz
Splinter News
September 14, 2017

Democratic congressman Lloyd Doggett has launched a formal inquiry into why residents of a prison facility near the Texas-Louisiana border were not evacuated during Hurricane Harvey—and whether rumors of horrific post-Harvey conditions in the prison are true.

This week, Doggett (D-TX35) announced he had contacted the Federal Bureau of Prisons "to express my concern and obtain clarification about what actions are being undertaken to protect the wellbeing of prisoners and staff and to restore the facility to pre-disaster conditions."

While parts of Beaumont, TX were placed under either voluntary or mandatory evacuation orders, inmates at the city's three federal and three state prisons were reportedly left behind to deal with nearly a week without water, frequent power outages, and sanitation hazards exacerbated by the storm.

In a September 8 interview with Democracy Now, Rachel Villalobos relayed her incarcerated husband's account of the post-storm conditions in the prison complex:

He explained the amount of food they were getting, which was two sandwiches a day, eight ounces of water. He said that the prison did get water in it, that all the inmates are using the number one and number two in bags, just to reserve the toilet water, so they could drink the toilet water. I explained to him, "Don't drink the toilet water. Don't drink that water in Beaumont." You know, it has bacteria and all kinds of infestations in it. And he said, at this moment, he didn't care. If the water didn't kill him, then the situation was going to kill him. He said he was so dehydrated that when he woke up, his eyelids were sticking to his eyeballs. His tongue was sticking to the top of his mouth. That's how severely dehydrated he was due to the lack of water.

In a separate interview with Leftvoice.org, Villalobos said her husband described the prison's cells as having been flooded during the storm and claimed to have an email from another inmate's spouse that said two prisoners had already died due to the post-storm conditions. And this week, the site Truthout published a cache of alarming emails they claimed come from Beaumont inmates describing similar conditions at the prison

None of Villalobos' claims, or those made in the Truthout emails, have been officially corroborated.

An August 31 release from the Federal Bureau of Prisons said, "There was some flooding in and around areas of the FCC where inmates are not being housed, however, today the water has begun to recede. All inmates remain safe in their housing units." It went on to say there was "an adequate food and water supply for both inmates and staff."

This discrepancy between the bureau's assessment and the alarming conditions described by Beaumont inmates prompted Doggett's inquiry.

"The conditions being reported from the Beaumont prisons are unacceptable," Natalia Cornelio, the Criminal Justice Reform Director with the Texas Civil Rights Project, explained in a press release announcing the congressman's inquiry. "There are accounts of overflowing toilets, of people being forced to defecate in bags, of insufficient water and food, and of people being kept in prison past the completion of their calculated sentences. This is contrary to law, and to basic standards of human decency."

Texas Gov. Abbott: State May Seek More Than $50B In Housing Aid After Harvey
By Associated Press
TPMNews
September 14, 2017

AUSTIN, Texas (AP) — Gov. Greg Abbott says Texas expects to seek more than $50 billion in federal housing funding after Hurricane Harvey.

Abbott said at a news conference Thursday that those displaced by the storm can seek help via community development grants covering long-term housing needs as well as temporary costs while waiting for their homes to be repaired.

The governor said he's been told by the White House and members of Congress that as many as three more federal aid packages for Harvey victims may be approved before the end of the year. Congress already passed $15.3 billion for initial Harvey recovery.

Abbott said nearly 4,000 Texas homes and other facilities still don't have power after Harvey, which killed more than 70 people. Fifty-two schools statewide suffered "catastrophic damage" and can't reopen.

Governor Abbott suspends Corpus Christi's budget, property tax rate deadline
KIIITV
By Jonathan Munson, KIII
September 15, 2017

CORPUS CHRISTI (KIII NEWS) - Governor Greg Abbott issued a proclamation Thursday to suspend the deadline for the City of Corpus Christi to adopt a budget and property tax rate.

The City Council approved Tuesday on first reading a two-cent increase in the tax rate in order to raise money to fix the streets. Under Texas law, the City has until Sept. 30 to adopt a budget and property tax rate, and requires that three public meeting be held beforehand so the public can have input.

The governor's proclamation will suspend that Sept. 30 deadline so that those still dealing with Hurricane Harvey's aftermath can still have a chance to participate in those public meetings.

"Every Texan deserves a voice on matters that affect their lives, and I will not let this disaster diminish such an important right," Abbott said. "This proclamation will allow the City of Corpus Christi to continue its focus on the recovery effort while still allowing taxpayers to participate in, and provide input on, important matters of local government business."

Abbott said he will grant similar proclamations for other cities and localities affected by Harvey as the requests come in.

Also Thursday, Abbott joined Commissioner John Sharp and other state and federal officials in Austin for a briefing and press conference on Hurricane Harvey recovery efforts.

You can watch the entire press conference here:

WORKSHOPS & MEETINGS

Medical conference will discuss response to Hurricane Harvey
By Jessica Faith
KLTV-7
September 14, 2017

TEXAS - The Texas Medical Association will have a conference to reflect on the medical response to Hurricane Harvey's devastation in Texas.

The Texas Medical Association is the largest state medical society in the nation, with over 50,000 physician and medical student members.

According to the TMA's press release, one of the objectives of the conference is to discuss "a new fund to help Harvey-destroyed physician practices rebuild."

The conference will be at the Hyatt Lost Pines Resort in Cedar Creek on September 16. It will begin at 7:30 a.m. with the discussion of telemedicine and digital health, and end at 11:45 a.m. with state legislative updates.

BUSINESS & ECONOMY

U.S. Small Business Admin sets up recovery center for SE Texas businesses at Lamar University
12News
September 14, 2017 … *SBA was made aware of the incorrect date, which is highlighted below.*

BEAUMONT - The U.S. Small Business Administration has opened an SBA Business Recovery Center at Lamar University to help businesses in Southeast Texas.

The center will open Friday morning, Sept 18, at 8 a.m.

Lamar University
Center for Innovation, Commercialization and Entrepreneurship (CICE)
5091 Rolfe Christopher Drive
Beaumont, TX 77705
Opens 8 a.m. Friday, Sept. 15
Mondays - Friday 8 a.m. - 6 p.m.
Saturday & Sunday 9 a.m. - 4 p.m.

Business advisors at the center will provide business assistance to clients on a wide variety of matters designed to help small business owners re-establish their operations, overcome the effects of the disaster and plan for their future according to a release from the SBA.

Services include assessing business economic injury, evaluating the business's strength, cash flow projections and most importantly, a review of options with the business owner to help them evaluate their alternatives and make decisions that are appropriate for their situation the release said.

The deadline to apply for property damage is Oct. 24, 2017. The deadline to apply for economic injury is May 25, 2018.

From the U.S. Small Business Administration...

The U.S. Small Business Administration and the Texas Gulf Coast Small Business Development Center Network today announced the opening of SBA Business Recovery Centers in Beaumont and Missouri City on Friday, Sept. 15 to provide a wide range of services to businesses impacted by Hurricane Harvey. The centers will open as indicated below.

"Due to the severe property damage and economic losses Hurricane Harvey inflicted on businesses in Texas, we want to provide every available service to help get them back on their feet," said SBA's Houston District Director Tim Jeffcoat. "The centers will provide a one-stop location for businesses to access a variety of specialized help. SBA customer service representatives and SBDC business advisors will be available to meet individually with each business owner," he added. No appointment is necessary. All services are provided free of charge.

JEFFERSON COUNTY
Lamar University
Center for Innovation, Commercialization and Entrepreneurship (CICE)
5091 Rolfe Christopher Drive
Beaumont, TX 77705
Opens 8 a.m. Friday, Sept. 15
Mondays - Fridays, 8 a.m. - 6 p.m.
Saturdays - Sundays, 9 a.m. - 4 p.m.

"SBA customer service representatives will meet with each business owner to explain how an SBA disaster loan can help finance their recovery. They will answer questions about SBA's disaster loan program, explain the application process and help each business owner complete their electronic loan application," Jeffcoat said.

According to Texas Gulf Coast SBDC Network Executive Director Dr. Steve Lawrence, SBDC business advisors at the center will provide business assistance to clients on a wide variety of matters designed to help small business owners re-establish their operations, overcome the effects of the disaster and plan for their future. Services include assessing business economic injury, evaluating the business's strength, cash flow projections and most importantly, a review of options with the business owner to help them evaluate their alternatives and make decisions that are appropriate for their situation.

"In addition, customer service representatives and SBDC advisors continue to be available at the following Business Recovery Centers to provide information on SBA disaster loans and business assistance," Jeffcoat continued.

According to Jeffcoat, businesses of any size and private, nonprofit organizations may borrow up to $2 million to repair or replace damaged or destroyed real estate, machinery and equipment, inventory, and other business assets. These loans cover losses that are not fully covered by insurance or other recoveries.

For small businesses, small agricultural cooperatives, small businesses engaged in aquaculture, and most private, nonprofit organizations of any

size, SBA offers Economic Injury Disaster Loans to help meet working capital needs caused by the disaster. Economic Injury Disaster Loan assistance is available regardless of whether the business suffered any property damage.

For business owners who are unable to visit the business recovery center, they may apply online using SBA's secure website at https://disasterloan.sba.gov/ela.

SBA representatives also continue to meet with business owners and residents at disaster recovery centers located throughout the impacted area. For a list of locations, or to receive additional disaster assistance information, visit SBA's website at www.sba.gov/disaster. Applicants may also call SBA's Customer Service Center at (800) 659-2955 or email disastercustomerservice@sba.gov for more information. Individuals who are deaf or hard of hearing may call (800) 877-8339. Completed applications should be mailed to U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

The deadline to apply for property damage is Oct. 24, 2017. The deadline to apply for economic injury is May 25, 2018.

Unemployment aid coming too slowly to help people forced from work by Harvey
By Lydia DePillis |
Houston Chronicle
September 15, 2017

The eviction notice showed up on Steven Calhoun's door on September 6.

He wanted to pay his rent, but he couldn't after losing five days of work as prep cook and a week's pay because of Hurricane Harvey. His best hope was disaster unemployment assistance, a program to help people who temporarily lose work as the result of natural disaster, but more than two weeks after he filed a claim with the Texas Workforce Commission, he's still waiting.

"What am I gonna do?" thought Calhoun, 31, who moved to Houston from Milwaukee earlier this year. "This is the first time this has ever happened to me."

Calhoun is among an estimated 125,000 workers displaced by Hurricane Harvey who have filed for unemployment assistance provided as part of federal disaster relief — most, if not all of whom are still waiting for help. The Texas Workforce Commission, unprepared for the deluge of claims, said it doesn't know how many claims, if any, have been paid yet.

Unions and social service organizations helping workers apply for disaster unemployment assistance say it can take hours to make it through the process when applying by phone, since the TWC's lines are clogged with callers.

"People haven't been able to get through the system, and that in itself is a huge problem," says Josephine Lee, an organizer with El Pueblo Primero, a program based at San Pablo Episcopal Church in Southeast Houston that serves mostly Latino immigrants.

In order to address the demand, the Workforce Commission said it is hiring 80 more people to process phone calls and has extended its service hours to 7:30 a.m. to 6:30 p.m. Governor Greg Abbott on Wednesday also waived the waiting period for benefits, which usually delays payment for the first week of a worker's unemployment.

"Our agency has been working diligently to respond to the needs of those who have lost their livelihoods and much more in some cases," said Lisa Givens, a spokeswoman for the Workforce Commission.

But for workers like Calhoun who live on thin margins, those checks often don't come through quickly enough to save them from financial hardship. Calhoun earns $10 an hour working for OTG, a New York food service contractor at Bush Intercontinental airport.

While at home in the first few days after the storm, Calhoun applied for benefits online, hoping for a turnaround before his apartment complex's grace period was up. (Reached by phone, an assistant manager for the Sedona Pointe apartments said they would not be evicting people impacted by the storm this month, but Calhoun says that's not what he was told.)

Days went by, and no help came. Calhoun applied for every other source of aid he could think of, from FEMA to the Red Cross, but they were all reserved for people whose homes were damaged, and the unemployment assistance claim kept showing up as pending. Calhoun tried to stay calm, knowing that stress could trigger his epilepsy.

"How is this fair to us?" Calhoun says. "How is this fair to anybody here who's been affected?"

Navigating the unemployment insurance system can be difficult even under normal circumstances, when Texas receives 30,000 or 40,000 claims a month. Texas pays only 79 percent of its claims within 14 days, which is below the federal standard of 87 percent, according to the U.S. Department of Labor.

Hany Khalil, executive director of the Texas Gulf Coast Labor Federation, said he'd like to see the process streamlined and the deadline for applying — which is now Sept. 29 — extended to accommodate those who'd had trouble getting through.

"The response of Houston during the hurricane was one of enormous generosity," says Khalil. "We didn't ask, 'do you really need help to get out of this flooded zone?' Our government needs that same spirit."

The left-leaning National Employment Law Project has also advocated for benefit levels to be raised for the disaster-assistance program and eligibility requirements to be relaxed. Representatives of the labor union UNITE-HERE, which represents about 1,500 workers at Bush Airport, say that about half the claims that they helped people file were rejected, usually because workers hadn't worked enough in the previous year to qualify for benefits.

Many employers just pay their workers for the hours they missed due to the hurricane, which saves them the stress of having to deal with the state system at all. Employees at United Airlines, for example, had no interruption to their paychecks.

Some small businesses, of course, can't afford to make payroll for hours that weren't worked if money wasn't coming in. Large ones, though, can typically shell out wages for at least a few days.

On Wednesday, after being contacted by a reporter, OTG said it would be paying all its workers for lost time during the hurricane. Employees were then notified that the extra money would be included in their next paychecks, at the end of the week. "No crewmember will lose a dime in their paycheck because of Hurricane Harvey," said Eric Brinker, the company's vice president for experience.

But for Calhoun, it wasn't soon enough. On Thursday, he took out a $1,000 auto title loan in order to pay his rent before the landlord added on any more fees. After that, other bills await.

"There's a lot of people in this situation," Calhoun says. "They're trying their best to hold it together."

Jobless claims fell 14,000 last week
News-Journal
September 14, 2017

WASHINGTON — The number of people seeking unemployment benefits declined slightly last week but still remained elevated as hurricane disruptions impacted layoffs for a second week.

Applications for jobless benefits dropped by 14,000 to a seasonally adjusted 284,000 last week after surging to 298,000 the previous week, the Labor Department reported Thursday. The previous week's increase of 62,000 had pushed claims to the highest level in two years.

The less volatile four-week average for claims rose to 263,250 last week, the highest level in a year.

Applications from Texas, recovering from Hurricane Harvey, totaled 51,988 last week, down by 11,800 from the previous week, but still far above the typical range of about 12,000 applications filed weekly in Texas.

Gas prices finally going back down after post-Harvey spike
By Rachael Cardin
WTKR
September 15, 2017

HAMPTON ROADS, Va. - Good news for families who plan to travel this weekend; gas prices are on the decline!

After Hurricane Harvey hit the Gulf Coast, the nation saw a major spike. But now that oil refineries are back online, the prices are going down.

Now, it might only be a few cents lower than yesterday or last week, but the downward trend is a good sign. According to AAA, a $.15 to $.25 spike was anticipated but many states actually saw a $.30-$.40 increase instead.

According to the gas calculator on the AAA website, the average price for a gallon of regular gas here in the Commonwealth is $2.51. That's only 2 cents lower than last week, but at least it's less.

Hurricane Harvey took 19% of the nation's oil refineries offline, but those workers have headed back to work and now the oil and gas should start moving from state to state.

AAA said it could be awhile before we see prices drop closer to $2.00 a gallon but the EPA did allow refineries to start making winter blend after Harvey. Winter blend is less expensive to refine than summer blend so the early switch to winter blend could also help your wallet.

Right now oil companies said they are trying to make up for lost time, refining as pushing out at much as product as possible to reap the profits.

Back to Business for Some Hotels after Hurricanes Irma, Harvey
Hotel Business
September 15, 2017

INTERNATIONAL REPORT—it's not business as usual for many hoteliers left smarting from the catastrophic damage left in the wakes of Hurricanes Irma and Harvey. Here's an update on where some properties stand.

Look for the Helpers

Less than two weeks after Hurricane Harvey had devastated parts of southeast Texas, John Ferguson, founder of Ferguson Development in Liberty, MO, called his friend and business partner, Lew Wiens, chairman and CEO of True North Hotel Group in Overland Park, KS, and said, "Let's do this." And from there, the ball started rolling. In just four days, Ferguson's idea to send essential items for Harvey flood victims in the Houston area snowballed into a joint effort between the two partners that also included Ferguson Hotel Development, True North Hotel Group, Kansas City's Gary Crossley Ford, BRR Architects, Teamsters Local #56 in Kansas City and Teamsters Local #120 in Minneapolis.

The result was a gift of two 18-wheelers delivered to a Houston warehouse on Sept. 13 by four Teamsters who drove the trucks from Minneapolis and Kansas City. The items will be distributed to Harvey victims through the Salvation Army. "Harvey victims didn't ask for this. We're all Americans, and I would hope someone would do this for me," said Ferguson.

The Westin Jekyll Island, a property managed by New Castle Hotels and Resorts, remained opened for state police and the National Guard as the island was evacuated. The property lost power but operated with generators and the hotel's chef prepared three meals a day for the people who remained. Some staff stayed at the hotel with their families.

"We knew we were going to have a few associates staying at the hotel, so extending hospitality to first responders and emergency personnel was an easy decision to make," said Kevin Runner, GM, Westin Jekyll Island. "It helps our small community get on its feet more quickly, and it's the right thing to do. Everyone feels helpless in these situations, so we're glad that we were able to contribute something to the effort."

The Palm Beach Post reported that amid Hurricane Irma, friendships were formed among guests and staff in Jupiter, FL. In addition, there have been acts of generosity and heroism. Marriott International chartered a ship from the Dominican Republic and coordinated with layers of authorities for permission for the ship to land and evacuate as many guests as possible, according to Forbes. And a Best Western Plus in Lewisville, TX donated nearly every piece of furniture it had.

Hotels Reopen, Assess Impact

An update from Ashford Hospitality Trust Inc. revealed that after preliminary inspections, the company's hotels in the path of Hurricane Irma did not sustain any significant damage with a few properties sustaining minor damage. All of the company's properties are open and operating. The affected hotels in Florida represented approximately 13% of the firm's year-to-date hotel EBITDA through the second quarter, according to the REIT.

"Our hearts go out to the families and communities that have been impacted by Hurricane Irma and we remain supportive in the recovery effort," said Douglas A. Kessler, Ashford Trust's president and CEO. "We believe our proactive asset management and the efforts of our hotel property managers enabled us to keep all hotels operational, mitigate damage, and position affected hotels for remediation work."

Ashford Trust continues to assess the full impact of the damage caused by Hurricane Irma, and all of its properties have comprehensive property, casualty, flood and business interruption insurance, subject to a maximum $10-million deductible. The company believes no damage will exceed coverage caps, and will provide additional updates in the event of any material changes.

Xenia Hotels & Resorts Inc. has shared that its hotels in Orlando, FL, Atlanta and Savannah, GA, Birmingham, AL, and Charleston, SC, did not experience any significant property damage as a result of Hurricane Irma. Each of the company's eight hotels in these markets is currently open and operating.

The 120-room Hyatt Centric Key West Resort & Spa located in Key West, FL, is currently closed. The resort's employees and guests were evacuated in advance of Hurricane Irma making landfall, according to Xenia. The company is currently unable to provide further updates regarding the property's physical condition or when it is expected to reopen, as it will be performing a complete assessment as soon as circumstances allow. Xenia's corporate office located in Orlando, FL, did not sustain any significant damage and is fully operational.

As it relates to Hurricane Harvey in Texas, further inspections of the company's Houston and Austin hotels confirmed that none of the hotels experienced significant property damage, and all four hotels in these markets are open and operating.

"Our thoughts continue to be with the people in all locations impacted by these two destructive storms," said Marcel Verbaas, president and CEO of Xenia. "We are very proud of the efforts the hotels have put forth to cater to the needs of guests and associates, as well as to the communities in which they are located."

Major hotel brands are continuing to monitor the impact of the hurricanes on properties in the impacted areas. Marriott International's management teams are evaluating the status of the hotels and working closely with local authorities as needed.

"We express our appreciation for the efforts of local police, emergency responders and other officials in supporting the community," said a brand spokesperson. "To date, there have been no reports of storm-related injuries to employees or guests at our hotels. While most of our hotels are open, some hotels in the affected areas have sustained damage. Efforts are underway to fully restore operations but some hotels may have temporary interruption or limited availability of guest services."

Hotels Reopen in the Caribbean

According to the Bahamas Ministry of Tourism and Aviation, the majority of hotels and resorts throughout the islands of the Bahamas are

operating as usual or are expected to reopen on their regularly scheduled dates.

Hotels on Nassau and Paradise Island were not damaged. Atlantis, Paradise Island, Baha Mar Resort and Casino, Breezes Bahamas, Melia Nassau Beach Resort, One&Only Ocean Club and Warwick Paradise Island are among the hotels open and hosting guests. Also, Grand Bahama hotels are expected to reopen today, including Grand Lucayan, Pelican Bay Hotel and Viva Wyndham Fortuna Beach.

A detailed report released by New York-based Ovation Vacations shows the travel firm has about $18 million in displaced business mostly from St. Barts and Anguilla.

"The good news is that most of the Caribbean came out of Irma unscathed," said Jack S. Ezon, president, Ovation Vacations. "We have placed nearly $1 million this week in business to alternative Caribbean destinations such as Cayman, Dominican Republic, Bahamas, St. Lucia, Turks & Caicos and others."

Ezon is advising clients to wait until the end of this week to see where things fall after further investigation. "Indeed, as you know the situation is still very raw with so many of our dear friends without water or electricity," he said. "Some of the philanthropic efforts we have heard are heartwarming, and we are working on our own philanthropic investigation, as so many people want to help but unsure how."

HUMAN INTEREST & COMMUNITY OUTREACH

Give Donations for Hurricane Harvey Relief, Get a Taco
The Current
September 15, 2017

Yep, you read that right.

The Boys and Girls Clubs of San Antonio are teaming up with Taco Bell and UTSA to help victims of Hurricane Harvey and are asking the community to get involved.

As if you didn't need more of an incentive to help out fellow Texans in need, your good deed will be rewarded with a free crunchy taco and discounted UTSA football tickets. The ticket voucher is only guaranteed for the first 750 people who donate.

All you have to do is bring snacks, school supplies or cold hard cash (at least $5) to Alamodome North Plaza on Saturday between 2:30 and 6 p.m. BGCSA is specifically asking for packaged snacks, hygiene items, notebooks, pencils, crayons, markers, glue and erasers.

The proceeds will go toward the Boys and Girls Clubs in San Antonio as well as the greater Houston area.

Airbnb offers hundreds of rooms to hurricane evacuees
By Dara Kerr
https://www.cnet.com/news/irma-harvey-airbnb-offers-up-hundreds-of-rooms-to-hurricane-refugees/
September 14, 2017

Airbnb has something tangible it can offer people struck by disaster: homes.

The home rental company has urged people who use its platform to offer rooms and entire houses to relief workers and displaced people from hurricanes Harvey and Irma. If hosts waive their nightly fees, so does Airbnb.

So far, more than 1,000 free places to stay have been listed in Texas after Hurricane Harvey hit. And in Florida, more than 230 free listings have been posted on Airbnb since Hurricane Irma swept through the state over the weekend. Airbnb expects the number of listings in Florida to rise once infrastructure, like electricity and running water, come back online.

Proffering free places to stay is part of Airbnb's Disaster Response Program, which locates local temporary housing for people in need. While Airbnb typically aims to make a profit off its home rentals, the company is increasingly offering free services in certain situations. It also has a staffed team dedicated to supporting its disaster relief efforts.

"This is a program that we've been running the last few years and it's within our DNA at Airbnb," Kellie Bentz, Airbnb's head of global disaster response and relief, said during a conference call with reporters. "Our community of hosts are extremely generous."

Airbnb initially created its disaster response tool in the aftermath of Hurricane Sandy, which left more than 100,000 people homeless in the New York City area in 2012. And more recently, the home rental company offered places to stay to immigrants who were stranded by President Donald Trump's travel ban and after the deadly attack in Barcelona. To date, the program has been "activated" in more than 90 disasters worldwide.

The way the disaster response tool works is Airbnb contacts people in the area asking if they have a room or couch they'd like to offer for free. If Airbnb gets takers, they can list their space on the company's disaster response portal. Those in need can find places to stay on this same portal.

In the case of Hurricane Irma, people stranded can find free Airbnb rooms across Florida, Georgia, Alabama, South Carolina and North

Carolina. This program started on Sept. 7 and will go through Sept. 28.

Houston congregations rally around members, neighbors displaced by Harvey
UUWorld
September 15, 2017

Unitarian Universalists continue to donate funds to help people and communities affected by two major hurricanes, as cleanup begins in Florida after Hurricane Irma, which struck on September 10, and continues in Texas in the aftermath of Hurricane Harvey, which hit August 25.

As of September 14, the Hurricane Harvey Recovery Fund set up by the Unitarian Universalist Association and the UU Service Committee on August 29 had raised $237,058 from 2,029 donors, including seven congregations. Other congregational gifts are still being processed, according to the UUA's Stewardship and Development staff. Half of the funds raised will go to at-risk populations served by grassroots partners of the UUSC, including those who work with undocumented immigrants. The other half will support UU congregations and members of those congregations most affected by the storm. During the month of September, 20 percent of all sales from the Beacon Press website will go to the UUA-UUSC fund.

The UUA has also set up a Hurricane Irma Recovery Fund to assist congregations in repairing any damage and to respond to the needs of members and their larger communities as they recover from the most powerful Atlantic hurricane ever recorded. (UU World is reporting separately on the aftermath of Hurricane Irma.)

In Texas, congregational leaders are still estimating the cost of repairs to congregational properties. And they are still finding out how many UUs were significantly affected by Hurricane Harvey and subsequent flooding.

In Houston, Emerson UU Church sustained damage to a new roof, "but it seems pretty inconsequential in light of everything else," said the Rev. Becky Edmiston-Lange. About a third of the congregation's approximately 400 members had to evacuate from their homes due to flooding. Among them is a family who relocated to Houston after losing their home and everything in it during Hurricane Katrina in 2005 in New Orleans. "They'll probably be able to redeem their home, but it's reawakening a lot of trauma," said Edmiston-Lange. She added that for members without a lot of resources, the UUA/UUSC Harvey Relief Fund will be a lifeline.

"Those who have not been affected are working very, very hard to help those who are," she said. "It's really, really impressive how folks have rallied around." The congregation will also be reaching out to vulnerable communities affected by the hurricane and flooding, she said.

Bay Area UU Church, about 25 miles southeast of Houston, is in a neighborhood where many homes sustained serious damage from flooding. But the church itself is fine besides a small roof leak, said the Rev. Bruce Beisner. At least seventeen families in the congregation, which has about 220 members, experienced flood damage in their homes, he said. The congregation has been collecting donations for area shelters, and raised $8,400 for the Harvey Relief Fund during a worship service on September 3, he said.

First Unitarian Universalist Church of Houston, which has three campuses throughout the city and is developing a fourth, has set up a hurricane relief fund to repair storm damage at its Museum District campus. "More importantly," said the Rev. Dr. Daniel O'Connell, senior minister, the fund will "help give immediate and direct aid to those in need." The church is also working to match volunteers with people who need help with hurricane recovery.

The church's campuses in the Copperfield and Stafford neighborhoods, along with its future Richmond campus property, did not experience significant damage, he said. However, the Museum District campus sustained significant water damage through roof leaks. It appears that the second-floor roof over the library will have to be replaced at a cost of about $10,000, O'Connell said, and carpet on the third floor also needs to be replaced. Although the building was insured it appears the insurance policy will not cover all the damage, he said.

During worship September 3, the congregation raised $11,000 for its recovery fund. O'Connell said he expects to raise another $10,000 to $15,000 for three organizations with which it works: the Emergency Aid Coalition; EAC's partner organization, the Houston Food Bank; and Montrose Grace Place, which offers a safe environment for vulnerable homeless youth of all sexualities and genders. The congregation's shared offering partner for an upcoming series of worship services on compassion is Rebuilding Together Houston, which helps repair homes at no cost for low-income elderly homeowners. "We have a bunch of folks who regularly volunteer for their projects," said O'Connell, and the organization's services "will be more in demand than ever."

Beaumont family who escaped Harvey to Waco struck by second tragedy
WWLTV
September 15, 2017

WACO - One month after Hurricane Harvey, tragedy has struck a father and his daughters for the second time.

Days after checking into a Waco Hotel to escape the storm, Joseph Ardoin's wife suddenly died – leaving him with little money and five girls to raise.

Lashundrea Lemon loved Waco so much. Lemon and her family were planning to move there soon from Beaumont which is why Waco was where they fled to when Hurricane Harvey hit. However, in just days she started feeling sick. She was rushed to the ER and never returned to her family.

Despite their smiling faces, these five sisters aged one, three, four, six and 10 have been through a lot.

“We have to go back and undo everything she did, everything, getting the kids back to school. It’s hard,”

Hurricane Harvey took away their home and everything they had. They checked into Home2 Suites and four days later their 28-year-old mother Lashundrea suddenly stopped breathing. She was rushed to the hospital and died leaving there father Joseph - to raise them alone.

“My daughter-in-law didn’t make it,” Ardoin's mother Sarah said. “My son is left with five girls, five of them. There’s so much a mother can do. I can’t fix it this time.”

From changing diapers to combing hair, Joseph’s mom and sister have stepped up to help. The two oldest girls have enrolled in Waco ISD but are in dire need of shoes and clothes.

Ardoin is also in need, he is looking for work and a place for the family to stay.

Bubbas 33 in Waco said they are holding a fundraiser to get them on their feet.

“To see those girls and them here in the community of Waco. I think it’s a good idea for us as a business and a community to reach out and welcome them into our community,” Phillip Dunn with Bubbas 33 said.

For now, the family’s focus is being there for the five little girls.

“We’re going to have to continue to show them that your mom love you and we love you too and I’m here for you,” Aunt Isis Booker said.

There is still no cause of death for Lashaundrea. Her family said she had no health issues. Bubba’s 33 will be hosting its fundraiser on September 26. On September 30, Waco River Safari will also have a fundraiser for the family.

Right now, the family is working to get Lashaundrea’s body back to Beaumont and pay for the funeral.

Anyone wanting to drop off donations can take them to Home2 Suites in Waco.

Address: 2500 Bagby Ave, Waco, TX 76706

Seguin HS band to play for Harvey-battered Rockport-Fulton football team
By Garrett Brnger
KSAT
September 14, 2017

SEGUIN, Texas - When the Mighty Matador band takes the stands Friday night, it won't be playing for Seguin.

Instead, the high school band members have volunteered to back the Rockport-Fulton football team when it plays Leander's Glenn High School in a neutral-ground matchup at Seguin. With Rockport's world turned upside-down by Hurricane Harvey, the band members want to set at least one part of that world right.

"I can't go out there and help in the actual affected area," said Sheldon Scholl, a brass captain in the Seguin High School band. "And this is the best thing I can do, is help the band play for Rockport."

Rockport, a small city near Corpus Christi, was slammed by Harvey when it made landfall as a Category 4 hurricane. While the football team has continued to play, SHS band director Stan Mauldin said the 80 members of Rockport-Fulton's band are either at a nearby school district or spread as far north as Dallas.

"Those kids may or may not move back home again, and so that band is going to change for quite a while," he said.

The matchup between the two, out-of-town football teams predated Harvey, but the idea to play for Rockport-Fulton started with a conversation at a booster club meeting.

"Basically, one of the booster parents said, 'wouldn’t it be neat if we could just play the fight song and the school song for them?'" Mauldin said.

The idea of helping out hit the right note for the band members, and Mauldin said he expects 180 to 190 of the 213 band members show up Friday.

Practicing the fight and school songs for the first time Thursday, band members said volunteering to play was the right thing to do.

"There's a lot of people that have nothing," drum Major Chloe Luna said. "And I want to be able to say I made their life normal for even a few minutes."

Mauldin said the band boosters are also raising money for Rockport-Fulton's band program to help with the loss of sheet music, uniforms and instruments. They hope to collect $5,000 in all.

Local benefit concert helps Hurricane Harvey victims
KKCO
September 15, 2017

GRAND JUNCTION, Colo. (KKCO/KJCT) The Grand Junction community is coming together to help Houston, as they recover from Hurricane Harvey.

A benefit concert on Thursday night in downtown Grand Junction provided funding for people suffering in Houston following Harvey's destruction.

While there wasn't a fee, organizers asked those who came to leave at least leave a $5 donation. Those who couldn't make a monetary donation were asked to leave blankets or clothes.

"I've never experienced a hurricane, but I couldn't imagine how bad that is, and unfortunate," said organizer Christopher Teal. "It just is really sad and I thought why not, I have means and have capabilities, I know people and I know we can manage it."

All of the proceeds from the concert will go directly to the American Red Cross.

Organizers said they'll have another benefit for people in Florida who were hit by Hurricane Irma depending on the success of the benefit for Texas.

Hurricane Harvey Charity Concert at Love & War in Texas
Plano Magazine
September 15, 2017

Join us for three great music acts featuring Eleven Hundred Springs. Shiner's own Brew Master Jimmy will host the event with an opportunity to meet and greet. Most importantly will we be raising money for the Port Aransas Hurricane Harvey Community Relief!

Live Texas music has become a tradition at L&W. Texas singers and songwriters from around the state are finding their way to what is quickly becoming a central gathering place for Texas music and Musicians.

Come join us for Texas food, fun and music and you'll know why Texas is known as the friendship state.

"We're going to make it personal," Edmond students learning about Hurricane Harvey by helping victims
By Lacey Lett
News4Oklahoma
September 15, 2017

EDMOND, Okla. - Pens, notebooks and gift cards fill a classroom at Heartland Middle School, but none of the supplies will be used by Oklahoma students.

Instead, students at Central Middle, Cheyenne Middle and Heartland Middle School have been gathering as many supplies as they can to help hurricane victims.

It all started when the seventh-grade principal at Heartland Middle School read an article from a Dallas newspaper regarding a supply drive for a Houston school.

When Hurricane Harvey hit Texas, it devastated the families and staff members of Cunningham Middle School in Houston.

"A third of their students have lost everything, and she has a couple of her staff too, her secretary and a first-grade teacher have also lost everything in the hurricane," Gabe Schmidt, seventh grade principal at Heartland Middle School, said.

After learning about the issues facing Cunningham Middle School, Schmidt decided to start a donation drive at the three Edmond schools.

"We just want to make sure they're safe and that they have supplies and that they are not in this alone," Cameron Woodard, an eighth grader at Heartland Middle School, said.

The materials will go far, and the helpers from the heartland are learning in the process.

"For them to be able to give to that same age, that same population that they know they need school supplies. They know they need support from gift cards. It's a uniform school," Michelle Grinsteiner, principal at Cheyenne Middle School, said.

"If it was happening to us, we would want them to do that because I mean we have tornadoes in Oklahoma. They have hurricanes so it's kind of if there's devastation here, then I think that would help," Bri Johnson, a student at Heartland Middle School, said.

These schools plan to continue to help for as long as they need.

"We're going to make it personal and have that personal touch so that we have a relationship with someone not necessarily next door to us but our sister school to the south," Schmidt said.

They will be accepting donations until Wednesday.

Local family stranded at Houston hospital has made it out of area
By Breaking News Staff, Caryn Golden
WhoioTV
September 15, 2017

The Myers family from Versailles, previously trapped in Houston, Texas at Texas Children's Hospital by the rising waters, is now on their way home to Ohio.

The family had been there for multiple surgeries for their 9-year-old son Aiden. They arrived August 8 for evaluation and had two surgeries, the last one last Friday — then the storm hit.

After being released from the hospital, Houston residents directed the family to two open roads out of the area.

Hurricane Harvey made landfall just as Aiden Myrers underwent neurosurgery at Texas Children's Hospital in Houston.

Myers has a rare genetic disease called Tuberous Sclerosis Complex or TSC, which causes tumors to grow in many of his organs.

Aiden's brain tumors were causing him "catastrophic seizures," according to his mother Danielle Myers

The surgery to possibly end them had them make the long drive to Texas Children's Hospital in Houston before the storm hit.

"Friday as the hurricane was making landfall, Dr. (Howard) Weiner performed surgery on Aiden, removed a couple of the tumors from the frontal lobe of his brain to finally control his seizures," said Myers.

"At that time, Houston wasn't really getting hit that hard. It was raining but no flooding," added Myers.

"Dr. Weiner did get here Saturday morning to check on Aiden, and Saturday night we went to bed and woke up the next morning, it was flooded. The roads out here are impassable," Myers said.

The Myers' have three other young children at home in Versailles that started school this week.

But it's not their family they were worried about. "We are not struggling with the flood, our hearts are with the people, the staff taking care of us here at Texas Children's. They may not have a home to go to, we do in Ohio."

She asked Ohioans to show Texans their support. "If there is anyone in Ohio that can supply food, clothing, supplies, please do that, they need it down here," said Myers.

She described the images she saw in Houston, and the view out her son's hospital window.

Comanche County to provide hurricane relief
By Haley Wilson
KSWO
September 14, 2017

LAWTON, OK (KSWO) - Comanche County Emergency Management is teaming up with local volunteer firefighters, businesses, the city of Lawton and Walmart to host a drive to collect donations for hurricane Harvey victims this Saturday.

They decided to have this drive when residents started asking where they could donate to hurricane Harvey victims.

Deputy Director at Comanche County Emergency Management Chloe Lewis said this is an opportunity to pay it forward after receiving help here in Oklahoma from others after floods and other natural disasters.

"It's just a really long process and they sit there years later and realize that they don't have pictures of family members that ended up in there so it's a constant reminder throughout the rest of their life that oh yeah that was in the flood so it's a really hard time for them."

Sherely Grubbs with the City of Lawton said one thing people sometimes forget is that the hurricane hitting is just the beginning for the

Hurricane Harvey victims. Some are still staying in shelters unable to get back to their homes.

"Their lives aren't going to be normal or what they want them to be for a long time and so it's kinda impactful to kind of watch the beginning of devastation. For us, we kinda go back to normal so quickly but for them, this is going to be a long time coming."

That is why multiple agencies in Comanche County are working together trying to collect supplies to help those whose lives are forever changed.

"I'm hoping that people down there can see that there is a whole country that cares about them and it's not just their problem."

If you'd like to donate they'll have semi-trailers located at Walmart on Sheridan and Quanah Parker Trailway and at Cache Road Square from 9 a.m. to noon on Saturday. They're not taking donations after them because they're planning to send the items on Monday.

Local hurricane relief efforts show generosity of community
The Republic
September 15, 2017

When it comes to helping others, organizers don't have to beg Columbus residents and businesses to lend a hand. That's been proven true many times, and reiterated again since Hurricane Harvey hit Texas and Hurricane Irma landed in Florida.

Quickly, two local congregations — Asbury United Methodist Church and St. Peter's Lutheran Church — began putting together plans to help residents in southeast Texas. They were working through national relief organizations to determine where to provide help. Both churches are working to assemble teams of volunteers to travel to Houston to help with recovery efforts.

Likewise, county residents started working together to collect needed supplies and other items – also headed for Texas. Volunteer firefighter Shane Chandler organized a collection at the Clay Township Volunteer Fire Department Sept. 4 to 6 so donations could be routed to the nonprofit Houston Food Bank to distribute. Also, former Bartholomew County Coroner Larry Fisher organized at donation drive at Clifford Volunteer Fire Department on Sept. 9 to assist residents of three small Texas communities: Fannett, Hamshire and Winnie, all located southwest of Beaumont. That resulted in nearly a semi-trailer full of items to assist victims.

Depending on the severity of damage caused by Hurricane Irma, an additional relief effort could be conducted to help small towns in Florida, too, Fisher said.

When you've been impacted yourself, as Columbus residents were during the June 2008 flood, you know first-hand what victims are dealing with.

That experience of devastation and need for help sticks with people, and is motivation to help others in similar circumstances because you understand the benefit of a helping hand.

As a result, Bartholomew County residents have turned out in force to generously donate their time, money and supplies to help residents hundreds of miles away.

While donations of supplies to communities affected by natural disasters are helpful, monetary contributions are still incredibly important and can boost results. Here are some charities to consider to help victims of Hurricane Harvey in Texas:

- American Red Cross: Donate via the charity's website using a credit or debit card. Texting a $10 donation is possible by sending a text to the number 90999 with the message "REDCROSS."
- Texas Diaper Bank
- Save the Children: It is setting up safe areas for children inside shelters, and distributing infant and toddler supplies.
- Portlight Strategies: It helps people with disabilities, older adults and their families recover after disasters.
- San Antonio Humane Society: It has set up an emergency fund for pets and strays
- Houston Humane Society

MISCELLANEOUS

Social Media Plays Growing Role in Guard's Hurricane Response
DODBuzz
September 14, 2017

As victims of Hurricanes Harvey and Irma pleaded to be rescued on popular social media apps such as Facebook, Twitter and Instagram, the National Guard altered its response accordingly.

"It's been a very dynamic and evolving environment," National Guard Bureau Chief Gen. Joseph Lengyel recently told Military.com. "This has certainly evolved how we do it."

Lengyel spoke with Military.com at the annual conference of the National Guard Association of the United States in Louisville, Ky.

While social media isn't the primary communications tool between the Guard and those at risk, it's starting to play a larger role.

The Washington Post reported that during Harvey, a Guard Humvee vanished in Katy, Texas. With no other way to reach the driver, soldiers finally were able communicate with him using SnapChat, a messaging app that can capture a photo or video, which is then relayed to the recipient briefly before it disappears.

Similar situations can happen when there is a communications capability gap in a disaster area, Lengyel said.

"Whenever you go into particular environments, communications is always difficult when you first start. Because the infrastructure [isn't] there. It has to evolve," he said.

For example, the Guard got the call to drive to Beaumont, Texas, before the Federal Emergency Management Agency or first responders could set up hub stations to house communications equipment.

Coordinating Efforts

The military has crews that monitor response efforts as they happen in real-time.

For example, its only non-offensive air operations center, known as "America's AOC," at Tyndall Air Force Base, Florida, keeps track of relief no matter where it's needed in the U.S.

Military.com visited the 601st AOC in March. It evaluates domestic operations, or DomOps, for Air Forces Northern, monitoring the airwaves — and social media sites — for events with potential military ties.

Lengyel said he was impressed with efforts as ongoing training rotations across the globe have not stopped despite the massive hurricane relief effort. Part of the Texas Guard deployed to the Horn of Africa even as Harvey laid waste to the Houston area and Hurricane Irma loomed.

Thousands of National Guard troops remain on the ground in Texas for relief efforts, and the Pentagon mobilized nearly 30,000 military personnel for Irma recovery.

That's all thanks to planning.

"Every state creates and drafts an all-hazards response plan … and a lot of it comes together from various federal agencies," Lengyel said of the constant training and push to get ahead of the next big disaster, which could vary from an earthquake to a terrorist attack.

"Everybody has a plan. And we coordinate … and we think about it before it happens, and we've gotten much better about this over the years," he said.

Special Mission Unit Milestone

This year's relief efforts — from Harvey and Irma to wildfires in the West — created another milestone for the U.S. military this year.

For the first time in the nearly 70-year history of the Air Force Reserve, all three special mission units — weather reconnaissance, firefighting and aerial spray — were called to action simultaneously, the service said this week.

Air Force Reserve Command's 53rd Weather Reconnaissance Squadron — better known as the Hurricane Hunters — out of Keesler Air Force Base, Mississippi, "have been flying weather reconnaissance missions nonstop" since Aug. 17, the Air Force said in a release.

The 302nd Airlift Wing out of Peterson Air Force Base, Colorado, is assisting the National Interagency Fire Center by providing a Modular Airborne Fire Fighting System (MAFFS)-equipped C-130H Hercules, aircraft and aircrew to support ongoing aerial firefighting efforts in the western U.S.

And the 910th Airlift Wing, out of Youngstown Air Reserve Station, Ohio, is providing its aerial spray capability to repel mosquitos and other pests in eastern Texas following Harvey.

Texas replica of Columbus ship sinks after Hurricane Harvey
By AP
The Eagle
September 14, 2017

CORPUS CHRISTI, Texas (AP) — The last of three replica ships built by Spain to honor explorer Christopher Columbus and displayed in Texas has sunk after Hurricane Harvey.

KRIS-TV in Corpus Christi reported Thursday that officials with the Columbus Sailing Association, which owns the Nina (NEEN'-yuh), believe

it's fixable. A GoFundMe page has been established.

Harvey last month slammed the Corpus Christi area. The Nina began taking on water, with much of the ship now submerged in Corpus Christi Bay.

Spain in the 1980s built replicas of the Nina, the Pinta and the Santa Maria to mark the 500th anniversary of the explorer's voyage. The vessels were permanently docked in Corpus Christi after a tour in the 1990s.

The Pinta and the Santa Maria, both made of pine, were demolished in 2014 after years of deterioration.

Harvey death toll put at 82: 'Mass casualties have absolutely not happened'
By Special To The Washington Post
News-Journal
September 15, 2017

AUSTIN — Texas officials said Thursday that they believe at least 82 people died as a result of Hurricane Harvey and the intense flooding it brought to Houston and coastal areas, although it could take weeks to determine the exact death toll.

The picture could have been much bleaker given the amount of flooding and that entire communities were cut off for days. Hospitals had to be evacuated as water rose into buildings that had never before flooded; some residents found themselves trapped in their homes while chest-deep floods took over their streets; and emergency responders along the Texas coast were overwhelmed, leading civilians with watercraft to rescue one another. Some worried that when floodwaters receded, the number of deaths would mount, but that didn't materialize.

"The mass casualties have absolutely not happened," John Hellerstedt, commissioner of the Texas Department of State Health Services, said in an interview Thursday.

In a typical week in Harris County, which encompasses Houston and its 2.3 million residents, there are about 4,300 deaths, Hellerstedt said. "The deaths that are attributable to this disaster is a very small portion," he said.

State officials said Texas was prepared for the worst when the hurricane slammed into the Gulf coast, and they said those preparations appear to have paid off. Gov. Greg Abbott said Thursday that crews continue to search house-by-house for victims but that "the risk to lives has now been reduced, if not completely eliminated."

Receding waters reveal how much work remains to be done to rebuild and repair, Abbott said. The first task is clearing the 200 million cubic yards of debris — enough to fill up the football stadium at Texas A&M University 125 times — left in Harvey's wake.

The American Red Cross reported that 5,258 people spent Wednesday night in 28 shelters strewn across the Texas coast, mostly in Houston and Harris County — down from more than 30,000 at the height of the flooding. The sheltered population is declining, officials said, as Texans relocate to other types of temporary housing. Some 21,000 households are living in 2,000 hotels in 33 states, according to Tony Robinson, the Federal Emergency Management Association's regional director.

Some shelters also house pets, but the Texas Animal Health Commission has been housing the state's affected livestock. Thousands of animals — including 45 potbellied pigs, 985 horses, 563 cattle and 1,210 dogs and cats — remain in 92 independent shelters. Earlier this week, livestock stranded in water received 210,000 pounds of hay, delivered by the Texas Army National Guard.

Federal funds, including the $15 billion disaster relief package passed by Congress last week, have been immediately allocated: Already last week, Houston and Harris County received $91 million and $44 million, respectively, to help pay for debris removal. Abbott said he expects federal lawmakers to pass more supplemental budgets to help Texas recover throughout the year.

The Red Cross has disbursed $46.4 million to 116,000 people, according to the Texas Department of Public Safety. Robinson said 735,000 individuals have applied for FEMA assistance and the agency has doled out $378 million in direct payments. Meanwhile, small-business and home-loan processors are working as quickly as possible.

"We are really looking at innovative solutions in housing, with the primary goal of getting people back into their homes as quickly and safely as possible," Robinson said.

Even now, though, two weeks after the eye of Harvey hit the Texas coast, some 3,900 homes and facilities remain without power, including many where meters — and the homes they were assigned to — "no longer exist," Abbott said. The state's water structures are improving, but 77 boil water notices remain in effect, 19 water systems are down and 31 wastewater systems remain offline.

Harvey's hit to Texas came just as students were heading back to school, and "the overwhelming majority of schools are back open in Texas," said Mike Morath, commissioner of the Texas Education Agency. Of the 964 campuses damaged in the storm, 52 suffered "catastrophic damage" and will take a significant amount of time to reopen, Morath said.

With mass casualties seemingly avoided, the state's health resources are now focused on fighting infections, both from bacteria in floodwaters and from mosquitoes. Hellerstedt said that 2.4 million acres have been sprayed for mosquitoes, and health officials dispatched to the affected region are armed with vaccines.

The disaster response is under the purview of Texas A&M University Chancellor John Sharp, whom Abbott appointed as "hurricane recovery czar," overseeing the Commission to Rebuild Texas.

BBB warns of fake FEMA calls to hurricane victims
KFDM
September 14, 2017

SOUTHEAST TEXAS — From BBB of Southeast Texas - BBB of SE TX is warning consumers that FEMA will not call you to award a "grant".

Consumers have contacted BBB SETX offices stating they just received a call from Washington DC (202 area code) and wanting to know if FEMA is working with Walmart to distribute government grants to hurricane victims in our area.

FEMA WILL NOT CALL YOU to award a grant.

Scammers are targeting our area and many of the consumers contacting our office stated the caller knew their name, age and address, which made it appear legitimate.

Many of the callers had recently contacted FEMA and this added to their willingness to listen to the caller.

"Government agencies, including FEMA do not make phone calls to individuals to notify them that they are eligible for a grant". Unfortunately this is a common scam and often increases in area's of natural disaster.

Last year BBB received over 1,100 reports on Scam Tracker of fake government grants.

To receive FEMA funding you will be required to complete an application. Links to FEMA are on the BBB website "Disaster Resource Center" or you can "Google" FEMA Disaster Relief.

How the Scam Works:

Scammers contact you through phone calls, emails, or posts on social media. No matter the medium, the message is similar: FEMA is awarding "free grants." You are told that your application is guaranteed to be accepted, and you will never have to repay the money. You can use the "grant" to pay bills, or make repairs.

When you reply to the ad or take the bait on the phone, the scammer claims to be a "government agent." The con artist congratulates you on being eligible for the grant and asks you to call another number and enter a Code ID#. Then, you will go to your local WalMart to obtain your grant., but first you have to pay a "processing fee".

BBB offers the following tips to help you avoid these "FEMA" scams:

Be careful with unsolicited calls asking for your banking information. Scammers will cold call, asking basic questions to see if you qualify for a grant, and then ask for your banking information saying they need to collect a one-time processing fee and directly deposit your money.

Don't pay any money for a "free" government grant. If you have to pay money to claim a "free" government grant, it isn't really free. A real government agency won't ask you to pay a processing fee for a grant you have already been awarded.

Look-alikes aren't the real thing. BBB has received numerous calls from consumers claiming "FEMA" approved them for a grant. Just because the scammer claims to be with "FEMA" doesn't mean they are.

Phone numbers can deceive. Some con artists use internet technology to disguise their area code in Caller ID systems. Although it may look like they're calling from Washington DC, they could be calling from anywhere in the world.

For more tips on how to be a savvy consumer, go to bbb.org. To report fraudulent activity or unscrupulous business practices, call the BBB Hotline: 903-581-8373 or report it via BBB ScamTracker.

Here's how not to inadvertently buy a flood-damaged car from Harvey or Irma
By Dave Kunz
ABC7
September 15, 2017

Part of the cleanup in the wake of Hurricane Harvey in Texas and Hurricane Irma in Florida involves lots of flood-damaged vehicles.

"Seven to 800,000 cars. I'd be surprised if it were less than that," said Matt Jones, senior advice editor for Edmunds.com, discussing the potential total of submerged cars being pulled out of flooded parts of the two hurricane-affected areas.

It's almost a sure bet that some flood-damaged cars will soon be on the market, and unfortunately purchased, by unsuspecting buyers.

Jones demonstrated how to inspect a car for water damage, beginning with the interior.

"I start looking for stain lines: straight lines across the interior that might suggest this car was submerged in water up to that point," he said

But it's not just cosmetics. In fact, some mildew would be the least of your concerns in owning a flooded car.

"Depending on how much of the car was submerged, your anti-lock brakes might not work. Your airbags might now work. Your seats may not adjust. You might have a lot of electrical problems that you're not aware of until it's time for them to actually do their job," said Jones.

Corrosion is a slow process. Fragile electronic components can be fine at first, but give expensive trouble later on, possibly months or years down the road.

Jones said one of the best places to check a car for flood damage is at the back in the cargo area.

Whether it's a sedan, an SUV or a minivan, you want to go back there, open up access covers to places like the spare tire compartment, and really start digging around thoroughly.

Specifically, check the area around the spare tire and even the spare tire itself. Also look for surface rust on the lug holes of the spare wheel, and on things like the hold-down hardware that keeps the spare in its place.

If you're in doubt about any particular car, spend the money to have a qualified mechanic give it a once-over. Reputable dealers and honest private sellers will have no problem with this. If they do, there are lots of other cars out there.

You should also run a vehicle's VIN through sites like Carfax and AutoCheck, though there will often be fees to do this. But like hiring a mechanic for an inspection, it could be money well spent.

Hurricanes Irma and Harvey are causing an insurance adjuster shortage
By Kai Ryssdal
Marketplace
September 15, 2017

There's some insult being added to the injury in Florida this week. On top of the flooding and the wind damage — and damage to property of other kinds — it's especially difficult right now for Floridians to get their insurance claims processed. The problem being that a lot of the insurance adjusters are in Houston, because Harvey got there first.

Leslie Scism wrote about Florda's insurance adjuster shortage today in the Wall Street Journal. Marketplace host Kai Ryssdal spoke with Scism about her piece. Below is an edited transcript of their conversation.

Kai Ryssdal: You point out in this story that Florida is especially vulnerable to this kind of shortage just because of the way the insurance market works. Explain that a little bit.

Leslie Scism: Florida has a very unusual market and it has developed in this unusual way since Andrew in 1992. The big insurance companies, the big household name home insurers, have been shrinking their footprint there. In their place have come a lot of small to mid-size insurers. They don't tend to have these big fleets of in-house adjusters so they turn to what's called the independent adjuster market.

Ryssdal: So that's where the competition is. Freelancers basically is what is what most of them are?

Scism: Right.

Ryssdal: And is there then the commensurate supply/demand thing going on that if you're an insurance gesture in Florida you're doing alright?

Scism: A lot of companies are scrambling to find enough insurance adjusters now to handle Irma's claims and they're having to raise pay. So if you're still in Florida and you're an independent adjuster you're gonna make a little more money than you would have, had Harvey not already hit. And some of those Harvey adjusters are coming back to Florida now but they're wrapping up their work or some of them are leaving before they wrapped up. But they're eager to come back to Florida and get the higher pay now.

SOCIAL LISTENING

Hurricane Harvey – Social Listening Report – 9/15/17 1513 CST
Compiled by: Zella Campbell

This report is being distributed to the 4332 Joint Field Office, FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, Red Cross, USCG, and HHS/ASPR.

Summary: The conversation as it relates to Hurricane Harvey has remained steady since yesterday and earlier report. Survivors are becoming more and more frustrated with having issues with hotels not accepting vouchers and not seeing any temporary FEMA trailers. There are mixed views between the public and the survivors with their concerns with how effect the recovery process with will flow with the shortage of leadership within FEMA. Governor Abbot's decision to extended Corpus Christi state-mandated deadline for the city to adopt a budget and property tax rate is receiving a lot of positive reactions. Debris cleaning continues to be a slow process throughout Texas to the point it could fill up a major college football stadium 25 times. The Edgebook County is actively and positively working hard toward rebuilding and reopening business. Houston Metro will be providing free rides for students K-College and their parents throughout the month of September. Both the public and animals shelters continue their hard work towards placing displaced pets back with their family or foster families. Moderate amount of survivors and the public are engaging positively to a post of a blog from an AmeriCorps member experience helping in the shelters. A moderate but positive amount of residents are reacting positively to an images of the temporary tents for displaced survivors in Port Arthur. Some of the public are sharing a video displaying the barges that were suppose to have been temporary homes for survivors and stating that they are floating FEMA camps.

Report sections

- FEMA Conversation
- Operations
- Public Perception
- Rumors/Misinformation

FEMA Conversation

Both the public and the survivors are having mixed reactions to a post from the weather channel stating that FEMA shortage of leadership will cause issues in the recovery stages for both Harvey & Irma.

- Some of the survivors are informing the public that FEMA is doing their job well.
- A moderate amount of the public are blaming the issues on the president and him taking a long time to nominate leaders.

HOT FEMA ISSUE

Survivors continue to post their frustrations with hotels continuing to not accept FEMA hotel vouchers and yet to see any temporary FEMA trailer homes are gaining similar but low frustration from survivors. (Example 1) (Example 2)

- Survivors feel with all the money being raised that there should be funds available to get trailer.
- Survivors feel as if nothing is being done when it comes to temporary housing.
- Some survivors are still asking for hotels that are accepting vouchers and other local residents are providing options.

Operations

RECOVERY:

- An international foundation post a video showing the residents of Edgebook County positively working towards rebuilding and opening of businesses is receiving moderate but positive reactions from both local and non-local residents.

ANIMALS:

- Efforts continue with animal shelters and the public to help displaced pets get reconnected with their families or with a foster family. (Example 1) (Example 2) (Example 3)

TRANSPORTATION:

- As of yesterday at 20:07 CST Houston Metro announced that throughout the whole month of September they will provide free rides for students K-College & their guardians.

Public Perception

- A moderate amount of survivors are having positive response towards a blog post from an AmeriCorps member sharing her experience helping in the shelters. (Example 1) (Example 2)

- A major news outlet article stating that the debris caused by Harvey could fill a major college stadium 25 times is gaining shocking reactions but moderate amount of attention from both local and non-local residents.

- Local news outlet article stating that Governor Abbott extended Corpus Christi state-mandated deadline for the city to adopt a budget and property tax rate is gaining positive reactions from local residents.

- A local resident post of pictures of tents set up in Port Arthur for survivors is gaining positive but moderate reactions from local residents.

Rumor/Misinformation

- A lot of the public are retweeting a video of the barges that were suppose to have been temporary housing for survivors and stating that they are really floating FEMA camps. (Example 1) (Example 2) (Example 3)

External Affairs
DR 4332-Texas

From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Fri 9/15/2017 4:15:48 PM (UTC)
Subject: FEMA: Media Analysis Report Morning TX Edition 9/15/17
TX 4332 Media Monitoring Report 09152017MorningEdition.pdf

Texas Severe Storms TX-4332-DR

Media Analysis Report/Morning Edition

September 15, 2017

2016FaFFFFF

Hot Issues

- None

News Clips Analysis/Trends

- Recovery coverage continues to dominate print and broadcast stories with an article in the Austin American-Statesman leading the way. In an hour-long briefing at the **FEMA** JFO in Austin, Governor Abbott outlined Harvey rebuilding and recovery efforts.
- **FEMA** coverage remains steady focusing on on-ground assistance toward Harvey survivors, DRC openings, and NFIP and disaster aid legislation.

- Housing issues continue to be the focus of much coverage, with the Port Arthur News reporting on residents marching on city hall fearing their homelessness. **FEMA** and Texas announce the launch of a long-term housing program. Port Arthur survivors could be housed at Ford Park.
- There was some coverage of the Ingleside town hall meeting Thursday night with **FEMA** on hand to answer questions.
- Hurricane Irma continues to take up most of the airwaves as it devastates parts of Florida.

Social Media Analysis

Hurricane Harvey – Social Listening Report – 9/15/17 — 0800 CST

Compiled by: Scott Reuter, Bree Constance Huffin and Brian Miller

This report is being distributed to the 4332 Joint Field Office, FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, Red Cross, USCG, and HHS/ASPR.

Summary: Hurricane Harvey and Texas social media posts and discussions were not as active overnight and this morning. Overall sentiment is neutral.

Summary of Coverage

- Gov. Abbott expects Congress to pass three more federal disaster aid packages
- FEMA home repair plan set to help survivors get back home faster
- Hurricane Harvey payouts could reach $11 billion
- Harvey survivors seek help at Ingleside town hall meeting
- Port Arthur survivors could be housed at Ford Park after barges failed inspection
- Barges to house survivors not coming to Port Arthur after all
- FEMA going door-to-door in flood-devastated Patton Village
- Port Arthur residents march on City Hall to voice concerns over no place to live
- Groves struggling to recover after hurricane
- Beaumont Police identify man as victim of storm-related death

- Better Business Bureau warns of fake FEMA calls to storm survivors
- Hurricane survivors warned of contractor scams after major storms
- $30 million federal grant awarded to Texas for Harvey-displaced workers
- FEMA to pay out $11 billion for buildings destroyed by Harvey
- Fort Hood emphasizes Emergency Preparedness
- FEMA financial help available to Hurricane Irma survivors
- Hurricane Irma devastates Everglades City; FEMA still not on the ground
- FEMA urges quick repair and tossing debris
- Long line for FEMA assistance at Beaumont DRC
- Huge task of debris clean-up gets underway in Houston
- Lake Houston businesses devastated by Harvey encouraged to apply for help
- Three flood-damaged prisons to reopen on Saturday
- Flooded Houston neighborhoods leave residents questioning the risk
- Houston inches back to normalcy
- Houston firefighters undermanned for Harvey flood rescues
- FEMA's STEP program getting underway in Orange County
- Texas and FEMA to launch long-term housing plan
- University of Tennessee students raise money for University of Houston
- Fresno students sending donations to hurricane survivors
- Charities raise more than $350 million for Harvey survivors
- Maryland woman finds creative way to replace items lost by Harvey survivor
- Hundreds of volunteers gather at Beaumont church to help hurricane survivors
- Opinion: Texas and Florida saved lives by learning lessons from Katrina
- Social Media

Notable Quotes

"It's going fast (debris removal) but candidly, not fast enough."- TX Gov. Greg Abbott

"They had guardrails down, and all kinds of safety violations (barges)" - Jeff Branick, Jefferson County Judge

"Port Arthur has never had the capacity to shelter thousands of people within our city limits. But I felt we needed to keep our folks close to their home and property."- Derrick Freeman, Port Arthur Mayor"This is a beautiful area, and it's right here next to everything," Smith said. "But we can't live like this. We can't do it. I don't know anyone who feels safe in this neighborhood in a one-story home."

"This is a beautiful area, and it's right here next to everything. But we can't live like this. We can't do it. I don't know anyone who feels safe in this neighborhood in a one-story home."- Suzanne Smith, Meyerland resident

"Wedding photographs. Pictures of your grandparents. Childhood photos. Kids' memorabilia. It just tears at your heart. It's pretty emotional. When I go into the operation area, I make it a point to get out and talk with folks, listen to their stories and just hear what they are dealing with."- Harry Hayes, Solid Waste
Management Dept. Dir.

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Gov. Abbott expects three more federal disaster aid bills this year
Austin American-Statesman
By Jonathan Tilove
September 14, 2017

Gov. Greg Abbott said Thursday that Congress may pass as many as three additional federal disaster aid packages before the end of the year in addition to the $15.2 billion in recovery money, including $7.4 billion for the Federal Emergency Management Agency, approved by Congress last week in the aftermath of Hurricane Harvey.

At a nearly hour-long briefing at the new Texas-FEMA Joint Field Office in North Austin, where some 2,000 federal and state officials are working round-the-clock coordinating the rebuilding of Houston and other coastal communities hard hit by Harvey, Abbott said that based on his conversations with federal officials, there could be a second supplemental spending package approved before the end of this month, another possible in October, and a third before the end of the year.

The governor has predicted rebuilding Texas after Harvey could cost the federal government between $150 and $180 billion.

Abbott said the state had received local reports of 82 deaths as a result of Harvey, but that there was not yet an official tally that would confirm that the causes of death in all cases were storm and flood-related.

"It's safe to say there were definitely more than 70 and probably more than 80," he said of the death toll. "Until every home is searched, we cannot have any meaningful confirmation."

Abbott also announced the General Land Office, led by Commissioner George P. Bush, which has responsibility for administering Community Development Block Grant monies in the state, will lead the the state's short-term and long-term Harvey housing recovery efforts, and urged communities to draft their request for the block grant money.

Abbott was joined at the press conference by John Sharp, chancellor of the Texas A&M system, who the governor last week named to head the Governor's Commission to Rebuild Texas.

Abbott, Sharp and an array of state department heads and the regional directors for the EPA and FEMA, spent three days last week meeting with local officials in the affected areas, and the team will return there next week.

"Our primary goal is to open an effective line of communication so we can swiftly address the unique needs of each local area," Abbott said. "Every county judge, every local mayor and local official has a customer service agent with a cell they can call 24-7."

Sharp said he had deployed Texas A&M's network of agricultural extension agents in those counties to serve as liaisons and advocates for the local mayors and county judges.

Sharp praised the "unbelievable team" the state and federal government has assembled to deal with the recovery form Harvey, and that some veterans of Superstorm Sandy and Hurricane Katrina who he had brought on board the effort, "pulled me aside to tell me they had never seen people so responsive and so dedicated."

Abbott said Sharp has been in touch with him all times of the day and night and Sharp said the governor was always the best briefed and most authoritative person in the room.

The Harvey response, Sharp said, "really is going to be a model for a lot of disasters to look at in the future."
Abbott said that according to the Red Cross, there are still 28 shelters open where 5,250 individual had stayed overnight, and 38 distribution points for food, water and other necessities.

The governor said that the Texas Department of Transportation contractors had begun the massive task of removing some 200 million cubic yards of debris from the disaster-struck areas.

"It's going fast but candidly, not fast enough," Abbott said.

Abbott Announces Home Repair Plan As Turner Names Recovery Czar

By Mike Morris, Mike Ward
Houston Chronicle
September 14, 2017
Former Shell Oil Co. president Marvin Odum, a Houston native, will lead the city's recovery efforts from Hurricane Harvey, Mayor Sylvester Turner announced Thursday.

Turner said he wants Odum to push local leaders out of their comfort zones, not only coordinating with public officials and leaders from the business and nonprofit sectors, but also highlighting what steps the city must take before the next storm strikes.

"I'm not looking for a report. We have a whole lot of reports," Turner said. "What I'm asking Marvin to do is to push us forward, to be a part of the rebuilding process, to push us to do more at all levels, to push us to make this city more resilient."

Meanwhile, in Austin, Gov. Greg Abbott tapped Texas Land Commissioner George P. Bush to head the state's housing recovering from Harvey.

Among Bush's duties, Abbott said, will be the distribution of $7.4 billion in Community Development Block Grant money to fund local infrastructure repairs, along with a "direct repair" program that will allow payments to homeowners to undertake their own repairs without the usual red tape.

"The goal is to quickly address local needs in each area," Abbott said, adding Bush will work with state recovery czar John Sharp and local officials to determine the funding needs in all of the Harvey-damaged areas.

Abbott said the initial funding was included in a congressional appropriation approved last week that state officials have characterized as a "down payment" on what eventually could be more than $150 billion in federal recovery assistance.

As of Thursday, The Federal Emergency Management Agency was estimating nearly 80,000 homes in Texas experienced at least 18 inches of flooding; of those, more than 23,000 received five feet of flooding.

Abbott said details of the expedited home repair initiative will be announced next week. He and FEMA regional administrator Tony Robinson said the goal is to speed up recovery payments to homeowners so they can get their residences repaired faster than in the past.

This will be the first time such a program has been used, Abbott said, adding that it will be aimed at short- and long-term housing needs for Harvey victims.

Here in Houston, Odum, who led the rebuilding of Shell's Gulf facilities after Hurricane Katrina and has worked with governments around the world, said citizens should expect him to learn from past storm recoveries, coordinate effectively with a myriad of partners, and know that "speed counts."

"This is an urgent situation for a lot of people. Those immediate needs won't be forgotten," Odum said.

Odum, 58, grew up in west Houston and graduated with an engineering degree from the University of Texas and an MBA from the University of Houston. He stepped down as chairman and president of Shell a little more than a year ago.

"What I'm asking Marvin to do," Turner said, "is to help us get out of our comfort zone and put those things out there that we know can make a difference and then help to drive the public and the private sector to get it done."

To that, Odum patted the mayor on the shoulder and said, "I got a free card to make the mayor really uncomfortable, so what more can I ask for?"

Turner noted that Congress will take up a second tranche of recovery funding in the coming months, and that the city should do everything it can to secure funding for large-scale projects that would lessen the impact of the next storm.

"We've got the focus of the nation, we have the focus of all our officials at the state and other levels," Odum said. "Now is the time to identify what needs to be done on a longer-term basis and get those movements locked in, rather than addressing that on the back end of this process."

FEMA Exec Estimates Harvey Payouts Could Reach $11B

Houston Business Journal
September 14, 2017

Hurricane Harvey is estimated to be the second-costliest storm in the history of the National Flood Insurance Program, according to reports.

The Associated Press reports that Roy Wright, the Federal Emergency Management Agency's deputy associate administrator for insurance and mitigation, expects the storm to result in about $11 billion in payouts to insured homeowners. That would rank Harvey only behind the $16 billion paid out after Hurricane Katrina in 2005, per the AP.

But FEMA also needs more money from Congress in order to fulfill all of those payouts — plus those from Hurricane Irma, which have yet to be calculated.

The Houston Chronicle reports that FEMA currently has $1.5 billion in cash on hand and $5.8 billion in borrowing authority. The agency will seek additional funding over the next several weeks, even though it currently owes about $24 billion to the U.S. Treasury and runs a $1.5 billion yearly deficit, per the Chronicle.

"It is my personal commitment to ensure that every dollar a policyholder is entitled to under their policy is paid," Wright said in a conference call with reporters, per the Chronicle. "Congress has never turned their back on a flood insurance policyholder. I cannot imagine them doing so now."

Meanwhile, $11 billion is just a small portion of the total cost of Harvey.

The CEO at insurer Hiscox estimates the insured damage caused by the storms to be between $50 billion and $70 billion, the Guardian reports.

Moody's Analytics estimated all damages — insured and uninsured losses — from Harvey and Irma combined to total between $150 billion and $200 billion, plus another $20 billion to $30 billion in lost economic output, according to CNBC.

AccuWeather estimates damages and economic costs from Harvey and Irma combined to $290 billion. That includes $100 billion from Irma and $190 billion from Harvey, the most of any storm in U.S. history.

According to AccuWeather's press release, "economic costs are incurred by, but not limited to, the following:

"Disruptions to businesses

"Increased unemployment rates for weeks, and possibly months in some places

"Damage to transportation, infrastructure

"Crop loss, including cotton crop and 25 percent of orange crop, which will impact the cost of consumables for all Americans

"Increased gasoline, heating oil and jet fuel prices impacting all Americans

"Damage to homes, cars, furniture, antiques, jewelry and other valuables

"Loss of valuable papers, cherished belongings such as photos"

Residents seek help at Ingleside town hall meeting
KRIS-TV, Corpus Christi, TX
September 14, 2017
INGLESIDE - Residents in Ingleside brought their concerns to a town hall meeting with the City and FEMA to discuss recovery after Hurricane Harvey.

On Thursday, the City of Ingleside hosted a town hall style meeting with officials and FEMA representatives. The theme of the evening was undeniable: residents are eager for things to get back to normal.

Among the top issues discussed was the city's urgent need for housing. Many residents simply don't know where they're going to go.

"I have to be out of my hotel room on the 26th at 11:00 a.m. and I don't know where I'm going to go," said Louis Riley, an Ingleside resident.

Riley's comments echo others from displaced residents unsure whether they'll be able to find a new home in the wake of the storm. Stories like these have become all to familiar for Ingleside residents and that also means a major strain on the city's resources attempting to support them.

"Daily, we have people coming into our office and calling because they're homeless," explained Peggy Gaydos, Director for Ingleside Housing Authority. "They're coming from Fulton, Rockport, Aransas Pass and Ingleside. They have nowhere to sleep and we're full. All I can tell them is to go to FEMA."

FEMA does have a site set up in Ingleside, where long lines of residents from multiple area cities gather daily to apply for federal aid. Many said they've been turned away, while others describe broken lines of communication. Some said they don't know who to call or where to start.

"We've had cell phones down. Most of the town doesn't have internet. Obviously, their concern is communication," Ingleside Mayor Luis Lamas described. "I think some of the comments will take into effect today."

Officials with FEMA hope the meeting will provide that missing knowledge to residents in need. Online, federal aid can be found through www.disasterassistance.gov while phone calls can be directed to 1-800-621-3362

"It's a process," said Toney Raines with FEMA. "What we're interested in is that we go through that process with the citizens that's fair and equitable to everybody. We will walk through this process with you."

The key to that, officials said, is the Disaster Relief Center in Ingleside, which serves a physical, local link to information and help from FEMA. Ingleside residents who cannot reach FEMA online or by phone are encouraged to go in person to the center. KRIS 6 News asks that you pass along this information to anyone who may not be able to read it online.

The center is open seven days a week from 7:00 a.m. to 7:00 p.m. and is located along HWY 361 in downtown Ingleside (across from the Skate Park).

Residents displaced by Harvey could be headed to Ford Park after barges fail USCG inspection
KBMT-TV, Beaumont, TX
By Jacque Masse
September 14, 2017

PORT ARTHUR - Residents in Port Arthur who were displaced by Harvey could be headed to Ford Park or some kind of camp after a pair of berthing barges failed Coast Guard inspection.

Jefferson County Judge Jeff Branick tells 12News that all options are being weighed including using Ford Park, camps or "shelter-in-place" for residents displaced by Harvey.

The barges failed a U.S. Coast Guard inspection according to Judge Branick and will not be coming at this time.

Port Arthur Mayor Derrick Freeman and Judge Branick had previously said there would be two FEMA barges which would hold 300 people each coming to Port Arthur.

Previously County Judge Jeff Branick said FEMA and the "Texas Division of Emergency Management" are looking at other options for temporary housing such as mobile homes, trailers and shelters.

Officials are also looking into contractors with the Sheltering and Temporary Essential Power program who will make repairs to damaged homes and could allow people to move back.

Mayor Freeman posted this picture on Facebook clarifying the barges that will be use to house displaced residents.

EDS NOTE: A previous version of this story said that displaced residents were. going to be housed at Ford Park but we have been told that was inaccurate.

© 2017 KBMT-TV

Judge: Barges are not coming to Port Arthur
Beaumont Enterprise
By Liz Teitz
September 14, 2017

Update: 10:25 a.m.

Jefferson County Judge Jeff Branick said he was told this morning that barges are not coming to Port Arthur after they failed Coast Guard inspections last night.

"They had guardrails down, and all kinds of safety violations," Branick said. The barges, which were coming from Houma, Louisiana, had been used to house people during Hurricane Sandy.

He said FEMA is supposed to provide an update on temporary housing options this afternoon, which could include a shelter at Ford Park or "temporary, hard-sided tents."

Update, 9/14/17, 9:30 a.m.:

Mayor Freeman said in a Facebook post that the barges will be made available to residents currently in shelters in Port Arthur, Dallas, Garland and San Antonio, and to people who have been evicted from their apartments.

He estimated that more than 800 people are in those categories. Freeman's post did not say how the 600 places on the barge will be assigned. More than 4,000 people are sheltering in their homes, he said.

The barges will be anchored within city limits and will "be ADA compliant and accessible," he said.

"Residents will receive three meals a day, laundry access, towel service, direct tv and many other amenities will be available," Freeman said. He described them as "like river boats."

While Freeman said FEMA is making the barges available first to certain residents, FEMA spokesman Robert Howard told the Enterprise Wednesday that "this is not a FEMA mission."

"The mayor and his staff would be the point of contact as they are the ones who will decide who gets to go on the barge and are handling this," he said. "FEMA is providing the funds to the City to lease the barges and assisting with the housing build out. The city is leasing the barges and will administer the program."

Original Story, 9/12/17: Port Arthur residents displaced by flooding will be housed on two floating barges, Mayor Derrick Freeman announced Tuesday.

Thousands of homes and apartments in the city were destroyed, and hotels and apartments that were spared are in short supply, creating a housing crisis.

About 200 people are still sheltered at Thomas Jefferson Middle School. Jefferson County Emergency Management Coordinator Greg Fountain estimated that about 7,000 homes in the city were damaged.

Freeman said in a Facebook post that up to 600 people will be housed on the barges. Three meals a day and laundry will be available.

"Port Arthur has never had the capacity to shelter thousands of people within our city limits," Freeman said. "But I felt we needed to keep our folks close to their home and property."

The city has not released details about the temporary barges, including who will be eligible to stay there. Spokeswoman Risa Carpenter said the city is waiting for written information and a "thumbs-up" from FEMA, who she said has made a verbal commitment to provide them.

Port Arthur community activist Hilton Kelley, who led a small group of residents evicted from their apartments

in a protest at City Hall on Tuesday, said Freeman told him the barges would be available within 48 hours.

Jefferson County was left off the list of counties approved for direct housing assistance from FEMA until Tuesday morning, but has now been cleared for the program.

"That will open our citizens to manufactured homes, travel trailers, etc.," Freeman said in his Facebook post.

Some of the displaced residents have been staying in moldy homes since the storm because hotel rooms are all booked.

A FEMA spokeswoman said last week that residents could stay in hotels farther away that have availability and are approved for the FEMA transitional sheltering assistance, but residents have said they need to be close enough to work on their damaged homes. Many don't have vehicles to travel back and forth.

Others live in apartment buildings that were flooded and have been ordered to vacate while repairs are done.

Marjorie Clavelle Johnson and her three sons are essentially homeless since their lease was terminated after the storm on their Port Arthur apartment, she said.

The Park Central apartment complex, owned by ITEX Group, gave them five days to remove anything they wanted to save from the property, and hasn't provided information about if or when they'll be able to return, she said. She shrugged when asked where she'll go now. "To the streets, I guess," she said.

Some of her neighbors who evacuated to Dallas can't get back in time to remove anything left in their apartments, she said.

Clark Colvin, executive vice president for the ITEX Group, said residents in that situation should contact their property managers. "They need to make arrangements to make a trip and do what they can to get their personal property," he said.

Their leases were terminated over safety concerns about mold in the apartments and other issues, Colvin said. "We're going to offer those folks their apartments as they become available and remediation is completed," he said.

Sherlanda Reynolds said her Park Central apartment wasn't damaged, but she was ordered to leave.

Her mother, whose home was flooded, has been staying with her, but now, she's not sure where they'll go. "I called hotels, they said the rooms are full," she said.

Her 3- and 4-year-old daughters were supposed to start preschool in Port Arthur ISD on Monday, but she's not sure if they will now.

Johnson and Reynolds both accused city leaders of being absent and avoiding questions from citizens as they followed Kelley into City Hall Tuesday, demanding a meeting with Freeman and manager Brian McDougal.

Other residents are seeking legal help to protect their homes.

Robin Scypion, who evacuated to Dallas, asked a Jefferson County judge to issue a temporary restraining order against her apartment's owners to stop them from disposing of her belongings before she could return to get them, according to court filings.

District Court Judge Baylor Wortham granted the order Monday, preventing Rampart Apartments from destroying or disposing anything from her unit until an injunction hearing on Sept. 25, finding that she would suffer "irreparable damage."

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FEMA visits flood-damaged Patton Village
Houston Chronicle
By Vanesa Brashier
September 14, 2017

In an effort to reach as many storm victims as possible, workers with the Federal Emergency Management Agency (FEMA) are going door-to-door in Patton Village. On Wednesday, Sept. 13, they were accompanied by Police Chief Shannon Sharp, who managed the city's emergency response during Hurricane Harvey.

"We have well in excess of 50 homes that are flooded, the majority of which are beyond repair," Sharp said. "A lot of these residents have left their homes and are staying in hotels with FEMA vouchers or are with relatives, but we are trying to reach as many of them as we can."

Residents in Patton Village, like so many others in the Greater Houston Area, say Hurricane Harvey rains caused flooding unlike anything they had experienced before, even those who have lived in the same house for half a century.

Audrey Smith, who has lived in her home on Roping Pen Road in Patton Village for all 56 years of her life, says she is accustomed to flooding from a creek that runs behind her property, past Patton Lake and into Peach Creek. Because of the frequent flooding at her home, several years ago she had a large building constructed at the end of the road in an area she refers to as her "flood-free zone." With Harvey, not even the flood-free zone was spared.

"I had several lawn mowers, including a Gravely zero turn, a truck, tractor and welding machine ruined by this flood," she said.

Pointing to two large mounds of debris in front of her house, about 300 yards down the hill from her building, Smith explained that main areas of her stilted home were not flooded despite the appearance of debris near the road.

"Those are things that floated over my fence and into my yard from other people's properties," she said. "I am always prepped. Everyone makes fun of me because I take everything out of the room downstairs and drag it up the hill to the storage building."

She agreed to evacuate when her cousin, Clint Talley, who lives on the highest point at the end of the road, decided to leave when his guest house started taking on water.

"I was scared of being here in the dark by myself," she said.

By then, she also had a growing concern for her propane tank that was floating after wakes from rescue boats had loosened it from where it was tied to trees.

"We shut everything off and I evacuated to my mother's house," she said.

Talley, who also has lived in Patton Village his entire life, says the frequency of flooding in recent years has him considering whether residential and commercial developments are to blame. Though his claims are unproven, it is a concept shared by many in the area, including Smith.

Talley wonders if more retention ponds in residential developments might be necessary to provide a place for water to collect before the creeks and streams are inundated and suggests that cities review their own drain systems.

"We had two smaller culverts on this road that were replaced by a culvert made from an old tanker car. The water really moves fast now through that culvert but over in the back, the two creeks come together and the water is flowing through two smaller culverts,"

Talley said. "That might be causing the water to back up on us."

However, both Talley and Smith recognize that Harvey was a different kind of storm.

"There were a lot of firsts. I never had water in my guest house and did. She had never had water in her storage and did," Talley said.

Still, neither one is discouraged enough to move to a less flood-prone area. There simply is no place like home.

"I think we are just anxious to get back to normalcy," Talley said.

Cities like Patton Village are encouraging residents who suffered storm damage to file a claim with FEMA by going online to www.disasterassistance.gov or calling 800-621-FEMA (3362).

"We think we reached everyone in Patton Village in our door-to-door visits, but anyone who was missed is urged to file a claim," Sharp said. "If you were missed, call as quickly as possible to get your claim started."

Fearing homelessness, crowds march on City Hall
The Port Arthur News
By L.V. Salinas
September 12, 2017

Protesters took to the streets of Downtown Port Arthur Tuesday as residents voiced their concerns over having no place to live. The event culminated on the fourth floor of City Hall with a police presence and assurances of both short-term and long-term solutions for displaced residents.

The protest was organized by Hilton Kelley in an effort to call attention to and seek shelter for all those evicted from their homes due to damages sustained from Hurricane Harvey. Kelley is the executive director and founder of Community In-Power and Development Association Inc. (CIDA), an environmental non-profit.

“We fight against injustices, both social and environmental,” Michelle Smith, marketing director for CIDA, said.

“We’re trying to help every single tenant with eviction,” Kelley said.

As the press release given out by the organization states: “Hundreds of families with young children and the elderly have been unlawfully evicted from apartment complexes.”

“These people have been given eviction notices with only a few days to get out,” Smith said. “Some have been evacuated to Dallas and have no chance to even get back to their homes in the two-to-five day time period they’d been given.

“They have no place to stay.”

The reason cited for some evictions was a health concern over mold and water damage, according to some of the displaced residents at CIDA on Austin Avenue. However, many of them said there were still salvageable spots to live in their complexes.

“I was basically given five days to vacate the apartments,” Tandolon Scypion, former tenant at an apartment complex on FM 365, said. “It was a termination of my lease without any option to be housed.

“When I asked them (landlord) where I was supposed to go, their response was: ‘I don’t know.’”

Scypion said she is currently staying with her mother, but longs for a place to call her own again.

“They’re saying the unit was non-liveable… but I could have salvaged things (and moved) on to the second floor,” she said.

Smith said tenants on the second floor with no water damage were still evicted.

“We already contacted (Rep.) Randy Weber to show pictures and copies of the eviction notices,” Kelley said. “There are certain rules that must be followed… and what about emergency housing? It’s dangerous to sleep out in the elements. Folks have nowhere to go.”

Kelley said he has also attempted to get in touch with Port Arthur city manager Brian McDougal and mayor Derrick Freeman; but neither of them had gotten back with him. As a result, Kelley said officials would likely listen better if they came knocking on their doors.

Kelley led a protest group of about 10 people down Austin Avenue to City Hall. They went up to the fourth floor where the city manager's office was located. Among other slogans, Kelley yelled: "We need houses. We need it now. Babies are in the streets."

With the collection of people behind him, he went into the office of the executive secretary for McDougal and demanded to see the city manager or the mayor.

"I have not heard from Freeman or the city manager…" Kelley said. "Something's wrong when officials don't come out to speak with these people."

Shortly thereafter, officers with Port Arthur Police Department arrived on scene, including chief of police Patrick Melvin. The number of officers that ultimately appeared equaled or surpassed the number of protesters.

Melvin and other officers spoke with Kelley behind closed doors, saying it was a police matter and not a public protest. Afterward, officers let media into the room.

Kelley addressed protesters, saying officials had contacted the mayor and made arrangements for evicted individuals.

"FEMA has just relocated money for our city," Kelley said. "They're holding it on a federal level."

He iterated that displaced residents should file online at disasterassistance.gov for long-term assistance with living arrangements, claims and other needs.

For residents' more immediate needs, Kelley said the city would provide barges as temporary homes for displaced residents.

"You could wash, eat and stay there until more permanent housing is effected," Kelley said.

Kelley called the assistance "great news" and said residents would just need to hold out for 48 hours longer until the barges were set up.

"We do everything we can," Kelley said. "Yes, the mayor hasn't been visible, but they're working behind the scenes.

"We have gotten some reprieve, some hope, some relief."

Port Arthur public information officer LaRisa Carpenter was not able to comment on any details regarding the barges by deadline.

Groves recovering from Harvey flooding; 2,400 to 2,500 homes were impacted
The Port Arthur News
By Mary Meaux
September 11, 2017

GROVES — A barefooted Norma Grice stood in her garage, rolling paint on the cement floor on a cool Monday morning.

Behind a nearby wooden fence, her Quaker parrots are making noises seemingly enjoying the temperature and sunshiny day and two small dogs come out to see what's up.

"I always wanted to ride out a storm. My husband, he died five years ago, I told him I wanted to ride out a storm," Grice, a resident of Oleander Lane, said. "Well my wish came true. I don't do it again, no ma'am."

Grice's home saw major flooding, as did many in her area of the city. Groves City Manager D. Sosa estimates between 2,400 to 2,500 homes were impacted, most on the south side of Groves, 32nd Street, the Taft school area and 25th Street as well as some businesses and apartments along 25th Street and Gulfway Drive.

Grice, 72, weathered the storm at home with two dogs, two cats and her birds but the flooding was not what she ever expected to see.

Refusing to leave, she had placed sandbags at entranceways and as the water began to flood in she through of putting rugs to stop the water. One son told her to use towels because she can wring them out but even this wasn't enough to stop the flow of water. She tried to bail out the water into sinks in her home, trudging through knee-deep water.

"I told my sister, I have a big old table," she said. "I thought I'd be on top of it with my animals."

Little did she know that she would need that table to store lower items in her home so they wouldn't float off.

At one point she dropped her cell phone and lost contact with family.

"I (last) talked to her about 1 a.m. so as soon as I woke up I came here," son Craig Grice said.

Craig entered the area on nearby Ash Avenue where he met a man with a Go Devil boat that allowed him to reach his mother.

Donna Menkin writes down information as she speaks on the cell phone outside her Groves home on Monday.
Mary Meaux/The News

The pile of sheetrock and household belongings in front of Grice's home isn't much different from piles in front of other homes. A few blocks away on Nottingham Lane, Donna Menkin continued cataloging her belongings as her husband Bob Menkin searched for — and found — some paperwork for his vehicle.

Their home has been gutted, leaving the upper portion of sheetrock and studs below.

Both families appreciate the care and attention they've received from volunteers and church members who have delivered meals and water, called and texted and more.

Residents in Groves place "do not take" signs in front of their storm debris.
Mary Meaux/The News

The city fared pretty well considering the circumstances. First responders worked 48 hours to help relocated and save people from the flooded areas, Sosa said.

"The fire and police as well as public works did a fantastic job," Sosa said.

The city had two shelters open — one at the activity building and one at First Baptist Church.

"I cannot tell you how many citizens helped with rescue in personal boats and (water)crafts," he said.

Residents in Groves place "do not take" signs in front of their storm debris.
Mary Meaux/The News

Sosa said he is pleased with the city's drainage during the catastrophic flooding event from Tropical Storm Harvey.

"But remember, it is not the total amount that falls, it is how fast it falls," he said. We all rely on DD7 (drainage District 7) to move the water and I think they did a good job. How do you really prepare for between 50 to 60 inches of rain in a five day period?"

The city has contracted with DRC to remove debris and Republic Waste opened their landfill for flood debris. The city is now back on schedule with garbage pickup.

BPD IDs another Harvey victim
Beaumont Enterprise
By Morgan Gstalter
September 14, 2017

The Beaumont Police Department identified 69-year-old Roy Simmons as the victim of a storm-related death, Spokesperson Haley Morrow said. Police responded to a call near Tram Road and North Major Drive of reports of a body located in floodwater on Aug. 30, Morrow said.

BPD originally reported three storm-related deaths. However, they said Wednesday that they are only releasing the names of two victims because they do not believe the second death reported in the 700 block of Guess Road around 7:24 a.m. on Aug. 30 was directly caused by flooding. Morrow said they believe it was a death from medical issues.

Collette Sulcer, 41, was the first victim identified by BPD. She died on Tuesday, Aug. 29 in floodwaters with her 3-year-old daughter clinging to her side.

BBB warns of fake FEMA calls to hurricane victims
KFDM-TV, Beaumont, TX
September 14, 2017

SOUTHEAST TEXAS — From BBB of Southeast Texas - BBB of SE TX is warning consumers that FEMA will not call you to award a "grant".

Consumers have contacted BBB SETX offices stating they just received a call from Washington DC (202 area code) and wanting to know if FEMA is working with WalMart to distribute government grants to hurricane victims in our area.

FEMA WILL NOT CALL YOU to award a grant.

Scammers are targeting our area and many of the consumers contacting our office stated the caller knew their name, age and address, which made it appear legitimate.

Many of the callers had recently contacted FEMA and this added to their willingness to listen to the caller.

"Government agencies, including FEMA do not make phone calls to individuals to notify them that they are eligible for a grant". Unfortunately this is a common scam and often increases in area's of natural disaster.

Last year BBB received over 1,100 reports on Scam Tracker of fake government grants.

To receive FEMA funding you will be required to complete an application. Links to FEMA are on the BBB website "Disaster Resource Center" or you can "Google" FEMA Disaster Relief.

How the Scam Works:

Scammers contact you through phone calls, emails, or posts on social media. No matter the medium, the message is similar: FEMA is awarding "free grants." You are told that your application is guaranteed to be accepted, and you will never have to repay the money. You can use the "grant" to pay bills, or make repairs.

When you reply to the ad or take the bait on the phone, the scammer claims to be a "government agent." The con artist congratulates you on being eligible for the grant and asks you to call another number and enter a Code ID#. Then, you will go to your local WalMart to obtain your grant., but first you have to pay a "processing fee".

BBB offers the following tips to help you avoid these "FEMA" scams:

Be careful with unsolicited calls asking for your banking information. Scammers will cold call, asking basic questions to see if you qualify for a grant, and then ask for your banking information saying they need to collect a one-time processing fee and directly deposit your money.

Don't pay any money for a "free" government grant. If you have to pay money to claim a "free" government grant, it isn't really free. A real government agency won't ask you to pay a processing fee for a grant you have already been awarded .

Look-alikes aren't the real thing. BBB has received numerous calls from consumers claiming "FEMA" approved them for a grant. Just because the scammer claims to be with "FEMA" doesn't mean they are.

Phone numbers can deceive. Some con artists use internet technology to disguise their area code in Caller ID systems. Although it may look like they're calling from Washington DC, they could be calling from anywhere in the world.

For more tips on how to be a savvy consumer, go to bbb.org. To report fraudulent activity or unscrupulous business practices, call the BBB Hotline: 903-581-8373 or report it via BBB ScamTracker.

Preventing contractor scams after major storms
CNN
By Kim Wade
September 14, 2017

HOUSTON, Texas – Already FEMA has deployed more than 1,800 inspectors to Texas to take a look at homes damaged by Harvey, but as people begin to rebuild, FEMA and the BBB are still telling homeowners to be vigilant against scammers.

Virtually everything Andrea Flaven owns is on her curb.
Flaven says, "The water started coming in under the doors and through the walls."

Now she and her husband are like all of their neighbors. Slowly cleaning up and rebuilding.

"We're having an appraiser come in on Friday to tell us how much our insurance will pay us."

And while the flies begin to swarm around the rot and the mold and mildew, she says there are also parasites lurking amongst the piles of debris. Would-be-contractors making all sorts of unsolicited promises.

"They never told me what they were going to do. They were really focused on how much money they could save us, how well they were known. "

One in particular really bothered her.

"He was really slick. And I thought, you know I'm short but I'm not stupid. "

So she called the Better Business Bureau. The first one post-Harvey to report a contractor.

Leah Napoliello with the Better Business Bureau, said "Anyone that approaches and you don't know who they are. They're basically a stranger to you. You shouldn't hire them on the spot or sign anything that they give you or give any money up front at all. "

Francisca Aguirre with the Harris County Attorney's Office says, "People need to be very cautious."
Francisca Aguirre is with the Harris County Attorney's Office. They caution homeowners not to pay the whole bill up front and don't sign anything before talking to your insurance company. And they suggest doing research.

Aguirre adds, "That they talk to at least three contractors to get different bids to see who would give them the best quote."

Andrea Flaven won't be fooled. But she worries about so many of her neighbors.

In my age group there are a lot of people who would fall for that. They look like angels in disguise in pickups and I'm not real thrilled with that. "

$30 Million Grant Announced For Harvey-displaced Workers
By Mike Ward
Houston Chronicle
September 13, 2017
AUSTIN – A $30 million federal grant has been awarded to Texas to provide temporary jobs for people displaced by Hurricane Harvey who will help with cleanup, recovery and relief efforts, officials announced Wednesday.

Texas Workforce Commission officials said the grant from the U.S. Department of Labor will be administered in partnership with the Federal Emergency Management Agency and local officials in affected communities, including many in the Houston area, to speed up the recovery effort.

"Texas' most valuable resource is its people, and these grants will go a long way in getting our people back to work," Gob. Greg Abbott . "In this time of need, I want to make sure Texas families have what they need, as well as ensure a swift and effective recovery process, and these grants will help us accomplish both of these urgent matters."

Workforce Commission Chairman Andres Alcantar said the grant will allow his agency to "assist dislocated workers, respond to the needs of Texas businesses and rebuild Texas communities impacted by Hurricane Harvey.

"These funds will support our efforts, including those of our local workforce boards, to build and deploy a broad range of responsive strategies to meet the needs in our local communities."

Since Harvey hit, the commission has been working with local officials in heavily impacted areas to assist with the recovery, from Corpus Christi through the Houston area and into East Texas.

FEMA On Track To Pay $11 Billion For Buildings Destroyed In Harvey

By David Hunn
Houston Chronicle
September 13, 2017

The federal government expects to pay out $11 billion in insurance claims from Hurricane Harvey, making it the second-costliest storm in the history of the National Flood Insurance Program.

The insurance program, however, won't have the money to meet these obligations unless Congress provides more money, said Roy Wright, chief of the program and an administrator at the Federal Emergency Management Agency.

He said Wednesday that he expects Harvey payouts to exceed those made after Hurricane Sandy hit the East Coast five years ago, but fall short of the payout after Hurricane Katrina hit Louisiana in 2005.

Wright, however, said the program has just $1.5 billion in cash on hand and $5.8 billion in borrowing authority. He said FEMA will seek additional funding from Congress in the next several weeks.

"It is my personal commitment to ensure that every dollar a policyholder is entitled to under their policy is paid," he said. "Congress has never turned their back on a flood insurance policyholder. I cannot imagine them doing so now."

Wright said about 84,000 Harvey victims have filed damage claims so far, and the flood insurance program already sent $177 million in advance payments.

"That number will continue to climb very, very rapidly," he said.

Fort Hood Puts Focus On Emergency Preparedness

By Heather Ashley
Fort Hood (TX) News Sentinel
September 14, 2017

Recent hurricanes and the associated high winds, flooding and tornadic activity have highlighted the necessity of emergency preparedness.

September marks National Preparedness Month, a time geared toward building awareness and encouraging Americans to take steps to prepare for emergencies in their homes, schools, organizations, businesses and places of worship.

Each year, Fort Hood joins the nation in highlighting the importance of emergency preparedness and planning ahead for potential disaster.

This year's theme, "Disasters don't plan ahead. You can" emphasizes the importance of pre-planning for potential emergencies.

Most communities can be impacted by emergency situations at some point. For the Fort Hood community, like other military communities, that risk is increased by frequent travel, where unfamiliar hazards can be encountered.

Knowing what to do before, during and after any emergency is a critical part of being prepared and may make all the difference when seconds count.

Established in 2004 by the Federal Emergency Management Agency, National Preparedness Month is observed each September and encourages Americans to take steps to prepare for emergencies at home, work and in their neighborhoods.

Following the Ready Army program's motto of "Be Informed. Get a Kit. Get Involved," emergency management officials are encouraging Soldiers and Family members of all ages to get involved and develop emergency plans and preparedness kits.

Every member of a Family or unit plays a role in emergency preparation. Being prepared for an emergency is an individual responsibility and one that should be ongoing. The better prepared a person is, the more likely he or she is to save a life.

"Preparedness is a year-round activity," Mark Peterson, emergency management specialist, U.S. Army Garrison – Fort Hood, said. "The overall goal is to engage the public to make preparedness a part of their daily lives and just not for one single month."

Because hazards can change in any area and people, especially those who are military connected, move, it is best to be prepared for a wide array of potential disasters.

At Fort Hood and in the surrounding areas, flooding, tornadoes, winter storms and wildfires are the most common potential emergency situations; but even seemingly smaller-scale unexpected events, such as a water main break or extended loss of electricity can become an emergency.

During situations from utility outages to severe storms or flooding, a pre-packed kit can mitigate the effects.

"A disaster supplies kit is simply a collection of basic items your household may need in the event of an emergency," Peterson said. "Try to assemble your kit well in advance of an emergency."

He also suggested creating a pack that is mobile in case an unexpected evacuation is necessary.

"You may have to evacuate at a moment's notice and take essentials with you," Peterson said. "You will probably not have time to search for the supplies you need or shop for them."

A disaster supplies kit is simply a collection of basic items members of a household may need in the event of an emergency.

When preparing for an emergency, keep in mind that help might not be available immediately. Officials suggest building a kit that includes 72 hours' worth of essentials, including food, water, prescription medication and other supplies. Other basic household items that should be included in the kit include a flashlight with fresh batteries, a radio, important documents, a first-aid kit and a copy of the Family emergency plan.

"Local officials and relief workers will be on the scene after a disaster, but they cannot reach everyone immediately. You could get help in hours or it might take days," Peterson said. "Additionally, basic services such as electricity, gas, water, sewage treatment and telephones may be cut off for days or even a week or longer. Your supplies kit should contain items to help you manage during these outages."

Fortunately, one well-stocked kit and well-developed plan can cover most emergencies, he added.

Families and individuals also need to establish an emergency plan that covers shelter-in-place and evacuation contingencies.

"Your Family may not be together when a disaster strikes so it is important to plan in advance: how you will get to a safe place, how you will contact one another, how you will get back together and what you will do in different situations," Peterson said. "You should also inquire about emergency plans at places where your Family spends time: work, day care and school, faith organizations, sports events and commuting."

Pets should also be considered when assembling a kit and a plan should be established in case of the need to evacuate.

If no community plans exist, Peterson suggested volunteering to help create one.

"Talk to community leaders, your colleagues, neighbors and members of faith or civic organizations about how you can work together in the event of an emergency," he said. "You will be better prepared to safely reunite your Family and loved ones during an emergency if you think ahead and communicate with others in advance."

Some of the basic protective actions are similar for multiple hazards.

"For example, safety is necessary when experiencing all hazards, whether this means sheltering or evacuating depends on the specific emergency," Peterson said. "Developing a Family communications plan or making an emergency supply kit are the same for accidental emergencies, natural disasters and also terrorism. However, there are important differences among potential emergencies that should impact the decisions you make and the actions you take."

Peterson suggested learning some of the signs of an impending potential disaster – weather alerts, notification through Fort Hood's "Big Voice" mass notification system and atmospheric conditions.

Fort Hood has more than a dozen means to communicate warnings and instructions for emergencies.

From social media to electronic signs, 27 giant voice towers and little voice public address systems in many buildings and the Federal Emergency Management Agency's iPAWS mass alert system, the installation is ready to help guide Soldiers and Families during a man-made or natural emergency.

Online resources provide suggestions for the contents of emergency bags to help Families prepare to shelter in place or leave a dangerous area.

Ready Army, the Army's campaign to build resilience and increase readiness across the force, offers tips and resources for emergency preparedness online at http://www.acsim.army.mil/readyarmy/.

Whether threats to safety are man-made, computer-based or weather-related, knowing how to react or respond and remaining vigilant in any situation can all be practiced by everyone. Constant practice will make the ability to effectively respond to most threats almost automatic.

"Preparedness is a mind-set," Peterson said.

He encouraged those who have a plan and an emergency kit to share their efforts with others as people are more likely to listen to and act on messages received from people they know and trust.

Most importantly, prepare yourself and your Family for a disaster. Be informed. Make a plan. Assemble a kit. Get involved to assist others. "Most people know the importance of emergency preparedness but many still don't prepare," Peterson said.

FEMA Pledges Help For Irma Victims

WFTX-TV Fort Myers (FL)
September 13, 2017

MARCO ISLAND, Fla – The head of the Federal Emergency Management Agency says financial help is available for those who lost property to Hurricane Irma.

Administrator Brock Long visited with officials in Collier and Lee Counties Wednesday.

He says anyone affected by Irma should log onto Disasterassistance.gov to begin the process of registering for support, but that support won't come overnight.

"I think if I could flip a switch and turn the lights back on and get the fuel you need we would have done it," said Administrator Long.

Some of the hardest hit areas, including Marco Island, are still without power.

"It's been a hassle, gas, ice food, and just trying to get back to normalcy," said Tyler Parrish who rode out Irma on Marco Island.

His grandmother applied for FEMA aid after her condominium was condemned.

"The water surge came up about 7 feet, most of the cars were flooded, our car got completely flooded."

FEMA Aid won't cover everything you lost but it will provide funds to buy essential items lost in the storm and pay for a place to stay while you are displaced.

Storm victims have 60 days to apply, and will need their social security number and address of damaged property.

Hurricane Irma: Everglades City Residents Struggle With Housing, Plumbing Problems; FEMA Still Not On The Ground

Naples (FL) Daily News
September 13, 2017

Residents struggling with limited resources in Everglades City after Hurricane Irma could soon have a bathroom problem.

Houses connected to the city's sewer system need electricity to flush their toilets. So, even if the city gets its sewage up and running, their pipes will soon clog.

"I've got to get more Port-a-Potties in here," said Everglades City Clerk Dottie Joiner. So far, Collier County has delivered five for the area that serves 1,500 people.

It will deliver another 20 in the coming days.

Each toilet holds 100 gallons of feces so residents will survive in the meantime, Joiner hopes.

Add it to the list.

Hurricane Irma devastated the city's infrastructure, leaving hundreds of people without power or access to reliable information. People are now homeless, running low on food, sleep and patience. The storm's 10-foot surge flooded and trashed their homes, where mold has already starting to grow on the walls.

Some people are sitting inside their boiling hot living rooms as debris covers their front lawns, waiting for the Federal Emergency Management Agency to show up and help them.

FEMA spokesperson John Mills said he wasn't sure what neighborhoods representatives have visited. Dozens of residents interviewed by the Naples Daily News hadn't seen a FEMA rep since the storm.

"I don't know the answer to the question as to whether they're there (in Everglades City)," Mills said. "We're going to make sure teams get into the hardest hit areas."

He urged those living in unsafe homes to relocate and call 1-800-621-3362 to register for assistance. But many simply cannot afford to relocate while living in one of the county's poorest areas.

Rob and Carol Sykora have been holed up in what used to be their living room for three days. Now it's a sweatbox of mud, sludge and sea water. The smell's gotten worse each day.

Rob said he's afraid to leave because he's waiting for a FEMA representative to come with supplies and a temporary trailer.

When reporters told him he needed to register for FEMA assistance, which likely comes in the form of a subsidy for a rental, he and Carol looked at each other.

"We don't have power," she said. "No computer or any cell phone service."

Like many residents in the islands just south of Everglades City, they've been cut off since the hurricane hit, without any communication from officials. She and Rob resolved to find a neighbor with cell phone service so they could register.

Everglades City Mayor Howie Grimm met with FEMA on Wednesday.

"I'm very, very encouraged after meeting with FEMA," said Grimm.

They will start assessing damage and look into setting up temporary housing for the displaced or potentially camps, Grimm said.

FEMA Administrator Brock Long and Director of Recovery Alex Amparo, who spoke to local emergency officials Wednesday afternoon, couldn't say when or if temporary housing or mobile homes will be brought to Collier County.

"That is part of the process," Amparo said. "We have a program for temporary housing that has qualification standards based on how damaged a home is and what other options people have."

FEMA will decide with the state how to address displaced families.

In the meantime, people walk around shirtless, barefoot, from house to house checking in on each other, sweltering in the heat. Neighborhoods look like nuclear test zones from the 1950s, frozen in place by a thick layer of river mud after residents abandoned homes at the last minute before the hurricane hit: beds made, toothbrushes waiting beside bathroom sinks.

"I just don't know what I'll do now," said Nancy Daffin, 77, after returning to her mobile home, her roof partially collapsed and flood damage so severe the home is beyond repair. All her belongings are destroyed, save for a few blouses she thought to hang high up.

Nobody has power, and most don't have access to a generator. City officials said they're meeting with electric company LCEC tomorrow to figure out how to restore energy.

The water was turned on for most residents Tuesday but not for smaller RV parks that were almost entirely wiped out by flooding. Park managers are helpless with their near-totaled units as water leaks into their walls.

The wait for FEMA is too long, said Lynn McMillin, 61, who's been organizing relief efforts. McMillin runs the Smallwood Store museum on Chokoloskee Island.

"This was the area that was hit the hardest," said McMillin.

McMillin bought tents to set up a staging area for aid distribution outside Fire Station 60 in Everglades City. Salvation Army cooked 150 meals there Tuesday and will cook 200 Wednesday evening. Good Samaritans, church groups, Collier County officials, the Red Cross and private companies have dropped off supplies.

But gas is a problem for getting those supplies out to residents, some of whom live on tiny islands south of the city. The city depends on friends and neighbors to help transport the goods back to those who can't make the trip.

Andrew Caster, an IT administrator from Ohio, trucked in hundreds of gallons of fuel and supplies to the firehouse, where cases of water, food, diapers, baby food, cleaning supplies, and tampons stacked on pallets.

"We just want to help out the best we can," Caster said.

Residents were thankful. Exhausted families covered in mud trickled in two or three at a time to fill grocery bags full of food and supplies.

"My son's getting diapers," said June Robinson, an Everglades City resident. "I'll come back tonight for a hot meal."

Recovery

Don't wait on repair, tossing debris, FEMA says
The Facts, Clute, TX
By Stephany Garza
September 15, 2017

ANGLETON — Piles of debris lined streets along Tamarind Woods subdivision Thursday morning, some with makeshift signs reading "don't take" and other variations. County and federal officials aim to quell the rumor centered around these signs.

Officials received reports of residents not removing flood-damaged debris from their homes until a Federal Emergency Management Agency and insurance representatives looked at it. The common belief is it would disqualify them from receiving funds, according to the Brazoria County website.

"It's important to get rid of those painful reminders," FEMA spokesman William L. Rukeyser said. "We want that debris to be gone from people's property. Of course, document it. It's so vitally important so we have not only a full understanding of losses, but we have proof as well. It's vitally important to take pictures."

For those who are waiting on their insurance adjuster to assess damages, City Manager Michael Coon advises residents consult their insurance company.

"Check with the insurance company to find out their policy, but there are a lot saying to just take pictures and feel free to move to the curb for debris pickup," he said.

Another common mistake people make after a disaster is delaying contractors from making repairs to the home, he said.

"It's totally untrue," Rukeyser said. "If you're handy and you can replace that broken window or door that got ripped off and you can hang a new door or buy a door and install it — go ahead and do it. Take pictures of you doing it, have the receipt from the hardware store or get the contractor to write on the bid it's a result of flood or wind damage."

Documenting everything through photos and keeping records of all expenses is the best thing to do, he said.
For those needing help registering for FEMA assistance, agency representatives will be at West Columbia City Hall, San Jacinto Room at 512 E. Brazos Ave., from 10 a.m. to 6 p.m. today, Disaster Survivor Assistance specialist J.D. Cui said.

FEMA representatives began registering residents at the West Columbia location Wednesday, but it's not an official Disaster Recovery Center. A highly visible FEMA communications van parked outside West Columbia's City Hall gained attention from passersby, Rukeyser said.

"People started knocking on the door asking, 'What can we do about this and what can we do about that.' We normally work in teams, going door-to-door and helping people register. But because it was high-visibility and people going there, we pulled disaster assistance people together, set up portable tables in the heat outside to help, then the city very kindly offered us that room on a temporary basis."

FEMA representatives assisted 200-plus residents Wednesday. By Thursday afternoon, about 91 residents signed in either to get registered or find out their status, Cui said.

Tammy Garcia of Brazoria was one of the residents who went to speak with FEMA representatives. While going through the process with her flood insurance claim, representatives advised her to begin filling out paperwork for assistance, she said.

Her home on CR 244 received about 4 feet of water, which displaced her and her family.
"The insurance company came out and said the house is totaled," she said.

Another big concern is replacing her 11-year-old daughter's wheelchair and other handicap equipment. The equipment was custom-made to fit her daughter's needs, she said.

For those wanting to add their house to a crisis clean-up database, residents can call 979-864-1064 starting at noon today and from 10 a.m. to 6 p.m. Saturday and Sunday, county spokeswoman Sharon Trower said.
The household is added into a database which is shared with various organizations who are coming into the area to clean out houses with flood debris, she said.

Stephany Garza is a reporter for The Facts. Contact her at 979-237-0151.

Long Wait Times For FEMA Assistance In Beaumont

KFDM-TV Beaumont (TX)
September 13, 2017
BEAUMONT — A FEMA Disaster Recovery Center opened in Beaumont on Stagg Drive Wednesday morning. One hundred people were already waiting in line at 7am when it opened.

Some who were in line say the flood from Tropical Storm Harvey destroyed their house.

"We estimate at least 6 foot inside the home," said Beaumont resident Cindy Adcock. "You're up against a time frame because the mold is just taking you over," she said.

If that isn't enough, the few things Adcock had left were taken from her.

"We had the looters come by and steal a lot of things out of our yard," she said.

Residents are able to speak with FEMA and Small Business Adminstration representatives face to face to get their questions answered.

"People that have already applied or people that have not applied, they can do so right here. There are people here to actually help them through that process," said FEMA Spokesperson Ken Higginbotham. "The more information they bring the better off they are to get the help that they need," he said.

The Disaster Recovery Center in Beaumont is located at 3871 Stagg Drive in the Gateway Shopping Center in the old Goodwill store. The center is open seven days a week, 7am – 7pm. The Disaster Recovery Center Manager advises residents to be in line by 6 pm at the latest to get help before doors close.

You can also apply online at disasterassistance.gov.

As Floods Recede, Houston Tackles Mountains Of Trash

City is mounting urgent effort to clear out debris left from Harvey; 'It just tears at your heart'
By Quint Forgey
Wall Street Journal
September 13, 2017
Full-text stories from the Wall Street Journal are available to Journal subscribers by clicking the link.

Lake Houston Area Businesses Encouraged To Apply For Help

By By Julie Silva
Houston Chronicle
September 14, 2017
Dr. Richard Halling watched from home as the floodwaters rose along Cypress Creek.

He knew his office, off of Treaschwig Road just across the street from the bloated creek, would flood. He was right. More than 3 feet of water filled the dentist's office, which contained hundreds of thousands of dollars in medical equipment. Like many others in the area, he has no flood insurance.

Halling is one of more than 170 businesses in the community forced to close down either temporarily or permanently after the Lake Houston area was devastated by Hurricane Harvey.

He and dozens of others packed into a conference room at the Lake Houston Area Chamber of Commerce on Wednesday to learn more about their recovery options through the Small Business Administration, Texas Workforce Solutions and Small Business Development Center.

SBA

Michael Flores, public information officer for the Small Business Administration, had a simple message: Apply.

Flores said he's been on the ground for 51 disasters in the past 10 years. He emphasized already SBA has approved $143 million in disaster loans in the first two weeks after the flooding, and the first week doesn't count because the government is still in response mode. That number will go up exponentially in the next two months, he said.

The SBA approved more than $1.25 billion in disaster loans after disastrous flooding in Louisiana last year, and Harvey appears to have done worse to Texas, Flores said.

"What we're looking at is we're trying to get you back to the day before the storm of where you were," Flores said. "We can't make you better, but we can try and make you whole. That's what this is about."

Everyone affected should register with the Federal Emergency Management Agency as well as the SBA, Flores said. FEMA can provide grants up to $33,000 for homeowners who need a jump-start on repairs. However, Flores said, FEMA does not provide long-term recovery. That help comes through the SBA, which assists homeowners, renters businesses and private nonprofits.

Residents can apply online at sba.gov/harvey or visit a disaster recovery center or business recovery center. A disaster recovery center features both FEMA and SBA, while the business recovery center hosts just the SBA. There is a 60-day window to ask for help from the federal government and that ends Oct. 24.

"Even if you don't think you need a loan, apply anyway," Flores said. "You are under no obligation to accept the loan … I don't want anybody in this room to miss out on federal funds available."

Businesses are eligible for a loan up to $2 million amortized over 30 years at a 3.3 percent interest rate. Homeowners are eligible for up to $200,000 for their home and $40,000 for the contents inside at a 1.75 percent rate. And renters are eligible for up to $40,000 at the 1.75 percent rate. The rate for private nonprofits is 2.5 percent.

The first payment will be deferred for six months, Flores said.

SBA also offers an economic injury loan for businesses that didn't not sustain physical damage but were affected by the flooding. For

example, he said, if a road was closed and the business can prove in financial statements that its revenue went down because of the flooding, that business could be eligible for a loan to help it recover.

There's no prepayment penalty or fees, Flores said. Insurance does not preclude someone from obtaining a loan, but it is important to document as much as possible.

Flores said there are rumors SBA will not fund landlords or people renting out multiple properties; however, someone with rental properties is considered a business and is eligible for up to a $2 million loan.

Churches, he said, also are eligible for economic injury loans. For example, if their tithes were down because people couldn't attend, that would be a result of the disaster.

"It's going to patchwork of programs that's going to make a homeowner or a business whole, so don't think that 'I just need to go down one avenue. If that doesn't work, then forget about it,'" Flores said. "It's not over – just keep applying."

Right now, he added, it takes about three to four weeks for an application to go all the way through the process. In the first two weeks, FEMA had 720,000 registrations and 420,000 of those were referred to the SBA. Those numbers will only increase, he said.

SBA will not cut a check for the full loan amount. It will give an approved applicant an initial disbursement, and then the applicant can draw down funds as needed, providing receipts and contractor estimates along the way.

Mark Mitchell, president of Lake Houston Economic Development Partnership, encouraged businessowners to consider a federal loan before depleting their children's college funds or refinancing their houses. The rates compared to the market right now, he said, are fantastic.

"I know many people don't want to hear loan, especially businessowners, because you may incur additional debt," Flores said. "Please don't let that deter you. Let's take a look together. We can work through the process, and then you can make a decision because you have 60 days from the time that we take you to approval to make a decision to decide, 'Hey, we want the loan' or 'We only want part of the loan.'

"If you decide not to, that's a personal decision."

Unemployment

Tuesde Cavil, an auditor with the Texas Workforce Commission, said the government offers disaster unemployment assistance for some who wouldn't qualify otherwise for traditional unemployment. For example, she said sole proprietors or the self-employed could be eligible. Unlike traditional unemployment, it does not get charged as a chargeback or increase the business's tax rate, Cavil said.

There is also a shared work program to prevent layoffs if business is slow. If a business must reduce the hours of its employees, the government may be able to make up the difference in lost wages. However, Cavil said, that program would affect the business's tax payment.

For more information or to apply for disaster unemployment, visit ui.texasworkforce.org or call 877-892-3896.

Omar Fortune, who also is a member of Gulf Coast Workforce Board, said their database holds 2,000 jobs related to the disaster to help people who want to return to work. The board also is working to subsidize working opportunities at public businesses, like cities and public nonprofits.

"It will aid people with some immediate income in their pockets, but also the businesses because all of them are swamped right now with claims and referrals and people coming in for services," Fortune said.

SBDC

There's a lot of help available, according to Miguel Lopez, executive director of the Small Business Development Center at Lone Star College, but nothing is moving fast because of the scope of the disaster.

Think of the SBDC as general business consultants, he said. The center can help businesses come up with a business plan, marketing strategy or a disaster recovery plan. Their services are free and SBDC consultant Jan Koenig recently set up shop out of the Lake Houston Area Chamber of Commerce building.

Lopez cited a FEMA statistic that 40 percent of small businesses never reopen their doors after being affected by a disaster, but he challenged the community to defy the odds.

"Y'all are so crucial," Lopez said. "You employ people, pay taxes, people come to you. A lot of folks will go back to being or working in their normal lives, but yet there's going to be so many of us that are not going see a normal week or day for quite some time."

Lake Houston Area Relief Fund

Several times throughout the meeting, Mitchell pointed to the chamber's partnership with Insperity and Humble Area Assistance Ministries to create the Lake Houston Area Relief Fund. Insperity has agreed to match donations to the fund up to $1 million.

Jenna Armstrong, president and CEO of the chamber, said not only can people donate to the fund online, but the application also can be filled out at lakehoustonareareliefund.org. It is open to residents and small businesses, and Armstrong encouraged applicants to send in pictures and document as much as they can. Grants will be approved case-by-case by a committee.

Armstrong also is working with chambers across the country in an office supply drive to aid local businesses. She said a room in the chamber building is open to local businessowners who need internet access or a fax.

There's a spotlight on the community right now, Mitchell said, but "we've responded spectacularly." It's important to emphasize Harvey was a residential storm, severely damaging 122,000 single-family homes and 18,000 apartments, Mitchell said, but there are developments around the area that were not flooded and did not lose power throughout the storm.

"Yes, we did take a hit, but we're open for business," Mitchell said. "We can still bring new business in. We've got areas of the city that were not negatively impacted ... There's another story to be told.

"We just went through the worst storm in recorded history, the worst flooding in recorded history, and we're all sitting here right now talking about recovery."

Three Flooded Prisons To Reopen Saturday

By By Mike Ward
Houston Chronicle
September 14, 2017

AUSTIN – The last three state prisons shuttered for two weeks because of flooding from Hurricane Harvey southwest of Houston will be reopened this weekend, officials said Thursday.

In an internal memo to prison officials and lawmakers, Bryan Collier, executive director of the Texas Department of Criminal Justice, said the Ramsey, Stringfellow and Terrell units near Rosharon will be repopulated on Saturday.

The three prisons hold just over 4,400 convicts.

"The buildings have been assessed and cleaned, and water samples at the Ramsey complex (the three shuttered lockups), as well as the Beaumont area units, have been tested and cleared for consumption," Collier said in the memo.

Outside Beaumont, the Stiles and LeBlanc units and the Gist State Jail were left without water by the storm, and officials had provided bottled water, portable toilets and sack lunches for the past two weeks in an arrangement that had drawn protests and legal complaints from convict families and advocates.

The three Rosharon prisons were the first of five total that were evacuated due to flooding, in a massive relocation operation that eventually moved nearly 6,000 convicts.

The closures set a new record for prison closures from flooding not seen for decades in the nation's largest state prison system.

In his memo, Collier said that normal operations have resumed at the state's 109 state prisons and parole offices, although three contract residential parole facilities remain closed in the Houston area.

As Flooded Houston Neighborhoods Dry Out, Residents Wonder: Are They Worth The Risk?

By Peter Whoriskey And Patricia Sullivan
Washington Post
September 14, 2017

HOUSTON — The suburban Houston enclave of Meyerland has long presented a facade of prosperity and permanence.

Built half a century ago on what had been rice fields, it totals more than 2,000 spacious homes, many with swimming pools, all set amid unfurling green lawns. In 1955, Vice President Richard M. Nixon attended the development's ribbon-cutting. Michael Dell, the billionaire computer entrepreneur, grew up here.

"Driving through Meyerland, it's easy to envy those who are able to live in the neighborhood," the Houston Press noted in a 2014 profile of the subdivision.

Three major floods later — in 2015, 2016 and now with Hurricane Harvey — the envy is dissipating, replaced by the once-unthinkable idea that swaths of Meyerland ought to be abandoned and returned to nature.

Beating a retreat from a thriving neighborhood is a rarity in U.S. urban history, but after Harvey, the notion is compelling enough in flood-prone communities that it has drawn support from leading planners in Houston. And exhausted by repeated inundations, some residents say they would welcome a government program to buy out their vulnerable homes.

"A fair but extensive home buyout and removal program must be established," according to a report just issued by Rice University's Baker Institute for Public Policy. Many properties "have been flooded three or more times since Tropical Storm Allison in 2001. . . . We need to identify these areas and remove these homes from harm's way; it is unlikely we can develop strategies to protect them from severe rainfall events."

The Harris County Flood Control District, which includes Houston, is moving forward. Officials announced last week that they are "actively pursuing the funding necessary to proceed with Harvey-related home buyouts."

Such a billion-dollar effort would probably be far-reaching, ranging from Meyerland in southwest Houston to Greens-point, a lower-income neighborhood on the city's north side, to areas around Ellington Airport southeast of downtown. Those three Zip codes lead Harris County in repetitive national flood insurance claims. Other locales have frequently been underwater, too, and even before Harvey, "several thousand people" had requested that their property be purchased, according to the flood control district.

Buyouts would not only take homes out of harm's way but also provide open land that could be used to absorb heavy rains or provide space for enlarging drainage channels. These would lessen flood risks for the rest of the city.

Yet large-scale buyout programs often meet fierce opposition. A proposal to abandon some low-lying neighborhoods of New Orleans after Hurricane Katrina spurred racial acrimony and other resentments. Ultimately, the idea was dropped.

By contrast, nearly all homeowners in Staten Island's devastated Oakwood Beach opted to sell when New York state came calling after Hurricane Sandy. In the wake of Hurricane Irma, similar questions are likely to arise in the Florida Keys, where federal officials said Tuesday that many homes were destroyed or badly damaged.

In Houston, the nation's fourth-largest city, buyouts could be contentious. While City Councilwoman Ellen Cohen, who represents Meyerland, says they should be considered only as "a last resort," residents weary from repeated losses and living in dread of the next major rainfall may feel differently. Those like Suzanne Smith say they would leap at an offer for their homes if government authorities were to create a big enough program.

Smith, 53, grew up and raised her children in Meyerland, but she's set on leaving. "I can't stay in this house where every time I fall asleep I worry it will flood and I'll have to be rescued by a National Guard helicopter," she said last week.

Her home on Heatherglen Drive is just two blocks south of the miles-long Brays Bayou, which bisects the neighborhood. She was flooded by Allison in 2001, then again during what's now known as the Memorial Day Flood of 2015 and the Tax Day Flood of 2016. During Harvey, water reached nearly up to the eaves of her home. She lost artwork and $90,000 of inventory for her online menswear business.

"I can't do this again," Smith said.

Even before the hurricane struck on the weekend of Aug. 26, many in Houston were beginning to fathom the depths of the area's flood dangers. As a result, the hurricane didn't uncover a new peril; it added several exclamation points to previously issued warnings.

Last year, after the extensive April flooding, a Harris County Flood Control District publication asked a simple question: "Will we

ever solve our flooding problems in Harris County?"

The answer, basically, was no.

What did that publication advise Houstonians to do? Buy flood insurance. "Everyone is at risk for flooding and should take steps to protect themselves and their families," it declared.

Advocates of more-aggressive steps hope the widespread inundation from Harvey — which reportedly reached more than 100,000 homes — will finally spur action.

In the past, some flood control officials have minimized the need for more-extensive remedies. They asserted that the 2015 and 2016 floods were rare events, with less than a 1 percent chance of happening in any given year.

But the risk appears to have been profoundly underestimated.

Decades ago, many older neighborhoods like Meyerland were deemed to be outside the "flood plain" — that is, unlikely to ever be underwater. Years of unchecked development upstream have altered the equation, however.

New subdivisions, strip malls and office parks have meant more pavement and less land to absorb rain. So more water rushes into the region's drainage system and, downstream, into other Houston communities. The curious result is that some older Houston neighborhoods have become more flood-prone with time.

Samuel Brody, director of the Center for Texas Beaches and Shores at Texas A&M University, has a set of slides showing Meyerland's evolving susceptibility. In 1979, only a sliver was considered to be a flood plain to the north and south of Brays Bayou. That began changing significantly in the mid-1980s, and today, almost all of the community is deemed to lie in the flood plain.

"Over the years, though Meyerland hasn't changed much, Katy and other western suburbs have gone gangbusters," Brody said.

More Meyerlands are likely as development upstream continues, he and others warn.

As drastic as home buyouts sound, they wouldn't be unprecedented in Harris County. Since 1985, more than 3,000 properties in various areas have been purchased with a combination of $300 million in federal and local funding, according to the flood control district. There remain more than 107,000 properties in federally designated flood plains throughout the county, officials said.

What makes the Meyerland area so likely a buyout target is its history of storm-soaked disasters. Federal statistics analyzed by Syndeste, a risk analysis firm, show the community produced more than 3,000 claims totaling $102 million in damages against the federal flood insurance program from the 1970s through mid-August.

The most-affected properties are on the streets closest to the bayou. Purchasing enough of them might enable the concrete-reinforced channel to be widened, improving the odds that the rest of Meyerland would stay dry during heavy rains.

This would dovetail with a massive county and federal government project underway to enlarge and revamp the bayou. The $500 million project is expected to ameliorate flooding in numerous communities but would not eliminate it in the Meyerland area, according to a Rice University analysis published last year.

Some residents oppose talk of buyouts, at least for now. They argue that the changes coming to Brays Bayou, combined with a program to simply elevate homes in the area, can rescue the most-vulnerable ones.

Cohen, who also serves as Houston's mayor pro tem, said she would "hate to see" vacant lots start to dot the community. "It just leaves open prairie. A place like Meyerland is a beautiful neighborhood. We really hate to give up on that."

Others think the magnitude of the flood risks will force the issue. Jim Blackburn, an environmental law professor in Rice's Civil and Environmental Engineering Department, said he understands how people feel "losing community" and the strong cultural ties they may have there. "But this is a triage situation due to the errors and omissions of the past," he said.

He estimates that about 10,000 homes should be purchased countywide, an endeavor that could cost $2 billion to $3 billion.

"We're looking at a lot of money," Blackburn said. "But there's a realization, now with Harvey, that we've got to get people out of harm's way."

Harris County Judge Ed Emmett, essentially the county's chief executive, was reported Monday to be considering all options, including accelerated buyouts. Harvey, he said, was a "game-changer."

Dozens of people in Meyerland have torn down older houses and rebuilt ones that loom far above the ground, or have hired contractors to raise their homes.

Across from Suzanne Smith, for example, is a house elevated several steps above street level. Even as Harvey's torrential rains submerged Smith's home almost to the roof, her neighbor's front door stayed dry.

Yet lifting a house is expensive, and most Meyerland residents have been unwilling or unable to afford such a project. Smith said elevating her four-bedroom home would cost about $200,000. A federal program offered in 2015 to pay most or all of the cost, but 700 people in the area are on a waiting list for similar work. So far, only 10 houses have been dealt with.

"I can't wait another eight floods before I lift this house," she said.

Instead, barring any other solutions, she expects to sell the lot and move elsewhere.

Staying in Meyerland is only costing her money. Real estate prices have dipped since 2015 — battered by each cycle of severe flooding. And that was before the latest episode. Smith thinks her property value has dropped from above $600,000 to about $400,000, not much more than the value of her lot.

At the same time, the cost of flood insurance from the federal government is high and rising. Her policy costs $5,400 annually and will go up 25 percent each year until she knocks the house down or raises it at least five feet.

"This is a beautiful area, and it's right here next to everything," Smith said. "But we can't live like this. We can't do it. I don't know anyone who feels safe in this neighborhood in a one-story home."

Whoriskey reported from Washington. Andrew Ba Tran and Dan Keating in Washington contributed to this report.

Getting back to work in Houston after Harvey: Wet walls, ruined equipment, helping workers
CNBC
By Roger Yu
September 14, 2017
Amid piles of wet drywall and ruined electrical systems, Houston businesses are inching back to normalcy.

Thousands of companies affected by Hurricane Harvey are tearing down walls and doors, installing dehumidifiers, shuffling work shifts, fortifying secure Internet connections for people who work remotely and pooling funds to help colleagues.

The recovery work is far from smooth and tasks such as negotiating with insurance companies, finding enough money for repairs and dealing with traumatized, no-place-to-go employees — will take weeks, if not months. Many small business owners without flood insurance, in particular, are possibly looking at years of debt and bankruptcies.

Still, the mood in Houston's business corridors, like the weather, has lifted, says Bob Eury, president of Central Houston, a non-profit group that plans business development in downtown Houston, which daily sees about 150,000 workers. "It'd appear that most employers in downtown are back up and operating," he said Thursday. "It feels like a normal day today. We're open for business. I want to make that clear."

The cycle of destruction-and-recovery will replay in much of Florida in the coming weeks as homes and businesses affected by Hurricane Irma also begin to dig out. While Texas and Florida differ in industries, they are among two of the nation's largest and most economically influential states. And the pace of their recovery could have significant consequences for the broader national economy.

Energy is Houston's primary economic engine, with many oil companies, refineries, pipeline operators and oil rig equipment makers based in the region. But it's also home to some of the world's most renowned hospitals and a thriving aerospace corridor, thanks to a sizable presence of the National Aeronautics and Space Administration. The gross domestic product of the Houston–The Woodlands–Sugar Land metropolitan area was $503.3 billion in 2015, the fourth largest of any metro area in the U.S., according to government data, so it's important to the nation that companies and people get back to work as quickly as possible.

After Harvey struck the region, roughly 27 percent of all leasable space in Houston, including apartments, could be flooded, or about 600 million square feet, estimated CoStar Group, a commercial real estate information firm. About 70 million of it was office buildings, including low-rise structures.

Damage from Harvey would likely reach $150 billion to $200 billion, estimated Moody's Analytics.

Buffalo Bayou, the slow-moving river that stretches through downtown overflowed after days of rain, flooding the theater district and other parts of downtown.

Just two blocks from the Bayou, Alley Theatre, an award-winning indoor theatre in downtown, was still digging out from eight feet of water that ruined its basement stage, Neuhaus Theatre The smaller of Alley's two stages, Neuhaus seats 310 and features a variety of plays and musicals, such as Broadway hit "Hand to God" and David Sedaris' "The Santaland Diaries."

Water — or more accurately, a black mixture of chemicals, sewage and water — has been pumped out, having left about $15 million of damage. But also destroyed in the basement are five dressing rooms and most of its 100,000 props that were collected over 70 years, says Dean Gladden, managing director of Alley Theatre.

"I was thinking how the hell am I going to get the water out of here," Gladden said recounting his first time seeing the damage in person. He was stuck at home with his block flooded and saw the theater damage at first on a Facebook post by colleagues. "(When I saw it on Facebook), I said 'oh, we may have serious problems.'… I couldn't get out. My entire street was flooded."

When he finally visited the damaged stage in person the next day, he knew he had to scramble for remediation companies to dry it out, examine air quality and remove mold. But remediation providers were heavily in demand, and he found one through his office building's property manager. "It was my first call," he said.

Two blocks northeast, Houston Ballet was dealing with its own remediation problems. Two of its dance studios were submerged with three inches of water. And three different crews weaved through the facility to remove sheet rock and the thick flooring made especially for jumping dancers, as well as replacing costly water pumps and electrical systems.

About seven miles south of the ballet company, crews at MD Anderson Anderson Cancer Center, whose main lobby was drenched, deployed dehumidifiers throughout its campus, removed wet drywall and are using infrared cameras to identify unseen wet spots, says Matt Berkheiser, its executive director of environmental health and safety.

Meanwhile, some big store operators returned to piles of wet merchandise. A Target store in Humble, Texas, located 19 miles north of downtown, is still closed after it was submerged in six and a half feet of water. Another Target store in South Houston, which had a half foot of water, also remains closed.

The retail giant is in the midst of dumping equipment and damaged merchandise to salvage companies. "If (merchandise) is not up to 100 percent of our standards, we will not sell (it)," says John Sheehan, senior group vice president of stores in the Houston area for Target.

We asked 3 couples about their emergency financial plan and no one was on the same page

But experience with past storms may have mitigated damage for some large companies in the area. After Hurricane Ike ruined the University of Texas Medical Branch at Galveston with 20 inches of rain in 2008, the academic health center moved key equipment and generators to higher floors, says Jason Botkin, an environmental services manager of Sodexo, which handles facilities management at UTMB. It also deployed a "ride-out" team of 68 employees who worked in rotations throughout the storm to serve the 300 patients on site. With little physical damage, the hospital stayed open. "We were prepared this time," he said.

Companies are also contending with displaced workers. HCA, a for-profit hospital chain with 15 hospitals in the Houston area, estimates 10 percent of its nurses have "significant" damage at home. And it fired up its company jet and hired private charters to fly in 300 nurses from other parts of the country to make up for the Houston-based nurses who aren't able to make it to work.

About 18 percent of the employees at Memorial Hermann, one of the largest not-for-profit healthcare system in Texas, have lost homes or damaged property. And it's providing hotels and advancing checks for them and shuffling work shifts to continue operations.

With many workers still unable to come to work and expecting a jump in demand for its products, Home Depot -plans to hire more workers in the coming weeks.

Large employers are also tapping their employee-help funds. HCA has given over $1 million in grants -- up to $7,500 per affected employee -- that can be used for home repair, hotel, food and other expenses. Home Depot has distributed about $980,000 in similar funds.

Finding new venues for scheduled business commitments and continuing business also sits high on companies' to-do lists. Alley Theatre's premier of "Describe the Night," a play about a Russian spy written by playwright Rajiv Joseph, was scheduled for next week at the ruined Neuhaus stage. The play's entire set was also destroyed.

Alley's Gladden found a partner in the University of Houston, which agreed to host it at its 185-seat Quintero Theatre. "It's better than nothing," he says. "In 24 hours, we redesigned the set."

The show will go on, as originally scheduled, on Sept. 15.

Without Official Order, Houston Firefighters Were Undermanned For Harvey Flood Rescues

By Rick Jervis
USA Today
September 13, 2017

HOUSTON – With Tropical Storm Harvey lashing at his city and no official word from headquarters, Houston Fire Capt. Scott Wilkey took matters into his own hands and drove the 35 miles from his home to the Houston fire station he commands.

It was Saturday, Aug. 26, and meteorologists were warning of catastrophic flooding in the city.

Over the next 72 hours, Wilkey and hundreds of other Houston firefighters would be involved in some of the most dramatic and harrowing house rescues this city has seen – all without an official order to report to work from superiors.

With thousands of residents trapped by rising floodwaters, Houston Fire officials waited until Tuesday, Aug. 29, before ordering a partial increase in the number of firefighters to their stations, according to firefighters, department officials and internal emails.

Lacking in their own numbers, Houston firefighters joined forces with search-and-rescue teams from across the USA, federal responders and swarms of citizens who appeared with personal fishing boats, airboats and Jet Skis to help residents escape. But the Houston firefighters' knowledge of city streets was key in navigating the rescues.

The decision not to "recall" – or officially order to duty – all of Houston's 4,000 firefighters to the flood fight was made by Houston Fire Chief Samuel Peña, as Harvey's rain pounded the city and he weighed the risks and benefits of sending firefighters into harm's way.

For three days, fire officials left a single shift – about 845 firefighters – to lead rescue missions in the city of 2.3 million residents.

"It was frustrating and heart-breaking," Wilkey said of the lack of a full recall from headquarters. "You can hear on the radio how desperate the situation was getting."

Harvey dumped more than 50 inches of rain on the area in four days, becoming the largest rain event in U.S. history and overwhelming even the best-intentioned disaster plans. The Houston Fire Department answered 15,000 emergency calls and launched 7,000 rescues, pulling thousands of residents out of the floods, even as their own homes flooded and families were imperiled.

Firefighters with the Houston Fire Department were on the frontlines of the rescues from the floods, which swallowed 70% of this city. But many were acting on their own accord, improvising rescue plans and managing worsening conditions without an official deployment of the department's full force, according to firefighters and internal emails. Many who weren't on shift showed up anyway, canceling vacations and rushing back to the city.

"There was a lot of outright anger from the rank-and-file," said Luke Manion, a firefighter with the department's Technical Rescue Division, who drove a two-and-a-half-ton truck through high water for several days during the floods. "There just wasn't enough manpower."

With not enough boats or high-water vehicles for all 4,000 Houston firefighters to use, Peña said he made the decision not to imperil more of his firefighters by ordering them to their stations. "This was an extraordinary event," he said. "The amount of flooding and the expansive area that it happened in, I don't think anyone expected that."

Recalling extra shifts to their stations before impending disasters such as floods or hurricanes is a common procedure, said John Riddle, president of the Texas State Association of Fire Fighters. Staging firefighters at stations before a disaster hits allows them to brace for the work ahead and work out any kinks in disaster plans, he said. It also allows firefighters to replace those who have been on extraordinary long shifts.

He called Houston's decision not to recall any extra shifts "surprising."

"This was an extraordinary event but we do have hurricanes pretty regularly around here," said Riddle, whose group is made up of 18,000 members, including 6,000 in the areas impacted by Harvey. "They're regular enough that we should know how to plan and

prepare for them."

The Houston Fire Department Hurricane Guideline, a 15-page detailed guide for how the department should respond to a looming hurricane, states that "all Houston Fire Department personnel" should prepare to be recalled to their stations when a hurricane watch is issued for the Houston/Galveston area. Under a hurricane warning, the fire chief decides whether a recall is necessary.

"Re-called members will report to their assigned station within 4 hours," the document states.

The Houston/Galveston area never received a hurricane warning, since Harvey weakened into a tropical storm as it marched inland. But as the system began dumping torrential rains on Houston, meteorologists warned of catastrophic flooding. An alert on 4:38 p.m. on Thursday, Aug. 24, by the National Weather Service in Houston delivered a dire forecast: "Rainfall from Harvey will cause devastating and life-threatening flooding."

"Everyone in Houston and Galveston knew there was a flooding threat," said Patrick Blood, a meteorologist with the National Weather Service office in Houston.

In Katy, just west of Houston, Katy Fire Department Chief Russell Wilson was closely following the weather bulletins. On Thursday, Aug. 24, he recalled 28 of his 42 total firefighters to the city's main station. Two days later, with the water rising and reports of residents trapped in homes streaming into dispatch, he recalled all 42 firefighters.

The Katy firefighters were paired with Texas National Guard troops manning high-water vehicles and other search-and-rescue teams from across Texas, Wilson said. With the Katy firefighters guiding the out-of-towners, the teams rescued more than 650 residents within 36 hours.

"We were trying to get positioned and ready early," he said. "We felt getting staged and getting ready and being proactive was key."

In Houston, the regular shift of 845 firefighters were already on duty as Harvey lumbered north from the coast. On Friday, Aug. 25, Peña gathered his deputies at the Houston command center and asked when was the last time a full recall of the fire department had been ordered. Never been done, he was told.

The department had not recalled extra shifts during prior catastrophic storms, such as Hurricane Ike or Tropical Storm Allison in 2001, which displaced 30,000 people, led to 23 Texas deaths and caused $9 billion in damages, said Assistant Chief Isaac Garcia, who has been with the department for more than two decades.

A recall would not have freed up more assets, such as boats or high-water vehicles. In fact, not having enough rescue equipment was a key reason not to call in more firefighters, Peña said. Officials had already staged the department's 10 evacuation boats, six rescue boats and one high-water vehicle, along with about 60 firefighters on the specialized Technical Rescue Division and equipment from other city departments and agencies – not nearly enough to ferry the thousands of Houston firefighters around the fast-moving floods.

Another thing weighing on Peña's mind: Steve Perez, the 60-year-old Houston Police sergeant who drove his vehicle into floodwater and drowned on Aug. 27 while trying to reach his station during the chaos.

"With the conditions we were facing, do we expose our people to that, knowing that even if they were able to get in, it would be very difficult to deploy them to different areas?" he said. "We saw what we had and decided to keep the one shift."

On the ground, as distress calls from residents mounted, firefighters said they were feeling the effects of a lack of manpower and were puzzled by the lack of official recall. Some firefighters left vacations early and returned to their stations, regardless of an official order. Others commandeered friends' boats and began rescuing residents.

Marty Lancton, a Houston firefighter with Station 51, jumped into a boat manned by his immediate boss, Capt. Chris Fillman, and together the pair went house to house in his flooded West Houston neighborhood, pulling out soggy residents and ferrying them to higher ground. They took more than 20 trips between Sunday, Aug. 28 and Monday, Aug. 29, still working on no official order, rescuing more than 100 people.

The scene in the flooded neighborhood was a mashup of private citizens, airboats, firefighters and Coast Guard helicopters grabbing every resident they saw, he said. An early recall of more firefighters would have better positioned them in the flood-prone areas and led to a more organized rescue effort, said Lancton, who is also president of the Houston Professional Firefighters Association.

"You don't know what's going to happen; that's why it's called an emergency," he said. "But you have to be as best prepared as you can be."

Even as firefighters rushed to residents at the height of the floods, city officials were sending conflicting signals. At 1:03 p.m. Sunday,

Aug. 27, a citywide email was sent out from Houston's human resources department urging all "Essential Tier 1" employees, which includes firefighters, to report to work.

But two hours later, another email was dispatch to firefighters: "Firefighters who are not scheduled to work are asked to refrain from coming into the station unless otherwise notified by HFD Command."

Two shifts – about 1,700 firefighters – were ordered to work on Tuesday, Aug. 29, after Harvey's rains began to subside and the toughest of the flood rescues were winding down.

Manion, the rescue specialist, said the mixed signals from headquarters were confusing and disheartening. He and others from the rescue division were recalled on Saturday, Aug. 26. Manion was assigned to drive the department's massive military-style cargo truck, known as a "deuce-and-a-half," through flooded neighborhoods. He started on the southeast side of the city, rescuing residents and ferrying supplies to stranded first responders, at times driving the truck through seven feet of moving water.

Manion worked six straight days, stealing a few hours sleep when he could, and constantly feeling the need for help with rescues or manning the massive truck. Every step of the rescue effort – from the forward command centers to the stations to the trucks and boats in the water – seemed undermanned, he said.

Having everyone staged at their stations before Harvey made landfall would have allowed firefighters to relieve one another during the long, taxing shifts and probably led to more rescues, Manion said.

"It was very chaotic, very frustrating," he said. "There didn't seem to be a plan in place."

Housing

FEMA, Texas To Launch Long-term Housing Plan

By Madlin Mekelburg
Corpus Christi (TX) Caller-Times
September 14, 2017
AUSTIN — The Texas General Land Office, the agency tasked with managing state-owned lands, will oversee short- and long-term housing for Texans displaced by Hurricane Harvey, Gov. Greg Abbott announced Thursday.

"It makes sense because housing in Texas is a natural fit for the GLO, as it specializes in disaster recovery," Abbott told reporters after a lengthy briefing on the state and federal response to the storm at the Federal Emergency Management Agency's headquarters in Austin. "More will be announced about these duties in the next week, as we explain more about where we're going."

Abbott and officials with FEMA said the housing program will focus on needs identified by state and local leaders, a plan in line with larger recovery objectives outlined by Texas A&M Chancellor John Sharp on Thursday. Abbott named Sharp to lead the state's rebuilding efforts earlier this month.

Sharp said the goal for recovery is to ensure that local leaders are making the decisions to assess their community's needs, "it's not going to be dictated from us or the federal government."

FEMA Federal Coordinating Officer Kevin Hannes described the housing program as being "state-managed, local-empowered and executed."

"We're looking at a host of options to tailor the housing needs for temporary housing and getting these homes repaired to the local needs, and making our programs fit the survivors' needs and not making them fit the bureaucratic needs that you've seen in the past," Hannes said during a tour of FEMA's Responder Campus in Corpus Christi on Wednesday.

The GLO will also work with the federal Housing and Urban Development Department to administer the Community Development Block Grant Program, according to Abbott.

"We were advised this morning by the Land Office that they expect to need more than $50 billion ... of funding to the community development block grant program for housing, for long-term housing and for infrastructural hardening," Abbott said. "That money will help families get back into housing even quicker."

Officials predict it will take years to fully recover from the storm, which left more than 70 people dead and destroyed countless homes

in Houston and along the Gulf Coast. As cities and counties look to start the lengthy rebuilding process, residents are relying on temporary housing assistance from FEMA and help from volunteers distributing clothing, food and water donations.

More than 1,000 residents in Nueces, Aransas and San Patricio counties are living in temporary housing nearly two weeks after the storm first made landfall on the Texas coast. Statewide, more than 21,000 households have checked into temporary housing paid for by FEMA.

Hannes said there are not enough temporary units available to those who need them and people are being housed in hotels and apartments across the state, not in areas near their homes.

"My goal is to work with local hoteliers to open up their facilities to that program," he said. "We're looking to help them any way we can to get up and operating so we can help get individuals in the state back here to their homes."

Paul Corah, a FEMA spokesman in Corpus Christi, said temporary housing is offered to residents in 30-day bursts, which can be renewed depending on an individual's situation. Across the state, 1,595 hotels are enrolled in FEMA's Transitional Shelter Assistance Program — at least three of which are in Corpus Christi.

"Obviously FEMA is not going to make people whole, but Texans are very proud people and they got hit hard," Corah said. "Our job is to pick them up, dust them off and point them in a different direction. We're trying to give them a helping hand."

Hannes said FEMA officials will stay in the area as long as necessary, and none of the personnel or supplies here will be diverted for response to Hurricane Irma in Florida.

Gerard Stolar, FEMA's branch director for the Coastal Bend region, said the new long-term housing initiative will be largely driven by state and local leaders, with the federal government playing a "leading from behind" role.

"This is not about the federal governments doing this," Stolar said. "Local governments have to take control."

Madlin Mekelburg is a reporter with the USA Today Austin Bureau; she may be reached at 512-479-6606; mmekelburg@elpasotimes.com; @madlinmek on Twitter.

FEMA program meant to help those displaced by Harvey
KMBT-TV, Beaumont, TX
By William Blanchette
September 14, 2017
FEMA is working with state officials to solve the Harvey produced housing crisis by repairing homes. According to Orange County, the agency is currently limited on resources for those needing help from the effects of Harvey.

"We have had meetings with FEMA," said Brint Carlton, Orange County Judge. "Their resources are stretched pretty thin over the large areas of Texas and Florida."

Since hurricane Harvey, 1,700 trailers have been issued from FEMA for the purpose of temporary housing.

"Some of the trailers have been delivered to Jefferson County," said Carlton. The state of Texas and FEMA are trying to provide a program for people who are trying to get back in their homes. "

The program is called the "Sheltering and Temporary Essential Power" (STEP).

"The goal of the program is to get the flooded stuff out of people's homes and making sure they are able to live in it," said Carlton.

According to Orange County, the availability of the STEP program will be ready by Monday.

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Volunteers/Donations/Charities

University of Tennessee raises money for University of Houston students affected by Hurricane Harvey

Knoxville News Sentinel
By Rachel Ohm
September 13, 2017
Students and supporters at the University of Tennessee have raised more than $14,000 to send to the University of Houston in the wake of destruction from Hurricane Harvey.

The money was raised via a fundraising campaign by the university's Disaster Relief Management Team, a team of staff members that oversee the university's response to national disasters and provide guidance to those who want to help.

Both campaigns are being run through VolStarter, an online fundraising platform, and will remain open at least through the beginning of October.

Since 2015, the disaster team has used the platform to raise money for the flooding that happened in South Carolina in the fall of 2015 and flooding in Louisiana in the fall of 2016.

There are no plans for UT to send volunteers to Florida or Houston right now, said university spokeswoman Katherine Saxon.

Volunteering with the Vols, UT's effort to host volunteer work in the communities of each away game during the football season, postponed a planned volunteer event at the Jungle Friends Primate Sanctuary in Gainesville ahead of the hurricane last week. The event has not yet been rescheduled.

Fresno Unified students asking for help to send donations to Hurricane Harvey victims
KFSN-TV, Fresno, CA
September 15, 2017
Fresno, Calif. -- Fresno Unified Students are asking for your help in their massive effort to send relief to the victims of Hurricane Harvey.

All the goods and supplies will help the students and families in a Houston area school district.

The school district will collect all the items at various schools starting next week. UPS has agreed to ship out the donations-- but the school district needs private donations of four to five thousand dollars to handle the shipping costs.

The district is not allowed to use public funds for the effort.

If you can help cover the cost of shipping, call the Fresno Unified Communications Department at (559) 457-3733 or (559) 443- 9644.

They also need more boxes.

Harvey charities raise more than $350M in less than 3 weeks
ABC News
By Nomaan Merchant, associated press
September 14, 2017
HOUSTON — More than 50 local and national charities have raised more than $350 million in the nearly three weeks since Hurricane Harvey struck the Texas Gulf Coast, and the disparate groups are trying to decide on priorities while some storm victims still await help.

Distrust of large charities such as the American Red Cross has driven many donors to smaller, local organizations. For instance, Houston Texans football star J.J. Watt has raised more than $30 million for his foundation, an effort he started by posting appeals on social media.

One donor to Watt's effort, Helen Vasquez, stood outside the Texans' stadium and said she had seen a Facebook post listing the salaries of executives at top national charities. She gave Watt $20 instead.

"It's all going to the people itself and not to the corporations, not the higher-ups in the corporations," Vasquez said.

But most of the money raised for Harvey has gone to the Red Cross, which has raised a least $211 million. The rest went to other organizations, including 40 groups listed by Charity Navigator, as well as dozens of other groups and individual families raising money on do-it-yourself sites such as GoFundMe.

More than $50 million has poured into the local fund set up by Houston Mayor Sylvester Turner and Harris County Judge Ed Emmett,

the county's chief administrative official.

Turner and Emmett openly urge donors to give to the local fund and not the Red Cross, saying doing so will ensure the best use of the money.

Emmett has blamed the Red Cross for problems that arose with setting up and running the emergency shelters used by tens of thousands of people who were flooded out of their homes.

The Greater Houston Community Foundation, which the men have asked to administer the fund, is creating a 12-member board and a grant committee to set priorities and distribute donations starting in the next several weeks. The foundation is working with the United Way and dozens of other charities, but so far not with the Red Cross or with Watt, who did not respond to questions sent through a spokesman for the Texans.

David Brady, CEO of the Red Cross of the Texas Gulf Coast, said his group would be "happy to be a part of all conversations" and that the Red Cross would review how it could improve its shelter operations in the future.

"We can't take the criticisms personally," he said.

The foundation's CEO, Stephen Maislin, said it will pay the costs of running the Harvey relief fund on its own, including the credit card fees banks charge for donations.

The charities are still weighing the best ways to use the money and setting up systems to monitor where the money goes. Veterans of other major disasters, such as Hurricane Katrina and Superstorm Sandy, say coordination between groups is critical to make the most out of every dollar.

Reese May, national director of recovery for the home rebuilding group SBP, said local leaders need to bridge the gaps between the dozens of groups by setting clear goals.

"When there is aggressive leadership, when there are aggressive goals that are publicly set, it plants the flag," May said. "It gives neighbors the opportunity to connect with one another, saying, 'Absolutely, we're going to make it back from this.'"

Among the most critical needs is figuring out housing for thousands of people who are still living in emergency shelters, many of whom are not eligible for federal assistance. Others lost everything in their homes, and some people are living in gutted homes flooded by sewage because they have nowhere else to go.

The people involved in fundraising say they must move quickly and coordinate with each other.

"I'm praying we can stretch it," said Anna Babin, head of the United Way of Greater Houston, which is already issuing grants to people needing help with rent and lost vehicles and cleaning out flooded homes. "But this is so significant."

As the Texans played their first game of the season Sunday, around 1,900 evacuees were inside the NRG Center, the convention center across the street from the stadium. Thousands of NFL fans were tailgating in nearby parking lots, and smoke from sausages and chicken on the grill rose in the air.

Estella Martin and several other people said they wanted answers from the groups raising money on their behalf.

"They got enough to put every one of the people that are still here in a home or an apartment and help them out until they get up on their feet," Martin said. "Instead, they've got us here."

Maryland Woman Helps Hurricane Harvey Victim Replace Mother's Mugs

NBCWashington.com, Washington D.C.
By Meagan Fitzgerald and Ambar Pardilla
September 14, 2017

A Maryland woman, touched by a New York Times photo essay that depicted the devastation of Hurricane Harvey on Houston residents, found a way to help a stranger replace some of what was lost.

Ann Dahms, of Frederick, Maryland, read about Shirley Hines, whose home was flooded during the storm. Hines lost most of her belongings, including a set of treasured mugs from her late mother.

Dahms decided to search for the mugs, which were white with a red stripe and gold detailing.

"Whenever she was feeling down, she would get one of those mugs and she said, 'I drink me some coffee,'" Dahms said. "And I just realized she had to have a new one."

Dahms discovered three were for sale online and brought them all.

Manny Fernandez, the Times reporter that spoke to Hines about what she had been able to save after Harvey flooded her home, took his wife, daughter and son to Houston to hand deliver the mugs to Hines on Sunday.

"It was as if God was saying to me, 'It's going to be okay,'" Hines said. "And I just been telling myself ever since then 'I am so blessed.'"

The mugs brought back memories for Hines of her mother. The two would sit down and drink coffee together.

"The cup of coffee every morning gave her strength for whatever awful day was ahead," Dahms said. "And everybody needs a cup like that."

Volunteers meet at Beaumont church to continue disaster relief effort
KFDM-TV, Beaumont, TX
By James Ware
September 14, 2017
BEAUMONT — If you've seen the lines wrapped around the Cathedral In the Pines Church in Beaumont, it's because of the effort to get people back on their feet post-Harvey.

About 100 volunteers gathered at the church Thursday morning to get ready for more ground work as Southeast Texans recover from the devastating storm.

Pastor Randy Feldschau said people came from Georgia, Virginia, California and Mexico to lend helping hands.

Many are sleeping on cots inside of the church and showering in trailers outside of the church.

"They dropped everything to come to Southeast Texas and help us through this flood," Feldschau said. "It's not the best condition but they're willing to do it just to help us."

Through Operation Blessing, the church plans to have at least 300 volunteers from across the country and beyond.

The invitation to help also extends to locals, Feldschau said.

"I've had people in my church that have lost everything - out of Bevil Oaks, Pinewood and elsewhere - lost everything and still came to volunteer to help with distribution and cleanup," the pastor said.

"And so I just want to encourage all the people in Beaumont and Southeast Texas to come sign up to volunteer because it's very rewarding and it helps the healing process when you just drop what you're doing to help your friends and neighbors through their crises."

Opinion

Texas And Florida Saved Lives By Taking The Lessons Of Hurricane Katrina To Heart
Dallas Morning News
September 13, 2017
Two Category 4 hurricanes, Harvey and Irma, struck land in Texas and Florida over a period of just two weeks. When it comes to government preparedness, we applaud the efforts of officials at all levels — federal, state and local — for their ability to communicate and coordinate, thereby minimizing the loss of human life, despite the widespread damage caused by the storms.

To date, at least 70 people are known to have lost their lives to Hurricane Harvey. For Hurricane Irma, the figure is at least 15 in the state of Florida, 22 if you add deaths in Georgia and South Carolina.

By comparison, more than 1,300 people in Louisiana lost their lives in Hurricane Katrina 12 years ago, according to the National Hurricane Center. There were more than 1,800 Katrina-caused fatalities if you stir in deaths in Kentucky, Alabama, Georgia, Ohio, Florida and Mississippi.

It seems clear that while early preparation and coordination can't necessarily mitigate property damage, it can save lives.

We credit lessons learned from Hurricane Katrina. One was to ditch the government bickering. In the Katrina aftermath, a FEMA official blamed Gov. Kathleen Blanco for not promptly submitting a request to the federal government for help. Blanco blamed New Orleans Mayor Ray Nagin and city officials for the lack of adequate evacuations, saying she thought they were coordinating those efforts. The finger pointing did nothing to help people.

By contrast, whatever differences there were among officials in Texas preparing for Harvey and Florida with regard to Irma were quickly put to bed.

Katrina ranks third among the top ten deadliest storms in the United States. Making that ranking all the more astounding is that Katrina hit in 2005 — the other nine all occurred prior to 1957. It's hard to imagine such a high toll in the modern era but it reveals how just how critical it is to be proactive and prepared. According to the National Institutes of Health, 40 percent of Katrina-related deaths in Louisiana were the result of drowning. That should have never happened.

As is often the case, the people who were most vulnerable — the elderly and the poor — and cannot evacuate on their own, ranked highest among the dead. The city of New Orleans had a hurricane preparedness plan that states, "Special arrangements will be made to evacuate persons unable to transport themselves." Yet, instead of being evacuated, many people were told to go to the Superdome, which had an inadequate supply of food, water and security.

The result was having to evacuate people from an evacuation center.

Before Harvey and Irma hit Texas and Florida, Gov. Greg Abbott and Gov. Rick Scott appeared on television frequently, providing updates on preparation efforts, evacuation plans and the current path the storms were taking. Political parties on both sides praised coordination and rescue efforts.

"This has been a great coordinated effort," said Republican Rep. Michael McCaul of Texas. "This is one of the better if not the best rescue and recovery efforts by federal, state and local governments."

Democratic Sen. Bill Nelson of Florida said past mistakes helped prepare the state for Irma. "I think that's the big difference today. I think the coordination between state, local and federal governments are all there."

Hurricane season doesn't end until Nov. 30. If any good can come from Harvey and Irma, we hope it's that strong local leadership and the lessons of Katrina can help minimize the death and destruction. What's your view?

Got an opinion about this issue? Send a letter to the editor, and you just might get published.

Social Media

FEMA
Sentiment

- **"FEMA vs Texas Churches" issue:**
  - There are a small amount of individual posts and some posts with discussions regarding churches not receiving FEMA recovery funds.
- There are a small number of posts from survivor upset at being declined assistance, but overall this traffic was down.

Rumors/Confusion

- A few people are receiving calls from people impersonating FEMA employees. A person has gotten the call and quickly realized it was a scammer when they were told to buy gift cards to receive their assistance money. Some people are upset to see others taking advantage of people effected by tragedy with most sharing this information with their friends. There is an article being shared on social media about these incidents warning its readers not to fall for the scam.
- A few people on a community relief page talk about a survivor who is unsure if she is dealing with a real FEMA inspector or not. She received a call from him and does not feel comfortable meeting or speaking with him until she can properly identify the person.
- One individual posted a rumor that SE Texas survivors would be offered tents for housing.

Vector Control

- Hardin County Emergency Management made a Facebook announcement about the start of Vector Control in the area. The announcement has been shared 122+ times and several citizens are concerned about the effects of the insecticide Naled on pregnant women.
- San Jacinto Emergency Management made a Facebook announcement about vector control in the area. Response was modest but overwhelmingly positive, with locals reporting how bad the mosquito problem was in their area.
- Tyler County Emergency Management announced that they had cancelled their request for vector control in their area. 60+ comments have accumulated on the post, and response is mixed but passionate. Users are either happy that the chemical Naled will not be sprayed in the county or frustrated that the mosquito infestation will continue.

Housing

Social media mentions and discussion about "FEMA barges" has quickly diminished since it was announced that they would not be used.

- Individual posts that the Port Arthur Mayor stated that some Harvey survivors may be housed on "FEMA Barges" https://twitter.com/MrMcBride121/status/908527106438713344
- One individual posts about low income residents being evicted from apartments with no place to go.

Misc questions/requests/comments

- Individual asks why FEMA flood plain maps have so many exemptions.
- A Texas Other Needs Assistance employee asks that FEMA call center employees stop giving IRMA/Florida survivors their number in Texas (because the comment is under a photo album I cannot save a direct link)
- One individual posted about contaminated flood waters.

External Affairs
DR 4332-Texas

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/13/2017 4:19:45 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Gray, David [gray.david@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: Hoping to reach David Gray

Good w me

Sent from my iPhone

On Sep 13, 2017, at 12:08 PM, Graham, Amy <graham.amy@epa.gov> wrote:

She has followed up with me again. I edited what David sent below. Let me know if there is anything else to add about the work being done at these two sites:

Deliberative Process / Ex. 5

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 5:43 PM
To: Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Hoping to reach David Gray

This is for MB – we should just send the statement.

From: Graham, Amy
Sent: Tuesday, September 12, 2017 5:41 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Hoping to reach David Gray

The reporter provided her specific questions. Are we able to answer these in more detail?

San Jacinto

It appears there has been significant ongoing work to repair the above water berm protecting "armored cap." As I understand it, two-thirds of the cap is normally under the river. Last week EPA said divers would be going to the site to assess whether the underwater sections of the cap are still in place. So I was wondering:

--Has that assessment occurred?
--Was there any indication whether any of the underwater portion of the cap was damaged?
--Are there other assessment efforts under way?
--What else necessitated the additional assessment efforts?
--What kind of water or soil sampling has EPA conducted on site?
--When those sampling results will be made available, if they're not already?
--Is there any evidence that harmful contamination has migrated off site?

U.S. Oil Recovery

It appears a significant amount of black, oily water flowed from the site and into Vince Bayou. So I was wondering:

-- What else necessitated the additional assessment efforts?
--Has EPA conducted sampling of surface waters and sediments in the area after the storm?
--What do the results show?
--Are there other assessment efforts under way?
--work is being done at the site in the wake of the storm (e.g. any monitoring or clean up)?
--Can EPA assure the public that no harmful contamination migrated off site? If not, has the agency yet determined the potential risks to human health and wildlife?

I appreciate your help on this and look forward to hearing back from you soon. Is it possible for me to get a response back by tomorrow?

From: Grantham, Nancy
Sent: Tuesday, September 12, 2017 5:35 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: Hoping to reach David Gray

Amy .. are you going to send to the reporter? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 5:25 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: Hoping to reach David Gray

Good w me, thanks!

From: Grantham, Nancy
Sent: Tuesday, September 12, 2017 5:23 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Hoping to reach David Gray

Liz,

David suggests that we provide the reporter with the info below Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 5:10 PM
To: Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: Hoping to reach David Gray

Deliberative Process / Ex. 5

From: Gray, David
Sent: Tuesday, September 12, 2017 3:18 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: FW: Hoping to reach David Gray

I referred this to press when it came from Mike at AP. Now I am getting pinged by our local AP.
David

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Tuesday, September 12, 2017 2:09 PM
To: Gray, David <gray.david@epa.gov>
Cc: Dunklin, Reese <RDunklin@ap.org>
Subject: Hoping to reach David Gray

Hello David,

I left a voice mail at 214 665 2200 to this effect. My name is Reese Dunklin, and I'm based in the AP's Dallas office. I'm hoping to reach you regarding the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites. Is there a better number for me to try for you? You can also reach me at 972 502 7571.

Thanks for reading this far,

Reese Dunklin, AP

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image001.jpg>

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From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Tue 9/12/2017 10:17:16 PM (UTC)
Subject: FEMA: P.M. Media Analysis Report - DR-4332-TX - Sept. 12, 2017

Media Analysis Report
Tuesday, September 12, 2017
DR-4332-TX

Hot Issues –

- **Housing/Evictions** –The following stories reflect the housing issues that are beginning to surface as recovery continues in flood-ravaged communities.

FEMA Denies Jefferson County – Social Media/Facebook Post
By KFDM News
https://www.facebook.com/KFDMNews/posts/10155703713833756
As shelters close, many will be forced to find a place to live while fixing their homes over the next few months. Peter Eliopoulos reports FEMA denied Jefferson County disaster housing assistance.

Landlords Are Giving Hurricane Harvey Evacuees Eviction Notices and Demanding They Pay Rent
By Rafi Schwartz –Splinter News –September 12, 2017
Residents of Beaumont, TX, who fled Hurricane Harvey's path of destruction returned home expecting to find their homes and apartments damaged by the storm. But some local renters found something even more alarming: eviction notices. "Unfortunately, the damage to your unit is so extensive that your unit has become totally unusable as a practical matter for residential purposes," a letter to residents of Sunlight Manor apartment complex, obtained by the Beaumont Enterprise, explained. According to the notice, (soon-to-be former) residents had just five days to move out…"This is not the right time to evict [renters]," Houston Mayor Sylvester Turner declared during a recent city council meeting. "There's not adequate housing for them to go to if they're evicted."

Noteworthy issues:

FEMA to open disaster recovery center in Bastrop County
By Mary Huber –Statesman –September 12, 2017
The Federal Emergency Management Agency will open a disaster recovery center in Bastrop County to help business owners, homeowners and renters who sustained property damage during Hurricane Harvey obtain federal funds for repairs and recovery. The center is slated to open this week at 404 Fawcett St. in Smithville, officials said…

'The Aftermath of the Aftermath': Hurricanes Stretch Safety Net and Providers
Governing –September 12, 2017 –In the days after a hurricane like Harvey, many people are faced with a question they may never have had to ask themselves: How will we eat? That's why Texas is temporarily expanding the income limit for food stamps. The state is also temporarily expediting benefits, loosening restrictions on what people can buy with government aid, allowing schools to serve free meals to every student impacted by the hurricane -- regardless of their income -- and reimbursing people for food stamps that might have gone to waste because of the storm….

Media Monitoring Trends –

Print/Online –

- Human interest stories and articles that highlight a wide variety of charitable efforts by locals, celebrities and outside individuals, continue to occupy a large portion of the daily print media reports.
- In addition to being fixated on acts of human kindness, both print and online media have started to touch on the slightly darker side of disaster recovery, warning survivors about potential scammers and the dangers related to hazardous materials, such as water contaminants and bacteria laced soil.
- With regard to disaster specific articles, there has been some coverage of DRC openings and residents returning to flood-riddled homes, but in both cases the topics have yet to surface with enough frequency to be considered trends.

Radio/Television –

- Reiterating a report that first surfaced in print media, broadcast media is reminding survivors that mosquitos are becoming a greater threat than normal due to standing floodwaters and humidity.

- While not as prevalent of a trend as seen in yesterday's report, the topic of price gouging has gained new traction due to recent lawsuits filed against businesses that were taking advantage of survivors during the height of the storm. This is a storyline that will likely continue to grow as more cases surface.

Social Media –

- Conversations surrounding Hurricane Harvey remain moderate due to the coverage of Hurricane Irma.
- Posts referencing denial for housing by FEMA continue to emerge, showing several examples of users that are frustrated enough to search for alternative recovery methods.
- To learn more about today's social media trends, please refer to the Social Listening Report at the end of this document.

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What Others Are Saying –

Texas Attorney General Ken Paxton has filed several lawsuits against Texas businesses that allegedly gouged consumers who needed food, shelter, fuel and other essentials during Hurricane Harvey…According to a release from attorney general's office, state law prohibits businesses from charging exorbitant amounts during a declared disaster.

"It's unconscionable that any business would take advantage of Texans at their most vulnerable those who are displaced from their homes, have limited resources, and are in desperate need of fuel, shelter and the basic necessities of life," Paxton said. "Texas has tough price gouging laws, and my office will continue to aggressively investigate and prosecute cases arising from Hurricane Harvey."

FOX4, September 12, 2017

"Seeing all of Texas come together after Harvey was inspiring," said Caylin Herley of Circle N. "Hopefully this reminds folks out there that Texas still has a long way to go when it comes to rebuilding, especially the Texas coast."

Star-Telegram, September 12, 2017

In the days after a hurricane like Harvey, many people are faced with a question they may never have had to ask themselves: How will we eat? That's why Texas is temporarily expanding the income limit for food stamps. The state is also temporarily expediting benefits, loosening restrictions on what people can buy with government aid, allowing schools to serve free meals to every student impacted by the hurricane -- regardless of their income …

"It's gratifying to see," says Jim Weill, president of the Food Research and Action Center, a national anti-hunger organization. The U.S. Department of Agriculture (USDA) "has responded quickly and effectively and appropriately to the crisis."

"…One of the reasons that the safety net is so crucial is that the consequences of a major disaster hit the hardest the people who have the least," says Olivia Golden, executive director of the Center for Law and Social Policy.

Governing, September 12, 2017

Video/Audio –

Port Aransas begins long road to recovery after Harvey
KVUE –September 12, 2017
PORT ARANSAS - Port Aransas was one of the hardest hit Texas towns when Hurricane Harvey made landfall. More than two weeks after the storm, the town remains unrecognizable and covered in rubble and debris…

'Texas Strong': popular corn maze attraction wiped out by Harvey is back
By Matthew Martinez –Star-Telegram –September 12, 2017
This tiny town just east of San Antonio didn't receive near the level of devastation that Gulf Coast communities did from Hurricane Harvey, but the storm's high winds and rains did flatten the community's popular autumn attraction — a 15-acre corn maze field…

Eye of the storm: Reporter Josh Einiger reflects on covering hurricanes Irma, Harvey
By Josh Einiger –ABC7-September 12, 2017
I've been on the road 11 of the past 16 days, covering Hurricane Harvey's devastating impact in Texas and Hurricane Irma's fury across Florida. The Gulf Coast may have escaped the ravages of a storm surge, but they will still have weeks or even months of power outages, just as it'll take a long time for Houstonians to get back to normal. But at every turn, I've been struck by people's resilience in the face of hardship…

Full Stories –

RECOVERY

FEMA to open disaster recovery center in Bastrop County
By Mary Huber
Statesman
September 12, 2017

The Federal Emergency Management Agency will open a disaster recovery center in Bastrop County to help business owners, homeowners and renters who sustained property damage during Hurricane Harvey obtain federal funds for repairs and recovery.

The center is slated to open this week at 404 Fawcett St. in Smithville, officials said.

At the center, residents can meet with representatives from FEMA and the Small Business Administration to get assistance with applying for money for home repairs. Bastrop County was added to a presidential disaster declaration last week, opening it up to individual and public assistance from the federal government after the storm.

Hurricane Harvey struck the Texas coast as a Category 4 hurricane. It had been downgraded to a tropical storm by the time it moved into southcentral Texas, where it dropped between 10 to 29 inches of rain across Bastrop County from Aug. 25-28.

According to the most recent data provided by the Bastrop County Office of Emergency Management, 177 homes were damaged by Harvey.

Thirty-nine homes in Bastrop County sustained major damage, and three were completely destroyed, the OEM said.

Additionally, seven Bastrop and Smithville city buildings and 45 county facilities were affected. The damage to county buildings alone topped $225,000, officials said.

"The rain was so prolific that many of them had minor leaks," Bastrop County Judge Paul Pape said. "Water was everywhere. Everyone had some sort of water damage. The winds were so high and blew for so long that it would be unusual not to. The exception would be somebody who didn't have any water damage at all."

The courtroom at the Bastrop County Jail will have to be completely rebuilt, Pape said. It was gutted last week, and crews are working in overdrive to have it repaired by October, in time for Rodney Reed's scheduled hearing that month. Reed, who was convicted of the 1996 murder of Stacy Stites, will return to court to weigh claims regarding false testimony at his original trial.

Precinct commissioners are still tallying damages to roads and bridges across the county but preliminary estimates show the destruction to county facilities and infrastructure in two of the four precincts has topped $1 million. FEMA and the Texas Division of Emergency Management are working with commissioners to schedule times for public damage assessments.

Last week, FEMA granted the governor's request for community disaster loan assistance for Texas cities impacted by the storm. Cities recovering from Harvey can now receive funding to help maintain their operating budgets and continue their full operations while focusing on rebuilding their communities.

For residents, the disaster recovery center in Smithville will remain open as long as required to help everyone who needs it, officials said. Those seeking federal funds can also log onto the FEMA website at disasterassistance.gov or call 1-800-621-3362 for help.

Residents should have the following when registering for federal assistance:

- Address with ZIP code.
- Directions to your property.
- Condition of your damaged home.
- Insurance information, if available.
- Social Security number.
- Phone number.
- Mailing address.

Texas begins long march toward recovery from Hurricane Harvey
By Ed Sterling State Capital Highlights
PortLavacaWave
September 12, 2017

AUSTIN — as contaminated waters receded and mountains of debris from flooded homes and ruined belongings grew last week, a picture of post-hurricane Texas developed and the process of weighing impacts to lives, property and infrastructure began.

Gov. Greg Abbott delivered a series of announcements and proclamations related to catastrophic flooding and wind damage brought by Hurricane Harvey to more than 50 Gulf Coast and inland counties in late August and early September.

On Sept. 7, Abbott thanked Congress for passing a $15.3 billion hurricane relief package and called the bipartisan action "an

encouraging sign."

On Sept. 9, Abbott wrote to EPA Administrator Scott Pruitt, expressing support for a request by the Texas Water Development Board to streamline federal funding for flood and water infrastructure projects related to Hurricane Harvey. The board administers EPA's state revolving funds, which will be used to repair and rebuild water, wastewater and storm water systems in communities affected by Harvey.

Also on Sept. 9, Abbott and Texas A&M University System Chancellor John Sharp, who heads the newly created Governor's Commission to Rebuild Texas, met with Beaumont officials along with leaders of many state agencies. It was the first stop in a three-city, five-day trip to discuss the devastation caused by Hurricane Harvey and get input on how the commission can assist in the rebuilding and recovery effort.

Mosquito spraying begins

The Texas Department of State Health Services on Sept. 6 announced the launch of FEMA-assisted mosquito control measures over the Hurricane Harvey-stricken counties of Refugio and Bee.

Areas of standing water may increase the number of mosquitoes capable of spreading diseases such as the West Nile and Zika viruses, the DSHS said.

Paxton applauds ruling

Texas Attorney General Ken Paxton praised a decision Sept. 5 by the U.S. Court of Appeals for the 5th Circuit to uphold the state's voter identification law that was blocked last month by a Corpus Christi federal district court.

A three-judge panel of the Fifth Circuit voted 2-1 to overturn an injunction granted by the lower court. The ruling, Paxton said, means that an interim court remedy is in place for 2017, preserving the requirement of an ID while allowing those without an accepted ID to vote by signing a sworn declaration stating that they have a reasonable impediment to obtaining one.

Furthermore, Senate Bill 5, a law passed by the Texas Legislature this year amending the voter ID law to comply with a prior 5th Circuit ruling, takes effect in 2018, Paxton said. Paxton echoed the U.S. Department of Justice, saying the new law "eradicates any discriminatory effect or intent" and expands voter identification options.

DACA decision pleases AG

Attorney General Paxton on Sept. 5 applauded President Donald Trump's decision to phase out within the next six months the Deferred Action for Childhood Arrivals program created by President Barack Obama in 2012.

DACA granted lawful presence and work permits to nearly 800,000 people who were brought to the U.S. as children by foreign nationals. President Trump left it to Congress to pass a law by March 5, 2018, that would allow affected individuals to continue residing in the U.S.

Hegar reports on taxes

Texas Comptroller Glenn Hegar last week released the total of state revenues collected during the fiscal year that began Sept. 1, 2016, and ended Aug. 31, 2017. Hegar also posted a state revenue report for the month of August.

Sales tax revenue for the year was $28.9 billion, 0.3 percent ahead of the $28.8 billion projected in the January biennial revenue estimate, and general revenue-related revenue was $52.3 billion, or 1.2 percent ahead of the projection of $51.7 billion. State sales tax revenue for the month of August totaled $2.48 billion, 0.9 percent less than in August 2016, he said.

Also, Hegar reported that Texas' "all funds" tax collections for fiscal year 2017 came to $49.6 billion, or 0.2 percent less than his $49.7 billion projection, and all funds revenue totaled $111.2 billion, or 1.4 percent less than his $112.8 billion projection.

Revenue distribution set

Comptroller Hegar on Sept. 7 announced his office would send cities, counties, transit systems and special purpose taxing districts $668.3 million in local sales tax allocations for September, an amount 6.2 percent more than the Office of the Comptroller distributed in September 2016.

Allocations are based on sales made in July by businesses that report tax monthly.

Landlords Are Giving Hurricane Harvey Evacuees Eviction Notices and Demanding They Pay Rent
By Rafi Schwartz
Splinter News
September 12, 2017

Residents of Beaumont, TX, who fled Hurricane Harvey's path of destruction returned home expecting to find their homes and apartments damaged by the storm. But some local renters found something even more alarming: eviction notices.

"Unfortunately, the damage to your unit is so extensive that your unit has become totally unusable as a practical matter for residential purposes," a letter to residents of Sunlight Manor apartment complex, obtained by the Beaumont Enterprise, explained. According to the notice, (soon-to-be former) residents had just five days to move out. Any property left behind would be considered trash, and disposed of.

According to the Enterprise, the letters were not dated, and were discovered by some returning residents as early as last Wednesday. To make matters worse, in addition to kicking their renters out, the property management company was nevertheless demanding this month's rent.

"September rent is currently due," the letter reportedly stated. "However, due to the current circumstances there will be no late fees charged for the month of September."

Sunlight Manor, whose management company ITEX did not return the Enterprise's multiple requests for comment, is not unique in demanding rent from residents in spite of the devastation wrought by the storm. In Houston's St. James Apartments, Maria Soto said that moldy walls did not stop her rental agency from coming to collect.

"They told me I have to pay, and that if we don't, there will be an eviction," Soto told the Houston Press. "I have to pay for other stuff. I have to pay for clothes for the kids, shoes — all the shoes got wet. I have to buy new shoes for everybody. I've been looking for a new apartment for a week, but it's so expensive everywhere. And a lot of places say they don't want evictions."

While rental agencies clearly have an obligation to repair their damaged units, evictions—like those facing the residents of Sunlight Manor, and threatened against the St. James Apartment renters—could end up adding to the already massive number of Texans forced to relocate to shelters.

"This is not the right time to evict [renters]," Houston Mayor Sylvester Turner declared during a recent city council meeting. "There's not adequate housing for them to go to if they're evicted."

Speaking with the Press, Lone Star Legal Aid Litigation Director Rich Tomlinson explained that Texas' rental laws are skewed heavily to favor landlords, which grants them wide discretionary powers to determine when to break leases and evict tenants—or whether to keep tenants in their potentially damaged units while still demanding rent.

"If the place is a huge wreck, you can argue it's totally unusable," Tomlinson explained. "But there can be disagreements about that. Landlords might say it's not. And you owe the rent until the lease is terminated."

And it's not just renters who are at risk in the aftermath of Hurricane Harvey. According to Black Knight Financial Services, some 300,000 home owners may fall behind on their mortgages, with approximately half of them becoming seriously delinquent. And while Freddie Mac, Frannie Mae, and the Federal Housing Administration recently announced a temporary moratorium on evictions and foreclosures as a result of the storm, the possibility of late payments, growing interest on said payments, or homeowners who are simply unable to shoulder the cost of repairing their houses sets the stage for major problems down the road.

For renters at Sunlight Mannor, however, the problems are much more immediate.

"They took the rent," Erielle Templeton told the Enterprise. "And then kicked us out."

City crews work through Hurricane Harvey
By Kayla Meyer
PortLavacaWave
September 12, 2017

Several members of Port Lavaca's public works crew braved Hurricane Harvey to keep utilities up and running as long as possible

during the storm for residents.

Wade Cheek, the department's Texas Commission on Environmental Quality coordinator, said this past weekend was their first off in over three weeks.

"We worked 26 days straight," Cheek said.

Members of the group—six in all—would alternate between taking care of matters at work, heading home to handle personal matters, then going back to work. Some rode out the storm at the George Street public works location, sleeping on cots, when needed.

Those who stayed were Cheek; Carlos Castro, utility and maintenance foreman for the city; Blair Carter, who works at the convention and visitor center; Leslie Sidwell, lead wastewater operator; Eric Ybarra, lift station and maintenance worker; and Oscar Pena, public works director. Five crewmembers worked primarily with water and wastewater areas with Carter manning the phones at the Bauer Community Center, taking calls from anyone that might need assistance or need water, Pena said. All five rode the storm out at the wastewater plant.

Pena split his time between there and the service center on George Street.

"Those were the five that stayed to ensure that residents had good drinking water they came back and had a wastewater system up to take baths and flush toilets," Pena said.

Many of the days were long ones, with crewmembers working 16 to 17 hours a day, they said.

Prior to the storm, the crew isolated the 14-inch main water line into town and worked to keep water towers full. Crewmembers wore many hats during Harvey.

"We helped the wastewater department guys with lift stations," Castro said. "We helped make sure everything was running."

Castro said the crew anticipated problems, but did not expect some systems to go down entirely.

"There were a couple of leaks, and one big one, but we had to wait until Harvey was over with to fix them," Castro said.

Without power, it was up to the crew to keep the Guadalupe-Blanco River Authority updated on water data, Pena said, to ensure the city was not losing water, and later, complete the necessary testing to be able to rescind the boil water notice that was issued in the wake of Harvey.

After Harvey passed, the crew got generator power to the wastewater plant but had to use a diesel pump to push material through the lines at the lift stations, Pena said.

Port Lavaca City Manager Robert Bradshaw, Pena added, spent time with the crew observing and providing moral support to them, even out in the wet weather.

"And we had a lot of residents come by and thank the guys and bring food and we really appreciated all the help we got from the citizens," Pena said.

Port Aransas begins long road to recovery after Harvey
KVUE
September 12, 2017

PORT ARANSAS - Port Aransas was one of the hardest hit Texas towns when Hurricane Harvey made landfall.

More than two weeks after the storm, the town remains unrecognizable and covered in rubble and debris.

Hurricane Harvey was still gaining strength when it hit the Texas Gulf Coast with winds of 130 to 140 mph.

A small stretch of coastline including Rockport, Port Aransas, Aransas Pass, and Bayside suffered heavy damage and destruction of property.

Behringer's Landing Bar and Grill in Port Aransas was one of the businesses nearly destroyed in the storm.

“We pulled up in the parking lot and we just stood there are cried … it was all we could do,” the owner of the restaurant said.

The owner has vowed to rebuild.

“The one thing out of this whole bad situation is that it’s restored my faith in humanity," the owner said. "Just to see the kindness and caring everybody has for one another."

'The Aftermath of the Aftermath': Hurricanes Stretch Safety Net and Providers
Governing
September 12, 2017

In the days after a hurricane like Harvey, many people are faced with a question they may never have had to ask themselves: How will we eat?

That's why Texas is temporarily expanding the income limit for food stamps. The state is also temporarily expediting benefits, loosening restrictions on what people can buy with government aid, allowing schools to serve free meals to every student impacted by the hurricane -- regardless of their income -- and reimbursing people for food stamps that might have gone to waste because of the storm.

Anti-hunger advocates give the state and federal government's response to Harvey high marks in helping families cover food expenses at a time when many are homeless and unable to work.

"It's gratifying to see," says Jim Weill, president of the Food Research and Action Center, a national anti-hunger organization. The U.S. Department of Agriculture (USDA) "has responded quickly and effectively and appropriately to the crisis."

Still, experts in human services say Hurricanes Harvey and Irma -- which started battering Florida on Sunday -- are sure to strain health and welfare agencies in the months ahead. After a natural disaster, there is typically a surge in demand for government aid and services as people start to rebuild their lives. For residents who were already struggling to find employment and pay basic expenses, an environmental disaster only exacerbates their situation.

“One of the reasons that the safety net is so crucial is that the consequences of a major disaster hit the hardest the people who have the least,” says Olivia Golden, executive director of the Center for Law and Social Policy.

Five years ago, when Hurricane Sandy swept through New York City and parts of New Jersey, state and local human services departments signed up more than half a million households for short-term emergency food subsidies.

Galveston, Texas, which was hit by Harvey and also by Ike in 2008, lost many low-income and elderly residents after Ike because, according to fair housing advocates, the local government dragged its feet for years in rebuilding more than 500 public housing units. Brian Maxwell, the city manager, also attributes the loss of low-income residents to transit (or a lack thereof after Ike).

“When you rely on transit to get to your job,” Maxwell said, “you’re not going to keep your job if you can’t get there.”

After Hurricane Katrina, local hospitals saw an increased need for health and mental health services, says Andre Perry, a fellow in the Metropolitan Policy Program at the Brookings Institution. A hurricane exposes people to a variety of traumas, from watching their houses flood to witnessing people die.

“It can give people suicidal thoughts,” says Perry.

After a disaster, much of the public attention focuses on short-term services to address immediate needs, he says, but states need to be ready to deal with the long-term psychological toll of the storm, too.

“I call it the aftermath of the aftermath,” says Katie Olse, executive director of the Texas Alliance for Child and Family Services, a statewide nonprofit. “This is going to be a very long road for us in Texas.”

The hurricanes will take a particularly harsh toll on children and the people who care for them, says Olse. The foster care system already had a shortage of foster parents. The storm is likely to worsen it.

“If a couple was thinking about becoming foster parents, and they lost their home, that might have to go to the back burner,” says Olse.

Child Care Aware of America, a national nonprofit funded by the U.S. Department of Health and Human Services, has been surveying its members in the Houston area to see how the hurricane affected them. Of the 630 child care providers that have responded so far, about 10 percent say they've experienced major damage or saw their facilities completely destroyed. Almost three-quarters of the surveyed providers accept low-income families receiving federal child care subsidies.

In many instances, social service providers have to help clients while dealing with the storm's impact on their own lives.

"A lot of our caseworkers and a lot of people who do the frontline work are not financially well-off," says Russell Sykes of the American Public Human Services Association. "When something like this happens, they're working 24/7, and they may be in the same situations as their clients."

Golden, who visited New Orleans after Hurricane Katrina, remembers meeting frontline workers whose houses had flooded or who had family members camping on their floors.

"It's a real test of the strength of the whole safety net," says Sykes. "I hope what comes of it is a better understanding of how important these programs are."

Since Harvey hit, Texas has taken the following actions to help people affected by the storm:

- Approved additional emergency funds through Disaster SNAP, a temporary program that serves people affected by a natural disaster who wouldn't qualify under SNAP's normal income eligibility rules. Though the program is available to people making slightly more money, it is still limited to near-poor households. For a three-person household, for example, the gross income limit in most states is $2,354 per month, which translates to $28,248 a year.
- Announced it would replace a month's worth of benefits from the Supplemental Nutrition Assistance Program (SNAP) for more than 716,000 families in 58 counties whose groceries might have perished during the storm.
- expedited another $160 million in food benefits that were scheduled to be issued later in the month
- waived a ban on using SNAP benefits for hot foods
- provided a six-month extension for households who would have had to apply for renewed benefits in September
- loosened rules on what types of foods families can buy with benefits from another nutrition program called WIC (Women, Infants and Children)
- allowed schools to serve free breakfast, lunch and after-school meals to children from evacuated parts of the state

After Hurricane Harvey, families begin recovery in Texas
World Vision
September 11, 2017

In the aftermath of Hurricane Harvey, World Vision began working with partners in the Houston area to distribute relief supplies. Families across the region came for help, and we spoke with several about their experience with the storm. Read some of their stories here, and continue to pray for them and everyone affected by the storm.

Texas congressman concerned about Beaumont prisoners after Harvey
By Jolie McCullough
Texas Tribune
September 11, 2017

Amid unverified reports of dangerous water shortages and overflowing sewage at Beaumont prisons after Hurricane Harvey, a Texas congressman is seeking answers from the federal government.

"Due to several reports of alarming conditions at the Beaumont facility, I have inquired with the Federal Bureau of Prisons to express my concern and obtain clarification about what actions are being undertaken to protect the wellbeing of prisoners and staff and to restore the facility to pre-disaster conditions," U.S. Rep. Lloyd Doggett, D-Austin, said in a news release issued by Grassroots Leadership, a prisoners' rights group.

There are three federal and three state prisons in Beaumont, a Southeast Texas city that flooded in the aftermath of Hurricane Harvey and lost its water supply for about a week. Voluntary and mandatory evacuations were ordered in parts of the city and its surrounding areas, but prisoners stayed put.

In the days of the water shortage, horror stories from prisoners began to detail overflowing toilets, people defecating in bags, water leaks in buildings and shortages of food and water. The reports are unverified, and prison officials have said conditions remained safe

at the prisons.

The Federal Bureau of Prisons said in a statement last week that there was some flooding at its Beaumont prison complex but not where inmates were housed. The bureau also reported intermittent power outages for a day, but emphasized that the complex was able to run on its own reserve water and had "ample" bottled water and food for inmates and staff.

The Texas Department of Criminal Justice, which runs three state prisons in the city, brought in tanker trucks of water, 270,000 bottles of water and portable toilets during the water shortage, said spokesman Jason Clark. He added that none of the state prisons in Beaumont flooded, which is the factor used in determining evacuation orders.

But advocacy groups tend to believe inmates over prison officials. Grassroots Leadership organizer Jorge Renaud said it's better to "default on the side of the vulnerable populations."

"When things rise of the level of someone actually being woken up to say something about a condition ... and is willing to go on the record, it's usually indicative of quite a few more inside who are actually experiencing the same stuff," Renaud said.

The Texas Civil Rights Project is going into the prisons this week to interview prisoners, document their stories and observe firsthand what at least part of the facilities look like after the storm, said Zenén Pérez, the group's spokesman.

Although the Beaumont units kept their inmates during the storm, five state prisons south of Houston were evacuated. Nearly 6,000 inmates from units near the flooding-prone Brazos River were moved to other prison facilities around the state and more than 150 Beaumont parolees were moved into one of the prisons in the same city, Clark said. Two of the evacuated prisons have been repopulated, but about 4,500 inmates still remain sheltered in gyms and open areas of other prisons.

ENVIRONMENT/HEALTH CONCERNS

Hurricane Harvey contaminate livestock water supplies
KRISTV
September 12, 2017

According to the U.S. Department of Agriculture, Texas farmers and ranchers have lost more than 1 million cattle that were in the disaster area affected by Hurricane Harvey. As the recovery efforts continue, livestock owners should be aware of salt poisoning and water salinity concerns.

"After the storm we began testing water where we felt the water could have high salinity. After we determined there could be problems associated with the water on ranches between Aransas Pass and Rockport after Harvey, we began calling cattle producers to give them some one-on-one consultations," said San Patricio County Agrilife Extension agent Bobby McCool.

Livestock producers worked around the clock to move livestock from the storm's flood waters. At this time, the cattle have survived the storm and the flooding, but with salt water mixing with fresh flood water, the cattle are left with undrinkable brackish water. Livestock owners along the Texas coast should get a salinity test or a salinity meter to check for high levels of salinity.

"The amount of drinkable water should be limited to cattle that have been in flooded water for a long period of time. Typically, anything less than 7,000 parts per million (ppm), although it is not ideal, will be safe for livestock to drink. We prefer that to be less than 5,000 ppm," said Texas A&M Agrilife Extension agent Joe Paschal.

Although cattle can survive for days without food, a supply of clean, fresh water is essential to keep animals alive following a disaster. Generally, cattle can survive for a few days without water since they store some.

Don't be in a hurry to fill them up. Don't let them gorge on water. Give cattle maybe a gallon or two every hour or so and look for signs of salt toxicity, that will include incoordination, staggering or even laying down.

In very severe cases, they might even be walking around on their joints rather than on their feet. If the case is that severe, they will need veterinary attention.

"In less severe cases, cattle can be recovered with smaller amounts of water over a period of several hours," said Paschal.

Calves are more susceptible to salt toxicity. Lactation, hot weather and exertion increase water intake and make adult animals more susceptible to salt toxicity.

"Cattle that are really thirsty will gorge on water, and you'll start to see these toxic effects of having too much water too quickly. The cattle will normally drink about a gallon of water per hundred pounds of body weight during the day," said McCool.

Ranchers should also keep an eye on their livestock that have been in standing water for a long period of time, because their livestock can develop feet and leg problems.

"Water is sort of corrosive on tissues. It affects circulation. It will affect the blood vessels in terms of vessel constriction if the water is particularly cold," said Paschal.

During this time, ranchers are urged to be observant for any kind of feet and leg issues as livestock are moved back to their pastures.

Tests reveal extremely toxic floodwater in Houston after Hurricane Harvey
WGNTV
September 12, 2017

(HOUSTON, TX) Some of the flooding left behind by Hurricane Harvey is now making people sick.

The New York Times reports it had the high water in two Houston neighborhoods tested.

One site had levels of e-coli that were 135 times what is considered safe.

Elevated levels of lead, arsenic and other heavy metals were also found.

Some of the highest levels are being found in water inside homes.

Experts say the conditions are ideal for bacteria to grow because it's warmer inside homes and the water has been stagnate for days.

The Environmental Protection Agency said on Monday that 40 of 1,219 such plants in the area were not working.

Hospital workers say more people are showing up with skin infections, which can be treated with antibiotics.

Dr. Beau Briese, an emergency room physician at Houston Methodist Hospital, told the Times he has seen a doubling in the number of cases of cellulitis (reddened skin infections) since the storm. He said the infections had been successfully treated with antibiotics.

Dr. David Persse, the chief medical officer of Houston, said residents caring for children, the elderly and those with immune disorders should try to keep them out of homes until they have been cleaned.

GOVERNMENT/ POLITICS/FLOOD INSURANCE

House Approves Harvey Relief Bill among Debt Ceiling Controversy
News Press
September 12, 2017

Senate Republicans have nearly doubled the size of the disaster relief package for Harvey to more than $15 billion, a first installment to help communities in Texas rebuild from the storm - and stock reserves for looming damage from Hurricane Irma. It also allows the government to both borrow money and maintain funding through December 8.

Conservatives in the House have balked at the scope of the Trump-brokered deal, which attached two, crucial fiscal measures, calling it a win for Senate Minority Leader Chuck Schumer and House Minority Leader Nancy Pelosi.

Majority Leader Mitch McConnell's midnight move added $7.4 billion in community development block grant funds to a House-passed $7.9 billion measure providing an emergency replenishment for disaster aid coffers.

"This is an embarrassing moment for a Republican controlled Congress and a Republican controlled administration", said Sen.

"I'm certainly not voting against helping the people of Texas and Florida and those disasters", said Sen.

The deal made things hard for Republicans who wanted to support Harvey aid but who opposed raising the debt limit without any spending cuts. Ben Sasse (R-NE) to decouple the debt limit increase and the temporary budget from the Harvey aid.

"For many years people have been talking about getting rid of debt ceiling altogether, and there are a lot of good reasons to do that", the President said during a photo op at the White House.

Ryan said that the president didn't want to have "some partisan fight in the middle of the response".

Senator Ted Cruz, a Republican from Texas, the state which bore the brunt of devastation from Hurricane Harvey, said it was "unfortunate" that leaders tied the relief bill to funding and debt ceiling extensions.

The Senate vote comes a day after Trump shocked GOP leaders by siding with top Democrats Sen.

BUSINESS & ECONOMY

Harvey's flooding blamed in major gasoline spill in Texas
By Matthew Brown
Click Houston
September 12, 2017

HOUSTON - Hurricane Harvey's floodwaters triggered a spill of almost a half-million gallons of gasoline from two storage tanks along the Houston Ship Channel, marking the largest spill reported to date from a storm that slammed into the heart of Texas' huge petrochemical industry.

The spill measured 10,988 barrels, or more than 461,000 gallons, and occurred at a petroleum tank farm in Galena Park operated by Magellan Midstream Partners, according to the Oklahoma-based company and accident reports submitted to federal officials.

Some of the spilled fuel flowed into a waterway adjacent to the ship channel, a heavily-industrialized area that's lined with dozens of petrochemical facilities, the reports said.

Gasoline is more volatile than oil, meaning it evaporates more quickly after it's spilled. But it's also more likely to catch fire and can more rapidly penetrate the soil and potentially contaminate groundwater supplies.

Magellan spokesman Bruce Heine said the gasoline that reached the small, unnamed waterway had been contained. The spilled fuel was sprayed with foam to prevent it from releasing harmful vapors, he said.

"Federal and state regulators have been on-site during the recovery and clean-up procedures," Heine said. "Clean-up activities at the facility are continuing and we are currently removing and replacing affected soil."

The U.S. Environmental Protection Agency said in an emailed statement that it was not aware of any environmental damage from the spill outside of Magellan's Galena Park facility. The agency said there was a chance the gasoline would enter the ship channel but agency personnel were not aware of that happening.

The Texas Commission on Environmental Quality planned to investigate the accident to determine if Magellan had complied with its operating permit and state rules that require the company to disclose any air pollution emitted by the spilled gasoline, CEQ spokeswoman Andrea Morrow said.

Environmentalists criticized officials for not being proactive in publicizing the spill and warning Houston-area residents that it had occurred.

Luke Metzger, director of Environment Texas, said the group had received anecdotal reports of people in the Houston area suffering headaches, respiratory problems and other symptoms associated with exposure to chemicals in contaminated floodwaters.

"They ought to know exactly how much gasoline was spilled, where it is now, how the state is containing it, and whether they should worry about any ongoing public health threats," said Kara Cook-Schultz with the advocacy group TexPIRG.

The spill was first reported to state and federal officials on Aug. 31, but no volume was given at that time. The company later that day reported the spill was 1,000 barrels. In a report filed last week and released Monday, Magellan put the spill more than 10 times higher at 10,988 barrels. That's equivalent to the combined volume of about 51 tanker trucks used to deliver gasoline to service stations.

Heine said state and federal regulators had been notified promptly of the company's best assessments of the volume.

The Associated Press has identified more than two dozen spills from fuel and chemical tanks that failed during Harvey. At least 14 tanks failed when their roofs sank under the weight of Harvey's unprecedented rainfall. Others were swept away by floodwaters.

Including the Magellan spill, the accidents have released more than 600,000 gallons of fuel.

Heine said what happened with Magellan's tanks was "related to flooding associated with the hurricane," but would not elaborate and said the cause was still under investigation.

Government regulations do not require tank owners to take specific steps to make the tanks flood resistant, although researchers have warned for years that they are prone to break open during severe hurricanes. In 2005 during Hurricane Katrina storage tank failures spilled millions of gallons of fuel into floodwaters.

FEMA hiring Texas residents after Hurricane Harvey
By Lea Wilson
Click Houston
September 12, 2017

FEMA is hiring workers across Texas.

In partnership with the state of Texas, the agency is hiring for administrative, logistical and technical jobs related to hurricane recovery.

Those hired will join the recovery team made up of local, state and federal workers, voluntary agencies and community organizations that is already in place.

Through temporary local employees, FEMA hopes to gain community insights and provide jobs that put Texans to work helping Texans, the agency said.

Some of the jobs pay between $14 and $34 per hour and include administrative support assistant, civil engineer, communications specialist, construction cost estimator, courier, crisis counselor, customer service specialist, environmental specialist, floodplain management specialist, graphics specialist, hazard mitigation outreach specialist, historic preservation specialist, registered nurse and voluntary agency liaison, among others.

To apply for a position with FEMA, candidates must first register through the Texas Workforce Commission's website.

FEMA plans to announce more jobs in the near future.

'Texas Strong': popular corn maze attraction wiped out by Harvey is back
By Matthew Martinez
Star-Telegram
September 12, 2017

LA VERNIA — This tiny town just east of San Antonio didn't receive near the level of devastation that Gulf Coast communities did from Hurricane Harvey, but the storm's high winds and rains did flatten the community's popular autumn attraction — a 15-acre corn maze field.

But Circle N Maze is "Texas Strong."

The corn maze attraction is honoring victims of Hurricane Harvey with its new maze design, located on an adjacent field and set to open Sept. 23. A portion of this season's proceeds will go toward Harvey relief, according to a news release.

"Seeing all of Texas come together after Harvey was inspiring," said Caylin Herley of Circle N. "Hopefully this reminds folks out there that Texas still has a long way to go when it comes to rebuilding, especially the Texas coast."

The maze in the shape of Texas has "Texas Strong" carved into its trails and contains both a 2.5-mile maze and a .3-mile maze for children.

Admission is $10 if you find yourself in the area one weekend before the end of October.

Hurricane Harvey Prompts Minimal, Not Material Delays In Energy Dealmaking
By Chad Watt, Hana Askren and Marlene Givant Star
Forbes
September 12, 2017

Energy businesses and other companies based in the Houston area will experience minimal, not material delays, as Southeast Texas recovers from damage caused by Hurricane Harvey, according to industry executives and investment bankers.

The Houston area is corporate headquarters for Fortune 500 energy companies including Phillips 66, ConocoPhillips, Enterprise Products Partners, Plains GP Holdings, Halliburton, Kinder Morgan, Occidental Petroleum, EOG Resources, Apache Corp., and Anadarko Petroleum. It also is a major hub for energy supermajors ExxonMobil, Royal Dutch Shell and Chevron.

Most companies are still assessing the impact of the storm on their businesses, and that is a secondary priority to checking and helping people in their businesses who have been affected.

Kevin Boyle, CFO of Houston-based FloWorks, said Hurricane Harvey's impact on the company has been very minor. FloWorks distributes specialty industrial pipe, valves, and fittings ("PVF") and related technical solutions to the energy and industrial sectors.

"We were the first PVF to reopen. That put us in a strong strategic position," he said. "This may end up turning into a positive, as unfortunate as that is." He added that the company's priority is to help its own employees who have been affected by the storm.

The company's two large publicly traded competitors, MRC Global and Distribution NOW, are also headquartered in Houston, he noted.

An upstream energy investment banker said that large energy corporations have generally reported disruptions, but not damage to their operations in the Gulf of Mexico and South Texas oilfields. The biggest factor there again is people — making sure that employees have their personal needs in hand before focusing back to work, he said. Added the oil services executive: "It's more about people trying to get their lives together."

Perhaps M&A deals that were set to close could be delayed, if both parties are based in Houston, "but I don't see a big impact," said a midstream investment banker, based in New York. The Houston-based upstream banker echoed that, saying, "It's reasonable to expect a week or two backlog as people clear up their situations." But the flooding and related damage won't delay announced deals or deals in the works in a material way, he said. The midstream banker said he is working on a deal with an energy company based outside of Texas, so there has been no slowdown for him.

And Oasis Petroleum, a Houston-based energy company, didn't let storms slow it down. Oasis successfully launched an initial public offering of Oasis Midstream, its pipeline subsidiary on September 11, two weeks after Harvey made landfall on the Texas coast.

Oasis Midstream was looking to raise about $150 million by selling about 27% of the company in the IPO.

An oil services executive, also based in Houston, said business is moving slowly in his city. "The whole city is running on delays — some schools may be closing for upwards of three weeks," he said. "I doubt companies will report anything until their Q3 earnings, and I don't think there will be a big impact for most," the executive said.

The US energy sector has seen 111 deals announced this year that have yet to close, worth a total of $ 76.7 billion, according to the Mergermarket database.

HUMAN INTEREST & COMMUNITY OUTREACH

How Louisiana's breweries are helping Harvey victims
By Karlos Knott
The Advertiser
September 12, 2017

A friend of mine, who just move to Texas a few weeks prior to Hurricane Harvey's landfall posted a photo he took from a grocery store — the shelves were bare where the bottled water was, but the beer shelves were still full. He commented on the photo, "Texans don't know how to stock up for a hurricane, in Louisiana the beer shelves would be empty, and the water fully stocked."

Louisianans do prepare a bit differently for approaching disasters than folks in the rest of the country. Instead of canned meats,

crackers, dried fruit and drinking water, most of us are at the meat market looking at boneless stuffed chickens; stuffed pork chops, jalapeno poppers stuffed with boudin, and will stop for some extra beer on the way home.

And as the national news reported after Harvey slammed Texas, we respond differently after too. While Louisiana's Cajun Navy was selflessly rescuing Texans from the aftermath of Hurricane Harvey, The Cajun Gravy was making sure first responders were well fed. The Cajun Gravy cooked up well-known Louisiana dishes, including things like jambalaya and red beans and rice.

One of the volunteers was Brett Dunham, who is working to open a brewpub called La Chien Brewing Company in Baton Rouge.

Louisiana's breweries have organized a number of events to raise money or collect supplies for the Hurricane Harvey relief. Parish Brewing in Broussard is said to be partnering with SpindleTap Brewery in Houston and Drink of Ages to produce a beer that will be called Operation Juice Drop. All proceeds will go to the victims of the devastating floods from Hurricane Harvey.

During their Peanut Butter Korova Porter Release Party, Gnarly Barley was a drop off point for donations and supplies. They also collected monetary donations that went straight to Cajun Gravy's efforts to supply hot meals for first responders and rescued victims. Baton Rouge's Tin Roof Brewing teamed up as well, and their tap room became a spot to drop off the much needed supplies.

NOLA Brewing raised two thousand dollars selling some of their classic and collectable taphandles and a dollar for each pint of beer sold in their taproom. Abita Brewing donated 6,720 bottles of Seasonal Soda to the Better Than Ezra Foundation as part of their Fill the Truck fundraiser.

The list of Louisiana breweries working to help out is longer than I have space for in this column — and there is still work to do. Several Louisiana Craft Breweries have announced that to kick off Louisiana Craft Brewers Week, which is from Sept. 18-24, they will be donating two dollars from each pint sold in their taprooms this weekend to the Houston Food Bank. Abita Brewing Company, located in Abita Springs has announced they are participating, as has Royal Brewing in New Orleans. Bayou Teche Brewing in Arnaudville will be donating two dollars from each pint poured from their taproom this weekend too, and other breweries may still sign up. The Houston Food Bank says the best thing for them right now is donations of money designated for their disaster relief and recovery efforts.

So check out the usual places on social media and see if you're local brewery is hosting a fundraising event for Hurricane Harvey Relief. Go and buy a pint of beer or two, and have a great time — you'll be helping the brewers in Louisiana raise money for the Houston Food Bank, The Cajun Gravy, and the other wonderful charities helping out our neighbors in Texas.

Firefighters, donors aid Hurricane Harvey victims
Argus-Courier
September 12, 2017

Local firefighters recently deployed with members of other Arkansas Fire Boat departments to aid victims of Hurricane Harvey in Texas.

Jessieville's crew deployed Aug. 30 to a staging center in College Station, Texas, Jessieville fire captain Ricky Garrett said. Participants were Buckville fire chief Tommy Scott and Jessieville volunteers David Harper and John Weaver.

Once in College Station, each team received specific orders.

After receiving notification the night of Aug. 28 that Arkansas Fire Boat teams would be participating, Garrett went to area stores to seek donations.

"These people (Texas hurricane victims) are really hurting right now," he said. "My Lord blesses me every day. He just put it on my heart to help. This is how we show the love of God, through helping other people."

Donors have been very generous to the victims, Garrett said.

Last Thursday, Garrett, who is also a Garland County Sheriff's Department deputy, drove a large load of donated goods to the United Way of the Ouachitas for distribution.

The Jessieville firefighters were among teams from Clay County Rescue/Dive Team, Conway County Rescue, Haskell Fire Department, Heber Springs Fire Department, Hot Springs Fire Department, Joplin Volunteer Fire Department, Lake Village Fire Department, Marion County Emergency Rescue, Mount Ida Fire Department, Technical Rescue Systems, Van Buren County Rescue Squad, Van Buren County OEM, and the Yell County Dive Team.

Sixteen boats and 54 firefighters and other first responders participated.

Hot Springs Village firefighters were prepared to go, but never received deployment orders, Fire Chief Jason Miller said last Thursday. Garrett said volunteers might receive orders for future deployment after the first round, possibly for Hurricane Irma.
The Arkansas Forestry Commission established the Arkansas Fire Boat Committee to help distribute fire boats from the Rural Fire Program in Greenbrier.

The committee provides and requires training for all crews that request and receive a fire boat from the Forestry Commission. The fire boat school has come to include agencies, fire departments and emergency crews from across the state, as well as Texas, Louisiana and Mississippi

Grandview Elem., community members collect water for Hurricane Harvey victims
By News Channel 11 Staff
WJHL
September 12, 2017

WASHINGTON COUNTY, TN (WJHL) – Students at Grandview Elementary in Washington County, TN are filling up a tractor trailer with cases of bottled water to send to victims of Hurricane Harvey in Houston.

Grandview eighth-grader Derek Onks came up with the idea and rallied the troops. He and his mom talked to the principal and put the wheels in motion.

"We just saw pictures of the victims and what happened down there. [My mom and I] wanted to do something about it," said Onks.

The trailer is parked at the school and for the past week community members, churches and classes have pitched in to pack the truck full bottled water.

Collections will continue through 7:00 p.m. on Tuesday. You can drop off at Grandview Elementary School in the parking lot.

Driven Brands Partners with Company Charity for Hurricane Relief
Tire Review
September 12, 2017

The Driven Brands Charitable Foundation (DBCF) has partnered with parent company Driven Brands' retail automotive brands to help raise funds for Hurricane Harvey and Hurricane Irma relief through the American Red Cross. Participating companies include CARSTAR Auto Body Repair Experts, Maaco, Meineke Car Care Centers, Take 5 Oil Change and 1-800 Radiator & AC.

Franchisees, employees, vendor partners, and customers can visit the Driven Brands Charitable Foundation site or any of the participating brand websites to donate. Proceeds will benefit the American Red Cross relief efforts in both regions.

"Hurricane Harvey continues to have a devastating impact on Texas and Louisiana, while we are just seeing the impact on Florida," said Noah Pollack, executive vice president and general counsel for Driven Brands. "Our thoughts are with our franchisees, their staffs and families in the storm zones and the millions of people whose lives have been disrupted by rain, wind and floods and who are now facing a lengthy cleanup and restoration."

Local restaurants cook up Texas-style food fundraiser to help victims of Hurricane Harvey
By Frances Weller
WECT
September 12, 2017

WILMINGTON, NC (WECT) - William Mellon and James Smith have two things in common: they're both from Texas and both own restaurants in Wilmington.

Mellon owns Manna in downtown Wilmington. Smith owns Fork 'n Cork, also downtown, and Smoke on the Water in the new River Lights development.

Monday, September 18, the two will combine some of their popular dishes to cook up a fundraiser for the victims of Hurricane Harvey

in Houston, Texas.

"Initially I wanted to help drive supplies to the area but a personal affair prevented me from doing that," said Mellon who is from Corpus Christi, Texas. "I made a plea for help on Facebook and a fellow Texan and restaurateur, James Smith devised the plan."

Mellon says they hope to raise a lot of money serving up Texas-style food such as beef briskets, sausage and chicken. The food will be available to the public for a donation. There will also be live music.

The event will be held from 4 p.m. to 9 p.m. at Smoke on the Water.

Los Lonely Boys Headline Benefit Concert for Hurricane Harvey in San Angelo Oct. 8
By Joe Hyde
LIVE
September 12, 2017

SAN ANGELO, TX — The Los Lonely Boys will perform a Hurricane Harvey Benefit concert at the San Angelo RiverStage Oct. 8. The gates open at 6 p.m. and the concert starts at 7 p.m.

The general admission ticket price is just $10. All ticket proceeds, except the facility and service fees, will be donated to the Houston-based Robin's Heart Foundation earmarked specifically for Hurricane Harvey relief.

Los Lonely Boys are San Angelo's Garza brothers. The trio includes Henry Garza, the lead guitarist and vocalist; Ringo, vocals, and drums; and JoJo on bass and vocals.

Their sound is best described as "American Chicano power rock," or as the Boys call it, "Texican Rock." If you ever see them play, regardless of your music preferences, you will be amazed with Henry's keen ability to wail on the blues with electric guitar. He's a natural.

Their first single, "Heaven," blasted into the Adult Contemporary charts, topping at #16 on the Billboard Hot 100, and #11 on the Top 40 chart. The song earned the Boys a Grammy in 2005 for Best Pop Performance by a Duo or Group with Vocal.

Lehigh Valley all-star concert to raise funds for Hurricane Harvey relief
By John J. Moser
TheMorningCall
September 12, 2017

An all-star concert of local talent on Sunday will raise funds for relief efforts for victims of Hurricane Harvey in Texas.

The Harvey Relief concert, with performances by Scott Marshall, Cunningham & Associates, The Dana Gaynor Band and others will be from 2-7 p.m. Sept. 17 at TLC Temple Theatre, 1524 W. Linden St., Allentown.

Tickets, at $15, will be available at the door. Ages 5 and younger will be free.

Barbecue, snacks, soda and water will be available for purchase. The event will be BYO, but it will be an all-ages event, and attendees are asked to be responsible and bring no more than one bottle of wine or one six-pack per person.

The event is being organized by Thirteen Butterflies Productions, a Lehigh Valley talent management company, and The Lesson Center, the music education and lesson school with locations in Bethlehem, Coopersburg, Northampton and Trexlertown.

Other performers slated are Billy Bauer, Every Other Sunday with Erin Kelly, East Coast Sound Brass, Beautiful Distortion, Band of Brothers, Will Kiss You and students of The Lesson Center.

Hurricane Harvey made landfall in Texas on Aug. 25 and caused at least 69 deaths, displaced 30,000 people and caused billions of dollars of property damage.

Proceeds from the concert will go to relief efforts by the JJ Watt Texas Flood Relief Fund.

Local volunteers head to Texas to help hurricane victims

KATU
September 12, 2017

PORTLAND, Ore. – After Hurricane Harvey hit Texas with an extreme amount of rain, help is now pouring in from all over – including the Portland area.

A group known as Northwest Baptist Disaster Relief is heading to Texas Tuesday to help in the wake of Harvey.

Fifteen people will staff a kitchen that serves 22,000 meals a day to those displaced by the hurricane.

"It breaks your heart to start with to see the people in such need. And we're a Christian organization, you know? We spend time with them. We sit and listen to the people's stories all the time about how broken they are and if we can help them through prayer, or giving them a meal, a cold glass of water in Jesus' name, that's what we do," said Dave Hillison, regional coordinator of Southern Baptist Disaster Relief.

Hillison and his group will spend two weeks in Houston and might also head to Florida after Irma.

Harvey And Irma Relief: George Strait-led Benefit Telethon with Big Names Tuesday Night
By Scott McDonald
Patch
September 11, 2017

HOUSTON, TX — Several country music artists who've made a living singing songs about Texas will give back Tuesday night in a nationally-televised concert from deep in the heart of the Lone Star State. The legendary George Strait headlines the "Hand In Hand" benefit telethon for relief efforts in the aftermath of Hurricane Harvey, which devastated the Texas coast and, well, downright messed with Texas. After the announcement of the show, Hurricane Irma slammed Florida, so organizers will now make sure funds go in the direction of each storm.

The live show from San Antonio's Majestic Theatre will begin at 8 p.m. ET (7 p.m. CT), and will be broadcast live on ABC, CBS, CMT, Fox, NBC and several other outlets that include Bravo, HBO, MTV, Oxygen, AOL, Facebook, Twitter, YouTube and more.

Among the country music star power taking the stage Tuesday will be Miranda Lambert, Blake Shelton, Chris Stapleton and Texas originals Lyle Lovitt and Robert Earl Keen. Houston's own Beyoncé will be a part of the telethon, which is in addition to her boots on the ground effort in town the last few days. Drake and Sean "Diddy" Combs will bring a hip-hop flair, and actors/actresses include George Clooney, Tom Hanks, Billy Crystal, Adam Sandler, Dennis Quaid, Julia Roberts, Robert De Niro, Nicole Kidman and Reese Witherspoon.

(For more local news, click here to sign up for real-time news alerts and newsletters from Midtown Houston Patch, and click here to find your local Texas Patch. If you have an iPhone, click here to get the free Patch iPhone app.)

Talk show figures include Oprah Winfrey, Houston's Michael Strahan, Ellen DeGeneres, Ryan Seacrest, Jay Leno and Jimmy Fallon. Other entertainers include Gwen Stefani, Jamie Foxx, David Spade, Tyler Perry, Norah O'Donnell, Eva Longoria and many more.

The telethon will actually run concurrently from New York City, Los Angeles and Nashville, and will end with Strait and the gang from San Antonio, which was also affected by Harvey's rainfall.

The Cavender Auto Family is the main sponsor, which ensures all proceeds from the show will benefit the Rebuild Texas Fund.

"Proceeds from the one-hour telethon will benefit United Way of Greater Houston, Habitat for Humanity, Save the Children, Direct Relief, Feeding Texas, The Mayor's Fund for Hurricane Harvey Relief (administered by the Greater Houston Community Fund) and RebuildTx.org through the Hand in Hand Hurricane Harvey Relief Fund managed by Comic Relief Inc.," it states on the event's website.

MISCELLANEOUS

TX Attorney General files suit against three businesses for price gouging during Harvey
By Whitney Mayfield
KLTV
September 12, 2017

AUSTIN, TX - From the Texas Attorney General's Office:

Attorney General Ken Paxton today filed lawsuits against three Texas businesses, accusing them of unlawful price gouging while consumers were in need of fuel, shelter and other essentials as a result of Hurricane Harvey.

"It's unconscionable that any business would take advantage of Texans at their most vulnerable – those who are displaced from their homes, have limited resources, and are in desperate need of fuel, shelter and the basic necessities of life," Attorney General Paxton said. "Texas has tough price gouging laws, and my office will continue to aggressively investigate and prosecute cases arising from Hurricane Harvey."

Texas law prohibits vendors from charging exorbitant prices for necessities such as drinking water, food, clothing, and fuel during a declared disaster. The attorney general named the following defendants in Hurricane Harvey price gouging lawsuits:

- Robstown Enterprises, Inc., doing business as Best Western Plus Tropic Inn. The Robstown-based hotel allegedly charged three times its normal room rate the weekend Hurricane Harvey hit. As a result, Best Western has since ended its relationship with Robstown Enterprises.
- Bains Brothers, owners of Texaco-branded gas stations in the Dallas-Fort Worth area. Two of the stations allegedly charged $6.99 a gallon for regular unleaded gas on Aug. 31, even while displaying signs with prices in the $3-$4 range.
- Encinal Fuel Stop, a Chevron-branded gas station just outside Laredo, allegedly charged customers $8.99 and $9.99 a gallon for regular unleaded gas on Aug. 31.

A finding of price gouging carries civil penalties up to $20,000 for each violation and an additional amount of up to $250,000 for incidents calculated to acquire money from victims 65 or older. To date, the Consumer Protection Divison of the attorney general's office has received 3,321 Hurricane Harvey price gouging complaints.

Texans in affected counties who believe they've been scammed or price gouged should call the attorney general's Consumer Protection Hotline toll-free at (800) 621-0508, email consumeremergency@oag.texas.gov, or file a complaint online at https://www.texasattorneygeneral.gov/cpd/file-a-consumer-complaint.

Texas AG files first 3 price gouging lawsuits
FOX4
September 12, 2017

DALLAS - Texas Attorney General Ken Paxton has filed several lawsuits against Texas businesses that allegedly gouged consumers who needed food, shelter, fuel and other essentials during Hurricane Harvey.

One of the businesses based in North Texas was caught allegedly charging drivers $6.99 for a gallon of regular unleaded gas on Aug. 31, the day many drivers reported shortages at the pumps.

According to a release from attorney general's office, state law prohibits businesses from charging exorbitant amounts during a declared disaster.

The Bains Brothers, who own Texaco-branded gas station in Arlington, Carrollton and Richardson, were accused of charging the higher price even while displaying signs with prices in the $3-$4 range.

Additional lawsuits were filed against Encinal Fuel Stop, a Chevron-branded gas station just outside Laredo. It allegedly charged customers $8.99 and $9.99 a gallon for regular unleaded gas on the same day.

And in Robstown near Corpus Christi, the Best Western Plus Tropic Inn allegedly charged three times its normal room rate the weekend Hurricane Harvey hit. Best Western has since ended its relationship with the hotel's owner, Robstown Enterprises.

"It's unconscionable that any business would take advantage of Texans at their most vulnerable those who are displaced from their homes, have limited resources, and are in desperate need of fuel, shelter and the basic necessities of life," Paxton said. "Texas has tough price gouging laws, and my office will continue to aggressively investigate and prosecute cases arising from Hurricane Harvey."

The three lawsuits are likely just the first of many as the attorney general's office sorts through more than 3,000 consumer complaints related to Hurricane Harvey.

Texans who believe they've been scammed or price gouged are encouraged to call the AG's Consumer Protection Hotline at 1-800-621-0508, email consumeremergency@oag.texas.gov, or file a complaint online at www.texasattorneygeneral.gov/cpd/file-a-consumer-complaint.

Price gouging carries a civil penalties of up to $20,000 for each violation. The penalties are even higher if the victims are senior citizens.

Did you get ripped off when gas prices soared during Harvey? You're not alone
Star-Telegram
September 12, 2017

Texas Attorney General Ken Paxton is suing three Texas companies he believes were involved in price gouging in the wake of Hurricane Harvey.

One of the companies, Bains Brothers, owns Texaco gas stations in the Dallas-Fort Worth area, including one in Arlington that received numerous complaints.

A second is a Robstown-area hotel near Corpus Christi; the third is a Laredo-area Chevron gas station.

"It's unconscionable that any business would take advantage of Texans at their most vulnerable — those who are displaced from their homes, have limited resources, and are in desperate need of fuel, shelter and the basic necessities of life," Paxton said Tuesday in a written statement.

Mexico Pulls Texas Aid Offer in Aftermath of Recent Earthquake, Hurricane
KTLA
September 12, 2017

Mexico will no longer send the emergency aid offered to Texas after Hurricane Harvey, to focus on those affected by a deadly earthquake and Hurricane Katia that struck the eastern state of Veracruz last week, the Mexican Foreign Ministry said Monday.

In a statement, the ministry said the decision was taken in light of the changed circumstances in both countries, and the fact that the need for help in Texas had diminished.

Mexico offered to deliver aid to Texas in late August, after the state was struck by Hurricane Harvey and flooding. But Mexico is now grappling with the aftermath of two natural disasters.

An 8.1-magnitude earthquake struck off Mexico's southern coast last Thursday. The earthquake struck the states of Oaxaca, Chiapas and Tabasco, and killed 95 people, according to the Foreign Ministry.

It was the most powerful to hit the country in a century and was felt as far as Mexico City and Guatemala City by an estimated 50 million people.

The following day, Hurricane Katia, a Category 1 storm, made landfall in Mexico's state of Veracruz. Katia's remnants led to a mudslide that killed two people Saturday in the city of Xalapa, Veracruz Gov. Miguel Angel Yunes had said.

"Given this situation, the Mexican government will channel all available logistical support to the families and communities that have been affected in Mexico and has informed the Texas and US governments that, unfortunately, on this occasion, it won't be possible to provide the assistance originally offered to Texas in late August in the wake of Hurricane Harvey," according to the Foreign Ministry's statement.

Mexico had offered to send 25 trailers with supplies, as well as 300 beds, nine generators, water treatment equipment, three mobile kitchens, radio and satellite equipment and personnel to the US.

Mexican government officials had initially announced their offer in a statement responding to President Donald Trump's tweets bashing Mexico for violence and the trade deal between the countries. The hurricane aid was offered "as good neighbors should always do in difficult times."

Texas motto could be: 'I have a bass boat and I'm coming for ya'

KCStar
September 11, 2017

Right now, you have to love Texas. Hurricane Harvey was an almost unprecedented force of nature, but Texas is also a force to be reckoned with. I know this because I'm a Texan and I was brought up to believe in God, Texas and that nothing is better than Texas.

As a child Texas history was a mandatory class and was taught before American history because as our teacher repeatedly told us, "It's more important." A state flag is a de rigueur wedding present (and explains why you see more Texas than American flags swaying in the humid breeze) and for anyone that slinks out in the dark of night to abandon Texas to go to an out-of-state college the conventional wisdom is 1) It's a shame you didn't get into the University of Texas and 2) Don't worry you'll be back.

When I left the state to pursue a job in California my mother's parting words were, "Never forget you're a Texan."

At the time, I thought my mom was being overly dramatic, but now that I'm a parent, I've said that to my children numerous times and it's usually met with an eye roll or a muttered, "Yeah, like you're ever going to let that happen."

The truth is if you hail from the Lone Star state, hubris is a birthright. You're born being told that you're special solely because you're a Texan. I know this is delusional and totally illogically, but Texas folks don't let rational thinking get in the way of just about anything.

This is why you should never tell a Texan they can't do something. The second commandment of being a Texan is that you never waste time asking for permission when you can always pray for forgiveness.

I believe this combo platter or hubris and obstinacy is one of the primary reasons the state has been so impressive in how they've handled their disaster relief. Texans didn't wait for permission or a plan. They didn't wait to see what the feds were up to nor did they expect anyone from up North to rescue them.

Texans just did it. The new state motto should be "I have a bass boat and I'm coming for ya". Neighbors helped neighbors.

Companies large and small were in it to win it. You had the mega grocery store chain HEB (pretty much considered God-tiered in Texas) coordinating relief logistics so efficiently that they should teach a master class to FEMA. Then there was the dude with a mattress company that just opened his doors and said, "Y'all come on it."

The one thorn in this saddle of awesome, though is Houston's super church pastor Joel Osteen. I was flabbergasted he didn't do the neighborly thing and open up his church, (the former Compaq Center which can accommodate almost 17,000 people) when the flooding started. I even had to Google if he was indeed a true Texan. I was hoping he was a transplant because that might explain his behavior.

I was horrified to discover that he's a life-long Houstonian. WTH? And his lame excuse that he was waiting to be asked to open his church as a shelter – please.

It's all so very, well, un-Lone Starry. Seriously, what Texan waits for instructions from anyone except their mama? Talk about squatting on your spurs. There's even been talk of starting a petition to have Osteen dishonorably discharged from the state for conduct unbecoming to a Texan and have him escorted from the premises via a herd of stampeding Longhorn.

But enough about that. Instead let's focus on the wonder of the human spirit. Here's a Texas-size shout-out to good people who did the right thing come hell or high water.

Harvey the Hurricane Hawk to be Released in Plano
Plano Profile
September 12, 2017

The hawk that became an international phenomenon when it took refuge inside a taxi cab during Hurricane Harvey will be released Wednesday, September 13th at 1:00 PM at Oak Point Park and Nature Preserve.

The Blackland Prairie Raptor Center (BPRC) in Lucas received the Cooper's Hawk for rehabilitation after being rescued from Houston on August 27th. It flew into cab driver William Bruso's car during the storm and refused to leave. Bruso cared for it until a member of the Texas Wildlife Rehabilitation Coalition (TWRC) took it to their center for professional care. The Houston-based group then contacted BPRC to help with the final rehab before releasing it.

The release will be in Plano, as TWRC felt releasing Harvey into damaged habitats in the Houston area would not be in the best interest of the hawk's survival.

The release will take place in the south parking lot of Oak Point Amphitheater, located at 2801 E. Spring Creek Parkway.

Watch the Youtube video of Harvey here. (*Available at Link Above*)

Eye of the storm: Reporter Josh Einiger reflects on covering hurricanes Irma, Harvey
By Josh Einiger
ABC7
September 12, 2017

I've been on the road 11 of the past 16 days, covering Hurricane Harvey's devastating impact in Texas and Hurricane Irma's fury across Florida.

The Gulf Coast may have escaped the ravages of a storm surge, but they will still have weeks or even months of power outages, just as it'll take a long time for Houstonians to get back to normal.

But at every turn, I've been struck by people's resilience in the face of hardship. Floridians today are picking themselves up, lending one another chainsaws to hack up trees and power chargers to juice their phones. In Texas, we watched strangers help their neighbors clear out waterlogged houses, and form a human chain to get a woman in labor to the hospital.

It's a privilege to be able to do this job, to be able to see a goodness in people that so rarely is on display in a country so fractured, so divided.

As photographer Mike Thorne and I head home from Florida, we thank the viewers who've had such concern for our safety.

We were in a perfect spot for Irma in a sturdy building with a balcony facing south. We could step right up to the balcony railing, reach out and touch the hurricane, and not even get wet! We were there so you didn't have to be, and we got amazing images of the inner eye wall. The whole experience was breathtaking.

Thanks to our partners at ABC News for giving us power and gas when our devices started to fail, and to our new friends at the DoubleTree Grand Hotel in Miami and the Inn on Fifth in Naples, dedicated workers who left their own homes behind (with no idea if they were even still standing) to serve and protect their guests.

See you back in New York!

SOCIAL LISTENING

Hurricane Harvey – Social Listening Report – 9/12/17 1330 ET

This report is being distributed to the 4332 Joint Field Office, FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, Red Cross, USCG, and HHS/ASPR.

Summary: Conversations surrounding Hurricane Harvey remains moderate due to Hurricane Irma coverage. There is a lot a conversations surrounding survivors getting denied for housing by FEMA leading to most being upset and other motivated to find a way to recover by other means. Most residents are trying clean up or figure out how to recover in accordance to FEMA's regulations. There are also some local-hire job announcements receiving some attention on social media. An article about a $5 million donation to hurricane relief from a Vietnamese immigrant has gained a lot of attention. An article about local heroes is getting some attention as well. Accommodations for food, laundry and other care is being provided to survivors in Galveston. An event will be held for those who helped save people during Hurricane Harvey.

FEMA Conversation

- There continues to be some light conversation and sharing of a post clearing up rumors about what FEMA wants people to do with their home debris by sharing FEMA's rumor page info.

- A lot of local and non-local residents are interested in a local-hire job announcement with FEMA to help with Texas

recovery paying $14-$34.

- Some current FEMA employees do not believe it is a real announcement.
- Many are sharing the post with their friends.
- A person has applied for the position but did not supply any further information.

- There is a post from a local resident about receiving any discounts for displaced people who need to use moving trucks is gaining low to moderate conversation.

  - A survivor stated that a FEMA representative told him that he needs to keep his receipts from the truck company and give it to a FEMA inspector.
  - Other survivors are sharing that they have not yet seen a FEMA inspector.

- Many residents in the impacted area have focused their attention on denials from FEMA.
  - Some commenters are confirming that FEMA has declined them recently or in the past for assistance.
  - Some are suggesting other alternatives to fix damages, how to receive other types of help and advice ways to appeal their denials.
  - Many are sad or upset about the article and what the survivors are going through while others are sending their sympathies to those who were denied.
  - Some believe the article is misleading its readers.
  - A few are sharing photos of their damages.
  - The conversation generated from an article stating FEMA is denying rental residence assistance.
  - As well as an article about survivors who were in shelters and may have trouble finding new homes because of being denied by FEMA.

- The same issues above are being discussed in Jefferson County that is gaining moderate attention.
  - It started with people suggesting legal action, then led to personal options.
  - In the end a person commented that this article needs to be updated because the decision has been reversed.

Operations

Recovery:

- As of 1124 ET Galveston County has requested for anyone who has responded to their social media call for boat volunteers to fill out their survey for interest in attending a reunion/appreciation event.

Mass Care:

- As of 1050 ET today Port Arthur May stated that there will be accommodations for housing 600 citizens, three meals a day, laundry and other basics living needs.

Public Perception

- An article discussing a Vietnamese immigrant donating $5 million to Harvey has received a lot of positive reaction from both the public and survivors.

- Both public and local residents are having a lot of positive reactions to a news article discussing Hurricane Harvey turning local residents into heroes during and after the disaster.

- A lot of survivors are sharing the same post stating that Rockport is being left out and the focus is only on Houston. There are still many without water, no power, and groceries. (Example 1) (Example 2) (Example 3)

To: Henderson, Dedre[Henderson.Dedre@epa.gov]
From: Henderson, Dedre[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C5BF6DD9430F435F9486A3A76402D904-HENDERSON, DEDRE]
Sent: Tue 9/12/2017 3:38:52 PM (UTC)
Subject: Environmental Headlines September 12, 2017

Environmental Headlines – prepared by the Region 8 Librarians – September 12, 2017

Note: Many newspapers are beginning to adopt subscription policies to govern access to their online editions. In some cases, this involves the creation of a free user account; in others, paid subscription is necessary to view more than a set number of articles (usually 20) per month. If you have difficulty accessing the news articles you need, please contact the library (library-reg8@epa.gov or (303) 312-7226) for assistance. Please note that the new Region 8 intranet site does not allow access to older headlines; if you need assistance retrieving a news article from a previous week or month, please contact the library.

Colorado

Firefighters continue to battle three wildfires in northwestern Colorado
http://www.denverpost.com/2017/09/11/northwestern-colorado-wildfires/

Comment sought on Cotter action
http://www.chieftain.com/news/region/comment-sought-on-cotter-action/article_a82a0ff7-9ced-54a7-b13c-6ca7db4e836a.html

Montana

Governor should support Colstrip transformation plan (letter)
http://missoulian.com/opinion/letters/governor-should-support-colstrip-transformation-plan/article_e848d0cf-f63d-5065-95b4-e24a02ab87c8.html

Alaska teens petition for statewide climate change policy
http://www.bozemandailychronicle.com/ap_news/alaska-teens-petition-for-statewide-climate-change-policy/article_2aabac1f-a9e0-54e1-981d-0d0716b5390c.html

South Dakota

Which places in the US have the most toxic spills? (#11. Salt Lake County, Utah)
http://rapidcityjournal.com/news/national/which-places-in-the-us-have-the-most-toxic-spills/collection_adadd06e-ea7a-5ae5-b5be-8e377d8a7005.html#16

Utah

Court puts Utah's haze lawsuit on hold while feds reconsider pollution controls
http://www.sltrib.com/news/environment/2017/09/12/court-puts-utahs-haze-lawsuit-on-hold-while-feds-re-consider-pollution-controls/

Trump administration halts pollution controls at Utah coal plants
http://www.deseretnews.com/article/865688577/Trump-administration-halts-pollution-controls-at-Utah-coal-plants.html

'Worst air in a decade,' heat, fire took a toll on summer air
http://kutv.com/news/local/worst-air-in-a-decade-heat-fires-took-a-toll-on-summer-air

Algae outbreaks infects Weber County pond, scum in other lakes
http://www.deseretnews.com/article/865688545/Algae-outbreak-infects-Weber-County-pond-scum-plagues-other-lakes.html

Wyoming

Wyoming uranium mine spill one of the largest recorded in U.S.; officials say it does not pose a threat
http://trib.com/business/energy/wyoming-uranium-mine-spill-one-of-the-largest-recorded-in/article_563faf2a-4093-5749-aaea-38f1f6b8efb0.html

Selling big wind, Cameco cleared, uranium spill tops record
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National

States Sue Trump Administration Over Fuel Economy Fines
https://www.nytimes.com/aponline/2017/09/11/us/ap-us-fuel-economy-lawsuit.html

Houston's Floodwaters Are Tainted With Toxins, Testing Shows
https://www.nytimes.com/2017/09/11/health/houston-flood-contamination.html?rref=collection%2Fsectioncollection%2Fscience&_r=0

U.S. Coast Guard, EPA Cleaning Up a Dozen Texas Chemical Spills After Harvey
https://www.nytimes.com/reuters/2017/09/11/us/11reuters-storm-harvey-spills.html

Trump Administration Halts Pollution Controls at Utah Plants
https://www.nytimes.com/aponline/2017/09/11/us/ap-us-coal-plants-pollution-rules.html

California Wants a Say as Trump and Car Makers Talk New Mileage Rules
https://www.wsj.com/articles/as-trump-auto-makers-talk-new-mileage-rules-california-wants-a-say-1505214002

From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Tue 9/12/2017 4:17:42 PM (UTC)
Subject: FEMA: TX 4332 Media Monitoring Report 09122017 Morning Edition

Please see attached Media Monitoring report.

Texas Severe Storms TX-4332-DR

Media Analysis Report/Morning Edition

September 12, 2017

FEMA

Hot Issues

- None

Analysis/Trends

- Print and broadcast stories are focusing on the struggles survivors are facing with rebuilding and housing. Survivors are voicing concern over losing everything while uncertain about **FEMA** aid. Housing shortage is a problem for thousands of others. Many are returning to damaged homes, sometimes filled with mold, as a Beaumont Enterprise article pointed out.

- Flood insurance and flood mapping were the focus of many reports with problems with NFIP

being the most notable. There was wide coverage of a Rice University study on **FEMA** floodplain flaws.

- **FEMA** coverage consists of the announcement of DRC openings, a town hall meeting in Huntsville, Corpus Christi station hosting Facebook live with **FEMA**, and **FEMA** hiring Texas residents for recovery jobs.

- Hurricane Irma continues to dominate coverage with comparisons to Harvey mentioned and the strain two hurricanes are putting on **FEMA**.

Social Media Analysis

Hurricane Harvey – Social Listening Report – 9/11/17 1900 ET

This report is being distributed to FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, NRCC Situational Awareness, Louisiana state, Red Cross, USCG, and HHS/ASPR.

Summary: The volume of the Harvey discussions continue to decline slowly with recovery efforts due to the noise from Irma and the anniversary of 9/11. Since the last report FEMA discussions have increased discussing FEMA and their church based group's relationships. There are a lot of mixed reactions between the public and survivors on their perceptions of the church assisting more in recovery then FEMA does. A lot of survivors are feeling even more left out from federal and local government assistance since an article from a major news outlet post stated that Governor Greg Abbott received $135 million in FEMA aid to help with cleanup in only the Houston and Harris area. Both survivors and the public are having a lot of positive reactions to Baytown county teachers overcoming the returning of school since Harvey.

Summary of Coverage

- Disaster Recovery Centers open in Baytown, Katy and Houston
- FEMA town hall meeting set for Thursday in Huntsville
- Corpus Christi TV station to host Facebook live with FEMA
- Many Houston survivors waiting on FEMA assistance determination
- FEMA helping La Grange homeowners start over
- La Grange continues to rebuild after Harvey destruction
- Richmond hurricane survivors still inundated with problems from Harvey
- Small Texas towns devastated by Harvey struggle to rebuild amid poverty
- Short-term food assistance available to Harvey survivors starting Wednesday
- FEMA seeking Texas residents for Harvey recovery jobs
- Congress to decide additional funding to help Harvey survivors
- Fort Bragg paratroopers deploy to Florida in Hurricane Irma's aftermath
- Georgia Governor tells Irma evacuees to stay put until it's safe
- Hurricanes Harvey and Irma put stretch and strain on FEMA
- Thousands of evacuees still in shelters across Houston
- Beaumont survivors forced to live in moldy homes with nowhere else to go
- Texas prepares for Harvey housing recovery efforts
- SBA loans offer a lifeline to hurricane survivors without flood insurance
- Insurance industry says they are doing a favor for federal government by participating in NFIP
- Problems with the National Flood Insurance Program
- FEMA flood maps may not have reflected risk in Houston
- Red Cross offering $400 through assistance program
- Corpus Christi high school students lend a helping hand to hurricane survivors
- Opinion: Texas begins long road to recovery from Harvey
- Opinion: Harvey damage to gulf coast could exceed Katrina and Sandy combined
- Opinion: Texans do the right thing when it comes to Hurricane Harvey
- Social Media

Notable Quotes

"We're having to live in a house that has mold in it, because there's no lodging. There's nowhere to live."-

Aaron Payne, Port Arthur resident

"At least the government is here. I will have to wait and see if I can get a FEMA trailer to live in or some money to buy another trailer." – Dennis Finner, Aransas County resident

"The people that have been flooded out have lost everything, have lost their clothes, their furniture, their food—everything." – Evalyn Moore, Richmond Mayor

"The poor will stay and rebuild, because they have nowhere else to go and no way to get out." - Chuck Shamel, Good Samaritan exec. board member

"We used to come down here when I was a kid for the hurricanes. My parents would bring a generator and hook it up. And we would listen to the rain and wind. Hurricanes are part of living on the coast. I'm not leaving." – George Brown, Port Aransas real estate broker

"Harvey is very unique because he strengthened so quickly so close to the coast. And basically, every storm I've ever dealt with before came in—and you had 24-30 hours of miserable weather—and then they were gone somewhere; this was not the case with Harvey." – Robert Hebert, Fort Bend County Judge

Headlines

FEMA disaster center opens in Baytown
FEMA town hall meeting set for Thursday in Huntsville
KZTV to host Facebook Live with FEMA spokesperson
Harvey victims in limbo as they wait for FEMA assistance
FEMA helping La Grange residents with resources
La Grange homeowners, small business owners eligible for loans after Harvey destruction
Brazos surpasses 2016 record flood crest, creates chaos for nearby homeowners
'Nowhere else to go': Small Texas towns decimated by hurricane struggle to rebuild amid poverty
Harvey victims can apply for short-term food assistance starting Wednesday
FEMA seeking Texas residents for Harvey recovery jobs
Congress week ahead: Disaster relief, defense policy bill
Fort Bragg Paratroopers Deploying To Florida For Irma Relief
Gov. Deal Tells Georgians, Evacuees To Hunker Down For Irma
Record-breaking Hurricanes Stretch And Strain FEMA
Social Media

Housing

Thousands of evacuees, including homeless, still in shelters
Moldy homes only place to go for some
Louisiana Helps Texas As It Plans For Harvey Housing Recovery Efforts

Flood Insurance, Flood Maps, and Flooding

For Many in Houston Without Flood Insurance, SBA Loans Offer a Lifeline
With federal flood insurance, corporations get a third of premiums and taxpayers get the bill
National Flood Insurance Will Help Clean Up After Irma And Harvey. And That's A Problem.
Emmett: All Options On Table To Improve Flood Control After Harvey]
FEMA flood maps missed past damage near Houston

Volunteers/Donations/Charities

American Red Cross to provide $400 through immediate assistance program
Incarnate Word Academy Students Help Hurricane Victims

Opinion

Column: Texas Begins Long March Toward Recovery From Hurricane ...

Stories

FEMA disaster center opens in Baytown

The Baytown Sun
By Christopher James
September 12, 2017

The Baytown Community Center is now one of three disaster recovery centers in the greater Houston area.

As of Monday, three Federal Emergency Management Agency Disaster Recovery Centers opened in Baytown, Katy and Houston to offer in-person support to individuals and businesses.

FEMA DRC Manager Linda Williams says representatives are ready to take care of any residents affected by Harvey with a multitude of services.

"Once they sign in they'll sit down with applicant service specialist and what they'll do is review their records and try to catch anything that's outstanding or pending," said Williams. "And then they'll try to get documentation needed for each situation."

The Disaster Recovery Center in Baytown will be open from 7 a.m. – 7 p.m. daily and is likely going to stay for about 30 days. But if FEMA representatives feel that more people need assistance they will extend their stay.

Representatives from the Governor's Office of Homeland Security and Emergency Preparedness, U.S. Small Business Administration, volunteer groups and other agencies are at the center to answer questions about disaster assistance and low-interest disaster loans for homeowners, renters and businesses.

Representatives can also help survivors apply for federal disaster assistance.

Some services may include:
• Guidance regarding disaster recovery
• Clarification of any written correspondence received
• Housing assistance and rental resource information
• Answers to questions, resolution to problems and referrals to agencies that may provide further assistance
• Status of applications being processed by FEMA

Although those affected by Harvey are not required to register with FEMA before visiting the disaster center, FEMA officials say they should do so if possible.

Registration can be done through:
• Online at www.DisasterAssistance.gov
• Phone at 800-621-3362
• The FEMA app — available for Apple and Android mobile devices. To download visit www.FEMA.gov/mobile-app.
When registering, survivors should have the address of the location where the damage occurred (pre-disaster address), current mailing address, current telephone number, insurance information, total household annual income, routing and account number for checking or savings account (this allows FEMA to directly transfer disaster assistance funds into a bank account) and a description of disaster-caused damage and losses.

The City of Baytown and FEMA say that cleaning up and making temporary repairs to storm-damaged property will not disqualify you from federal disaster assistance.

Some reports that disaster survivors should not remove flood-damaged sheetrock, flooring, carpet, etc. until the house is assessed by FEMA or insurance adjustors. But this is false.

Property owners are encouraged to document storm damage to their properties by photograph of video. Residents can then begin cleaning up and can start making repairs.

With a lot of misinformation circulating online, you can visit www.fema.gov/disaster/4332/updates/rumor-control to check validity of some claims.

FEMA town hall meeting set for Thursday in Huntsville

KBTX-TV, Bryan, TX
By Rusty Surette |
September 11, 2017

HUNTSVILLE, Tex. - The Walker County Office of Emergency Management has invited the public to attend a town hall meeting with representatives of the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA) on disaster recovery after Hurricane Harvey. The meeting will be at the Walker County Storm Shelter (455 State Highway 75 North, 77320) at 7:00 p.m. on Thursday, September 14.

"This is a good opportunity for everybody to get their FEMA and SBA questions answered, as we'll have the experts there. We will also have our public assistance group there so people can register if they haven't already," said Butch Davis, Walker County Emergency Management Coordinator.

For more information, call Walker County at 936-435-8035.

KZTV to host Facebook Live with FEMA spokesperson

KZTV-TV, Corpus Christi
September 11, 2017

CORPUS CHRISTI - Several people in the Coastal Bend who were significantly impacted by Hurricane Harvey are still in need of help.

FEMA assistance is available to those affected by Harvey and can go online to disasterassistance.gov for help or call 1-800-621-FEMA.

Federal disaster areas include these counties:
Nueces
Aransas
Refugio
Goliad
Calhoun
Kleberg
San Patricio
Bee
Victoria

This Wednesday at 7 p.m. Action 10's Sonya Hill will speak with a FEMA spokesperson live on the KZTV Action 10 Facebook page to answer any questions you may have regarding FEMA.

If you have a question, send them to our KZTV Action 10 Facebook page or submit them during our Facebook live session Wednesday evening.

Also, if you would like to contribute to our "Give to the Gulf" fundraiser, visit kztv10.com/strong.
All proceeds will go to the Coastal Bend Disaster Recovery group and the American Red Cross of the Coastal Bend, and will stay in the Coastal Bend.

Harvey victims in limbo as they wait for FEMA assistance

KHOU-TV, Houston, TX
By Melissa Correa
September 11, 2017

HOUSTON - FEMA, the nation's disaster agency, reports about 700,000 applications have already been submitted by people affected by Harvey.

FEMA reports 40 percent of those applications, 280,000, were filled out by people living within the Houston area. A bulk of them are still pending, with FEMA not yet making a decision on how much help each applicant will receive, if any.

Florence Jones is a 74-year old woman who lives in east Houston. Her home was gutted after water flooded the interior.

It's been about two weeks since Houston was under water. Jones is just now filing for FEMA assistance.

"I was at the hospital with my daughter. She had brain surgery," Jones said before she detailed that also within the two weeks her brother died. "We want to have a memorial service for him in New Orleans, but we haven't had a chance to do that yet."

Jones said she lost everything.

"Any kind of assistance. I have to start all over," Jones said.

A trio of FEMA Disaster Recovery Centers opened today: Greenspoint Mall, Katy Mills Mall and Baytown Community Center. They're each open from 7 a.m. to 7 p.m. until further notice.

"Pretty much anyone who is living in the affected area has the right, has the ability to come in and seek assistance, whether it's a loss of car, a job, a legal issue," said Paul Timmons on behalf of FEMA.

"Well, everything is pending right now, but they're going to call. They have three phone numbers to call," Jones said.

Timmons says every case is different, and folks shouldn't wait or call for an email. They should reach out and keep reaching out.

"I'm hoping they'll be able to help all of us," Jones said.

FEMA helping La Grange residents with resources

FOX7, Austin, TX
By Ashley Paredez
September 11, 2017

FAYETTE COUNTY, Texas - Now that Tropical Storm Harvey has come and gone, many communities are starting over.

In La Grange, residents are hoping to build back what was lost. But, they aren't in this alone.

FEMA set up a Disaster Recovery Center (DRC) in La Grange over a week ago. Hundreds of people have stopped by, which is why they'll continue to stay open seven days a week.

It's not easy for La Grange resident Brenda Smith to ask for help since it's acknowledging her current situation, that she practically lost everything.
photo

"Not knowing where you're going to live. I mean, I don't want to stay with my folks forever but you know, there's no housing available here. You've got people without homes. It's difficult," said Brenda Smith, La Grange resident, evacuee.

It's a sentiment that can be felt across the city of La Grange. More than 250 residential structures suffered some type of damage from Tropical Storm Harvey. As a result, hundreds were displaced.

FEMA said 528 Fayette County residents have already registered for disaster assistance. Many have stopped by the Disaster Recovery Center (DRC) located at the Randolph Recreation Center.

FEMA has been mostly handling housing needs through their Transitional Shelter Assistance (TAC) program. Those who qualify get set up in a hotel room. They also help with critical and personal needs. Smith and her daughter just got their first check.

"Right now, it's a beginning and it's a start. We're just blessed to have it," said Smith.

FEMA also works with other agencies. They've been referring people to the U.S. Small Business Administration, which is set up at the

same location. There are several different loan options people can apply for.

"Personal property loans for homeowners and renters. It's up to 40,000 and that's to replace the contents of the home. your cars, anything that was damaged by the flood," said Laurie Dana, public affairs specialist, U.S. Small Business Administration.

FOX 7 also saw the Salvation Army stopping by in their mobile unit. They are hoping that even providing something small, can brighten someone's day.

"We're also very deeply affected personally by all this. It gives us a feeling of personal satisfaction to be able to help people," says Frank Wells, volunteer, Williamson County Salvation Army.

"I think La Grange has been blessed. Lives were spared here and, this community has had people from all over the world come and help us. I don't think we've been overlooked by any means; we've been blessed," says Smith.

La Grange had a city council meeting on Monday. They were planning to talk about recovery efforts including removal of debris and possibly waiving building permit and associated construction fees.

For more information: www.fema.gov.

La Grange homeowners, small business owners eligible for loans after Harvey destruction

KVUE-TV, Austin, TX
By Rebeca Trejo
September 11, 2017

LA GRANGE, TEXAS - Neighbors in La Grange continue to rebuild following Hurricane Harvey's devastation.

FEMA said they have received about 530 disaster relief applications from Fayette County alone.

Some of those are small business owners, who have applied for small business loans.

Allan Minarcik owns a construction and decorative shop, along with a small shopping strip off West Travis St. in La Grange.

Nearly six feet of water flooded his construction shop.

"Broke one window out," said Minarcik. "A lot of stuff floated out. Kind of went down the river."

He said it will cost him about $80,000-$85,000.

"It's one big mess," he said.

But he said they have had a lot of help. "A lot of voluntary help. A lot of our employees … they've done great. And if you look around today, we're cleaned up,"

Among his recovery efforts -- applying for a small business loan.

Laurie Dana, a spokeswoman for the US Small Business Administration, said the organization provides long-term, low-interest disaster loans to homeowners, renters, nonprofits and businesses of all sizes.

Interest rates for homeowners are as low as 1.75 percent and 3.3 percent for businesses.

The rates, of course, depend on credit history.

- Up to $200,000 in disaster loans are available to homeowners to repair or replace a damaged or destroyed primary residence
- Up to $40,000 to homeowners or renters to repair or replace damaged or destroyed personal property, such as cars
- Up to $2 million for small businesses to replace or repair real estate, inventory, assets

The SBA said if you have been affected by a disaster, register with FEMA first and the organization can refer you to an SBA loan.

The organization also said apply even if you have insurance.

Minarcik said even if he qualifies, he is weighing his options. He's lost a lot, but he reminds us: "It's a loss, but it's all stuff that can be recovered, so we'll just do it again."

The Small Business Administration said the deadline to apply for physical damage assistance through them is October 24.

For more information on SBA disaster assistance loans click here.

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Brazos surpasses 2016 record flood crest, creates chaos for nearby homeowners

The Impact Newspaper, Pflugerville, TX
By Rebecca Hennes
September 11, 2017

After nearly two weeks since Hurricane Harvey ravaged the Texas coast, Richmond residents are still dealing with the aftermath of the storm that some weather officials are calling one of the worst disasters in Texas history.

A Richmond neighborhood on the east side of the Brazos River and several outside areas in Richmond's extraterritorial jurisdiction were the most affected, Richmond Mayor Evalyn Moore said.

"The people that have been flooded out have lost everything, have lost their clothes, their furniture, their food—everything," Moore said.

A 'double punch' storm

Fort Bend County experienced extreme flooding that left much of the area inundated for days, including Richmond. The Brazos River, which neighbors Richmond, passed the 2016 record flood level of 54.7 feet after reaching 55.19 feet on Aug. 31.

The emergency declaration issued for the county expires Sept. 12, but Fort Bend County Judge Robert Hebert said he expects it will be extended.

"The river is back within its banks …[but] we are still dealing with an emergency throughout the county," Hebert said.

In late August, thousands of homes in Fort Bend County experienced major flooding: Over 5,000 people were rescued and two people died, as of Aug. 30. In Houston, the death toll has risen to 60 suspected flooding-related deaths, according to the Associated Press.

Nearly 22 percent of the entire county was flooded at its peak, and 464 roads were closed while about 74 are still closed as the floodwaters continue to recede, according to Jeff Braun, emergency management coordinator for the Fort Bend County Office of Emergency Management. The county was able to open 29 shelters during the storm, and three still remain open as of press time.

Hurricane Harvey created a double punch of record rainfall and river induced-flooding, Hebert said. One factor that contributed to the rarity of the storm was the fact that Harvey stalled over the area for several days, which lead to the massive amount of rainfall and torrential flooding.

"Harvey is very unique because he strengthened so quickly so close to the coast," Hebert said.

"And basically, every storm I've ever dealt with before came in—and you had 24-30 hours of miserable weather—and then they were gone somewhere; this was not the case with Harvey."

Hebert said estimates at a minimum the county will have suffered at least $20 million in losses. He said now the county is focused on recovery efforts, which consist of debris management, damage assessment and addressing recovery issues.

Braun said a short-term damage assessment was expected to be finished Sept. 8 and then a longer term, more detailed damage assessment will be done over the next week and a half.

"This is required by state and federal authorities to make sure that federal monies move as quickly as possible into our area and the state of Texas," Braun said.

Assessing the aftermath

The damage Hurricane Harvey will cost Texas is estimated to be $160 billion, according to a statement from Joel Myers, founder, president and chairman of AccuWeather.

"The economy's impact, by the time its total destruction is completed, will approach $160 billion, which is similar to the combined effect of hurricanes Katrina and Sandy," Myers said in the statement.

People all over the Greater Houston area and beyond have helped with relief efforts, many of whom have been acknowledged in the national media. Local Richmond residents are also working to help those affected by the storm; on Sept. 5, Mauro and Celma Forastieiri, franchise owners of The Big Salad in Richmond, offered free meals to help with area relief efforts.

"What happened here is an unfathomable disaster. People here are hurting and they're hungry," Mauro Forastieiri said in a statement.

Disaster recovery resources in place include Federal Emergency Management Agency disaster survival assistance teams and disaster recovery centers that are being set up to help residents applying for FEMA assistance. Locations of the centers will be finalized after inspectors can assess proposed facilities and set up the centers, according to Caroline Egan, disaster recovery manager for the Fort Bend OEM.

"We are encouraging all of our residents who have been impacted to register for FEMA assistance," Egan said.

Hebert said most Texas counties are focused on dealing with the direct implications of their areas for the time being, but he thinks it is inevitable that the government will craft legislation to help provide more aid for those affected by Harvey.

"A significant portion of the state of Texas has water in homes, [there is] billions of dollars in damage," Hebert said. "Nobody in recorded history has experienced the rainfall like this in Texas, maybe in the entire [U.S.] … that's the enormity of what we just went through."

For some county residents, federal legislation could be critical.

"If your received benefits in a previous flood in Fort Bend County, you're no longer eligible and they [FEMA] have to deny you," Hebert said.

There are some gray areas to this rule though, according to Hebert. He said he and U.S. Rep. Pete Olson, R-Sugar Land, are working to help people denied by FEMA.

"He has set up a disaster recovery desk in his office and he will take each one of those [denied cases] and pursue them with FEMA and get you an answer," Hebert said.

Hebert said recovery efforts and other implications of the storm like the impact on the tax rate could take weeks and even months to finish.

"This is the frustrating period in these floods," he said. "We've been through this before; we've just never had so many people out there suffering. … It takes us time to get the assets and the equipment through the bureaucratic process … but once we get started, things start to happen fast."

'Nowhere else to go': Small Texas towns decimated by hurricane struggle to rebuild amid poverty

Washington Post
By Mary Lee Grant
September 10, 2017

ARANSAS PASS, Tex. — At a small rural hospital in this shrimping and tourist town of about 3,000, some patients visited the emergency room twice a day, obtaining insulin and other medications they could not afford to buy themselves. Nurses sometimes pooled their money to pay for patients' cab fare home.

"It is that kind of place," said Jen Deselms, a registered nurse who worked in the emergency room at Care Regional Medical Center before Hurricane Harvey hit last month, forcing the facility, which serves about 90,000 in three counties, to shut its doors indefinitely.

“We look out for each other and for our community. Not having this hospital will be devastating for the entire area.”

Since the storm passed, doctors and nurses have labored to repair the hospital themselves, mopping flooded floors and hammering two-by-fours to patch crumbling walls. In Aransas Pass and the neighboring beachfront towns that were decimated by Harvey’s first brutal landfall, a tale of two recoveries has emerged. Although often described as resort towns, tourism overlays a culture of rural poverty here. These are places where old shrimpers struggle to get by on their disability checks. Folks who gave up on the cities cram into waterfront RV parks — many now destroyed by the storm — venturing to the coast to flip hamburgers or wait tables in a last-ditch effort to find their place in the sun and the sand.

Schools have shut down for the year, and residents needing medical care will have to travel at least 20 miles across the Harbor Bridge to Corpus Christi — difficult for many in an area with little public transportation.

In nearby Rockport, where retirees show their paintings of shrimp boats and pelicans in art galleries along picturesque Copano Bay and condos line the waterfront, virtually nothing remains unscathed. Nearly two weeks after the storm, electricity was still off, cellphone service was spotty, and the water wasn’t back on. About 80 percent of buildings in the town were damaged, according to federal estimates.

But the path to recovery will vary.

“The poor will stay and rebuild, because they have nowhere else to go and no way to get out,” said Chuck Shamel, an executive board member of the Good Samaritan, a nonprofit group that helps low-income residents with food, bills and transportation. “The rich will be back in a few weeks, when the power goes on and the golf courses open.”

The 76-year-old retired counselor moved here to build his dream home with his wife, Betty, a 79-year-old retired teacher, on several wooded acres near the water. Shamel constructs wooden sailboats and sings opera, while his wife paints and fires pottery in her studio. Although Harvey damaged their house, he expects insurance to pay most of the costs. He is more concerned with those who have less.

“We are a barbell community, with 20 percent on the upper end and 20 percent on the lower,” Shamel said.

Many moved to the coast hoping for a fresh start among the placid bays and sheltering oak trees, but the reality often is harsher. Jobs are scarce, salaries low, and property is expensive.

Ida Jeter, 60, who works cleaning and cooking for nuns at a Catholic shrine, is living in her car. The shrine was damaged, and many of the nuns are returning to their home base in Wisconsin, so Jeter does not know if she will have a job.

“They kicked me out of my apartment because it was so damaged,” she said, bursting into tears. “I have nowhere to go.”

‘Bet they blame Trump’

Unlike much of South and Southeast Texas, the poverty here is concentrated in a largely white population. For a time, Rockport and neighboring Seadrift were known for the violence of white shrimpers against the newly arrived Vietnamese, who settled on the Texas coast in the 1970s. Their boats were firebombed, and the Ku Klux Klan rallied and burned a boat in effigy that they called the Viet Cong, even though the Vietnamese immigrants were from southern Vietnam and had fought the Viet Cong.

Now relations are smoother, the town speckled with popular Vietnamese restaurants and the local paper reporting enthusiastically on the accomplishments of Vietnamese students.

Unlike heavily Hispanic deep South Texas or the Houston area, with its large African American and multihued immigrant population, this is Trump country. In Aransas County, about 74 percent of voters supported Donald Trump. Boarded-up windows at a business near Rockport marina are painted with the words “Bet they blame Trump” beside an American flag.

Dennis Finner, 50, said he wishes he had seen President Trump when the latter visited the area last week.

“I am glad Trump set his feet here,” Finner said. “Is he doing a good job at helping? I have no idea. I don’t even have a TV anymore.”

For Finner, the self-reliance he so values is eluding him in the wake of the storm. He does not like depending on government or charity.

“There is nothing like working hard with your hands all your life only to have everything you worked for taken away in a few hours,” he said. “I ain’t never taken anything from the government — no handouts or nothing. And now there are people by the side of the road giving out free hamburgers, and I’m eating them. It just hurts. It makes me feel like a bum.”

Finner lost his trailer, which he said he had just finished paying off, so he is living in a shed on his property. His fences are down, his

gate is twisted beyond recognition, and his dogs are running loose in the road. But he won't consider leaving.
'We are overwhelmed'

For many residents, the devastation left in Harvey's wake is testing a deeply held value of self-reliance. Bill Woods, who almost was killed in a motorcycle accident years ago, now lives with a painful limp, one eye permanently shut and a metal plate in his head. Yet the 60-year-old receives no disability payments.

"All the money I have, I make with my own hard work," he said.

He mows lawns for a living, but wind blew apart the trailer he used to haul his equipment. Harvey also tore apart the trailer where he lives, so he is staying with friends.

"At least the government is here," he said. "I will have to wait and see if I can get a FEMA trailer to live in or some money to buy another trailer."

Aransas County Sheriff William "Bill" Mills said that federal aid has been sufficient but that dealing with the multitude of agencies that have descended on the area to help in very specific ways has demanded great coordination.

"We are overwhelmed. We have so much to deal with," Mills said last week. "The power isn't even back on, almost every building has been damaged, people are homeless, and we are arresting looters. Our schools have been closed indefinitely. Our teachers don't have jobs. We had three people with cardiac arrests yesterday. People are trying to clean up, with this heat index and stress that is off the charts."

'Where else would I go?'

In Port Aransas — a town of 4,000 that can swell to 70,000 on weekends — the city manager has estimated that every building in town was damaged. Several friends sat in deck chairs in the parking lot of the Place Hotel, whose manager had given them rooms free after their lodgings in an old barn were flooded. The men were shirtless in the hot muggy weather; the women in shorts and midriff tops with packs of cigarettes tucked into their bras and cowboy hats. They were drinking tequila and Jack Daniel's straight from the bottle — bottles they found floating down the street when the liquor store flooded.

"There were $300 bottles of wine just bobbing down the road," said John Adams, 57, a cook. "We got some of them, but unfortunately, they put a stop to that."

Sitting nearby was Timothy Yoke, 53, who lays tile for a living. He rode out the storm, but his apartment was flooded.

"Of course, I will stay," he said. "I love it here. I love the beach and the weather and the people. Where else would I go?"

In Port Aransas, about 80 percent of the island homes are owned by those from elsewhere, city officials said, making the town a mix of more-prosperous out-of-towners and locals who depend largely on jobs serving tourists.

Many part-time residents also dock boats in Port Aransas. At Island Moorings Marina, crane operators worked to remove dozens of boats from the mud and sand and to retrieve those that had sunk.

Rochelle Rackham, 63, slept in her beached sailboat all night. The ocean-going catamaran had broken away from the docks as the storms surge hit and floated onto dry land.

Must Reads

5 stories you can't afford to miss, every Saturday.

"I have to sleep here because the boat is so valuable, and I have thousands of dollars of electronic equipment on it," Rackham said between calls to Lloyd's of London to iron out insurance details. "A man came around last night and tried to break in, but I pulled my .38 on him, and he ran."

Rackham, who owns a ranch about 200 miles to the north, said she is not sure she will stick with Port Aransas after the storm.

"I think it would be simpler just to dock her in Cayman," said Rackham, who said she has sailed solo as far as Turkey and Tunisia on her boat.

George Brown, a commercial real estate broker who owns an oceanfront RV park, said that even though he lives in San Antonio, Port

Aransas is part of who he is. Most of the 60 RVs in his park were destroyed, as was infrastructure, but he said he will rebuild.

"We used to come down here when I was a kid for the hurricanes," he said. "My parents would bring a generator and hook it up. And we would listen to the rain and wind. Hurricanes are part of living on the coast. I'm not leaving."

Harvey victims can apply for short-term food assistance starting Wednesday

KHOU-TV
September 11, 2017

AUSTIN - Victims of Hurricane Harvey in Texas will be able to apply for short-term food benefits beginning Wednesday.

From the office of the Governor...
Governor Greg Abbott today announced that the Texas Health and Human Services Commission (HHSC) will begin offering disaster food relief, commonly known as D-SNAP, for victims of Hurricane Harvey starting Wednesday, September 13.

The Disaster Supplemental Nutrition Assistance Program provides short-term food benefits for eligible families recovering from a disaster.

D-SNAP is available to eligible residents of the counties with a federal disaster declaration and weren't receiving benefits through regular SNAP at the time of the disaster.

"The devastation from Hurricane Harvey will impact Texas families for years to come," said Governor Abbott. "In this time of need, this program will help Texans get back on their feet faster, as they will have one less thing to worry about. The State of Texas will continue do everything it can to help Texans rebuild their lives as quickly as possible."

Texas HHSC will begin offering the benefits in stages, beginning with an 11-county area that can be served through the health and human services offices in those counties. Larger-population sites, such as in Houston and Corpus Christi, will launch in the coming days with special sites to accommodate large volumes of people who would not be able to be efficiently served through a local HHS office.

"We have Texas families who lost everything," said Texas HHS Executive Commissioner Charles Smith. "This puts a card in their hands so they can buy the food they need. Nothing is more important than feeding and taking care of our families."

Residents of the initial 11-county area must apply in person. Applications will be taken for those counties based on a rolling alphabetical order between Sept. 13 and 19.
For detailed instructions and the alphabetical order listing, go to www.hhs.texas.gov/d-snap.

Households must bring identification when applying for D-SNAP. Common types of verification include a driver's license or other government-issued photo identification.

Eligible households will receive up to two months of benefits when their cards load.
The benefit amount is equivalent to the maximum amount normally issued to a SNAP household of their size, within three days of applying.

More Information
People with questions about D-SNAP, including those who have special needs, should dial 2-1-1 and select option 6. For other storm-related services, including shelters, dial 2-1-1 and selection option 5. For questions about TANF, Medicaid or CHIP, dial 2-1-1 and select option 2.

To check benefit amounts, recipients can visit YourTexasBenefits.com or call the Lone Star Help Desk at 1-800-777-7EBT (1-800-777-7328).

FEMA seeking Texas residents for Harvey recovery jobs

KVUE-TV, Austin, TX
September 12, 2017

AUSTIN – Workers are needed from across the state to assist in the recovery effort from Hurricane Harvey.

The Federal Emergency Management Agency said it is partnering with the state of Texas to hire administrative, logistical and technical jobs related to the recovery. Those hired will join recovery teams already in place, and recent job postings will pay $14-34 per hour.

FEMA and the state are looking for people to multiple positions including civil engineers, communication specialists, couriers, graphics specialists, nurses and crisis counselors. Those interested must register with the Texas Workforce Commission's website.

FEMA added it will announce more jobs in the future.

TAP OR CLICK HERE for more information.

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Congress week ahead: Disaster relief, defense policy bill

CNN
By Ted Barrett, Deirdre Walsh, Ashley Killough and Ryan Nobles
September 11, 2017

Lawmakers scrambled out of Washington last week ahead of Hurricane Irma's landfall in Florida -- but not before passing billions in emergency funding for FEMA to help the agency respond to Irma and Hurricane Harvey, which struck Texas and Louisiana last month.

As they return to the capitol, members will assess how much additional funding may be needed to help those communities recover from the storms.

The disaster relief money was tied to a short-term fiscal accord surprisingly agreed to by President Donald Trump and congressional Democrats. That means the pressure is off Republicans -- who control Congress -- until December, when they must reach a fresh deal to raise the debt ceiling and fund the government.

On a similar note, the Senate homeland security committee will hold a confirmation hearing Tuesday for Daniel Kaniewski to be deputy administrator for protection and national preparedness at FEMA.

The Senate turns its attention to the annual defense policy bill, a massive measure so important to lawmakers it has been approved each year for more than a half century. Sen. John McCain, an Arizona Republican who was recently diagnosed with brain cancer and who chairs the armed services committee, will manage the bill on the floor.

"I'm fine," McCain told CNN's Jake Tapper on "State of the Union" Sunday in regards to his cancer diagnosis. "The prognosis is pretty good. Look, this is a very vicious form of cancer that I'm facing, but all the results so far are excellent."

Democrats are preparing amendment language to fight Trump's contentious ban on transgender service members. It's unclear if they will get a vote on the emotionally charged issue.

The House resumes debate and votes on a massive omnibus spending bill for next year. Once it passes, GOP leaders can claim credit for approving all the appropriations bills for 2018. But because it breaks existing budget caps, the giant funding bill is essentially dead on arrival in the Senate, since Democrats oppose it and their votes would be needed for it to advance there.

Talks over a major tax overhaul will continue as Republicans in the House and Senate work with the White House to craft a deal to lower rates and reduce loopholes. Negotiators say they are making progress but there is no evidence they are close to announcing a deal.

A bipartisan group of senators will continue trying to come to an agreement on a bill to stabilize insurance markets by approving subsidies that help lower-income Americans buy insurance through the Affordable Care Act. Senate health committee Chairman Lamar Alexander, R-Tennessee, said last week he hopes to reach an agreement in about 10 days. The effort comes after Republicans failed to repeal Obamacare over the summer.

GOP senator: Bipartisan health care bill coming in 10 days
The Senate health committee has two hearings -- one Tuesday and one Thursday -- related to its market stabilization legislation. One will deal with state flexibility and the other healthcare stakeholders.

Investigators from the House and Senate intelligence committees and the Senate judiciary committee will continue their respective probes of Russian interference in the 2016 election and related issues.

The Senate judiciary committee will also hold a hearing Wednesday examining possible reforms to the Deferred Action for Childhood Arrivals program and the nation's guest worker programs with a variety of expert witnesses from the government, labor unions, business groups, and elsewhere. Trump announced his plans to end the program last week, giving Congress a six-month window to save the program.

The Senate will be in session Monday at 3 p.m. After observing a moment of silence in honor of the victims of 9/11, senators at 5:30 p.m. will cast a procedural vote related to the defense bill.

The House homeland security committee has a hearing examining terrorist threats around the 16th anniversary of 9/11.

The House was originally scheduled to be in Monday for votes, but due to Hurricane Irma, House votes were postponed until Tuesday, according to a notice from the House Majority Leader.

The House foreign affairs committee will hold a hearing Tuesday on North Korea sanctions and diplomacy.

Fort Bragg Paratroopers Deploying To Florida For Irma Relief

Sarasota (FL) Herald-Tribune
By Drew Brooks
September 10, 2017

The 82nd Airborne Division will deploy nearly 300 paratroopers and more than 80 military vehicles to Florida to help in the aftermath of Hurricane Irma.
As Irma bore down on the Florida coast Sunday, the soldiers on Fort Bragg began preparing for their mission.
Lt. Col. Joe Buccino, a spokesman with the 82nd Airborne Division, said soldiers were notified Saturday and put on "prepare to deploy" orders early Sunday morning.
The group of soldiers, which will be known as Task Force All American Lift, will include 293 paratroopers from across the division, led by Col. Jon P. Beale, the commander of the 82nd Airborne Division Sustainment Brigade.
The soldiers are expected to deploy late Sunday or Monday, depending on weather, Buccino said.
"The All American Division is once again ready to support the American citizenry in a time of crisis," he said. "Our thoughts and prayers are with everyone in this country affected by this hurricane."
The soldiers will stock up on Meals, Ready-to-Eat and other supplies at Fort Bragg before they deploy. Their vehicles will be a mix of Humvees, Light Medium Tactical Vehicles, fuel tankers and other large vehicles able to operate in high waters.
"Our paratroopers are standing by ready to support when called forward," Buccino said.
The 82nd Airborne Division was last asked to support hurricane relief in 2005, when about 5,000 paratroopers deployed to Louisiana in the wake of hurricanes Katrina and Rita.
The latest deployment comes weeks after dozens of Fort Bragg soldiers from other units were sent to Texas to assist in relief efforts following massive floods caused by Hurricane Harvey.
A spokesman for the 18th Airborne Corps said no other Fort Bragg units are currently set to deploy to assist in the recovery from Irma.
As of late Saturday, U.S. Army officials said there were nearly 7,500 soldiers and civilians ready to support relief efforts in Florida, Georgia, Puerto Rico and the U.S. Virgin Islands.
Gen. Robert B. "Abe" Abrams, commanding general of U.S. Army Forces Command, said that nearly 2,000 soldiers from the command — which includes the 18th Airborne Corps — 200 trucks and 39 aircraft were ready to respond in support of Hurricane Irma relief.
Drew Brooks is the military editor for the Fayetteville (North Carolina) Observer.

Gov. Deal Tells Georgians, Evacuees To Hunker Down For Irma

Atlanta Journal-Constitution
September 11, 2017
With Hurricane Irma bearing down on Georgia, Governor Nathan Deal urged residents and evacuees alike Sunday to find a safe place and stay there until authorities give a signal that it is safe to go out.
The governor's comments followed a tour of the State Operations Center at the Georgia Emergency Management and Homeland Security Agency.
Irma is expected to reach Atlanta as a tropical storm on Monday, with 5 to 7 inches of rain and winds topping 60 mph.

Deal said 3,000 men and women from the National Guard are on call around the state, ready to respond to emergencies.
"Virtually the entire state of Georgia is going to be impacted by this hurricane," Governor Deal said. "There are certainly things we cannot control."
Deal said President Donald Trump called him early Sunday to offer assistance.
Addressing the public, Deal emphasized that people should not try to drive under extreme weather conditions.
"We urge you to not get on the roads until you have been given clearance by everyone that is required to give the clearance," Deal said.
Deal said he expected a broad swath of the state to be affected.
In response to a question about how the state's plans had shifted with the course of the storm, Deal said the state had initially been focused on coastal areas.

Record-breaking Hurricanes Stretch And Strain FEMA

McClatchy
By Franco Ordonez
September 11, 2017
The devastating paths of Hurricanes Irma and Harvey have stretched the Federal Emergency Management Agency to a point unlike any in recent memory as the country looks to recover from the damage caused by record-breaking winds and flooding across Florida, Southeast Texas and South Carolina, not to mention wildfires in the West.
The two storms have illustrated how the disaster agency — unable to be everywhere at once — has been forced to become more nimble. It has evolved from a command-and-control operation into coordinator that oversees and encourages help from outside groups, such as the private sector and nonprofits, and regular citizens in Houston who were called on to break out their canoes to help stranded neighbors when traditional search and rescue teams couldn't reach them.
"You didn't use to see that 10 to 15 years ago," said Katie Fox, acting deputy administrator at the Federal Emergency Management Agency. "Government folks have recognized that there is a huge amount of capability out there in the population. Engaging those folks is a huge help. It often used to be seen as a hindrance that you'd have to manage."
As of Monday, more than 2,300 FEMA personnel have been deployed to Florida; 1,300 are part of search and rescue teams working on the ground with the state's emergency management officials. They are among the more than 15,000 people on the ground (not counting National Guard troops) dedicated to Irma recovery who have been dispatched across the Southeast as well as to Puerto Rico and the U.S. Virgin Islands.
Another 10,000 people are on the ground in Texas and Louisiana, continuing with recovery efforts following Harvey.
Federal Emergency Management Agency Administrator Brock Long has received high marks for his handling of the first major natural disasters to test the Trump administration. He has tried to reassure the public that the disaster agency is up to the task of responding to massive back-to-back hurricanes and anything that follows.
But the reality is the full impact of Irma has yet to be realized.
The storm slammed the west coast of Florida, but the aftershocks have been felt hundreds of miles away as officials report massive flooding on Florida's east coast and north into South Carolina. The Defense Department announced Monday afternoon that an additional 10,000 people may need to be evacuated from Key West.
"The agency is being pushed to its limits right now with all these events," said Gary Webb, chairman of emergency management and disaster science at the University of North Texas. "The reality is the federal government doesn't have unlimited resources and capacity."
Even before the hurricanes, FEMA was having to deal with more than 120 large wildfires in the West that have blanketed smoke across Oregon, Washington and California as well as Idaho and Montana.
Fox says the wildfires are a separate issue, noting that the crisis is handled by personnel with a different set of expertise. But she says back-to-back hurricanes have tested FEMA in challenging ways.
Some search and rescue teams arrived in Florida with just a day's rest after searching for Harvey survivors.
"We've got more than 10,000 folks on the ground supporting Harvey. We've got 15,000 people in Irma," Fox said.
"As you look at what a massive storm Irma was, being able to do search and rescue and set up disaster recovery centers to help people get on their feet after the storm, we're certainly stretched a bit now," she said.
In terms of money, Thomas Bossert, the White House homeland security adviser, said FEMA will have what it needs and promised there would be no break in their operations.
"Right now we have plenty of resources to get through this," Bossert said. "That was the nature of the appropriation that we saw, and the second appropriation that we will see at the end of this month."
Fox emphasized the recovery is a long process, one that is not close to its end.
"The back-to-back nature of the storms has made rest challenging, but the administrator has said from the beginning — that from Harvey — that this is going to be a marathon," Fox said.
Anita Kumar contributed.

Housing

Thousands of evacuees, including homeless, still in shelters

KHOU-TV, Houston, TX
By Grace White
September 11, 2017

HOUSTON - Thousands of people are still in shelters across Houston.
There are 1,300 people in the George R. Brown Convention Center and 2,058 at NRG Center. However, there's also a number you don't see, the number of homeless who are blending in with flood evacuees.
As of today, Baker Ripley, the non-profit running the shelter operations at NRG Center announced they will not be accepting new guests. They're trying to transition these shelters, but they're running into a challenge. Not only do they have flood evacuees to help, they also have the homeless.
For every face inside the shelter there's a different story.
"A lot of people lost everything they had and they're just angry," said Kristy Bell, who is staying at the NRG Center shelter.
The majority are flood victims, but some are just people who show up looking for help.
"All I'm wanting to do is go home, I don't want to be in a shelter," said Candace Levee, who was leaving the shelter.
Some choose to leave, but Bell chose to stay and she's not a flood victim.
"I ended up here because I had my personal Harvey," said Bell.
She told us she lost her job and the roof over her head before the storm blew through.
"It can be chaotic in there," she said.
The NRG Center is home for the single mom of three at least for now.
"We've got a team of case managers, who are working with people everyday to try and figure out what their options are in terms of housing, employment if they need it," said Ann Hilbig, Vice President of Program Planning and Evaluation.
That's the challenge, as the weeks go on. Giving everyone who ended up under this roof a way out, no matter how they came in.
"I think they're helping people that really need the help with the flood, but people like myself they're being left hung out," said Bell.
We're told the shelter at GRB will be closing in the near future. NRG Center will follow, but officials say it could stay open at the most two to three more weeks. One reason being they're receiving 400 evacuees back from Dallas on Tuesday.
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Moldy homes only place to go for some

The Beaumont Enterprise
By Liz Teitz
September 11, 2017

When the 18 inches of water in Aaron and Duchess Watts' Port Arthur home receded, it left behind ruined floors and furniture, and mold.

The 19th Street home isn't safe to live in. "It's making us sick," Duchess said. Aaron already has been to a doctor and been diagnosed with pneumonia.

They're staying in the house anyway, sleeping there at night, or sometimes in their car, because there's nowhere else to go.

They can't find a hotel room nearby, and they need to be in town to work on their house, and help Aaron's mother, Shirley Payne, gut her home as well.

"We're having to live in a house that has mold in it, because there's no lodging," Aaron said. "There's nowhere to live."

Payne is staying with a friend, but that's not a permanent situation, and her house won't be livable for a while - her floors are still wet, and her family and friends were still trying to tear up the carpets before starting on drywall.

"I can't stay indefinitely. I just don't know what I'm going to do," she said, wiping tears from the mask she wore inside her home.

With thousands of people displaced across Southeast Texas and thousands of homes ruined by Hurricane Harvey and the flooding that followed, temporary housing is badly needed but in short supply.

Hotels throughout the area are booked solid, and those that accept Transitional Sheltering Assistance from FEMA are in high demand, with few rooms to offer. The program pays for "eligible disaster survivors who have a continuing need for shelter" to stay in certain motels or hotels.

Some contacted this week said they had no availability until the end of the month, some said they were indefinitely full, others said to

check back later to see if anything opened up.

FEMA spokeswoman Rita Egan said Friday that the agency provides the financial assistance for the program, but it's operated by the state, and hotels' involvement is voluntary.

Close to 2,000 hotels participate in the program, she said.

"The bad news is, they might not be in your area. That's where you start getting into some hard decisions," Egan said.

Payne, who was evacuated from her home in the El Vista area by airboat and went to two shelters in Port Arthur before she was able to go stay with family in Louisiana, said that "hard decision" leaves her without any options.

Her cars flooded inside her garage, so she has to rely on others for rides and can't drive back and forth from a hotel hundreds of miles away. She needs to be nearby to work on her home and to be there when an insurance adjuster comes.

"How can I be here and there?" she said.

Those who could find hotels weren't out of the woods, either.

Wes Tolliver said he and his family qualified for FEMA assistance when their Hamshire home flooded but couldn't find a hotel on the FEMA list with a room.

They paid more than $1,000 to stay in a Beaumont hotel for a week, without potable water for several days, he said, paying prices that rose the longer they stayed.

They've got a room now in one of the FEMA-approved hotels in Winnie, through sheer luck - the hotel didn't answer their calls, "but by walking in and asking, we got probably the only room that's opened," he said.

Payne has heard that advice too - "you have to try hotels in person" - but without a car, and with no rental cars available, she can't run from door to door looking for a room.

Shelters throughout the area have closed over the past week, and fewer people are staying in them. Port Arthur, where officials estimated more than 20,000 homes were destroyed, had about 200 people at Thomas Jefferson Middle School on Thursday night.

Watts and Payne are hoping FEMA will provide trailers, but so far, none are available. Egan said the agency is "looking at other options" for temporary housing, and working with the Department of Housing and Urban Development.

"Nothing is set in concrete at this stage. We are keeping all options open," she said.

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Louisiana Helps Texas As It Plans For Harvey Housing Recovery Efforts

Baton Rouge (LA) Advocate
By Elizabeth Crisp
September 11, 2017

Temporary housing programs were met with mixed reviews after historic floods swept Louisiana last year, and now leaders are sharing their lessons learned with Texas as it sets out on its recovery from Hurricane Harvey.

Will Rachel, deputy director of the Governor's Office of Homeland Security and Emergency Preparedness, is traveling to Texas to assist the state as it develops plans for ensuring that thousands of people whose homes were damaged or destroyed in Harvey will have housing options in the coming weeks.

It's too early to say whether Texas will opt to implement its own version of the contentious Federal Emergency Management Agency-funded Shelter at Home program that Louisiana created after the floods or how many manufactured housing units FEMA may deploy to the state.

Gov. John Bel Edwards' deputy chief of staff Richard Carbo said Shelter at Home is one of the programs that Louisiana is providing insight into and that Louisiana can share what it learned to help Texas make any helpful improvements to it. About 10,600 people took part in Shelter at Home.

"I think there are some agencies that were impressed with the Shelter at Home program," Carbo said. "It was a good program."

Edwards has long defended the $165 million Shelter at Home program as being necessary to address the state's immediate housing needs following the flood.

But the program faced a rocky start as homeowners realized the bare-bones nature of the repairs offered. It still has many detractors –

among public officials and disappointed homeowners – who question the price tag for temporary upgrades that often had to be ripped out when homeowners set out on long-term solutions.
Edwards has blamed restrictions on FEMA funding for the temporary nature of what people got from the pricey program.
Officials tried to tamp down early concerns by implementing new steps in the process, including showing homeowners photos of the types of repairs, to set clearer expectations.
Hurricane Harvey slammed ashore in Texas on Aug. 25 and hovered over the state for several days, flooding Houston and the surrounding areas. Now officials are shifting to plans for short-term housing efforts that are needed as shelters begin to close.
People whose homes were most severely damaged likely won't be able to return for months.
Options include hotels and rental homes, which FEMA provides assistance toward, but that puts pressure on the hotel and rental property stock in the area – a problem Louisiana faced after the floods and that prompted the Shelter at Home program's creation last fall.
Louisiana looked to the "Rapid Repairs" program implemented in New York City in Superstorm Sandy's wake in 2012 for Shelter at Home inspiration. Rapid Repairs was hailed as a first-of-its-kind pilot program when it was first introduced, but quickly faced criticism from homeowners who were dissatisfied with the quality of the work.
Edwards has said he had to convince FEMA to go along with the plan because of the threat of a housing shortage in Louisiana and his concerns about people being able to remain in their communities.
Between Harvey-flooded areas of Texas and Hurricane Irma's path of devastation through Florida over the weekend, it's still too early to pin down how many people will need temporary housing as communities rebuild.
The White House said about 700,000 Texas residents had applied for individual assistance as of Monday. Many Florida residents, millions of which were urged to evacuate before Irma's weekend landfall, were only getting the initial view of damage on Monday.
FEMA administrator Brock Long during a recent news conference described the "long process" that Texas is entering.
"If we can't put you back in your home because it's destroyed ... we want to get you out of the sheltering," Long said. "In some cases we have to look at alternative housing solutions. The last resort is to bring in manufactured homes and travel trailers."
"Housing is going to be very frustrating in Texas. We have to set the expectations," he added.
White House homeland security adviser Tom Bossert on Monday also outlined the options that are being reviewed for Texas' immediate housing needs. He didn't directly mention a Shelter at Home-type program but said that some of the options will need to be creative to meet demand. He also alluded to people living in their gutted homes.
"People can stay in their home — it's been flooded — when the drywall is ripped out," he said during the White House press briefing.
Follow Elizabeth Crisp on Twitter, @elizabethcrisp.

Flood Insurance

For Many in Houston Without Flood Insurance, SBA Loans Offer a Lifeline

Houston Press
By Joseph Fanelli
September 11, 2017

For the victims of Hurricane Harvey without flood insurance, which experts have estimated is as much as 80 percent of Houston homeowners, long-term relief will not come without a price.

FEMA offers disaster assistance grants, but those mostly serve as short-term solutions to help victims quickly return to their homes. Payouts during Hurricane Sandy in 2012 averaged about $8,000, according to FEMA data.

Tom Bossert, President Donald Trump's national security adviser, said 100,000 homes were destroyed or damaged by Harvey, and CoreLogic, an analytics firm, said total residential damages from flooding are between $25 billion and $37 billion.

If homeowners want to completely repair their houses from flood damage, they will likely need to take on debt, an option many have already resorted to. As of Thursday, more than 11,000 people had applied for disaster loans from the U.S. Small Business Administration, the federal agency that provides low-interest loans to victims of natural disasters. Since the start of the storm, the administration has handed out more than $49 million in loans, according to spokeswoman Carol Chastang, and $450 million of the $15 billion appropriated to Harvey relief in a bill passed by the U.S. Senate on Friday will go to the Small Business Administration's disaster program.

As of Monday morning, SBA has approved 1,141 disaster loans for nearly $104 million). There are currently 9,935 disaster loans being processed.

"This is really big that we've provided this many disaster loans in this short period of time," Chastang said.

The administration is known for handling business loans, but homeowners seeking relief can also borrow up to $200,000 for repairs to real estate, and renters can receive up to $40,000. Rates on these loans can be as low as 1.75 percent – college and mortgage loans are

typically more than double that – and last from three to 30 years, depending on the borrower's ability to repay the loan.

Of course, paying a bill for repairs later down the line is not ideal for many families.

"All the sudden you're paying a loan on your house along with your mortgage," said Bob Hunter, the director of insurance for the Consumer Federation of America and the former commissioner of insurance for the state of Texas.

Much of the blame for Houston's low flood insurance rate has been placed on the National Flood Insurance Program, which requires residents in 100-year floodplains to buy the insurance but uses outdated maps to determine where people are at risk. In Harris County, 25,000 fewer people have flood insurance now than in 2012, according to data analyzed by the Associated Press. Neighborhoods like Meyerland, Briar Hills and Fleetwood experienced a 500-year flood during Harvey.

Consumers across the country, though, typically don't opt into low-probability, high-cost insurance policies because they make two mistakes, said Hunter, the insurance expert. The first is the fallacy of invincibility – that my house is positioned higher than my neighbor's and will be okay compared to everybody else's. The second is the misconception that disaster relief will cover any and all damages. Nationally, only about 12 percent of homeowners have flood insurance, according to the Insurance Information Institute.

"People don't have earthquake insurance with houses on fault lines," he said.

The result of this insurance gap is people scrambling for help. Chastang from the Small Business Administration said the agency has approved 541 disaster loans and is processing about 6,800 at the moment. She said the discrepancy between applications and approvals is due to the sheer volume of requests as well as the number of people who apply for a loan and ultimately decline to pursue it further.

Congress appropriated $3.3 billion to the Small Business Administration for the 2017 fiscal year and Chastang said the agency will be fine as more and more applications stream into the agency.

"We are prepared for this," Chastang said. "[We are] prepared for the long-term recovery of areas affected by Harvey."

With federal flood insurance, corporations get a third of premiums and taxpayers get the bill

Consumer Affairs
By Amy Martyn
September 11, 2017

As uninsured victims of Hurricane Harvey face potential financial ruin, the federal government is urging Americans to buy flood insurance while they can. But even policy-holders may be in limbo as flood insurance becomes unsustainable and gets scrutinized by Congress. Flood insurance is not like homeowner's insurance, because after a disaster, flood insurance sticks taxpayers rather than insurers with the bill.

The National Flood Insurance Program, as federally-backed flood insurance run by FEMA is called, is now deeply in debt, so much so that FEMA purchased its own insurance policy last January to cover Americans' flood claims. For the price of $150 million, FEMA was promised catastrophic coverage to the tune of...$1 billion, a fraction of what either Hurricane Katrina or Superstorm Sandy cost taxpayers. Largely due to pay-outs from those two storms, FEMA now owes $24 billion to the US treasury.

FEMA secured its relatively meager $1 billion flood coverage plan through a group of 25 "reinsurance companies," or mega-insurance companies in the business of selling insurance to regular insurance companies. Home insurers like Allstate purchase their own reinsurance to cover the massive amount of damages they must pay consumers after a major disaster.

Naturally, the reinsurance industry says that FEMA made an excellent business decision. "I commend FEMA for creating the NFIP reinsurance program and the financial protections it will afford taxpayers," Frank Nutter, president of the Reinsurance Association of America, said in a news release after the sale, describing FEMA's purchase of reinsurance coverage as a "significant milestone."

People like Bob Hunter, a former Texas insurance commissioner who now works for a consumer watchdog organization, are less convinced that FEMA's reinsurance plan will benefit flood victims or taxpayers. "It might, but not much I don't think."
A "comeback year"

Superstorm Sandy, the Category 3 storm that rattled the East Coast in 2012, was one of the costliest storms in United States history, but private insurers had grown accustomed to more intense storms over the years and were prepared. Berkshire Hathaway "shot the lights out" in 2012, CEO Warren Buffett told shareholders. State Farm saw its profits quadruple that year. Traveler's insurance ended

2012 with its share values up 8 percent from the year prior. “Across the industry, 2012 was a comeback year for insurers despite enormous losses from Hurricane Sandy,” reported an industry publication.

The private insurers who offer flood insurance do so through FEMA’s National Flood Insurance Program, specifically the program’s Write Your Own policy, which allows carriers to write policies and collect fees without being responsible for pay-outs.The reason for that is fairly straight-forward. Though the insurers were exposed to millions of dollars worth of claims for damage caused by wind, hail, and other natural factors, they largely avoided having to pay for damage caused by flooding itself. That’s because most Americans do not have flood insurance and most insurers do not offer it. And even when Americans do have flood insurance through a private carrier, the burden of paying out claims still largely falls on the federal government.

"The companies that participate in the National Flood Insurance Program don't bare any financial risk. They get a servicing fee for administering the program. It's the federal government that bares the risk,” Don Griffin, a vice president at the industry trade group the Property Casualty Insurers Association of America, tells ConsumerAffairs.

A fee on premiums

Insurers historically regarded flood insurance as a money pit and didn’t offer it. Recognizing the need for Americans to be protected, the federal government began subsidizing flood coverage in the 1960s. Under the Write Your Own system, private insurers can collect thirty percent of the premium dollars consumers pay to the federal government. Insurers collect an additional 1.5 percent fee for writing claims after a flood.

The rest of the premiums go to a general pot that, in theory, is supposed to cover every flood victim's claim after a storm. But a $24 billion hole in that pot indicates that the system clearly isn’t working, raising questions about where the money is going.

Photo

Flood waters in New York following Hurricane Sandy. Photo (c) MISHELA - Fotolia

A PBS investigation last year found that insurers earned a total of $400 million in profits after Superstorm Sandy. At the same time, people who were protected with flood insurance told the station that their claims were denied or short-changed.

Insurers counter that the fees they collect on premiums and claims go toward expenses like paying insurance agents and contractors. “So the overall number that they get is much lower. It's not a very profitable line of business,” says Don Griffin, with the insurance industry trade group. He argues that more companies would offer flood insurance if it was profitable. Only 68 home insurers out of an estimated 1300 on the market participate in the federal flood program.

The market leaders

Wright Flood Insurance, a Florida-based subsidiary of the Wright Insurance Group, is the rare American insurer in the business of flood insurance and only flood insurance. The company has grown to become the largest provider of flood insurance in the federal marketplaceand sells both federal flood insurance and excess flood insurance, in which private insurers offer consumers additional flood coverage and pay out of their own pockets for the damages.

“At Wright Flood our roots in federal flood insurance date to the very beginning of the flood program,” the company’s biography says.

Brown & Brown, one of the largest insurance companies in the world, purchased Wright and its flood subsidiary for $600 million in 2014. In an annual report, the corporation portrays flood insurance as a business with little to no risk. Brown & Brown says that all basic flood coverage is backed by the federal government, and excess policies are backed by a reinsurance company.

A spokesman for Wright Flood tells ConsumerAffairs that the company has already paid customers $20 million for Hurricane Harvey damage. The spokesman, Jeanne Karp with RBB Communications, says that insurers take home a small amount of the 30 percent fee they collect on flood insurance premiums.

“The 30% figure you’ve referenced is often misinterpreted as a full sum, when it is really a breakdown of components,” she says via email. “From that an average of 20% goes to the agents, 2-2.5% toward premium tax, and anywhere from 4-7% in vendor fees.”

Assurant, the company best known for providing cell phone insurance, bills itself as the second-largest provider of flood insurance in the federal marketplace. The company, which also provides regular homeowners insurance, reported losing $250,206 in 2012 due to Superstorm Sandy.

That’s a small drop in the $1.5 million Assurant anticipates it will return to shareholders at the end of 2017. Assurant similarly describes flood insurance as a win-win scenario for insurers. “We also act as an administrator for the U.S. Government under the voluntary National Flood Insurance Program," the company writes to investors, "for which we earn a fee for collecting premiums and processing claims. This business is 100% reinsured to the U.S. Government.”

Solutions to flood debt

Lawmakers on both sides of the political aisle agree that the federal government is paying too much to subsidize flood insurance, but they typically say that consumers should carry a bigger burden and pay higher premiums. Expensive flood insurance may discourage people from living in areas that are growing more vulnerable to extreme weather, the thinking goes.

Insurers say they would be open to operating their own, completely private flood coverage to compete with the federally-backed plans. This would relieve taxpayers from paying for flood damage, though critics worry that the private plans would not be sold to consumers who truly need them.

Insurers also point out that the largest servicer of federal flood insurance is technically the federal government. Through a separate program called NFIP direct, an insurance agent connects customers to an NFIP flood insurance plan that is written and administered only by FEMA, not an outside insurer. Still, even under those so-called "direct" plans, insurers still receive a 15 percent chunk of the premiums paid.

"What's not shown in that 15 percent is what the NFIP direct spends on administrative costs," Don Griffin of the Property Casualty Insurers Association says. "The direct program still has administrative costs to write the policy."

National Flood Insurance Will Help Clean Up After Irma And Harvey. And That's A Problem.

Washington Post
By Logan Strother
September 11, 2017

With Hurricane Irma pounding Florida with historic intensity and Hurricane Harvey leaving unprecedented levels of flooding in parts of Texas, Congress is back in session — and, coincidentally, looking at reauthorizing the National Flood Insurance Program (NFIP). NFIP runs on five-year authorizations from Congress; the current one expires September 30.

Here are the five things you need to know about this perennially problematic policy.

1. What is the National Flood Insurance Program (NFIP)?

NFIP is a program administered by the federal government, now housed in the Federal Emergency Management Agency (FEMA). According to FEMA, the NFIP:

… aims to reduce the impact of flooding on private and public structures. It does so by providing affordable insurance to property owners and by encouraging communities to adopt and enforce flood plain management regulations.

2. Most insurance is provided by private firms. Why is flood insurance different?

In 1968, Hurricane Betsy struck the Gulf Coast, killing 76 people and leaving behind more than $1.5 billion in property damage, which would be more than $10 billion in 2016 dollars. Virtually none of that was covered by flood insurance — leaving the historic storm to be paid for by relief legislation.

Why? Most private insurers had left the flood insurance market after the historic Mississippi River Flood of 1927. Insurers generally see catastrophe insurance as a bad bet: Premiums that reflect actuarial risk are prohibitively expensive, because the risk pool is concentrated and not large enough to effectively diffuse costs. In an important sense, this is precisely the point: prohibitively expensive insurance (or the inability to get insurance at all) should have encouraged people not to move to, build or invest in flood-prone areas. But at the time, a number of policymakers and observers argued that the lack of private-sector flood insurance was a market failure — and should be corrected by the government. As a result, Congress enacted the National Flood Insurance Act of 1968, which was intended to make affordable flood insurance available to those who need it. Because of the actuarial problems just mentioned, however, the only way to make insurance affordable was to subsidize premiums.

3. Has NFIP been successful at achieving its goals?

It has not. NFIP has a unique policy history of failing to deliver on its stated goals. It routinely runs large deficits because few of those who need it buy it; those who do pay steeply subsidized premiums.

Worse, NFIP actually creates incentives for people to move to and invest in flood-prone areas, increasing the number of properties likely to be flooded. A huge fraction of the program's payouts have gone to the same properties over and over again; NFIP calls these "Repetitive" and "Severe Repetitive Loss Properties." That's precisely because the policy actually subsidizes rebuilding — and offers no incentive to relocate out of flood zones.

So why does NFIP subsidize premiums, if that causes deficits? The idea is that offering discounted rates and making up the difference with tax dollars will encourage the customers who need it to actually buy it. Unfortunately, NFIP fails at even this goal.

That's in part because most people do not have a thorough understanding of their property's flood risk. For instance, many people think that if they live behind levees, they are safe from flooding and thus don't need insurance. The flood risk maps that NFIP uses to calculate flood risk are badly out of date.

What's more, flood policy experts have begun to realize many people forego insurance in part because of Congress's implicit promise that it will deliver humanitarian relief after any major disaster.

As a result, a very small percentage of those at risk actually have flood insurance. Take Harris County, Tex., where Houston is situated — only 80 feet above sea level, in a hurricane zone — where only about 15 percent of its structures are covered by flood insurance. Nationwide, market penetration hovers around 50 percent of properties in 100-year flood plains. Even in very high-risk areas, such as New Orleans and South Florida, penetration rates typically range from just over 50 percent down into single digits. Low

participation rates means the risk pool remains too small to absorb losses from major flood events.
4. Why doesn't Congress fix NFIP?
Congress has tried to improve NFIP from time to time over the last 50 years. Major floods almost always lead to small adjustments, usually aimed at getting more at-risk property owners to buy it.
In a recent article, I argue that Hurricane Katrina made NFIP's biggest problems too big to ignore, leading Congress to pass a far-reaching reform called the Biggert-Waters Act of 2012. Biggert-Waters phased out subsidies for all properties and eliminated them for repetitive loss properties, took steps to educate the public about flood risk, all new policies would reflect actuarial risk, provided funds to update flood risk maps and more.
But only 14 months later, Congress passed the Homeowner Flood Insurance Affordability Act of 2014, which undid most of the Biggert-Waters reforms by reviving subsidies, increasing deductibles and the like.
Why? The passage of the Biggert-Waters Act made flood policy highly salient: The news media gave a fair amount of attention to the fact that the end of subsidies would make insurance much more expensive for individual property owners. At-risk owners — many from relatively affluent coastal areas — lobbied Congress to keep flood insurance "affordable."
In Congress, electoral incentives matter a lot. As political scientist R. Douglas Arnold famously put it, the "first law of congressional behavior" is "never impose costs on one's constituents that might be traced to one's own individual actions" — and which might jeopardize chances for reelection. When few people were paying attention to flood insurance, Congress could alter the policy relatively freely. But once the policy changed and voters saw what would happen to their costs, members changed their tune. Those voters are dispersed more widely through the country than you might imagine, along every river and big stream in the country, in addition to the coasts.
In short, Congress reversed course because enough of them were unwilling to make voters unhappy by forcing them to pay for their real flood risks.
5. So what now?
Unfortunately, there's no easy answer. Subsidized premiums and post hoc disaster aid shift flood risk from individual owners to taxpayers at large and encourage development in flood-prone areas. After disasters, people rebuild right back in these areas, making the next major loss inevitable.
NFIP could be designed to discourage people and businesses from living and building in flood zones — and to help with the costs for those who are flooded nevertheless.
Many of the reforms in Biggert-Waters were aimed at precisely that goal. But many people want the NFIP to make flood insurance "affordable." And so Congress will almost certainly continue kicking the NFIP can down the road.
Logan Strother is CKF postdoctoral fellow and a visiting scholar in the Program in Law and Public Affairs at Princeton University.

Emmett: All Options On Table To Improve Flood Control After Harvey

Houston Chronicle
By Mihir Zaveri
September 11, 2017
As the Houston area continues the process of recovery from Tropical Storm Harvey's widespread destruction, Harris County Judge Ed Emmett on Monday called for a sweeping reexamination of the region's flood control strategy.
Emmett outlined a series of options that likely would require an investment of billions of dollars, including building a new reservoir on the county's northwest side and one or more levees.
He said the county would need to reexamine the hydrology of the region, and explore options for further regulating the booming development that has made Harris County one of the fastest-growing in the nation.
Emmett, a Republican, said three 500-year rainfall events in the last two-and-a-half years – Memorial Day in 2015, Tax Day in 2016 and now Harvey – increase the pressure on the county, state and federal leaders to act.
"You got to say, 'We're in a new normal so how are we going to react to it?" he said. "That means a lot of projects."
Emmett said all options need to be on the table after Harvey unleashed the fiercest storm the region has ever seen, flooding upwards of 136,000 homes and structures, killing more than 70 people and inflicting billions of dollars' worth of damage to roads, bridges and other public infrastructure.

FEMA flood maps missed past damage near Houston

Science and Technology
By Jade Boyd-Rice
September 11, 2017

FEMA maps used to assess flood risk created may have failed to accurately reflect the risk to Houston, Texas suburbs in the event of major storms.

An analysis of flood claims in several southeast Houston suburbs from 1999-2009 found that the Federal Emergency Management Agency's 100-year flood plain maps—the tool that US officials use to determine both flood risk and insurance premiums—failed to

capture 75 percent of flood damages from five serious floods, none of which reached the threshold of a 100-year event.

The research by hydrologists and land-use experts appeared in the journal Natural Hazards Review just days before Hurricane/Tropical Storm Harvey inundated the Houston region and caused some of the most catastrophic flooding in US history.

"The takeaway from this study, which was borne out in Harvey, is that many losses occur in areas outside FEMA's 100-year flood plain," says study coauthor Antonia Sebastian, a research associate at Rice University's Severe Storm Prediction, Education and Evacuation from Disasters (SSPEED) Center and a postdoctoral researcher at Delft University of Technology in the Netherlands. "What we've tried to show, both with this study and several others, is that it is possible to do better," says lead author Russell Blessing, a Texas A&M-Galveston graduate student with joint appointments at the SSPEED Center and Texas A&M-Galveston's Center for Texas Beaches and Shores. "There are innovative computational and hydrological tools available to build more predictive maps."

In the new study, Blessing, Sebastian, and coauthor Sam Brody, a professor of marine sciences at Texas A&M-Galveston, director of the Center for Texas Beaches and Shores, and a SSPEED Center investigator, examined the Armand Bayou watershed in southeast Harris County. Armand Bayou's 60-square-mile watershed includes portions of Houston, Pasadena, Deer Park, La Porte, and Taylor Lake Village, as well as unincorporated portions of Harris County.

Hurricane Harvey caused some of the most catastrophic flooding in US history last month. A new study of flooding between 1999-2009 in several southeast Houston suburbs found that FEMA's 100-year floodplain maps failed to capture 75 percent of flood damages from five storms, none of which reached the threshold of a 100-year event. (Credit: Jeff Fitlow/Rice)

Five major rain events occurred in the study area between 1999-2009. They were Hurricane Ike (2008), Tropical Storms Erin (2007) and Allison (2001), and two rainstorms that caused flooding in 2006 and 2009.
Hydrologists often characterize rain events and flooding events with a statistic known as "return interval." A 100-year flood has a 100-year return interval, but Blessing says that does not mean such a storm is only expected to occur every 100 years. Rather, it means there is a 1-in-100 chance, or a 1 percent chance, that the event will occur in any given year. Thus, a 50-year event would have a 2 percent chance of occurring each year, a 10-year event would have a 10 percent chance, and so on.

Brody says one problem with FEMA's 100-year flood plain maps is that they assume that flooding will only take place in one dimension, that is, either downstream or upstream, and not perpendicular to the channel.
"That assumption doesn't hold when you're in really low-lying areas, like Armand Bayou or other coastal watersheds that are very flat," he says. "When flooding rain accumulates in these areas, it can flow in just about any direction depending upon how high it gets."

Sharing your photos could improve flood warnings
Another issue with FEMA's maps is their lack of granularity. Brody and Blessing says the type of soil (such as clay versus sand) and the way land is used (such as a concrete parking lot or a school playground) have significant impacts on flooding, and FEMA's models often use a single classification for entire neighborhoods or groups of neighborhoods. In so doing, they miss out on small-scale features that can significantly affect flooding.

Sebastian says focusing on 100-year events is also problematic because short, intense rainfall events that don't meet the 100-year threshold can still cause serious flooding.

"In Armand Bayou, a 100-year rainfall event is one that drops 13.5 inches of rain in a 24-hour period," she says. "In reality, we also experience much more intense rainfalls in less time. So, for example, when it rains 6 inches in two or three hours, it can also cause serious flooding."

Why disaster recovery shouldn't overlook domestic violence
In several other studies, including a number that examined flooding in the Clear Creek watershed, Blessing, Brody, Sebastian, and SSPEED colleagues have shown that other approaches, like distributed hydrologic modeling and probabilistic flood plain mapping, can be far more predictive of flood damages and flood risk.

The National Science Foundation supported the research. The findings and opinions reported are those of the authors and are not necessarily endorsed by the funding organizations or those who provided assistance with various aspects of the study.
Source: Rice University

Volunteers/Donations/Charities

American Red Cross to provide $400 through immediate assistance program

KTRK-TV, Houston
By Marla Carter
September 11, 2017

HOUSTON, Texas -- The American Red Cross is providing some financial assistance for those impacted by Hurricane Harvey.

With the Immediate Assistance Program, people who were directly affected by the storm can receive $400.

"Thanks to our generous donors, the American Red Cross will be providing financial assistance to Texas households that were severely impacted by Harvey and need help taking care of emergency needs," a Red Cross spokeswoman said.

Across the area, there are many people in need of assistance.

Jerry Henderson says he's fortunate.

"I got in touch with FEMA the day of the storm," said Jerry Henderson.

While he was forced to evacuate, once the water receded he saw that the damage to his home wasn't too bad.

However the bills started adding up. He owes $1,000 for his hotel stays and then there's two cars that go damaged.

Henderson is an Iraqi war veteran and on a fixed income. Both he and his wife are battling cancer, so the budget is tight. He said he needed help, so he asked for it.

First, he was on the phone with the SBA and then Red Cross.

"I called back the Red Cross, then the Red Cross gave me another place to call," he said.

Henderson said he got the run around. He's concerned other families are too and that's frustrating, he said, especially since people have donated millions of dollars to help.

Meanwhile, hundreds of others in need of help stood in line at Walmart stores across the metro on Monday. They were trying to get $400 in assistance from the Red Cross.

"So far we've procced over 37,000 applications but once the word got out, everybody got on at once," said Charles Blake, with the American Red Cross.

The assistance from Red Cross will include:

Primary residence was severely impacted by Harvey.

Household is in need of emergency assistance.

Household was displaced by the impact of Harvey.

The assistance is available to residents in the following counties:

Aransas

Austin

Bastrop

Bee

Brazoria

Calhoun

Chambers

Colorado

DeWitt

Fayette

Fort Bend

Galveston

Goliad

Gonzalez

Hardin

Harris

Jackson

Jasper

Jefferson

Karnes

Kleberg

Lavaca

Lee

Liberty

Matagorda

Montgomery

Newton

Nueces

Orange

Polk

Refugio

Sabine

San Jacinto

San Patricio

Tyler

Victoria

Walker

Waller

Wharton

As of Sept. 8, the American Red Cross has served more than 1.2 million meals and snacks with their partners and distributed more than 246,000 relief items.

$0.91 of every dollar the Red Cross spends for this disaster will go to help people affected by Harvey.

Go to the Red Cross website to register. The program is open through Oct. 10.

The Red Cross released a statement Monday saying, "We are experiencing high demand, and ask that people please try again tomorrow."

Incarnate Word Academy Students Help Hurricane Victims

Corpus Christi (TX) Caller-Times
September 11, 2017
Incarnate Word Academy students sprung into action to help victims of Hurricane Harvey.
Several student organizations, including the High School Level's National Honor Society, Student Council, and athletic sports teams, collected donations to assist Rockport, Port Aransas, and other communities.
Within days, the High School Level foyer was jam-packed with cases of bottled water, nonperishable foods, hygiene products, and many other everyday necessities to be given to displaced individuals.
High School NHS members loaded the items into trailers and school buses to be transported to Coastal Bend communities.
"For me, it's just so nice to see how big of a heart the whole IWA community has," IWA senior and NHS member Amille Bottom said. "It's so wonderful to see everyone pitching in to help out the community and to help others."
Several High School Level students helped clean up debris left at St. Joseph's Catholic Church in Port Aransas.
The High School Level's Lady Angel basketball and volleyball teams visited Our Lady of Refuge Catholic Church in Refugio to drop off donations, help unload other donors' vehicles, and sort through donations. The same day, High School Level Student Council members as well as a few IWA graduates visited multiple homes in Rockport to help individuals clean up piles of debris.

Opinion

Column: Texas Begins Long March Toward Recovery From Hurricane ...

Austin (TX) American Statesman
By Ed Sterling
September 11, 2017
As contaminated waters receded and mountains of debris from flooded homes and ruined belongings grew last week, a picture of post-hurricane Texas developed and the process of weighing impacts to lives, property and infrastructure began.
Gov. Greg Abbott delivered a series of announcements and proclamations related to catastrophic flooding and wind damage brought by Hurricane Harvey to more than 50 Gulf Coast and inland counties in late August and early September.
On Sept. 7, Abbott thanked Congress for passing a $15.3 billion hurricane relief package and called the bipartisan action "an encouraging sign."
On Sept. 9, Abbott wrote to EPA Administrator Scott Pruitt, expressing support for a request by the Texas Water Development Board to streamline federal funding for flood and water infrastructure projects related to Hurricane Harvey. The board administers EPA's state revolving funds, which will be used to repair and rebuild water, wastewater and storm water systems in communities affected by Harvey.
Also on Sept. 9, Abbott and Texas A&M University System Chancellor John Sharp, who heads the newly created Governor's Commission to Rebuild Texas, met with Beaumont officials along with leaders of many state agencies. It was the first stop in a three-city, five-day trip to discuss the devastation caused by Hurricane Harvey and get input on how the commission can assist in the rebuilding and recovery effort.
The Texas Department of State Health Services on Sept. 6 announced the launch of FEMA-assisted mosquito control measures over the Hurricane Harvey-stricken counties of Refugio and Bee.

Areas of standing water may increase the number of mosquitoes capable of spreading diseases such as the West Nile and Zika viruses, the DSHS said.
Texas Attorney General Ken Paxton praised a decision Sept. 5 by the U.S. Court of Appeals for the 5th Circuit to uphold the state's voter identification law that was blocked last month by a Corpus Christi federal district court.
A three-judge panel of the Fifth Circuit voted 2-1 to overturn an injunction granted by the lower court. The ruling, Paxton said, means that an interim court remedy is in place for 2017, preserving the requirement of an ID while allowing those without an accepted ID to vote by signing a sworn declaration stating that they have a reasonable impediment to obtaining one.
Furthermore, Senate Bill 5, a law passed by the Texas Legislature this year amending the voter ID law to comply with a prior 5th Circuit ruling, takes effect in 2018, Paxton said. Paxton echoed the U.S. Department of Justice, saying the new law "eradicates any discriminatory effect or intent" and expands voter identification options.
Attorney General Paxton on Sept. 5 applauded President Donald Trump's decision to phase out within the next six months the Deferred Action for Childhood Arrivals program created by President Barack Obama in 2012.
DACA granted lawful presence and work permits to nearly 800,000 people who were brought to the U.S. as children by foreign nationals. President Trump left it to Congress to pass a law by March 5, 2018, that would allow affected individuals to continue residing in the U.S.
Texas Comptroller Glenn Hegar last week released the total of state revenues collected during the fiscal year that began Sept. 1, 2016, and ended Aug. 31, 2017. Hegar also posted a state revenue report for the month of August.
Sales tax revenue for the year was $28.9 billion, 0.3 percent ahead of the $28.8 billion projected in the January biennial revenue estimate, and general revenue-related revenue was $52.3 billion, or 1.2 percent ahead of the projection of $51.7 billion. State sales tax revenue for the month of August totaled $2.48 billion, 0.9 percent less than in August 2016, he said.
Also, Hegar reported that Texas' "all funds" tax collections for fiscal year 2017 came to $49.6 billion, or 0.2 percent less than his $49.7 billion projection, and all funds revenue totaled $111.2 billion, or 1.4 percent less than his $112.8 billion projection.
Comptroller Hegar on Sept. 7 announced his office would send cities, counties, transit systems and special purpose taxing districts $668.3 million in local sales tax allocations for September, an amount 6.2 percent more than the Office of the Comptroller distributed in September 2016.
Allocations are based on sales made in July by businesses that report tax monthly.
– Ed Sterling is director of Member Services for the Texas Press Association.

Ray Perryman, Board Of Contributors: Harvey Damage To Gulf Coast May Exceed Katrina, Sandy Combined

Waco (TX) Tribune-Herald
By Ray Perryman
September 10, 2017
Hurricane Harvey has affected lives across the state and nation. The catastrophic storm not only caused significant damage when it made landfall near Corpus Christi but has also gone down in history as the wettest ever in the continental United States with devastating flooding in and around Houston. Destruction of homes and businesses is causing further distress. The human suffering is of paramount importance. Emotional losses are enormous.
The economy has clearly been affected. Although the floodwaters have now largely receded, it will be some time before the full extent of damage can be measured. It is, however, widely recognized that the cost will exceed those of Hurricane Katrina, which had been the costliest storm to date. Time will be required for repair of buildings and infrastructure. The loss of business activity will be substantial. Damages associated with Harvey are expected to be higher because of the intensity of the storm and the significantly larger population affected. The region's critical role in our nation's energy industry and associated supply chains further increases the effects of the storm. The best available, most recent estimate from AccuWeather indicates the damage caused by Harvey could be as high as $190 billion (property loss and near-term business interruption), making it equal to the cost from Hurricanes Katrina and Sandy combined. This estimate is obviously preliminary and it will be months before a clear picture can be obtained. Texas has requested between $120 billion and $150 billion in federal aid, an amount which is in keeping with this estimate.
Damages are only a part of the economic implications. Any economic stimulus, positive or negative, leads to additional responses and multiple rounds of business activity. Business operations have been interrupted, causing lost revenue and profits even beyond damage to facilities. In many cases, these revenues cannot be recouped. Productivity has also been affected as workers are absent due to problems with their homes and property or less effective on the job as they deal with those issues. According to our calculations, even a 10 percent drop in productivity for two months in the immediate and directly affected areas could bring a loss of almost $3 billion in gross product.
On the other hand, the act of repairing buildings and infrastructure damaged by wind and water leads to an increase in spending in the construction sector. Suppliers of the goods and services who must get things back to normal will see additional opportunities due to Harvey. Replacing personal items, vehicles, furniture and everything else will increase retail activity in the region. These benefits partially offset overall losses.
To offer an initial quantification of possible outcomes, we analyzed the potential economic impact of a storm of Harvey's magnitude on overall economic activity. Based on this, we estimate that when multiplier effects and various positive and negative aspects of the economics of the storm are considered, the impact of Hurricane Harvey could include losses to the U.S. economy (which would be

observed over an extended period of time) of $145 billion in real gross domestic product (constant 2009 dollars), $95.9 billion in real personal income and more than one million person-years of employment.
The bulk of the impact falls on Texas and Louisiana, with Texas seeing losses of $110.3 billion in real gross state product, $73 billion in real personal income and 771.6 thousand job years when multiplier effects are considered. Losses in Louisiana over time are estimated at $8.7 billion in real gross state product, $5.7 billion in real personal income and 60.8 thousand job years.
These values represent about 7 percent of the annual output and income levels of Texas. However, they don't happen all at once but will instead be felt irregularly over an extended period. The effect on the Texas economy is clearly significant but, even so, not likely to derail the state's long-term pattern of growth for a significant period of time. The underlying forces driving regional growth have not been fundamentally altered. The pace of recovery will depend on many factors, some related to public policy responses in a difficult legislative environment. In the end, however, the Gulf Coast economy will resume its expansionary path.
Ray Perryman is an economist and president and CEO of The Perryman Group, an economic research and analysis firm based in Waco. He was selected as the 2012 Texan of the Year by the Texas Legislative Conference.

Texas motto could be: 'I have a bass boat and I'm coming for ya'

Kansas City Star
By Sherry Kuehl
September 11, 2017
Right now, you have to love Texas. Hurricane Harvey was an almost unprecedented force of nature, but Texas is also a force to be reckoned with. I know this because I'm a Texan and I was brought up to believe in God, Texas and that nothing is better than Texas.
As a child Texas history was a mandatory class and was taught before American history because as our teacher repeatedly told us, "It's more important." A state flag is a de rigueur wedding present (and explains why you see more Texas than American flags swaying in the humid breeze) and for anyone that slinks out in the dark of night to abandon Texas to go to an out-of-state college the conventional wisdom is 1) It's a shame you didn't get into the University of Texas and 2) Don't worry you'll be back.
When I left the state to pursue a job in California my mother's parting words were, "Never forget you're a Texan."
At the time, I thought my mom was being overly dramatic, but now that I'm a parent, I've said that to my children numerous times and it's usually met with an eye roll or a muttered, "Yeah, like you're ever going to let that happen."
The truth is if you hail from the Lone Star state, hubris is a birthright. You're born being told that you're special solely because you're a Texan. I know this is delusional and totally illogically, but Texas folks don't let rational thinking get in the way of just about anything.
This is why you should never tell a Texan they can't do something. The second commandment of being a Texan is that you never waste time asking for permission when you can always pray for forgiveness.
I believe this combo platter or hubris and obstinacy is one of the primary reasons the state has been so impressive in how they've handled their disaster relief. Texans didn't wait for permission or a plan. They didn't wait to see what the feds were up to nor did they expect anyone from up North to rescue them.
Texans just did it. The new state motto should be "I have a bass boat and I'm coming for ya". Neighbors helped neighbors. Companies large and small were in it to win it. You had the mega grocery store chain HEB (pretty much considered God-tiered in Texas) coordinating relief logistics so efficiently that they should teach a master class to FEMA. Then there was the dude with a mattress company that just opened his doors and said, "Y'all come on it."
The one thorn in this saddle of awesome, though is Houston's super church pastor Joel Osteen. I was flabbergasted he didn't do the neighborly thing and open up his church, (the former Compaq Center which can accommodate almost 17,000 people) when the flooding started. I even had to Google if he was indeed a true Texan. I was hoping he was a transplant because that might explain his behavior.
I was horrified to discover that he's a life-long Houstonian. WTH? And his lame excuse that he was waiting to be asked to open his church as a shelter – please.
It's all so very, well, un-Lone Starry. Seriously, what Texan waits for instructions from anyone except their mama? Talk about squatting on your spurs. There's even been talk of starting a petition to have Osteen dishonorably discharged from the state for conduct unbecoming to a Texan and have him escorted from the premises via a herd of stampeding Longhorn.
But enough about that. Instead let's focus on the wonder of the human spirit. Here's a Texas-size shout-out to good people who did the right thing come hell or high water.

Social Media

FEMA Conversation

- A local Houston news outlet post informing residents that three new FEMA disaster recovery centers will be opening is receiving negative responses from local residents expressing their frustrations with assistance denials.
    - Survivors are overall upset with FEMA because of the distance of the Disaster Recovery Centers and unclear on what type of assistance they will receive.

- A major news outlet article stating that the Christian and non-profit organizations have outdone FEMA and provided the majority of relief to survivors is receiving a mix of agreeance and non-agreeance reactions from survivors and the public.
    - The article does explain the relationship between FEMA and church-based groups.
    - The public seems to be mostly basing their responses off of the headline than actually reading the article.
- A major news outlet article discussing the $135 million dollars in FEMA funds disbursed to the Texas Governor Greg Abbott to help with clean-up in the Houston and Harris area is receiving a mix of positive and negative responses from survivors.
    - Survivors are expressing that they feel that their area is not being included in assistance from both federal and local government officials.
    - South Texas survivors feel that Houston and the Gulf Coast area is receiving the majority of assistance and attention.

Recovery:

- As of today at 1000 ET Galveston District, U.S. Army Corps of Engineers announced that FEMA Disaster Recovery Centers have been opened in Katy, Baytown, & Houston.

Rumors/Misinformation:

- The Beaumont Police Department posted at 1430 ET today letting their community know that **FEMA does not require a sign on debris** forbidding trash removal services.
- He confirms that all FEMA needs is a photograph and documentation of the loss/damage property.

Public Perception

- A local news outlet article discussing Bayton County teachers overcoming the challenges of returning to school after Harvey is receiving a lot of positive reactions and engagement from both local and non-local residents.
- A major news outlet article is receiving low but moderate concerned reactions and engagement from the public discussing an Oil and chemical spill from a dozen of industrial facilities caused by Harvey.
- Moderate conversation continues on finding homes for animals displaced due to the hurricane. (Example 1) (Example 2) (Example 3)

Message

From: Kevin Bogardus [kbogardus@eenews.net]
Sent: 9/12/2017 4:00:02 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: Rep. McCollum letter on AP press release

Got it. Thanks, Mike. Big help. I will add it to the piece. Thanks again.

-Kevin

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, September 12, 2017 11:59 AM
To: Kevin Bogardus <kbogardus@eenews.net>; Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Rep. McCollum letter on AP press release

Hey Kevin, please attribute this to an EPA spokeperson. Thanks!

"We have just received the letter and are reviewing it. We will respond through the proper channel."

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Tuesday, September 12, 2017 11:50 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Rep. McCollum letter on AP press release

Hey guys, any thoughts on the McCollum letter? Let me know. My deadline is 12:30 pm today. Thanks for your help.

-Kevin

From: Kevin Bogardus
Sent: Tuesday, September 12, 2017 10:31 AM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Rep. McCollum letter on AP press release

Hey everyone,

Kevin Bogardus with E&E News here.

I'm working on a piece about Rep. McCollum's letter to Administrator Pruitt regarding last week's press release that criticized the AP reporter on his Hurricane Harvey Superfund coverage (https://mccollum.house.gov/media/press-releases/mccollum-condemns-epa-s-inappropriate-personal-attack-journalist). In her letter, Rep. McCollum said the press release was "an inappropriate use of taxpayer resources" and hoped that Administrator Pruitt and EPA staff "will act in a more professional manner and refrain from such unacceptable personal attacks." I had a question about this, which is:

- What is EPA's response to this letter?

Please get back to me as soon as possible. My deadline is 12:30 pm EST today but the sooner you get back to me, the more it helps my reporting. Thank you for your help.

Kevin Bogardus
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From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Mon 9/11/2017 10:07:02 PM (UTC)
Subject: FEMA: TX 4332 Media Monitoring Report 014 09112017afternoon
TX 4332 Media Monitoring Report 014 09112017afternoon.pdf

Texas Severe Storms TX-4332-DR

Media Analysis Report/Afternoon Edition
September 11, 2017

Hot Issues –

- **No Hot Issues**

Noteworthy issues:

National flood insurance will help clean up after Irma and Harvey. And that's a problem.
By Logan Strother – Washington Post –September 11, 2017
With Hurricane Irma pounding Florida with historic intensity and Hurricane Harvey leaving unprecedented levels of flooding in parts of Texas, Congress is back in session — and, coincidentally, looking at reauthorizing the National Flood Insurance Program (NFIP). NFIP runs on five-year authorizations from Congress; the current one expires September 30…

Media Monitoring Trends –

Print/Online –

- According to multiple print media reports, some Harvey survivors are starting to worry that their specific needs will be overshadowed by the needs of Hurricane Irma survivors.
- Though barely a trend, the topic of flood insurance continues to be discussed via print and online media. While the majority of stories remain neutral to informational in tone, there does continue to be a debate over when and where to obtain a policy. That said, Harvey's fury has become the tipping point that has many families questioning their initial decisions.
- Aside from the above mentioned articles, the most noticeable trend is resilience. Whether it be resilience in the economic sense, or the restoration of power, numerous communities are emphasizing to print media reporters that their residents are strong and will find a way to reach long-term recovery goals.

Radio/Television –

- With regard to post-Harvey cleanup, the topic of mold is becoming more prevalent in daily broadcast media reports. In an early morning *ABC* report, for example, a local pest and lawn control company mentioned that there's a product on the market that will not only help as a pesticide, but has also been proven successful in combating mold.
- Although frustration and anxiety continue to surface on an intermittent basis, both radio and television seem to be focused on human interest stories, letting survivors know help is still available and the "art of human kindness" is an important part of the recovery process.

Social Media –

- Conversations surrounding Hurricane Harvey are relatively low in comparison to conversations referencing Hurricane Irma and 9/11.
- One of the more noteworthy developments seen since the last social listening report is the fact that numerous users on Facebook have viewed a video posted by a community group in Rockport that explains a lack of assistance from both federal and local government officials.
- In closing, you can learn more about today's social media trends by referencing the Social Listening Report at the

end of this document.

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After over two weeks without power due to Hurricane Harvey, we've confirmed that recovery efforts in Port Aransas have finally brought light back to the devastated community…Port Aransas was among those cities, where Harvey wreaked havoc on everything from homes to boats to businesses and of course, the city's utilities. More than two weeks later, recovery efforts are finally picking up speed…

"As a city and as a people, I think they've come together very well," said Charles Bujan, Mayor of Port Aransas. "They're tough. They're resilient. They live on an island, they know what the sea is and what it can do. They're going to come back strong."

KRISTV, September 10, 2017

As people rebuild from the damage caused by hurricanes Harvey and Irma, they should also be aware of the public health risks related to flooding, including diarrheal infections and mosquito-borne illnesses.

"What people don't often realize is that there's a significant health risk from flooding," William Powderly, president of the Infectious Diseases Society of America (IDSA), told Homeland Preparedness News.

Homeland Prep, September 11, 2017

Video/Audio –

"Excited to provide support:" Salvation Army chaplains head to Texas to help Hurricane Harvey victims
By Katie DeLong – FOX6 –September 11, 2017

4

HOUSTON, Texas -- A number of Salvation Army chaplains from Wisconsin will help Hurricane Harvey victims in Texas. Before heading out, they prayed Sunday, September 10th at General Mitchell International Airport. They would soon join those already in Texas, helping with Harvey recovery….

Texas Pets Prepped For Adoption In Utah After Harvey
CBS –September 10, 2017 – SALT LAKE CITY (AP) — Dozens of homeless dogs and cats brought to Salt Lake City from Texas because of Hurricane Harvey will be spayed and neutered Sunday as animal advocates prepare them for local adoption. The Community Animal Welfare Society and other organizations helped bring dozens of animals from Texas shelters in an effort to make room in those shelters for Houston pets waiting to be reunited with owners…

Farmer's emotional reunion with his animals
AGDaily – September 11, 2017
This moment captured on camera after Hurricane Harvey really tugs at the heart. According to KHOU, Lester Morrow had to think fast before the storm hit and was able to get his family and dogs to safety, but was sure he would lose his 500 acres of land and dozens of farm animals. When he returned to the farm to evaluate the damage, he found some of his beloved baby goats, a pregnant goat, Patty the pig, and several horses and cows had survived. Morrow says it's a miracle.

The Face of the Disaster, Watt, Takes to the Field http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=fa74d6e0-e9cf-48b3-add4-15862405f872 KSNV 9/11/2017 4:51:15 AM
Weeks after Hurricane Harvey tore through Texas and parts of the southeast area, JJ Watt has become the face of the relief effort. On Sunday Watt got to take the field in front of his home fans for the first time since the disaster….

A Pest and Lawn Company Has the Solution to Mold Cleanup
http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=9051b243-73ac-49f8-9440-3b8f1ba8ecee KTRK 9/11/2017 6:44:43 AM
…if you are doing your own clean up from Hurricane Harvey you can add an additional protection with an insecticide. Keith McCoy with solutions pest and lawn says a product called bora care kills the mold…

Chicago's anti-cruelty society cares for Harvey pets http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=48f1facb-ad35-4914-a36c-722fe0d1a1a1 WMYD 9/11/2017 7:48:57 AM
…Chicago's anti-cruelty society also cares for more than 80 pets who were evacuated from Houston after Hurricane Harvey…

San Antonio woman uses coupons to help Hurricane Harvey Victims
By Matthew Seedorff – FOX-SanAntonio –September 10, 2017
One San Antonio woman is going above and beyond to help those in need…Her home's garage, looks more like a small Walmart or Target. Boxes and shelves are filled with items, to help Hurricane Harvey victims. Gager even admits it herself, she's addicted to shopping…Although she already has a full-time job, she enjoys collecting and using coupons for fun. However, now she's putting her skills to the test.

Full Stories –

RECOVERY

5

3 FEMA disaster recovery centers to open Monday

By Dawn Jorgenson Click Houston September 10, 2017

AUSTIN - The Federal Emergency Management Agency said it will open three disaster recovery centers Monday in Katy, Baytown and Houston.

FEMA officials said in-person support will be available to people and businesses in 39 counties included in the Texas federal disaster declaration for Hurricane Harvey and subsequent floods.

That in-person support will include recovery specialists from FEMA, the U.S. Small Business Administration, state and other agencies, who will be at the centers to discuss assistance and to help anyone who needs guidance in filing an application.

The three locations are:

- Katy Mills Mall: 5000 Katy Mills Circle (open daily, 7 a.m.-7 p.m.)
- Baytown Community Center: 2407 Market St. (open daily, 7 a.m.-7 p.m.)
- Greenspoint Mall: 263 Greenspoint Mall, Houston (open daily, 7 a.m.-7 p.m.)

FEMA officials said homeowners, renters and businesses should register with FEMA before visiting a recovery center if possible. You may do so via one of the following options:

- Online at DisasterAssistance.gov.
- *** Phone at 800-621-3362 (voice, 711/VRS-Video Relay Service) (TTY: 800-462-7585). Multilingual operators are available (press 2 for Spanish).
- The FEMA app -- available for Apple and Android mobile devices. To download visit fema.gov/mobile-app.

The centers have assistive technology equipment, which will allow disaster survivors to use amplified telephones, phones that display text and amplified listening devices. They are accessible to people with disabilities and have accessible parking, ramps and restrooms.

Those eligible for help will be homeowners, renters and business owners in Aransas, Austin, Bastrop, Bee, Brazoria, Calhoun, Chambers, Colorado, Dewitt, Fayette, Fort Bend, Galveston, Goliad, Gonzalez, Hardin, Harris, Jackson, Jasper, Jefferson, Karnes, Kleberg, Lavaca, Lee, Liberty, Matagorda, Montgomery, Newton, Nueces, Orange, Polk, Sabine, San Jacinto, Refugio, San Patricio, Tyler, Victoria, Waller, Walker and Wharton counties.

Weeks Later Parts of Texas Still Reeling From Hurricane Harvey

Hometown Station September 10, 2017

As Hurricane Irma heads toward Florida, the Texans impacted by Hurricane Harvey hope they won't be forgotten.

6

Exactly two weeks after Harvey made landfall on the Texas coast, most of downtown Houston is dry and life is starting to return to normal. But the damage there and in surrounding cities is still being assessed. Harvey came ashore August 25 as a Category 4 hurricane with high winds and a destructive storm surge. After it moved slightly inland, it swirled in place over southeast Texas for a few days, dropping record- shattering rain and flooding several areas.

The storm and subsequent flooding left more than 70 people dead and ravaged nearly 300 miles of the Texas coast and parts of Louisiana, flooding homes and displacing more than a million people. More than 21,000 people remain in shelters Friday, according to the Texas Department of Public Safety's situation report.

All told, the storm caused an estimated $75 billion in damage, officials said, making it one of the most expensive natural disasters on record.

Some homes and buildings still sit underwater. In Harris and Fort Bend Counties, the US Army Corps of Engineers has begun releasing water from the Addicks and Barker dams to help the swollen Buffalo Bayou recede within its banks. If it rains again before the dams are empty, the Corps warns there's still a threat of more flooding downstream.

In Beaumont, southeast of Houston, many residents wait in lines to get water, food and supplies such as diapers and baby wipes. The trail of cars stretches out for a couple of miles each day from several places distributing resources.

"We are still in a rescue/recovery. Probably a 25% rescue; 75% recovery," said Maj. Roy Williams, the incident commander for the Salvation Army's response team in Texas' Golden Triangle — made up of hard-hit Beaumont, Port Arthur and Orange. "There's still people who — the water has not come down and they have either not gotten back to their house or they are still in their house."

The Department of Public Safety reported that, as of Friday, 122,331 people were rescued or evacuated after Harvey, along with 5,234 pets.

Beaumont has been under a boil-water mandate after its water treatment facilities were compromised by floodwaters. While the plants are being fixed, officials await new tests to make sure the water is safe to drink.

Interstate 10 is open in East Texas, but the evidence of Harvey's passage can be seen from the highway just east of Beaumont. In Rose City at an RV park, several recreational vehicles appear to be parked in a lake at random angles, and one is tossed on its side. The water is still up to the roofs of some cars.

Chris Jones and his wife drove his large pickup truck through the water to recover what they could from his RV. The vehicle is a total loss and while he has insurance, his hopes aren't high. "I'll never get what I paid for it," Jones said, noting that over time he'd filled it with plenty of things that can't be replaced.
The RV serves as his home away from his Dallas-area home while he works as a foreman at a refinery. Without any affordable hotels for two hours in either direction, he says he'll have to buy another RV. But after rescuing his boat and kayaks from the floodwaters, he and his wife began the drive home. No RV means he can't work — just one example of the economic impact of Hurricane Harvey.

Other residents have already emptied their once-flooded homes of all their contents, including the waterlogged drywall. The hope is to get in front of the mildew and mold already blooming and acrid in the humid Texas heat. Across the region, driveways, front lawns and curbs are covered with what was

once inside homes. In Houston, the city has brought in large trucks and other equipment to begin clearing the streets of residential debris.

Daniela Alvarado and Leonardo Aguirre live in one of these hard-hit Houston areas. For them, the flooding was a family affair. Nine of their family members' homes are also in their Lakewood neighborhood in northeast Houston and all had some level of flooding. The damage to their home is much worse than they expected. Aguirre has lived here since 1991. He remembers Hurricane Allison in 2001 but says Harvey was much worse. Still, the couple and their two children plan to stay put.

"We are buying the house. I mean we are practically almost done paying it. We can't just go somewhere else and start all over. I mean there's something here, I think, to rebuild. So we are going to try again," Aguirre said. This, after the family just finished remodeling about 90% of their house within the last three months.

If another hurricane heads their way, the couple says they would make some different choices. "I think I would just try to evacuate because putting my kids at risk and all of the things that we had to do just to get out of here, I wouldn't want to go through that again. I mean it was a scary sight," Aguirre said.

Mosquitoes pose another threat, with all the standing water providing the perfect breeding ground for the bugs that can carry Zika or the West Nile virus. The Texas Department of State Health Services has begun aerial insecticide spraying in Refugio and Bee Counties near Corpus Christi. The state also is requesting further assistance from the Federal Emergency Management Agency.

As needs are still being assessed, all five living former presidents have teamed up to raise money for Hurricane Harvey victims. Called the One America Appeal, the initiative features the cooperation of Jimmy Carter, George H.W. Bush, Bill Clinton, George W. Bush and Barack Obama. One America Appeal is also prepared to raise money to help Americans impacted by Hurricane Irma if needed.

Over two weeks after Harvey, light returns to Port Aransas

KRISTV

September 10, 2017

After over two weeks without power due to Hurricane Harvey, we've confirmed that recovery efforts in Port Aransas have finally brought light back to the devastated community.

The Coastal Bend was plunged into darkness as Hurricane Harvey made landfall, while thousands of crews working with American Electric Power Texas (AEP) descended on the region to restore services in its wake. Although power came back online for parts of Corpus Christi within days of the storm, many surrounding cities were not so lucky.

Port Aransas was among those cities, where Harvey wreaked havoc on everything from homes to boats to businesses and of course, the city's utilities. More than two weeks later, recovery efforts are finally picking up speed as electricity slowly inches its way back into the community.

The beachside city now has electricity, water, gas and sewer services in many areas, according to officials. As of Sunday morning, reports said power had been restored to around 95% of the area at a cost of over $150 million according to AEP. As the lights came back on, many residents remained clustered

near donation sites throughout the city; where food, water, clothes and other supplies have been brought in and distributed to the community.

However, the local business community remained devastated by Harvey, which effectively shut down the popular tourist destination. Port Aransas' mayor said that with time, he fully expects the town to bounce back from tragedy.

"As a city and as a people, I think they've come together very well," said Charles Bujan, Mayor of Port Aransas. "They're tough. They're resilient. They live on an island, they know what the sea is and what it can do. They're going to come back strong."

With utility service restored, Bujan said the next step would be getting debris cleaned up. Piles of ruined debris were common in the city, many stacked by its residents, each clearing out pieces of their homes and businesses destroyed by Harvey. FEMA was in the area, offering aid to the city as it rebuilds, with Mayor Bujan encouraging residents to be patient as things progress.

Bujan also urged residents and business owners to make sure their electrical systems are thoroughly checked by licensed electricians before they flip their breakers back on, with the hope of avoiding any potential fires that could sprout from damaged electrical systems coming into contact with water.

Although much of the city had power on Sunday, AEP crews continued to work on restoring power to smaller neighborhoods. Many buildings will require inspection before the lights are switched back on.

Power returns more than two weeks after Harvey in Port Aransas

Action10 September 10, 2017

PORT ARANSAS - After over two weeks in the dark after Hurricane Harvey, residents in Port Aransas are welcoming the light as power is slowly restored in the city.

Hurricane Harvey plunged the area into darkness as it made landfall, as thousands of crews with AEP Texas rushed to help the communities left in a blackout. One of those communities was the beachside town of Port Aransas.

There, utilities were unavailable for more than a week, with electricity absent for over two. Even as power returned to nearby Corpus Christi and other cities, Port Aransas remained without power due to widespread and extensive damage from the storm.

As of this weekend, however, it seems residents in the city have finally gotten a reprieve from the dark. AEP said around 95% of the area had power at a cost of around $150 million to restore services.

Residents continued to gather near donation sites, piling up debris around the city, which the Mayor said would be the next priority. He had high hopes for the city and its community.

"As a city and as a people, I think they've come together very well," said Charles Bujan, Port Aransas' Mayor. "They're tough. They're resilient. They live on an island, they know what the sea is and what it can do. They're going to come back strong."

For now, recovery and cleanup efforts continue in the city, which would normally be filling with tourists waiting out the end of summer. This year, the tourism business may be on hold, but the community continues to come together in its time of need. As of this weekend, they'll have some extra light to speed things along.

'Nowhere else to go': Small Texas towns decimated by hurricane struggle to rebuild amid poverty

By Mary Lee Grant Washington Post
September 10, 2017

ARANSAS PASS, Tex. — At a small rural hospital in this shrimping and tourist town of about 3,000, some patients visited the emergency room twice a day, obtaining insulin and other medications they could not afford to buy themselves. Nurses sometimes pooled their money to pay for patients' cab fare home.

"It is that kind of place," said Jen Deselms, a registered nurse who worked in the emergency room at Care Regional Medical Center before Hurricane Harvey hit last month, forcing the facility, which serves about 90,000 in three counties, to shut its doors indefinitely. "We look out for each other and for our community. Not having this hospital will be devastating for the entire area."

Since the storm passed, doctors and nurses have labored to repair the hospital themselves, mopping flooded floors and hammering two-by-fours to patch crumbling walls. In Aransas Pass and the neighboring beachfront towns that were decimated by Harvey's first brutal landfall, a tale of two recoveries has emerged. Although often described as resort towns, tourism overlays a culture of rural poverty here. These are places where old shrimpers struggle to get by on their disability checks. Folks who gave up on the cities cram into waterfront RV parks — many now destroyed by the storm — venturing to the coast to flip hamburgers or wait tables in a last-ditch effort to find their place in the sun and the sand.

Schools have shut down for the year, and residents needing medical care will have to travel at least 20 miles across the Harbor Bridge to Corpus Christi — difficult for many in an area with little public transportation.

In nearby Rockport, where retirees show their paintings of shrimp boats and pelicans in art galleries along picturesque Copano Bay and condos line the waterfront, virtually nothing remains unscathed. Nearly two weeks after the storm, electricity was still off, cellphone service was spotty, and the water wasn't back on. About 80 percent of buildings in the town were damaged, according to federal estimates.

But the path to recovery will vary.

"The poor will stay and rebuild, because they have nowhere else to go and no way to get out," said Chuck Shamel, an executive board member of the Good Samaritan, a nonprofit group that helps low-income residents with food, bills and transportation. "The rich will be back in a few weeks, when the power goes on and the golf courses open."

The 76-year-old retired counselor moved here to build his dream home with his wife, Betty, a 79-year-old retired teacher, on several wooded acres near the water. Shamel constructs wooden sailboats and sings opera, while his wife paints and fires pottery in her studio. Although Harvey damaged their house, he expects insurance to pay most of the costs. He is more concerned with those who have less.

"We are a barbell community, with 20 percent on the upper end and 20 percent on the lower," Shamel said.

Many moved to the coast hoping for a fresh start among the placid bays and sheltering oak trees, but the reality often is harsher. Jobs are scarce, salaries low, and property is expensive.

Ida Jeter, 60, who works cleaning and cooking for nuns at a Catholic shrine, is living in her car. The shrine was damaged, and many of the nuns are returning to their home base in Wisconsin, so Jeter does not know if she will have a job.

"They kicked me out of my apartment because it was so damaged," she said, bursting into tears. "I have nowhere to go."

'Bet they blame Trump'

Unlike much of South and Southeast Texas, the poverty here is concentrated in a largely white population. For a time, Rockport and neighboring Seadrift were known for the violence of white shrimpers against the newly arrived Vietnamese, who settled on the Texas coast in the 1970s. Their boats were firebombed, and the Ku Klux Klan rallied and burned a boat in effigy that they called the Viet Cong, even though the Vietnamese immigrants were from southern Vietnam and had fought the Viet Cong.

Now relations are smoother, the town speckled with popular Vietnamese restaurants and the local paper reporting enthusiastically on the accomplishments of Vietnamese students.

Unlike heavily Hispanic deep South Texas or the Houston area, with its large African American and multihued immigrant population, this is Trump country. In Aransas County, about 74 percent of voters supported Donald Trump. Boarded-up windows at a business near Rockport marina are painted with the words "Bet they blame Trump" beside an American flag.

Dennis Finner, 50, said he wishes he had seen President Trump when the latter visited the area last week.

"I am glad Trump set his feet here," Finner said. "Is he doing a good job at helping? I have no idea. I don't even have a TV anymore."

For Finner, the self-reliance he so values is eluding him in the wake of the storm. He does not like depending on government or charity.

"There is nothing like working hard with your hands all your life only to have everything you worked for taken away in a few hours," he said. "I ain't never taken anything from the government — no handouts or nothing. And now there are people by the side of the road giving out free hamburgers, and I'm eating them. It just hurts. It makes me feel like a bum."

Finner lost his trailer, which he said he had just finished paying off, so he is living in a shed on his property. His fences are down, his gate is twisted beyond recognition, and his dogs are running loose in the road. But he won't consider leaving.

'We are overwhelmed'

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For many residents, the devastation left in Harvey's wake is testing a deeply held value of self-reliance. Bill Woods, who almost was killed in a motorcycle accident years ago, now lives with a painful limp, one eye permanently shut and a metal plate in his head. Yet the 60-year-old receives no disability payments.

"All the money I have, I make with my own hard work," he said.

He mows lawns for a living, but wind blew apart the trailer he used to haul his equipment. Harvey also tore apart the trailer where he lives, so he is staying with friends.

"At least the government is here," he said. "I will have to wait and see if I can get a FEMA trailer to live in or some money to buy another trailer."

Aransas County Sheriff William "Bill" Mills said that federal aid has been sufficient but that dealing with the multitude of agencies that have descended on the area to help in very specific ways has demanded great coordination.

"We are overwhelmed. We have so much to deal with," Mills said last week. "The power isn't even back on, almost every building has been damaged, people are homeless, and we are arresting looters. Our schools have been closed indefinitely. Our teachers don't have jobs. We had three people with cardiac arrests yesterday. People are trying to clean up, with this heat index and stress that is off the charts."

'Where else would I go?'

In Port Aransas — a town of 4,000 that can swell to 70,000 on weekends — the city manager has estimated that every building in town was damaged. Several friends sat in deck chairs in the parking lot of the Place Hotel, whose manager had given them rooms free after their lodgings in an old barn were flooded. The men were shirtless in the hot muggy weather; the women in shorts and midriff tops with packs of cigarettes tucked into their bras and cowboy hats. They were drinking tequila and Jack Daniel's straight from the bottle — bottles they found floating down the street when the liquor store flooded.

"There were $300 bottles of wine just bobbing down the road," said John Adams, 57, a cook. "We got some of them, but unfortunately, they put a stop to that."

Sitting nearby was Timothy Yoke, 53, who lays tile for a living. He rode out the storm, but his apartment was flooded.

"Of course, I will stay," he said. "I love it here. I love the beach and the weather and the people. Where else would I go?"

In Port Aransas, about 80 percent of the island homes are owned by those from elsewhere, city officials said, making the town a mix of more-prosperous out-of-towners and locals who depend largely on jobs serving tourists.

Many part-time residents also dock boats in Port Aransas. At Island Moorings Marina, crane operators worked to remove dozens of boats from the mud and sand and to retrieve those that had sunk.

Rochelle Rackham, 63, slept in her beached sailboat all night. The ocean•going catamaran had broken away from the docks as the storms surge hit and floated onto dry land.

"I have to sleep here because the boat is so valuable, and I have thousands of dollars of electronic equipment on it," Rackham said between calls to Lloyd's of London to iron out insurance details. "A man came around last night and tried to break in, but I pulled my .38 on him, and he ran."

Rackham, who owns a ranch about 200 miles to the north, said she is not sure she will stick with Port Aransas after the storm.

"I think it would be simpler just to dock her in Cayman," said Rackham, who said she has sailed solo as far as Turkey and Tunisia on her boat.

George Brown, a commercial real estate broker who owns an oceanfront RV park, said that even though he lives in San Antonio, Port Aransas is part of who he is. Most of the 60 RVs in his park were destroyed, as was infrastructure, but he said he will rebuild.

"We used to come down here when I was a kid for the hurricanes," he said. "My parents would bring a generator and hook it up. And we would listen to the rain and wind. Hurricanes are part of living on the coast. I'm not leaving."

FEMA sees trailers only as last resort after Harvey, Irma

By Emily Schmall and Frank Bajak, Associated Press Houston Chronicle
September 10, 2017

HOUSTON (AP) — In a 2017 hurricane season that has already seen two monster storms, Harvey and Irma, manufactured homes are turning out to be just a small fraction of the federal government's plan to deal with displaced people, with only 1,700 trailers available.

Where exactly the Federal Emergency Management Agency plans to send those trailers, Texas or Florida, is not yet clear. But what is clear is they will only be used as a last resort.

That's in stark contrast to 2005, when 144,000 FEMA trailers became symbols of the troubled federal response to Hurricanes Katrina and Rita after lawsuits accused some of those units of being riddled with high levels of cancer-causing formaldehyde.

FEMA's new model for monster storms honed in the wake of 2012's Superstorm Sandy puts the emphasis on paying for hotels and apartments for temporary housing. That, along with money for super-fast fixes that allow people to move back into their own homes as quickly as possible, even before all the repairs are done.

"Our role is to provide sort of the bridge to get through the disaster," FEMA spokesman Kurt Pickering said Saturday. "We are not intended to make people or households back the way they were before, to make them whole. We're designed to get them through the emergency."

A joint state and federal housing task force in Austin is working with FEMA on the best way to allocate resources. But those affected are far more likely to get government support by way of a few weeks at a hotel, a couple of months of rent in an apartment or a check for repairs, than a FEMA trailer.

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"To put a mobile home or travel trailer out there is a significant expense — it really is the option of last resort," said Mark Miscak, an emergency management consultant and former director in FEMA's recovery division.

That's the way it's playing out so far after Harvey, which damaged or destroyed more than 210,000 homes across southeast Texas, mostly from the effects of floodwaters from an epic downpour of nearly 52 inches.

FEMA is picking up the tab for hotel rooms spread across Texas for about 60,000 people affected by the storm for up to two weeks. The agency is also paying a couple months' rent at the government's fair market rate for 27,000 additional households.

So who might get a trailer?

It might be people like the Ochoa family of hard-hit southwest Houston, with parents and two grown siblings still sleeping in their heavily damaged, moldering home, its skeletal walls recently stripped of soggy drywall.

Claudia Ochoa, 21, said FEMA offered to put her family up in motels but they were located in cities four to five hours away and they couldn't afford to abandon their jobs.

"If we had some money, we would leave, but we don't," she said as her 5-year-old son played on a couch salvaged from the storm. FEMA sent a $500 check for food and cleaning supplies, Ochoa said, but the family is still hoping for a more permanent solution.

The Ochoas' 58-year-old neighbor, Salvador Cortez, is also sleeping in his musty, flood-gutted home. Cortez said he's received no money or housing options from FEMA yet, despite repeated phone calls. But he didn't want to continue imposing on his son, where his wife has been staying with four other people.

Going into the current hurricane season, FEMA had 1,700 trailers on hand in staging areas in Alabama and Maryland. It has put out bids for another 4,500, but officials could not say when they would be ready to meet needs arising from Harvey, Irma and potentially future storms.

FEMA spokesman Bob Howard stressed the units are of much higher quality and do not have the formaldehyde problems of the trailers of the past, which resulted in multimillion-dollar lawsuit payouts to survivors who lived in them for years after the storms.

The new trailers, which cost FEMA between $40,000 and $60,000 each, range in size from one bedroom to three bedrooms, and are equipped with sprinklers and other features designed for longer-term habitation.

"They're built to house survivors much longer than previous units used after disasters," FEMA said in a release last year announcing its new fleet, "an important consideration because rebuilding can take months or even years."

Still, FEMA stressed in a January 2017 release, units "are not intended to be a permanent housing option for flood survivors."

Houston residents pick up the pieces two weeks after Harvey

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By Omar Villafranca CBSNews September
10, 2017

HOUSTON -- Everything is bigger in Texas, including the clean-up.

More than two weeks after Harvey flooded the Texas Gulf Coast, thousands of Houston residents are still picking up the mess the storm left behind.

Pat Arthur was rescued from his front porch by a boat. His home couldn't escape the storm. "Everything's gone," Arthur

says.
Twenty-three years' worth of memories now thrown into a pile in his front yard -- ready for the landfill. But he says they plan on staying for a while.

It was still raining outside when Mike Gregg started gutting his home. Everything soaked by the two feet of water had to be removed and thrown away.

"Everyone's fine. Everyone's healthy. And I've got a big support system," Gregg says. But the hardest thing for

Gregg to get rid of was his wife's piano.
"It was very valuable to my wife," he says holding back tears.

It was the last thing they splurged on together before starting their family. For Edward Zilton's

cleanup crews, the amount of debris seems endless.
"I've been here for the last two storms and this one is actually a total catastrophe, it really is," Zilton says.

Each truck holds nine tons of debris. The crews fill up roughly 28 trucks a day. Cleanup is expected to take months.

Harvey submerged Sandra Carrasco's home in 10 feet of water.

She lost everything, and days after the storm, the mother of two says she hadn't seen a government agency or relief group drive down her street. She says she feels like they've forgotten about her.

But like many people here, Carrasco and her family didn't wait for help. When we caught up with her this past week, her home was already cleared out.

"There's no waiting. It's get the things done, and get it done now," she says.

And while national attention shifts to Mother Nature's latest wrath named Irma, Houston Mayor Sylvester Turner says there's still a lot of work to do.

"The cameras are going to move on. People are going to move on. And the attention is going to move on. But the people directly impacted, they don't move on. They are left in a position of having to recover," Turner says.

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The city of Houston was built on oil and gas but what will fuel this recovery -- is elbow grease. ENVIRONMENT/HEALTH

CONCERNS

Flooding from hurricanes in Texas and Florida bring public health risks

Homeland Prep September 11, 2017

As people rebuild from the damage caused by hurricanes Harvey and Irma, they should also be aware of the public health risks related to flooding, including diarrheal infections and mosquito-borne illnesses.

"What people don't often realize is that there's a significant health risk from flooding," William Powderly, president of the Infectious Diseases Society of America (IDSA), told Homeland Preparedness News.

The biggest concern from flooding is contamination. In South Texas, where Harvey brought a record 52 inches of rain, and South Florida, where a massive category four hurricane made landfall over the weekend, people are exposed to unclean floodwaters and the potential for contaminated water to get into the water supply. This contamination carries an infection risk, he said.

"The major risks that you have are diarrheal illnesses and infections that originate from animals," Powderly said. He cited Leptospirosis, typically caused by rodents such as from rat urine in the floodwaters, as one particularly worrisome bacterial infection. Without treatment, Leptospirosis can lead to kidney damage, meningitis, liver failure, or worse.

Shelters as well as residences compromised by flooding are fertile breeding grounds for noroviruses and other infections. People

that have open wounds, perhaps caused by storm-related debris, are particularly vulnerable. While it is very unlikely that diseases like cholera and typhoid will occur, pathogens that include Vibrio vulnificans, non-tuberculosis mycobacteria, and Legionella are found in water, with flooding increasing risks of exposures, Powderly added.

There are also risks of mosquito borne illnesses, like Zika and West Nile virus. Stagnant water is a very potent breeding ground for mosquitos.

"South Texas or South Florida are environments where you already have a risk of mosquito borne illness, which we saw most recently with Zika actually occurring in South Florida. But now you could have a spread of those mosquitos to a wider area. It's a real opportunity for expanded breeding grounds for mosquitoes," Powderly said.

While public health professionals on the ground in Houston and Florida and other impacted areas are well prepared to handle the threatened spread of diseases, Powderly said they are doing more with less. "Historically we have not invested enough in public health in the United States over the last twenty to thirty years so we're always playing catch up when we have these emergencies," he said. "It is one of the things that we need to maintain an investment in," Powderly added.

Proposed budget cuts to funding the Centers for Disease Control and Prevention under the Trump administration is worrisome to IDSA, he added. "The CDC is our first line of public health defense, so we

really can't afford as a country, in our opinion, to under invest in public health because of the consequences."

Powderly emphasized that widespread disease outbreaks after flooding remain uncommon.

However, lack of electricity and poor housing in Houston provide an atmosphere ripe for consumption of unsafe food and water, which can lead to illnesses such as E. coli. And as homes start to dry out, the wet, damp environment creates conditions where mold can thrive and spread. This can lead to respiratory issues, sinus infections, asthma, and other maladies.

Individuals can mitigate the risks and limit the spread of infectious diseases in several ways.
Access to clean water is critical. If the public water supply is in any way compromised, bottled water must be used as much as possible, Powderly said. With widespread power outages, people should also make sure their food is clean and uncontaminated.

Hand hygiene is essential, Powderly added. "It's really important that people wash their hands on a regular basis and wash their kids' hands, particularly when you're handling food. It's a simple thing, but it's really very important," he said.

Finally, people should be aware of stagnant water in their backyard or community. It's best to cover it or get rid of it to decrease the risk of mosquito spread. Or if not, try to avoid it and use bug spray where appropriate.

"We urge people who are concerned about the risks of any exposure they have experienced to seek medical care," Powderly said.

GOVERNMENT/ POLITICS/FLOOD INSURANCE

Will Trump Direct FEMA to Fund Churches Hit by Hurricanes?

The Atlantic September 11, 2017

Hurricane Harvey blew the steeple off of Rockport First Assembly of God in Rockport, Texas. Harvest Family Church in Cypress got covered in a layer of mud and silt. Three feet of water filled the sanctuary of Hi-Way Tabernacle in Cleveland.

Despite this damage, the Tabernacle has served as an emergency staging area for government relief efforts in the aftermath of the storm, providing shelter for evacuees, emergency meals for families, and storage for food, water, clothing, and hygiene products. And despite the chaos, Hi-Way Tabernacle and these two other churches are involved in another effort: suing the federal government.

According to the stated policy of the Federal Emergency Management Agency, or FEMA, houses of worship cannot receive funding from the agency's public-assistance program, which provides money for emergency fire and rescue services, medical care, urgent debris removal, and critical utility repairs in the wake of disasters. The three churches' lawsuit is intended to challenge that rule and give religious organizations and other non-profits equal eligibility for this kind of FEMA funding. The case can also be read as a bid to expand the reach of a recent Supreme Court ruling on church-state funding, which if it succeeds, would have

consequences far beyond Texas.

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Faith-based organizations, including churches, synagogues, and mosques, provide an extraordinary amount of support during natural disasters. Greg Forrester—the president and CEO of the National Voluntary Organizations Active in Disaster, an association of relief groups—told USA Today that non- profits are responsible for 80 percent of recovery efforts, and most of those are faith-based. Religious groups that largely serve a secular purpose in their broader communities are eligible for funding. But those that spend more than half of their time and resources on worship, outreach, religious education, or internal fundraising aren't eligible—a rule that effectively excludes all houses of worship.

"We're just picking up the pieces like everyone else. And we just want to be treated like everyone else," said Paul Capehart, the pastor of Harvest Family Church, through his lawyers. "Our faith is what drives us to help others. Faith certainly doesn't keep us from helping others, and we're not sure why it keeps FEMA from helping us." While churches are leading the legal case, Jewish groups including the Orthodox Union are also lobbying for a policy change, according to The Jerusalem Post.

On Friday, President Trump tweeted his support for churches caught in disasters.

At least one FEMA official publicly cheered his pronouncement: "Amen!" replied Jamie Johnson, the director of the Center for Faith-Based and Neighborhood Partnerships at the Department of Homeland Security, where he focuses on disaster relief.

The president's tweet "was a very good development," said Daniel Blomberg, a lawyer who is representing the churches through Becket, an educational and legal institute focused on religious freedom. "All the churches are asking for is that when FEMA is making a determination, it's no longer using religion as a criteria to keep parts of the community from asking for equal disaster relief."

The timeline for FEMA funding is tight. The president has to declare an emergency or national disaster, and affected organizations generally have to request public assistance within 30 days. In their lawsuit, the three Texas churches requested expedited relief, arguing that they only have until that 30-day deadline— September 26—to win protection "against FEMA's discrimination."

Theoretically, the president could just direct FEMA to make all religious organizations eligible for funding under the public-assistance program. After all, FEMA is a federal agency under his authority. Similar things have happened in the past: In the wake of Hurricanes Rita and Katrina in 2005, the Bush administration agreed to reimburse religious organizations for the shelter, food, and supplies they provided to the general public.

The Trump administration "could go ahead and do it," said Robert Tuttle, a professor at George Washington University Law School. But the problem is that "this seems to be policy that is made disaster by disaster." Even if the president directs FEMA to do something, the agency could later face lawsuits for doing so. In this case, critics could argue that such funding violates the Establishment Clause of the First Amendment of the Constitution.

This, however, is the strategic brilliance of the Texas church lawsuit. If the churches win an injunction or the government loses in court and FEMA is directed to give out money to churches, there's "no guarantee that … the government will appeal," said Tuttle. By then, the funds would have already been disbursed, and it would be up to an outside group like Americans United for the Separation of Church and State to challenge the decision—and find itself in the politically tenuous position of trying to take money away from churches that got destroyed in a hurricane.

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The churches' lawsuit relies heavily on a recent Supreme Court decision, Trinity Lutheran v. Comer. In that case, a Missouri church sued the state for excluding it from a playground-resurfacing program on religious grounds. Seven of the nine justices found in favor of the church. "Trinity Lutheran is, in some ways, a closer case than this one," argued Blomberg. While the church in that case was asking to be part of a program that would enhance its facilities, "no one is asking for the church to be improved" in Houston, he said. "They're just trying to get back on their feet [and] … get to a place where they're no longer a public-health and public-safety hazard."

It's not clear how broadly the Supreme Court justices intended for Trinity Lutheran to be applied, or whether they would see these cases as similar. "I am deeply skeptical of that analogy," said Tuttle. Two things distinguish this case from Trinity Lutheran, he argued. In the majority opinion for that case, Chief Justice John Roberts noted that the decision doesn't reach the question of "religious uses of funding," meaning that it might not apply in cases where state funding goes to rebuild a literal sanctuary used for

worship. The second difference, argued Tuttle, is that it's not clear that the three Texas churches would be eligible for FEMA funding even if they weren't houses of worship. The agency's public-assistance program only covers certain kinds of immediate relief. Other, non-critical repairs are generally referred to the Small Business Administration, which provides disaster-recovery loans. Organizations can get FEMA money for permanent repair work if the SBA turns them down or doesn't cover all of the damages.

Constitutionally speaking, "the real question comes down to whether this is framed as a public-safety, emergency-relief action or whether it's framed as helping a church get a new building," said Richard Garnett, a professor of law and political science at the University of Notre Dame. "Nobody thinks it's unconstitutional for a fire truck to put out a fire at a church, and clearly there aren't different

Establishment Clause rules for fires and floods. But are there different rules for putting out fires and repairing a building after it burns?"

Harvey, Irma, and other recent disasters have created a strong legal test case—"it's the kind of thing that we might cook up so that we can put it on exam questions," said Garnett. Tuttle offered a slightly more cynical read: "Lawyers are taking this opportunity to try to get relief for these particular congregations— and at the same time, to extend the reach of Trinity Lutheran," he said. Blomberg described it differently: Becket has been pushing against FEMA's church policy for years, he said, and Trinity Lutheran was just a sign that the law is moving in the right direction, at least in its view.

In weighing in on the case in Texas, Trump wasn't just commenting about a few specific churches. He intervened in a long-standing debate about the proper line between church and state in public funding. In an instant, the president could change the terms of the debate, but "whether or not it's constitutionally permissible doesn't hinge on whether the president supports it or not," Garnett said. A change to FEMA's policy would not be the end of the storm—legally or otherwise. As the churches say in their lawsuit: "Mold will not wait for litigation process to spread through the churches' buildings; storm and flood debris will not stop rotting while the government processes their claims."

Michael McCaul calls Texas 'no' votes on Harvey relief 'unconscionable'

By Jonathan Tilove Statesman September
11, 2017

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U.S. Rep. Michael McCaul, R-Austin, chairman of the House Homeland Security Committee, Monday described as "unconscionable" the vote last week of four Republican colleagues from Texas against a
$15.25 billion initial aid package to help Texas in the aftermath of Hurricane Harvey.

"I don't want to judge them," McCaul said on MSNBC's Morning Joe. "I judge myself and my conscience and when I have people dying and hurting in my home state, it was my duty and my moral obligation to help them, and I felt that that vote was a vote of conscience to help people in my state and also now in Florida."

"I think that's what Americans do and I think it's unconscionable to vote against something like that," McCaul said.

The four Texans — Reps. Joe Barton, Jeb Hensarling, Sam Johnson and Mac Thornberry — were among 90 Republicans who voted against the House's concurrence with the Senate's larger relief package Friday. None of the four represents districts affected by Harvey.

Republican opponents complained that the aid was linked to a three-month lifting of the debt ceiling.

"I think having to raise the debt ceiling was the issue, and the fact is that Mick Mulvaney is the director of OMB and he was a Freedom Caucus guy when he served with us, and he told us point blank that you could not appropriate disaster relief if you didn't raise the debt ceiling, so we were stuck with that choice," McCaul said. "What do you with that choice? Just stand on principle and vote 'no?' And I question that principle. Or do you vote to help people back in your home state who are hurting really badly."

Asked if he expected a competition with Florida for federal disaster help because of Hurricane Irma, McCaul said, "I don't think you're going to see some Texas vs. Florida thing. This is going to be an American issue and, if anything, it will bring the Texas and Florida delegations together for that funding."

Thornberry Votes against Hurricane Harvey Relief

By Jonathan Baker HPPR
September 11, 2017

United States Congressman Mac Thornberry, who represents the Texas Panhandle, was one of four Texas lawmakers who voted against sending billions in relief funding to those suffering in the wake of Hurricane Harvey.

None of the Texas lawmakers who opposed the bill represented coastal regions.

As The Texas Tribune reports, the House approved the $15 billion in aid to support the hurricane relief effort.

In the other chamber, a similar relief measure passed, with both Texas Senators—Ted Cruz and John Cornyn—voting for the bill. While support for hurricane aid was split among Republicans, all Texas Democrats voted for the funding.

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In a statement, Thornberry wrote: "Disaster assistance should be considered on its own—not to advance another agenda." Congressman Thornberry said he was opposed to short-term funding measures that he said might harm the military. Thornberry is the chairman of the U.S. House Armed Services Committee.

National flood insurance will help clean up after Irma and Harvey. And that's a problem.

By Logan Strother Washington Post September
11, 2017

With Hurricane Irma pounding Florida with historic intensity and Hurricane Harvey leaving unprecedented levels of flooding in parts of Texas, Congress is back in session — and, coincidentally, looking at reauthorizing the National Flood Insurance Program (NFIP). NFIP runs on five-year authorizations from Congress; the current one expires September 30.

Here are the five things you need to know about this perennially problematic policy.

1. What is the National Flood Insurance Program (NFIP)?

NFIP is a program administered by the federal government, now housed in the Federal Emergency Management Agency (FEMA). According to FEMA, the NFIP:

… aims to reduce the impact of flooding on private and public structures. It does so by providing affordable insurance to property owners and by encouraging communities to adopt and enforce flood plain management regulations.

2. Most insurance is provided by private firms. Why is flood insurance different?

In 1968, Hurricane Betsy struck the Gulf Coast, killing 76 people and leaving behind more than $1.5 billion in property damage, which would be more than $10 billion in 2016 dollars. Virtually none of that was covered by flood insurance — leaving the historic storm to be paid for by relief legislation.

Why? Most private insurers had left the flood insurance market after the historic Mississippi River Flood of 1927. Insurers generally see catastrophe insurance as a bad bet: Premiums that reflect actuarial risk are prohibitively expensive, because the risk pool is concentrated and not large enough to effectively diffuse costs. In an important sense, this is precisely the point: prohibitively expensive insurance (or the inability to get insurance at all) should have encouraged people not to move to, build or invest in flood-prone areas.

[Hurricane Harvey shows how floods don't pay attention to flood zone maps — or politicians]

But at the time, a number of policymakers and observers argued that the lack of private-sector flood insurance was a market failure — and should be corrected by the government. As a result, Congress enacted the National Flood Insurance Act of 1968, which was intended to make affordable flood insurance available to those who need it. Because of the actuarial problems just mentioned, however, the only way to make insurance affordable was to subsidize premiums.

3. Has NFIP been successful at achieving its goals?

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It has not. NFIP has a unique policy history of failing to deliver on its stated goals. It routinely runs large deficits because few of those who need it buy it; those who do pay steeply subsidized premiums.

[Harvey caused a chemical plant explosion. Is that the next face of climate change?]

Worse, NFIP actually creates incentives for people to move to and invest in flood-prone areas, increasing the number of properties likely to be flooded. A huge fraction of the program's payouts have gone to the same properties over and over again; NFIP calls these "Repetitive" and "Severe Repetitive Loss Properties." That's precisely because the policy actually subsidizes rebuilding — and offers no incentive to relocate out of flood zones.

So why does NFIP subsidize premiums, if that causes deficits? The idea is that offering discounted rates and making up the difference with tax dollars will encourage the customers who need it to actually buy it. Unfortunately, NFIP fails at even this goal.

That's in part because most people do not have a thorough understanding of their property's flood risk. For instance, many people think that if they live behind levees, they are safe from flooding and thus don't need insurance. The flood risk maps that NFIP uses to calculate flood risk are badly out of date.

What's more, flood policy experts have begun to realize many people forego insurance in part because of Congress's implicit promise that it will deliver humanitarian relief after any major disaster.

[U.S. cities and states want to implement the Paris climate accords without Trump. It's not that simple.]

As a result, a very small percentage of those at risk actually have flood insurance. Take Harris County, Tex., where Houston is situated — only 80 feet above sea level, in a hurricane zone — where only about 15 percent of its structures are covered by flood insurance. Nationwide, market penetration hovers around 50 percent of properties in 100-year flood plains. Even in very high-risk areas, such as New Orleans and South Florida, penetration rates typically range from just over 50 percent down into single digits. Low participation rates means the risk pool remains too small to absorb losses from major flood events.

4. Why doesn't Congress fix NFIP?

Congress has tried to improve NFIP from time to time over the last 50 years. Major floods almost always lead to small adjustments, usually aimed at getting more at-risk property owners to buy it.

In a recent article, I argue that Hurricane Katrina made NFIP's biggest problems too big to ignore, leading Congress to pass a far-reaching reform called the Biggert-Waters Act of 2012. Biggert-Waters phased out subsidies for all properties and eliminated them for repetitive loss properties, took steps to educate the public about flood risk, all new policies would reflect actuarial risk, provided funds to update flood risk maps and more.

But only 14 months later, Congress passed the Homeowner Flood Insurance Affordability Act of 2014, which undid most of the Biggert-Waters reforms by reviving subsidies, increasing deductibles and the like.

Why? The passage of the Biggert-Waters Act made flood policy highly salient: The news media gave a fair amount of attention to the fact that the end of subsidies would make insurance much more expensive for individual property owners. At-risk owners — many from relatively affluent coastal areas — lobbied Congress to keep flood insurance "affordable."

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In Congress, electoral incentives matter a lot. As political scientist R. Douglas Arnold famously put it, the "first law of congressional behavior" is "never impose costs on one's constituents that might be traced to one's own individual actions" — and which might jeopardize chances for reelection. When few people were paying attention to flood insurance, Congress could alter the policy relatively freely. But once the policy changed and voters saw what would happen to their costs, members changed their tune. Those voters are dispersed more widely through the country than you might imagine, along every river and big stream in the country, in addition to the coasts.

In short, Congress reversed course because enough of them were unwilling to make voters unhappy by forcing them to pay for their real flood risks.

BUSINESS & ECONOMY

Average U.S. gas price jumps after Hurricane Harvey shuts refineries

NYDailyNews September 10, 2017

The average price of gasoline jumped in the past two weeks after Hurricane Harvey prompted the closure of refineries.

Industry analyst Trilby Lundberg said Sunday that it was the biggest price hike recorded by the Lundberg Survey since 2011.

But she says whole gasoline prices have started to decline since refineries came back online and she expects prices at the pump will follow.

In the survey on Sept. 8, the average price of regular gasoline was up 30 cents at $2.69 per gallon. That's 48 cents higher than a year ago.

The average price of diesel jumped 16 cents to $2.73 per gallon.

In the contiguous United States, gas was most expensive in San Francisco at $3.21 a gallon and cheapest in Baton Rouge, Louisiana, at $2.31 a gallon

Texas Cotton Farmers Try to Salvage What's Left of Crops after Harvey's Wrath

By Mary Kennedy Progressive Farmer September 11, 2017

Many cotton farmers in eastern and southern Texas were anticipating a strong crop this year, only to see their hopes washed away by Hurricane Harvey. Now they're trying to salvage what's left of their crops.

After coming ashore in Texas on the night of Friday, Aug. 25, Harvey became the strongest hurricane to hit the U.S. in more than a decade. Residents of Texas in the path of the storm were told to evacuate due

to the catastrophic flooding that was expected. In Bay City, Texas, (in Matagorda County) a mandatory evacuation was ordered on Sunday, Aug. 27, "due to the severe flooding of every structure in Bay City."

Bay City resident Robby Reed told me that, on his farm, he lost more than 400 of his 725 acres of cotton, worth an estimated half-million dollars. He told me that his crop insurance was not going to help because he had already met his guarantee yield with cotton he harvested prior to Harvey. "This was my best cotton crop year ever before the hurricane hit," said Reed.

Reed farms a total of 2,500 acres of land, which includes cotton, rice, milo, corn and sometimes soybeans. Once the rains came, the fields that Reed had not harvested were at the mercy of the storm, which damaged what was once a bumper crop. While most of the corn had been harvested prior to the storm, only about 70% of the cotton in Matagorda County had been harvested.

I spoke to Reed on Sept. 6 while he was attempting to pick the cotton that was left standing. He told me that his home was filled with 4 feet of water, and while he did have flood insurance, he was still left with a "big mess."

I mentioned that I was hearing cotton was being condemned in the field. Reed said, "There was a rumor about the cotton, more about the seed rather than the lint." (Cotton lint is the fiber taken from the seed after it has been ginned.)

"If the cotton can go through the gin, it can be ginned. A lot of the seed in the cotton that has not been picked (before Harvey) has sprouted or rotted. The cotton seed is used for a bunch of different things (feed, oil, meal, oil, to name a few), and it usually pays for my cost of ginning. So, it's going to cost more to have it ginned without having good seed."

Harvey destroyed everything in its path either from hurricane-force winds and/or record flooding that covered Houston and surrounding communities. Farmers lost harvested bales of cotton that were blown apart by the winds, along with cotton and other crops still sitting unharvested that were flooded by the rains.

Gene Hall, director of public relations at the Texas Farm Bureau (TFB) told me that, "Agri-Life Extension released a preliminary estimate last week. They stated that the loss for cotton in the hurricane zone could be as much as 400,000 bales -- a devastating blow. Crop insurance will not cover all of that. The Corpus Christi classing office had projected the Gulf Coast cotton crop at 2 million bales. That would have been one of the best in recent years."

That's bittersweet for cotton farmers who have seen a tough couple of years, according to Hall. "Prices have been low and costs high. Many farmers were counting on the high yields from this crop. For some, it may mean going out of the cotton business. Difficult decisions are ahead."

"Everything left on the stalk has to be considered a near-total loss," said Hall. "Since harvest was still underway, we know that many cotton modules -- large packages of unprocessed cotton waiting for ginning - were left in the field or in gin yards. They are typically covered by a tarp, waiting for the gin to be ready for them. We know many modules had those tarps blow off and the modules ruined by wind and rain. It's unlikely that much will be salvaged."

Hall said that 98% of the crop had been harvested near Corpus Christi. Less of the harvest was complete as you move north in the disaster area. Matagorda County was probably only about 70% complete, and Wharton County was maybe less than 40%. "It will likely be weeks before we have any reliable estimates as to actual losses," he added.

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"Our field staff in the area tell me that most ranchers got their livestock moved before (Harvey made) landfall," said Hall. "The only nice thing about a hurricane is you know it is coming. But since the storm was unprecedented, we know that some of them were caught by surprise. There have been cattle lost and still stranded. Some have been moved. Impossible to know how many at this point."

Hall also told me that the rice situation is "bad enough," though not as severe as cotton. "I was told by a member of our rice committee that there was about 10% to 20% of first-crop rice left in the field around Beaumont. Some may be salvaged, but not if the mature heads were submerged. I think it's real dicey to predict how it will affect second-crop rice."

"Farmers and ranchers have lost homes like their neighbors. Many of them have also seen their livelihood severely impacted," said Hall. "TFB has launched the Hurricane Harvey Relief Fund for Agriculture, focusing on the damages suffered by the farm and ranch families damaged by Hurricane Harvey."

Here are a few links for how to help farmers and ranchers in Texas: Texas Farm Bureau:

http://texasfarmbureau.org/…
The Agriculture Department of Texas also accepts donations of hay and animal feed. Find more information here https://www.texasagriculture.gov/… or call 512-463-9360.

How Harvey Will Affect Houston's Housing Market

By Jemila Winsey Har.com
September 10, 2017

Just a week after Hurricane Harvey struck Houston, Irma Jalifi was doing something that might sound crazy: closing on a home.

In fact, Jalifi, a real-estate agent with Redfin, closed on not one but three Houston houses Tuesday at their asking prices — two at $1 million and a three-bedroom at $450,000 — as the new economics of Houston housing began to take hold.

The calculus of disaster is simple, if cold blooded. Many whose homes have been flooded must move, and those who dodged Harvey now sit upon some of the city's most desirable addresses. Far from declining, prices and rents are expected to rise given the sudden housing shortage. Out-of-state investors have even started to swoop in to acquire damaged homes to repair and sell or rent.

"It's as if we hit a reset button on the market," Jalifi said.

Before the storm, Houstonians enjoyed access to abundant affordable housing in exchange for unzoned sprawl — the metropolitan area covers almost 8,800 square miles, making it larger than New Jersey.
Cheap housing, paired with solid growth and abundant jobs, helped draw a gush of newcomers: The city population grew almost 10

percent between April 2010 and July 2016, Census data show. It is the fourth- largest in the U.S. and most diverse, drawing residents from around the world. Now, poor people and middle-income families find themselves in sudden competition for shelter.

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"It's one of the few cities that's been fast-growing and relatively affordable. That's going to change now," said Nela Richardson, chief economist at Redfin Corp., which provides a web-based real-estate database and brokerage services. "At least temporarily."

Typical hurricanes raise real home prices for years, peaking between 3 percent and 4 percent three years after the storm, 2010 Federal Reserve Bank of Dallas research found.

On a Hill

Those benefiting amid Houston's devastation aren't crowing about it, as high walls of soggy refuse line streets and neighbors assess the damage. Still, homeowners who were spared can't ignore the unasked-for upside.

Evin Thayer, a professional photographer who has shot celebrities including President George H.W. Bush, is hoping to sell his $1.18 million, three-bedroom house in the Heights neighborhood by year-end. It stands on elevated ground, a couple of miles from the flood zone, and it's headed for a higher valuation.

"For those that did not get flooded, I think it's going to make it a high-value commodity," Thayer said. "I'm kind of holding my breath to see what happens here."

The 67-year-old, dressed in a navy Lacoste polo and khakis on a breezy Wednesday afternoon, designs houses as a side business and created this 3,000-square-foot structure to showcase his modern-art collection.

Thayer thinks the storm's after-effects could help him make the sale. That said, he's worried about how much his new house will cost him — he expects rebuilding will tighten the labor market and drive up the price of building materials.

That's "the unknown factor," he said. Frozen Rents

Much is unknown in a market jumbled overnight by the Category 4 storm. Harvey flooded 113,843 homes worth $29 billion, 6.7 percent of the local market, and may have affected as much as 14.2 percent of the housing stock, according to Ralph McLaughlin, chief economist at real-estate website Trulia.com.

"A week ago, before Harvey, we were oversupplied, and today, we have more demand than we have supply — it's just changed overnight," Richard Campo, chief executive officer of Camden Living, one of the city's biggest apartment developers, said in a Bloomberg Television interview. "We usually lease 70 apartments a week, in the last four days, we leased 300."

Campo said his company has turned off its dynamic pricing system, which responds to demand increases by boosting rents — freezing the cost of renewals and new leases for September. Camden said most other large owners are doing likewise.

Houston's Gulf

Even with such measures, relocation will be easiest for those with ready cash. Houston has many without.

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Harris County, which encompasses the city, already has a deep gulf between rich and poor. Among America's 25 largest counties, its Gini index — a measure of income inequality — was ranked eighth highest in 2010.

Disasters like Harvey can worsen that divide. Rents are pressed higher, pushing poorer workers away from desirable, job-rich areas. Owners at the bottom of the wealth ladder may lack resources to rebuild, which is especially important given that many Harvey flood victims weren't insured.

Tim Surratt, Thayer's real-estate agent, said his phone has been ringing constantly as flooded homeowners try to sort out their options. One client had both his Houston house and Hill Country ranch flood, and is now renting a place for $13,000 a month. Usually such a unit would be on the market 100 days. In this case, it was a week.

In Thayer's unscathed main room, cream walls and tall windows brighten the cavernous space. The pool outside is all clean lines, like something out of a minimalist painting.

"You feel kind of guilty that you escaped the whole thing," said Thayer, sitting feet from a massive Robert Jessup canvas and a commissioned abstract piece dominated by strong blues. His name for the piece is appropriate for his hometown's current moment: "Hope from Despair."

Jemila Winsey is Broker and Owner of RE/MAX Legacy Living with over 15 years experience the real estate industry. She specializes in residential and commercial real estate. She is the author of the ABCs of BPOs and has received several awards and accolades in the industry. "" My mission is for my clients to maximize their returns on any given transaction. I take a consultative approach with all of my clients; all transactions are unique, and my ability to adapt and be innovative allows for an equally unique experience for all of my clients; big or small". Contact Jemila at jemila@remaxlegacyliving.com to discuss your real estate needs to receive a FREE no obligation report of your home's worth.

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HUMAN INTEREST & COMMUNITY OUTREACH

Red Cross helping with Harvey, Irma 'double disasters'

By Kathy Stewart WTOP
September 11, 2017

WASHINGTON — First, disaster struck in Texas with Hurricane Harvey, and now Hurricane Irma strikes in Florida.

But even in the face of both of these disasters, the Red Cross is prepared.

"For the Red Cross, again, we started hurricane season planning that there could be multiple strikes," said Paul Carden, American Red Cross National Capital Region disaster program officer.

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He says they didn't commit all of their assets to Texas.

"That left us some vehicles, volunteers, supplies to send into the southeast," he said.

And even as the Red Cross deploys assets to the southeast, Carden said they have a reserve of resources in case there's a third hurricane.

He said six Red Cross volunteers from the D.C. area are in Florida and are helping set up shelters. One volunteer is working in a shelter with 1,700 people.

Carden said the Red Cross has set up more than 500 shelters in the southeast part of the U.S., Puerto Rico and the Virgin Islands. A total of 132,000 people are in Red Cross or Red Cross partner shelters throughout the United States, he says.

"So, we've got that large sheltering response going on," said Carden. "We should have enough assets to shelter about 170,000 folks at the end of the resource push."

The Red Cross has 100 emergency response vehicles in the southeast that are ready to go out into communities impacted by Irma to deliver relief supplies and hot meals as soon as it is safe to do so.

"So we're opening shelters … We're getting resources going in. We're also staging resources around the southeast to actually move in to where the impact is," he said.

But Carden says that during this time of double disasters, the Red Cross is counting on the American people.

"We're working in Texas. We're committed to meeting the needs of the folks in Texas, and we know that the American public is

going to trust us to get the job done in the southeast. So, we need their continued financial support."

CPK Fundraiser: Hurricane Harvey Relief

By Alysia Gray Painter NBCLosAngeles
September 11, 2017

Finding your way to your local California Pizza Kitchen? It's a snap, seeing as how the started-in-SoCal eateries cover the regional map.

Remembering to dine at your neighborhood CPK on Tuesday, Sept. 12? Also an easy thing to do, if you make a note to yourself now, or set a phone alert, or ask a responsible friend to remind you.

And recalling that you should tell your server that you'd like to support the Hurricane Harvey Relief effort? You'll only need to tell your server on Sept. 12 that you'd like to see 20% of your bill go to helping Feeding Texas, a nonprofit organization with food banks across the state.

Your beverage purchase, as well as your food, will be included in the ultimate final figure that goes to help out the relief. And if you want to do takeout, order online, or go with delivery? That's okay, too: Just make sure you mention the Hurricane Harvey Relief effort.

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This is a participating-restaurant fundraiser, so eye those spots that are part of the Sept. 12 effort.

And stay tuned: Hurricane Irma relief efforts will surely happen, in the near days to come, around the region at various businesses. Helping the people and organizations of Houston and Florida is something Southern Californians are glad to do.

For more information on Feeding Texas and all the good it does, click.

Hurricane Harvey relief efforts at Austin bars and restaurants through September

By Matthew Odam Austin360 September 11,
2017

The Austin hospitality industry stepped up in a big way, with dozens of bars and restaurants donating proceeds to Hurricane Harvey relief and collecting relief supplies. Many of the campaigns have ended, but a few businesses continue to collect money and goods.

When you purchase an Alamo Drafthouse ticket online, the site gives you the opportunity to contribute to Americares, Greater Houston Community Foundation's Hurricane Harvey Relief Fund, and the Food Bank of Corpus Christi. The Drafthouse, which matched $20,000 in donations, will continue the campaign through the month.

Downtown seafood restaurant Coast is donating $2 per poke bowl sold through the end of September to relief efforts.

The Hightower teamed with Antonelli's Cheese and will donate 30% of their Queso Fundido sales (which uses Antonelli's Cheese) to Austin Disaster Relief Network until September 30.

Through the end of September, Hopdoddy will donate $1 from each Goodnight/Good Cause Burger.

Each Wednesday in September, The Infinite Monkey Theorem winery will donate 100% of profits to the town of Rockport's recovery fund.

Through the end of September, Kerbey Lane Cafe will donate $1 from every crispy chicken Benedict and green chile mac & cheese sold at its seven locations to the Austin Community Foundation Central Texas Long-Term Hurricane Recovery Fund.

Houston-based Perry's Steakhouse and Grille is donating $5 from each of its discounted three-course menus to J.J. Watt's flood relief fund through the end of September.

Through the month of the month, Tiny Pies on South Lamar Boulevard will donate $1 from every Texas Two Step pie sold to the

Houston Food Bank.

Southwest Airlines Rescues Orphaned Pets from Hurricane Harvey, Flies Them to Safety

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By Kelly Richman-Abdou MyModernMet
September 11, 2017

During Hurricane Harvey, animal shelters and rescue organizations sprawled across Texas were saddened—but not surprised—to discover that many pets had become lost, displaced, or even abandoned during the disaster. With most shelters already at full capacity, it was unclear where these poor potential pets would end up. Fortunately, however, thanks to a compassionate collaboration between Southwest Airlines and Helen Woodward Animal Shelter, the future of these orphaned animals is a bit clearer.

Prior to the storm, non-profit organization Operation Pets Alive! had preemptively taken in numerous cats and dogs from shelters across Houston. This tremendously selfless act freed up lots of space in the shelters, which meant that these existing residents did not need to be euthanized in order to make room for the new, hurricane-stricken rescues.

On September 5, compassionate volunteers loaded 64 of these adorable and adoptable cats and dogs into the converted cabin of a California-bound Southwest Airlines plane. Their destination? Helen Woodward Animal Shelter in San Diego, where they would be safe from the storm, at no risk of being euthanized, and have the chance to finally find their forever homes.

What a purr-fect ending!

If you'd like to donate to the cause—or even adopt or foster one of these Hurricane Harvey rescues—stop by the Helen Woodward Animal Shelter website.

To make room for Hurricane Harvey rescues in shelters across Texas, Southwest Airlines flew over 60 shelter animals from Houston to San Diego.

Website matches Hurricane Harvey missing pets with owners

KENS5
September 10, 2017

A new website was created to help match people with their pets lost in Hurricane Harvey.

The website, texasfloodpets.com, is offered as a free service through the nonprofit organization, Pet Search and Rescue, Inc.

People who are missing a pet can search a database of lost pets found in areas affected by Hurricane Harvey. They can also post a picture of their lost pet.

After Hurricane Katrina in 2005, the search for missing pets was a major issue in the aftermath. Animal rescue groups are taking the lessons learned from that storm to be more effective in finding pets this time around.

Burlington County veterinarian looks after animals displaced by Hurricane Harvey

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By Brian Woods TheIntell September 11,
2017

For Matthew Edson, it was a labor of love that happened to take place on Labor Day weekend.

Edson, a member of the Eastampton Township Committee and a veterinarian by profession, was one of numerous people from all over the country to go to Texas to assist in the wake of Hurricane Harvey.

Edson's focus was on animals that were displaced, and not just the dog and cat variety.

The owner of Rancocas Veterinary Associates in Mount Holly spent his four-day holiday weekend tending to animals that had been separated from their owners.

"It's hard on the animals, but to see the owners going through that is more difficult. They don't want to leave the animals behind, but a lot of these folks lost everything," he said.

Edson stayed at a Houston Society for the Prevention of Cruelty to Animals shelter in Beaumont, where he helped with the intake of over 250 sick cats and dogs, a handful of pigs, and dozens of other farm animals.

He was originally supposed to go to a different town, Lumberton, but floodwaters and closed roads made it impossible for him to get there.

Edson has a history of helping out after natural disasters. He was heavily involved in disaster work for Burlington County during Hurricane Sandy in 2012, and he went with his mother to help victims of the Haiti earthquake in 2010. Still, he was surprised to see the staying power of the floodwaters.

"Having to live through Sandy, things down there were different. They had a big storm that came and dumped a lot of water, but it didn't really leave. Sandy came and went," Edson said, explaining that bayous and rivers made it difficult for water to recede.

"There were houses underwater, railroad tracks washed out, pieces of highway completely submerged. Two weeks after the storm, these folks still have houses completely flooded out," he said.

Emotional pet owners often had no choice but to leave their animals. The toughest part was seeing that separation over and over again, Edson said.

But dealing with the confusion of the animals was also emotional.

"The people kind of understand what's happening. It's probably harder for some of the animals to some extent because they don't even know what's happening, why they're not home, and why they're not with their owner," Edson said. "They're sleeping with their owner one night and then in a shelter the next."

A lot of the animals were suffering from dehydration and stress. Edson and other volunteers did all they could to make them happy and comfortable. It was the little victories of knowing they made a difference that kept him motivated.

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On his last night, he said a little potbellied pig came in having seizures and was close to death. He was able to revive it, and even spent the night with the animal sleeping on his lap in his rental car. The next day, Edson said the shelter showed him a video of the pig looking happy and healthy and eating.

"It's those little wins. It feels good to come home and have one clear-cut success story," he said.

Edson said the stranded animals will continue to need help, whether through donations for their medical expenses or with a place to live for a few months while their owners get back on their feet.

During Sandy, he said people arranged what he described as online dating for pets, in which the animals were matched with people who could foster them for however long it took for their owners to recover their homes. Edson believes similar programs will pop up in Texas.

"I was a very small part of a very big project down there. The one thing about these disasters is it brings a lot of good people together," he said.

Texas Pets Prepped For Adoption In Utah After Harvey

CBS
September 10, 2017

SALT LAKE CITY (AP) — Dozens of homeless dogs and cats brought to Salt Lake City from Texas because of Hurricane Harvey will be spayed and neutered Sunday as animal advocates prepare them for local adoption.

The Community Animal Welfare Society and other organizations helped bring dozens of animals from Texas shelters in an effort to make room in those shelters for Houston pets waiting to be reunited with owners.

The organization says the medical needs of the homeless pets exceeded their expectations. They said nine animals had heart worm, eight had ringworm and two have a skin disease caused by parasites. The Community Animal Welfare Society is hosting an online fundraiser on its website that's raised $13,000 so far.

Emergency Supplies from Butler County Arrives In Texas

CBS
September 10, 2017

BLOOMINGTON, Texas (KDKA) — Last week, Butler County residents opened their hearts and wallets, filling a tractor trailer with medical supplies, clothing and canned goods for victims of Hurricane Harvey.

Over the weekend, a rig owned by Hindman Trucking arrived in Bloomington, Texas, much to the delight of hundreds lined up outside a church.

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KDKA's Bob Allen spoke by telephone with Bloomington resident Jennifer McClelland.

"It brought a lot of tears that one small community halfway across the country was able to reach out and pull together for our small community," McClelland said.

McClelland says a number of homes were damaged or destroyed in the town of 2,500 people. She says it will take time for many residents to recover from the disaster.

"Even though the immediate storm is over and the damage is already done and people are starting to rebuild, a lot of people haven't got paychecks under their belt," she said. "They have not been back to work since the storm."

Members of the Holy Trinity Greek Orthodox Church in McCandless Township said a prayer for the victims of Hurricane Harvey in Texas and Hurricane Irma in Florida.

While celebrating the annual Taste of Greece festival last week, the congregation and community donated $9,000 to help feed flood victims.

"They paid for their items for the festival, and then they left the change or sometimes didn't leave the change, sometimes they put in an additional $10, $20, $50, whatever dollars it might be," Father John Touloumes said.

Touloumes says the church's work is never done and they will continue to help hurricane victims.

Resident spearheads Hurricane Harvey relief

By Nicole Tuttle Voice News September 10, 2017

East China Township resident Kevin Lindke admits social media has its issues, but it can also be beneficial, particularly when hurricane victims need help in a hurry.

Lindke assisted in Hurricane Katrina relief efforts and knew he could use his experience to help Hurricane Harvey victims, too. An Aug. 28 social media post letting people know what he was about to do spread quickly, resulting in the need to expand beyond his driveway and establish multiple drop off points for donated goods Aug. 30 and 31.

"The outpouring from the community is just unbelievable and pretty emotional," he said. "People would stop by just crying...I made one post and shared it, and everybody started kicking in."

Local businesses, including Gar's Lounge in Marine City, Maximus Self Storage in St. Clair and LumberJack Building Centers in Algonac, began to volunteer to serve as drop off locations for goods. Five truckloads of supplies were collected from the

LumberJack site alone.

Donna Schindler, a manager at LumberJack, said she initially sent a message pledging a case of water to Lindke's efforts. As word got out among employees and the community, the store evolved into a drop off point, accepting everything from cash donations to bath items, diapers, water, new clothing and pet food.

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Area churches, including Starville Church in Marine City and First Congregational Church in New Baltimore, also pitched in.

First Congregational Church Mission Team Chairwoman Phyllis Maddix and Vice Moderator Barbara Schuster took a vehicle load of supplies collected for Hurricane Harvey victims to LumberJack Aug. 31. Schuster said she saw Lindke's post on Facebook and emailed church members to let them know the church was interested in taking up a collection to assist the cause.

"I felt I wanted to do something other than just give money - actually see something physically going down there," she said. "I saw a post on Facebook and I worked at LumberJack years ago. I trusted that he'd take this thing down there. Everyone that donated from the church felt the same way and wanted to do something."

Donated items included hygiene products, baby products, canned goods, cleaning products, underwear and socks, Schuster said.

"Again, people in our church came through," Maddix added. "We had a lot of stuff. Barb's car was not big enough to transport it. I had a little bigger car."

As of Sept. 1, the church was still accepting monetary donations for Harvey victims and planned to continue to accept them for two more weeks. Cash and checks made out to First Congregational Church UCC and designated Hurricane Harvey will be contributed as a whole toward the larger United Church of Christ, which Maddix said guarantees 100 percent of proceeds will go to the relief effort.

Contributions can be dropped off at the New Baltimore church, located at 36223 Alfred St.

Lindke said that not only did Michael and Josie Haddon, of American Vehicle Importers in Port Huron, contribute to his efforts, but a local superhero did, as well. Ewan Drum, also known as "Super Ewan" is a 10-year-old New Haven resident who has been assisting the homeless through his nonprofit organization, Super Ewan Inc., locally since 2014. His mother Angela Drum, who also serves as the nonprofit's director of operations, said Super Ewan Inc. sent items such as water, socks, meat sticks and toiletries with Lindke.

"I saw articles on Facebook of people in kayaks and canoes going through the flood and I wanted to send some food and water down to help them," Ewan Drum said.

Lindke began making the trek to Texas over Labor Day weekend, heading for locations including the Rockport and Beaumont areas. On Sept. 1, Lindke said donations filled a 27-foot enclosed trailer and he was in the process of obtaining a large U-Haul truck. In the future, he may consider starting a nonprofit dedicated to year-round emergency assistance collections, so that when something like Hurricane Harvey occurs, everything is already in place.

"I'm just a guy with an idea," he said. "This wouldn't have happened without everybody donating." Donations can also be made

online at ucc.org.

Book event aims to help families, schools rebuild libraries after Hurricane Harvey

Chron

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September 10, 2017

Stacks of furniture lay in yards across Houston, tainted by the floodwaters of Hurricane Harvey. The legs of wooden shelves sit buckled after days of swelling with water, and oftentimes, near the furniture waiting by the curb to be taken away are the books

that used to rest safely on the shelves.

When Harvey's floodwaters finally receded from homes, schools and public libraries, many discovered shelves of books had been destroyed or swept away.

To help residents and schools rebuild their libraries, Houston Center for Literacy and Half Price Books are partnering to host a book donation event. Books can be purchased Sept. 12 at Half Price Books for those impacted by Hurricane Harvey and donated at the Houston Center for Literacy office at 2700 Southwest Freeway. A portion of the proceeds that day will also benefit the Houston Center for Literacy's programs.

San Antonio woman uses coupons to help Hurricane Harvey Victims

By Matthew Seedorff FOX-SanAntonio
September 10, 2017

One San Antonio woman is going above and beyond to help those in need. "I definitely have a screw

loose," said Kimberly Gager.
Her home's garage, looks more like a small Walmart or Target. Boxes and shelves are filled with items, to help Hurricane Harvey victims. Gager even admits it herself, she's addicted to shopping.

"It's no secret, I have a problem," said Gager jokingly. "But, it's a good problem. Especially when you can help people out."

Although she already has a full-time job, she enjoys collecting and using coupons for fun. However, now she's putting her skills to the test.

"If it's not on sale, I won't buy it, said Gager"

Kimberly setup a page on Facebook, requesting donations to help her with the purchases. Grager is well versed with her coupons. She estimates that she has saved thousands of dollars, while buying supplies for hurricane victims.

"I need the hurricane evacuees to know, I have diapers and wipes," said Gager. "I'm willing to drive and take it to them."

Back in 1999 Hurricane Floyd destroyed Kimberly's Virginia home, motivating her even more to help current victims throughout Texas.

"I just really like doing this, and I like helping people," said Gager. "But people really think I'm crazy." So far, Kimberly has

helped dozens of evacuated families including Richard Luna, from Seadrift, TX.

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"We live day by day right now, putting our house together," said Luna. "Trying to get it fixed so we can move back in.

Kimberly says she's still trying to find people to help, as she knows many more evacuees are still living in the San Antonio area.

"I'll just keep buying and keep going, until everyone is taken care of, said Gager." "People that help when we're

down, that's what it's all about, said Luna"
If you know anyone impacted by Hurricane Harvey that could use Gager's help, visit HERE.

"Excited to provide support:" Salvation Army chaplains head to Texas to help Hurricane Harvey victims

By Katie DeLong FOX6
September 11, 2017

HOUSTON, Texas -- A number of Salvation Army chaplains from Wisconsin will help Hurricane Harvey victims in Texas.

Before heading out, they prayed Sunday, September 10th at General Mitchell International Airport. They would soon join those already in Texas, helping with Harvey recovery.

As an emotional and spiritual support team, the volunteers said they hope to talk with as many victims and first responders as they can.

"We're just really excited that we can go and provide some emotional and spiritual support. Not only for the people who live there, but the relief workers and first responders who have been there on the ground for a long time and they're experiencing that same trauma of trying to support people," Alexis Twito said.

The team is expected to help pass out food, water and other supplies.

Blue Ivy Joins Mom Beyonce as She Serves Meals to Hurricane Harvey Victims in Houston

By Leanne Aciz Stanton US Magazine
September 10, 2017

Starting her off young. Beyoncé was in her hometown of Houston helping victims of Hurricane Harvey on Friday, September 8, and she had one very special helper — her daughter Blue Ivy.

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In a series of photos posted on her Instagram account, the Grammy winner and her Beygood team worked to help those who lost their homes in the devastating natural disaster, serving food and posing for photos as she hugged and talked to the victims.

In one photo, clad in a denim jacket with pins on the pocket, Beyoncé, 36, handed styrofoam boxes to those in line as Blue Ivy watched. In another, she embraced a woman in a tight hug while smiling. She also shared a thoughtful quote placed on a brick building that read, "Truth is derived from love."

As previously reported, the mother of three also stopped by St. John's Church with Blue, her mother, Tina Knowles Lawson, and Destiny's Child member Michelle Williams. Earlier in the day, Lawson and Williams served lunch to 400 of the hurricane's victims.

In a statement to The Houston Chronicle, the "Sorry" singer said, "I am working closely with my team at BeyGOOD as well as my pastor (Rudy Rasmus at St. John's in downtown Houston) to implement a plan to help as many as we can."

In addition to her time, her pastor confirmed that the "Formation" singer had also donated money, telling ET last month, "She's starting out with a significant donation, and that donation is getting us to launch out into some areas that help us more effectively impact the communities that have been the most affected … She has, over the years, been very generous to our cause, and we continue to work together. She has been a huge benefactor to our efforts here in Houston, Texas."

At least 70 people died in the hurricane that hit Texas at the end of August, dumping several feet of rain and causing catastrophic flooding.

Valley residents head to Texas to help victims of Hurricane Harvey

By Lysandra Marquez/Cronkite News KTAR
September 10, 2017

CHANDLER – The moon was still visible when close to a dozen Valley residents gathered at a gas station in Chandler. They were about to begin their long drive toward Houston, Texas, to deliver supplies and aid to the victims of Hurricane Harvey.

Close to two weeks after the massive hurricane made landfall in southern Texas, the group headed out, divided among three vehicles, two of them trucks full of supplies. Drop-off locations for donations were set-up throughout the Valley days before their departure and they received toiletries, cleaning products and food which they will deliver to groups like Mormon Helping Hands and a local church.

Money was also raised, and the group will continue to raise funds through social media throughout their trip. Aside from distributing the donated goods, they also plan to spend close to four days cleaning up, repairing and helping in any way they can.

Chey Tor, a real estate title representative, was inspired to act when he read an article about Anheuser- Busch sending cans of water — instead of beer — to those affected by the hurricane.

"I thought, what can I do as a citizen to help my fellow American?" he said.

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Shortly after, Tor contacted friend Jason Payne and they started sharing posts on Facebook to raise funds and collect supplies.

Payne, a roofing contractor in the Valley, said that not long after posting on social media he started finding anonymous donations on his doorstep

"Every night I would go to my home and there would be stuff on my front porch. It would not say from who, they didn't try to get any recognition. It just said, 'hey take this to Texas and tell everybody we love them from Arizona,'" he said.

Among those affected and displaced by Hurricane Harvey are also four-legged companions. Payne said he had received donations of pet food, toys and supplies from Animal Kingdom and Puppies in Love at Arizona Mills.

"We have all these dogs and other animals that are homeless as well, trying to find somewhere to live and someone they could go live with," he said.

Some of the volunteers are going to miss work and even school to make the journey to Texas. Eric Zimmerman, who had

previously lived in Texas, brought four of his kids along to help.
"I'm taking off work and they're taking off school and I thought I would give them that opportunity to go and help," he said. "To see what being without really is. It's tragic, and at the same time, we have truckloads to go and help. So at least we're trying to bring a little bit of hope to them."

For 15-year-old Mikelle Zimmerman, it is an opportunity to give back, but she isn't entirely sure what to expect.

"I've been told some of the stuff like, oh it's going to be kind of bad, but I think it's gonna be some stuff that we might see as not the best. I know that we're going down there to just help out and serve others, to try and make it better for some people," she said.

Dylan Zimmerman, who is 14 years old, said he hopes to provide some sort of comfort to the victims.

"I just wanted to help, and I feel like everyone who went through Hurricane Harvey deserves help," Zimmerman said. "They need to feel like they are loved."

Realtor Nicole O'Reilly, stepped in at the last minute when someone else was unable to go on the aid trip. While she felt unsure about she will be encountering, she said she feels prepared to handle the situation and help in any way she can.

"I think just seeing the amount of destruction that is left behind, it broke my heart. In my business, we help people find homes and these are people are losing them. It just made me want to be a part of this," she said.

Fort Leonard Wood engineers assist with Harvey relief

By Dawn M. Arden RollaDailyNews

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September 10, 2017

Fifteen Soldiers with the U.S. Army Engineer School departed Fort Leonard Wood last week, all on their way to Texas to volunteer time, knowledge and experience in support of the Hurricane Harvey relief efforts.

After reporting to the U.S. Army Corps of Engineers Southwestern Division in Dallas, these volunteers will be assigned various duties throughout the state, allowing them to give back to the community while gaining valuable experience during what would normally be a transitional period between school or duty stations.

"We are anxious to support the call for volunteers for the Hurricane Harvey relief and are able to support the operation utilizing our early arrivals awaiting class start dates or those who have just completed classes and are awaiting follow-on assignments," said Lt. Col. Kelvin Nichols, USAES interim chief of staff.

One volunteer, 2nd Lt. Robert Provine, said he can't think of any better way to spend the time before his Engineer Basic Officer Leaders Course begins.

"I'm excited to have a chance to put what I've learned into practice, being able to affect people's lives and hopefully do some good down in Texas," Provine said. "I think it's awesome to be able to help American citizens, that's why I joined the Army."

Before departing, Col. Kevin Brown, USAES interim commandant, met with volunteers telling them what an asset they will be to the Corps of Engineers in helping to fill the gaps in manpower.

"USACE will activate their civilians across the country, but that takes time," Brown said. "They need people to run distribution centers, they need trucks to transport equipment and eventually they'll need engineers to help to do other stuff."

Sharing his experiences in dealing with disaster relief following Hurricane Katrina in 2005, Brown told them it will be one of the most rewarding experiences they will have in the Army.

"They're our people, the United States of America, and there is nothing closer to us than something at home," Brown said. "You'll see as you do other things in the Army that this is one of the more rewarding things you get to do."

United Way Collecting Funds for Hurricane Harvey Recovery

WSJM
September 10, 2017

Hurricane Irma may be getting the headlines this week, but there's still a lot of work to do in Texas and Louisiana as people recover from Hurricane Harvey. That's why the United Way has formed a national fund to help out. Ryan Cheevers, with the United Way of Southwest Michigan, tells WSJM News the money donated to the United Way Harvey Recovery Fund will be used to provide food, shelter, and other basic needs to folks affected.

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Kuna boy gathers donations for Hurricane Harvey victims

By Maggie O'Mara, KTVB KTVB
September 11, 2017

KUNA - Eleven-year-old Nielsen Glascock of Kuna is proof that you can turn your ideas into action at any age!

He wanted to do something to help the victims of Hurricane Harvey.

His idea to gather donations took off, and then he teamed up with a local company, to get what he collected to Texas!

Nielsen when he arrived at T-Mobile in Meridian this week.

"When we came in there's this line of people, my mom said these people are here for you, and I just looked at her like what? So I was so surprised," said Nielsen.

But before we get to all the hoopla, we want to tell you what Nielsen did to get here.

"My class watches the news every day and they talk about Hurricane Harvey, and I see people trying to help, and I'm like - how do I help?" said Nielsen.

"He came home from school and said mom, 'I want to help,'" said Jolyn Glacock, Nielsen's mom. "We put a video on

Facebook."

That Facebook video call for donations took off!

“Within the first 24 hours we had a thousand views, I had people hitting me up left and right saying hey, I'll donate, I'll donate!” said Jolyn.

“We would have to go to people's houses and go to other houses and pick up stuff and people would come to our house and donate stuff,” said Nielsen.

Then the question - how to get all this stuff to Texas? That's where T-Mobile comes in.

“T-Mobile has a truck and they are going to send it to Texas, so that's where I thought we should go bring it,” said Nielsen.

The employees were more than ready for Nielsen when he arrived with boxes and boxes of donations of personal hygiene items.

“Hey buddy, nice job buddy.”

“Thanks for being an example and our super hero!” His mom couldn't be more

proud.

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“I'm unbelievably proud, I woke up this morning knowing this was going to happen and my heart has been full with knowing how many people he's helping today, like it's outrageously awesome,” said Jolyn. “They have no soap, they have no shampoo, there are babies without diapers, and it's just going to help anyone that needs it in Texas.”

“Honestly I just wanted to help, I have no family members, I don't know anyone there, I just wanted to help,” said Nielsen. “And I'm happy that I know there are going to be people who have this stuff and that are going to be safe.”

At just 11 years old - this kid is making a big difference.

“He's always had a big heart to want to help people,” said Jolyn. Nielsen Glascock – this week’s

Seven's Hero.

Houston returns to football as Harvey recovery continues

By Kristie Rieken Washington Post
September 10, 2017

HOUSTON — With all eyes on the tunnel leading under the stands, J.J. Watt emerged. He raised a Texas flag skyward before screaming “let’s go,” sending NRG Stadium into a frenzy.

Watt and the Houston Texans opened their season Sunday against the Jacksonville Jaguars, giving the area ravaged by Hurricane Harvey and its flooding a much-needed distraction from the harsh reality of life in the wake of the storm.

Watt has become the celebrity face of the recovery from Harvey after raising a staggering $31 million in the two weeks since it devastated not only Houston but much of southeast Texas. He addressed fans in a video message played on the big screens before Sunday’s game as images of the flooding flickered alongside the defensive end.

“Let’s start this season off right and show what Texans are made of,” Watt said in the video, drawing a huge roar from the crowd.

Before the national anthem, fans were asked to pause for a moment of silence for the victims of Harvey as well as those in the path of Hurricane Irma, which was hitting Florida on Sunday.

Louie Galvez, an Iraq veteran, tailgated before Sunday’s game with a group of friends and family outfitted in matching shirts that read “Houstrong.” Galvez was glad to get away from the job of replacing carpet and sheet rock in his suburban Houston home after it was hit by Harvey’s floodwaters.

"We're taking a break from what actually happened, the reality," he said. "We're going to watch our Texans. We're going to support them all the way ... it gives us a little bit of hope. As well as they do is how we feel we might do in life."

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As Galvez prepared for the game he had an eye toward Florida, worried about the fate of friends and relatives in Jupiter and Jacksonville as Irma approached.

"This is bigger than football," he said. "We know exactly what they're going through. We feel their pain."

The Texans honored first responders for their work during Harvey, and hosted many of them at Sunday's game. Houston Mayor Sylvester Turner, chief of police Art Acevedo and fire chief Samuel Pena were on the field during introductions and fans were asked to remember Steve Perez, an officer who drowned in Harvey's flooding on the way to work.

"Football definitely matters in a time like this because it takes our mind off what is actually happening to us right now," fan Steve Beckholt said. "This gives us a little bit of a release, a little time to not focus on the damage, not focus on everything else and just focus on a little bit of team, a little bit of community."

Pati Cream, a Texans fanatic who is known simply as "The Horns," wore a hat topped with bull horns and a bobblehead of Watt which held a sign that read: "Harvey Relief Houston, $30 million J.J. Watt." She's part of an organization called the "Super Fan Alliance" that connects fans from around the league. In the days after Harvey struck, fans in the cities of every team and even some in Mexico reached out offering help.

Donations from fans of all 32 teams piled in and resulted in the arrival of several semi-trucks filled with supplies to help those affected by the storm.

"The outpouring has been overwhelming," she said. "It's just mindboggling to me. It's been incredible. We haven't asked for anything."

The group collected 250 cases of water, 300 blankets and 1,000 tote bags to help the Houston area. But that shipment hasn't been able to get to town, stuck in Tampa, with Irma expected to strike there.

"I told them: 'hunker down and if you guys need it, open the trucks and use the stuff,'" Cream said. "We're in recovery. We're OK."

Things for Cream have been so chaotic in the days since the storm that many times she "couldn't have told you what day it is." But on Sunday, as the sequins on her shirt twinkled in the sun and her eyes filled with tears while talking about the generosity of strangers, it was game day. The pain of the past two weeks was nothing compared to the pride she felt about how the community has bonded.

"If you don't live in Houston and you don't know Houston, you need to come down here, because this is how people are," she said. "We're compassionate. We pull together."

And Galvez wants those outside the area to know that Sunday's return to normalcy was only a flicker of how Houston is going to bounce back.

"We're not going to let Harvey knock us down," he said. "You can come and try to do what you want to do, but we're from Texas and we're ready for anything."

Texans will wear helmet decals all season to honor Houston following Hurricane Harvey

By James Dator

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SBNation September 10, 2017

The Houston Texans will wear special helmet decals for the 2017 season in honor of those who lost their lives and the people who

were displaced by Hurricane Harvey.

The Texans have been closely involved with the efforts to rebuild Houston following the hurricane. The team pledged money to assist with cleanup efforts, while JJ Watt garnered huge attention for spearheading a crowdfunding effort that raised over $30 million, after hoping to raise $200,000 following the storm.

A simple helmet decal might not seem like much, but it's surreal to see a Houston team play sports at a time so many in the city are struggling. This goes a little way toward making sure we don't forget the city.

Tips for donating to charities following Hurricane Harvey

By Kelly Trevino Victoria Advocate
September 11, 2017

Hurricane Harvey has left thousands of Texans in desperate need for help.

People from around the country have already begun to help with relief efforts by either volunteering their time or donating money.

Unfortunately, it's during these times that illegitimate charities thrive, and BBB wants to warn people who want to help.

BBB suggests donors watch out for red flags, such as a charity or fundraiser that:

- Refuses to provide written information about its identity, mission and how the donations will be used.

- Won't provide proof that a contribution is tax deductible.

- Uses a name that closely resembles that of a better-known, reputable organization.

- Asks a potential contributor for bank account or credit card information before the person has reviewed the organization's information and agreed to donate.

- Uses high-pressure tactics to secure a donation before the potential donor has had a chance to make an informed decision about giving.

- Asks for donations in cash.

Better Business Bureau Serving the Heart of Texas recommends you follow these tips to avoid donating to the wrong people:

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- Be cautious when giving online, especially in response to spam messages and emails that claim to link to a relief organization. If you are seeking to give to a charity organization involved in relief efforts, go directly to the charity's website.

- Rely on expert opinion when it comes to evaluating a charity. Be careful when relying on third-party recommendations, such as bloggers or other websites, as they might not have fully researched the listed relief organizations. The public can go to BBB Wise Giving Alliance at give.org to research charities and relief organizations accredited by BBB.

- Be wary of claims that 100 percent of donations will assist relief victims. Despite what an organization might claim, charities have fundraising and administrative costs. Even a credit card donation will involve, at a minimum, a processing fee. If a charity claims 100 percent of collected funds will be assisting victims, the truth is that the organization is still probably incurring fundraising and administrative expenses.

Specific questions you should ask a charity or fundraiser:

- Does the charity have an on-the-ground presence in the impacted areas? Check that the charity's website clearly describes what they can do to address immediate needs. Watch out for charities that don't already have staff in the affected areas as they may not be able to provide assistance quickly.

- Is the charity providing direct aid or raising money for other groups? Some charities may be raising money to pass along to relief organizations. If so, you may want to consider "avoiding the middleman" and giving directly to charities that have a presence

in the region. Find out the ultimate recipients of these donations to ensure the organizations are equipped to effectively provide aid.

• Is the charity accepting and distributing clothing, food or other in-kind donations, or just money? In- kind drives for food and clothing, while well intentioned, may not necessarily be the quickest way to help those in need, unless the organization has the staff and infrastructure to be able to properly distribute such aid. Ask the charity about their transportation and distribution plans and find out their greatest need. Be wary of those who are not experienced in disaster relief assistance.

Additional details about local BBB Charity Reports online:

• Give.org shows whether a charity "meets standards," "standards not met" or whether a charity "did not disclose" information. A charity that "meets standards" is a BBB accredited charity, which will have a seal on their BBB Charity Report.

• A BBB Charity Report shows:

A summary of the 20 Standards for Charity Accountability each organization meets.

Tabs, which contain details related to the charity's purpose, programs, staff members and financial distributions.

A "full report" button for donors who would prefer to read the report without tabs.

A "share" button so you can connect the Charity Report you're reviewing easily on social media.

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Morris group travels to Texas to help Hurricane Harvey victims

By Alex Ortiz Herald-News September 11, 2017

While so many have tried to help in the response to the devastation Hurricane Harvey caused in Texas, a group of seven members of a Morris church decided to help in person.

After leaving on Friday, Sept. 1, the men returned to Morris just in time for the 9 a.m. service at the First United Methodist Church of Morris on Sunday as their fellow church and community members welcomed them home.

"When we saw the hurricane was headed toward Texas, we put our heads together and thought we should provide our services down there," said Colin Monk, the chair of the Grundy County Community Organizations Active in Disaster.

They told the other parishioners about helping clean debris and tarp over 30 homes, as well as comforting the victims they met in the towns of Refugio and Rockport, near Corpus Christi, which were hit hard by Harvey.

This was the first hurricane relief effort the group has participated in. It was originally after a 2013 tornado in Diamond, when members of the church decided they wanted to be prepared in case a similar event were to happen in their town.

"What if that kind of issue happened in Morris?" said Monk. "Would we be able to help out? Our answer was 'no.'"

So they found the United Methodist Church provided training and funding opportunities to buy supplies to form an early response team. Since then, they've helped victims after tornadoes in Coal City, Rochelle and Ottawa and they even travelled to West Virginia last year when there was major flooding in that region.

This time though, Monk said they saw how the hurricane was extra devastating in comparison to tornadoes. During their responses to tornadoes, the affected areas are relatively concentrated, but for hurricanes, it's a lot more difficult to even find a nearby hardware store for supplies.

These instances of selflessness are what prompted the church community to recognize the men for the help they've provided.

"They're not doing it for their own glory, of course," said Julie Buck, Executive Director of Community Foundation of Grundy County.

The men told stories of their time in Texas like about a woman who waited out the worst of the hurricane crawled up in her

fireplace. There was another woman who was so desperate for help, she sought out the group and wouldn't leave them while they were working on another house so they wouldn't forget about her.

While their friends and neighbors wanted to recognize their extraordinary efforts, Monk and his teammates still remain humble.

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"A lot of people tell me you're such a hero or whatever," Monk said. "I don't see it like that. It's just normal guys trying to help those in need."

Monk wants to remind others that recovery from a hurricane is a long-term process, which takes years so donations are still needed. The First United Methodist Church of Morris is accepting donations to help Harvey victims and those who want to help can call (815) 942-0809.

Lily Ann Cabinets Coordinates Aid for Houston, TX for Hurricane Harvey Relief

Business Insider September 11, 2017

ADRIAN, Mich., Sept. 11, 2017 /PRNewswire/ -- Lily Ann Cabinets, a family-owned business specializing in RTA cabinets, sent a truck of supplies to Houston, Texas to assist in relief efforts after the city was devastated last week by the landfall of Hurricane Harvey. The supplies were mostly contributed by citizens of surrounding Lenawee County as part of the area's Lenawee Helps Texas donation drive. By opening up their warehouse at 2075 W. Beecher St. for donations, paying for the delivery truck, and contributing some materials of their own, Lily Ann played an instrumental part in getting much-needed food, water, clothing, and other supplies to the flooded city.

The supplies, which were gathered from August 30th to Sept. 4th, were sent to the Houston area on Sept.
5. Madison P.A.T.T. (Parents and Teachers Together), a student support group based out of Madison Elementary School, assisted in the effort, as did a number of other Adrian-area businesses and organizations. Lily Ann's logistical and material contributions were sparked in part by the desire of company employee Sergio Cabrera to assist those struggling in his hometown of Houston.

"Sergio's wife and family are from the Houston area," explained Decker. "They wanted to do something to try and help the people that are in distress from the hurricane."

The final tally of donated supplies included three pallets of water, two pallets of canned and boxed food, two pallets of dog food, approximately 70 packs of diapers and other miscellaneous items.

"We sent a 52-foot full semi full of goods, everything came from our Adrian warehouse and donations were made from multiple families in our community," said Bill Decker, President of Lily Ann Cabinets. "It was really awesome to help in the small way we did."

MISCELLANEOUS

Hurricane Harvey: Identifying the Insurance Gap

By Tom Larsen Insurance Journal September 11,
2017

As hurricane Harvey made landfall north of Corpus Christi last week, this Category 4 hurricane left devastation in its wake. CoreLogic® estimates that the total residential insured and uninsured flood loss

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for Hurricane Harvey is between $25 Billion and $37 billion. In the days before making landfall, the hurricane rapidly intensified, transforming itself from a small tropical storm of little concern, to now, what we consider to be one of the most devastating hurricanes to hit the United States. Yet, the real characteristic that sets Hurricane Harvey apart from other hurricanes is the unprecedented flooding that resulted, with record setting rainfall reaching upwards of 50 inches in a single location. Subsequently, the enormous geographic breadth of the flood area is beyond comparison to any recent hurricane or flood event in the U.S. CoreLogic analysis estimates that 70 percent of the flood damage from Hurricane Harvey is uninsured, highlighting an insurance gap that leaves many of those impacted uninsured.

Naturally occurring catastrophic events can be tipping-point events, where a failure in one area can quickly cascade into interconnected failures. We cannot control the timing of low-probability catastrophes (and the rare occurrence of more than one event in a short period, such as Hurricane Irma on the heels of Hurricane Harvey, making landfall in the continental United States) of this severity but can improve our ability to respond, and subsequently rebuild. Having a comprehensive and granular understanding of risk powered by data and analytics is critical to that. We look to do this through improvements gained largely though the maintenance of better insurance exposure data sets, and the introduction and acceptance of catastrophe risk loss models that can simulate the occurrence of large catastrophic events. In 1992 when Hurricane Andrew made landfall, it took months for the government and insurance industry to accurately quantify the losses from this event and this delay increased the losses in both financial and human terms. However, in the wake of Hurricane Katrina, the loss severity was rapidly assessed, quickly putting into motion large scale government and private restoration efforts. In short, as bad as the effects were from Hurricane Katrina, they could have been significantly worse.

The widespread flooding from Hurricane Harvey, caused by storm surge and inland flooding, highlights the challenge of flood risk to properties in the United States. Since we cannot influence the timing and severity of natural catastrophes, we need to focus on resilience – our collective ability to rebuild and restart businesses and lives. Insurance is an important part of our resilience because insurance provides the funds necessary to restore the damage to capital from these events. Hurricane risk modeling became accepted after Hurricane Andrew highlighted weaknesses in our ability to respond to large urban catastrophes, and this adoption has led to faster restoration of lives and livelihoods after hurricanes. Flood risk modeling is a much more complex data and analytic challenge than hurricane risk modeling, but the greater availability of location data sets and grid computing in 2017 have improved our ability to respond to flood disasters. If we characterize the last phase of risk resilience improvement as the era of catastrophe modeling data and analytics, the next era will be known as the era of big data and grid-computing analytics. And one where we began to actively manage flood risk in the United States.

After hurricanes, flood of storm-damaged cars heading for market

By Mary Wisniewski Chicago Tribune September 11, 2017

Cars soaked by floodwaters from Hurricanes Harvey and Irma will soon start appearing in the Midwest used car market, so buyers should beware, according to vehicle experts.

"Even brick-and-mortar legitimate dealers can get burned buying flooded vehicles," said Frank Scafidi, spokesman for the National Insurance Crime Bureau, a Des Plaines-based nonprofit that fights insurance fraud and crime. "If a professional can get burned, you can too."

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Flood damage is easier to conceal from an untrained eye than damage from a wreck, but it can be more devastating to the engine and other key components, said Christopher Basso, spokesman for the used car research firm Carfax. Flooding can destroy a car's electronic system, affecting safety features like air bags and anti-lock brakes, while rust can rot the vehicle from the inside, Basso said.

Scafidi expects the number of flood-damaged cars to be greater for Harvey than it was for Hurricane Katrina in 2005, both because of Harvey's bigger footprint and because in the last 12 years more vehicles rely on computer technology and electronics.

"Beneath the surface, water can permanently damage computers that control everything from the gas pedal to steering," said Cliff Wood, chief operating officer at CarMax, a leading used car dealer.

Katrina damaged about 600,000 vehicles, Basso said. Carfax is still working on an estimate for Harvey.

About half of flood-damaged cars are resold. Some sellers do not have insurance and clean the cars up to try to get what they can from them, Basso said.

It is not illegal to sell or buy a flood-damaged car, as long as both parties are aware, Scafidi said. But some sellers conceal the damage and offer a nice-looking car at a suspiciously low price.

"With flood vehicles, it creates an opportunity for people in that business to scam innocent buyers who may have been researching used car purchases for some time and looking at a make and model and suddenly, there's that make and model that's just terrifically priced — it was $25,000 and now it's

$12,000," said Scafidi.

"With vehicles from down south, you can't be too careful right now," said Larry Doll, legal counsel for the Illinois Automobile Dealers Association, a trade group. Besides the ongoing damage from Harvey, Hurricane Irma was hitting Florida on Sunday.

Since Hurricane Katrina, the National Insurance Crime Bureau has offered a free vehicle identification number, or VIN, check service to see if a car has been in a flood. The service is available at www.nicb.org/vincheck. A VIN also can be entered into the National Motor Vehicle Title Information System database at www.vehiclehistory.gov.

Carfax, which charges $39.99 for a report, is offering its flood-damage database for free post-Harvey. Buyers can check if a car is flood-damaged at carfax.com/flood.

A database check is not always enough. Some flood-damaged cars are missed by title and VIN checks, because a car can be bought cheap, cleaned and then taken out of state where a VIN is switched and the car is retitled with no indication that it has been damaged, Scafidi said.

Basso recommends taking a vehicle to a trusted mechanic and going for a test drive. He said buyers should look for water lines and signs of debris or salt in the trunk and engine compartment.

"The biggest giveaway on the inside of the car is you see rust build-up on the seat rails, on the nuts and bolts, and the seat belts," Basso said.

Flooded vehicles also can pose health risks because they sat in water that was not clean, which can penetrate the seats and carpet, causing a build-up of bacteria, Basso said.

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Doll recommends giving used cars a "smell test." "Close the windows for a few hours to see if there's a rusty, mildew smell," he said.

Buyers also can protect themselves by buying from a reputable dealer rather than off some ad site like Craigslist, Scafidi said. Even though dealers can get fooled by damaged cars, too, they are more likely to refund your money.

"If it's a fly-by-night and a 'meet me under the shade tree' deal, that money is never coming back," Scafidi said.

If you suspect your own car has been damaged by a storm, don't try to drive it, and be especially careful if the water went above the door opening, said CarMax's Wood. Have the car towed and inspected by a professional, he said.

Transportation song quiz

Last week's quiz asked for the song that praises a parking enforcement official. It's "Lovely Rita" by the Beatles, sung about a meter maid. Paul McCartney was reportedly inspired to write the song after getting a parking ticket outside of Abbey Road Studios. Marty Mikenas, of Wauconda, was the first with the right answer.

Here's something from the way-back machine. What 1920s avant-garde orchestral piece imitates the sound of a steam locomotive? The first person to give me the work and composer gets a Tribune notebook and baseball cards. I'll post the winner on Twitter on Monday afternoon.

What Happens To Foster Kids Displaced By Harvey?

By Jan Ross Piedad TexasPublicRadio
September 10, 2017

Over 2,200 minors in the care of Texas' foster care system reside in Harris County – the area most affected by Hurricane Harvey. As a result, 1,200 children were forced to relocate, according to the Texas Department of Family and Protective services.

San Antonio-area service organizations and government entities across the state are teaming up to support foster children, care providers and case workers who have been impacted by the storm and its aftermath.

With the goal of cultivating community-based solutions to issues of child abuse and neglect, the Blue Ribbon Task Force is

developing ties with local groups like The Children's Shelter in San Antonio to provide immediate assistance and aid to displaced youth and families.

The newly announced Friends of the Bexar County Child Welfare Board will work to raise funds in order to support the services provided to children in the care of the state and senior citizens who have been affected by Harvey.

What can the community do to help some of Harvey's most vulnerable victims? How can San Antonio be a new or temporary home for displaced children...?

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Recovering From Hurricane Harvey

By Blake Farenthold TexasGOP September 10, 2017

The last few weeks have altered my life and the lives of many of my friends and neighbors profoundly. Seeing the devastation that Hurricane Harvey wrought on South Texas has been life changing. Though my home and most in Corpus Christi escaped the full fury of the storm, high winds severely damaged buildings in Rockport, Port Aransas, Aransas Pass, Ingleside, Refugio and other coastal areas. Farther up the coast, in towns like Victoria, Wharton and Houston, there was severe damage from flooding.

After weathering the storm at home with my wife Debbie in Corpus Christi, I traveled across the district, helping where I could visiting command centers, relief workers, victims, businesses and communities hit by the storm. The damage was terrible, with houses reduced to scrap wood, tree limbs everywhere, boats in yards and RVs crushed like tin cans. Luckily, the number of lost lives in the district I represent was low, thanks to evacuations, proper preparations and the grace of God. Our prayers, of course, are with the families and friends of those who did not survive and those who lost so much.

I cannot adequately thank the countless community leaders, law enforcement members, disaster relief workers and others who were bold in the face of adversity – operating command centers, rescuing civilians and caring for our communities. Our state officials, led by Governor Abbot were also extremely helpful in our time of need. While Hurricane Harvey destroyed many buildings and homes in the district, South Texans are strong and we will rebuild.

Over the last two weeks, I was moved, touched and inspired by the way the entire nation came to our aid; sending food, water, supplies and volunteers. I was grateful for the show of support from President Donald Trump, Vice President Mike Pence, and various members of the cabinet, who all came to Texas to survey the damage and lend a hand. Finally, I am also thankful for the tremendous support from my colleagues in Congress, who moved swiftly to pass legislation to provide Texas the disaster aid it needs to begin the rebuilding process. Friday, Congress put aside politics and sent a bill to President Trump that will provide $15 billion in aid to support those affected by Hurricane Harvey's destruction. Moments like these show that we are not just Texas strong, we are America strong.

As we move forward, it's important to continue to work together as a community, and help each other. SOCIAL LISTENING

Hurricane Harvey – Social Listening Report – 9/11/17 1245 ET

This report is being distributed to FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, NRCC Situational Awareness, Louisiana state, Red Cross, USCG, and HHS/ASPR.

Summary: Conversations surrounding Hurricane Harvey are relatively low compared to conversations about Hurricane Irma and today being 9/11. Since the last report, many on Facebook have viewed a video from a local community group in Rockport explaining that they are not receiving help from

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federal or local government officials. Local residents shared comments conflicting with the statements from the local community group video. There continues to be some updates on recovery efforts throughout Texas. There are a few survivors suffering from issues such as PTSD, stomach pains and diarrhea due to Hurricane Harvey. A few people in the impacted area are sharing photos and videos of their communities to illustrate the impact from the hurricane.

FEMA Conversation

FEMA Content:

- A Facebook live video has gained some attention from inside and outside the impacted area because a volunteer community group stated they have not been receiving any help with cleanup and debris removal from FEMA, National Guard and/or local government officials since Hurricane Harvey hit.
    - Most of the responses are coming from outside the impacted area expressing sympathy.
    - Local residents are responding with conflicting statements.

- Local residents have confirmed that FEMA, National Guards, Salvation Army and Tide are in the Rockport area to help with both donations and recovery efforts. (Example 1) (Example 2)

Operations

Recovery:

- As of yesterday 1500 ET, a "mega" Disaster Recovery Center opened at Katy Mills Mall.

- As of yesterday at 1800 ET, Judge Hebert posted an update to let the city know what to do with their debris, where to find water and where the closest Disaster Recovery Centers located are.

Public Perception

- There is a moderate amount of Rockport residents discussing that the recovery process has been moving slow with a lot of people still needing help with clean-up, debris removal, power outages and transportation for medical assistance. (Example 1) (Example 2) (Example 3)

- Low amounts of conversation from a local resident in Galveston County for resources to help with Post Traumatic Stress Disorder as a result of Hurricane Harvey.

- Conversations are also surrounding Dickson County residents discussing their experiences with stomach pains, diarrhea, bad hiccups, and fever blister symptoms since hurricane Harvey.

    - In the discussions the local residents have confirmed it is not form drinking the water in Harvey impacted areas.

- Residents throughout Texas are posting videos and images displaying the aftermath of Hurricane Harvey as they work towards recovery.

- Volunteers are still coming into Texas to aid with relief and locals are giving them tips on where to go and who to contact when they get there. (Example 1) (Example 2)

To: Henderson, Dedre[Henderson.Dedre@epa.gov]
From: Henderson, Dedre[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C5BF6DD9430F435F9486A3A76402D904-HENDERSON, DEDRE]
Sent: Mon 9/11/2017 5:33:17 PM (UTC)
Subject: Environmental Headlines September 11, 2017

Environmental Headlines – prepared by the Region 8 Librarians – September 11, 2017

Note: Many newspapers are beginning to adopt subscription policies to govern access to their online editions. In some cases, this involves the creation of a free user account; in others, paid subscription is necessary to view more than a set number of articles (usually 20) per month. If you have difficulty accessing the news articles you need, please contact the library (library-reg8@epa.gov) or (303) 312-7226) for assistance. Please note that the new Region 8 intranet site does not allow access to older headlines; if you need assistance retrieving a news article from a previous week or month, please contact the library.

Colorado

Feds approve expansion of West Elk Mine in western Colorado against environmental group objections
http://www.denverpost.com/2017/09/08/feds-approve-west-elk-mine-expansion/

Wildfire smoke clearing in US West as storms move through
http://www.coloradoan.com/story/news/local/colorado/2017/09/09/wildfire-smoke-clearing-us-west-storms-move-through/650630001/

Hurricane forecasting is a casualty in the war on climate science (opinion)
http://www.denverpost.com/2017/09/08/hurricane-forecasting-is-a-casualty-in-the-war-on-climate-science/

Weld County oil and gas spill report for Sept. 11
http://www.greeleytribune.com/news/local/weld-county-oil-and-gas-spill-report-for-sept-11/

Speed up environmental protection process (opinion)
http://gazette.com/editorial-speed-up-environmental-protection-process/article/1610855?custom_click=rss
Storage tanks failed during Harvey, spilling at least 145,000 gallons of fuel and releasing toxic pollutants
http://www.denverpost.com/2017/09/09/oil-gas-tank-failures-hurricane-harvey-pollution/
New Mexico Democrats push feds to limit drilling near national park
http://www.denverpost.com/2017/09/08/new-mexico-democrats-limit-drilling-chaco-culture-national-historical-park/

Montana

EPA cuts threaten Superfund work (letter)
http://mtstandard.com/opinion/letters/epa-cuts-threaten-superfund-work/article_1f9d170c-be2d-5747-9aea-763a72304b86.html

Climate scientists were right (letter)
http://billingsgazette.com/opinion/letters/climate-scientists-were-right/article_e4cd8688-2435-5ea8-8403-ba4f4bd9119e.html

Late-season wildfires choke US cities, towns with smoke
http://mtstandard.com/news/national/late-season-wildfires-choke-us-cities-towns-with-smoke/article_af9d5c07-3913-

5904-a377-fc9e97ea56cd.html

Which is cheaper, disasters or fighting global warming (letter)
http://www.havredailynews.com/story/2017/09/08/opinion/letter-to-the-editor-which-is-cheaper-disasters-or-fighting-global-warming/515372.html

Shutdown after uranium-tainted water spills at Wyoming mine
http://missoulian.com/business/shutdown-after-uranium-tainted-water-spills-at-wyoming-mine/article_649cecf8-d2a8-5428-8d6f-e200704eabc7.html

Irma brings fears of surge, sewers and toxins to Tampa area
http://mtstandard.com/news/national/irma-brings-fears-of-surge-sewers-and-toxins-to-tampa/article_dacb3f70-7fd6-5bd8-841d-78881744e4bb.html

North Dakota

EPA: Thumbs-up to 'energy beet' idea
http://www.mitchellrepublic.com/news/4325611-epa-thumbs-energy-beet-idea

Utah

Utah air quality is getting worse and worse, thanks to wildfires in the north
http://www.sltrib.com/news/2017/09/06/utah-air-quality-is-getting-worse-and-worse-thanks-to-wildfires-in-the-north/

Wildfire smoke swamps the Utah, the West
http://www.deseretnews.com/article/865688239/Wildfire-smoke-swamps-Utah-the-West.html

State Will Blow EPA Deadline for Winter Pollution Plan
http://kuer.org/post/state-will-blow-epa-deadline-winter-pollution-cleanup-plan

Federal agency over Utah's public lands quietly 'streamlines' its environmental reviews
http://www.sltrib.com/news/business/2017/09/06/federal-agency-over-utahs-public-lands-quietly-streamlines-its-environmental-reviews/

Potential toxic algae prompts Weber-Morgan health officials to close Ogden's 21st Street Pond
http://www.standard.net/Environment/2017/09/08/Potential-toxic-algae-prompts-Weber-Morgan-health-officials-to-close-Ogden-s-21st-Street-Pond.html

Rise of Western wildfires makes for gloomy air quality future in Utah
http://www.standard.net/Environment/2017/09/10/Rise-of-Western-wildfires-Uintah-Fire-makes-for-gloomy-air-quality-future-in-Utah.html

After Moab spill, 'there was never any danger'; residents can use their water again
http://www.sltrib.com/news/environment/2017/09/07/after-moab-spill-there-was-never-any-danger-residents-can-use-their-water-again/

Rural commissioners pan out-of-state green energy development
http://www.deseretnews.com/article/865688510/Rural-commissioners-pan-out-of-state-green-energy-

development.html

Wyoming

Cheney bill seeks to put oil and gas development in state hands
http://trib.com/business/energy/cheney-bill-seeks-to-put-oil-and-gas-development-in/article_79bb77ea-5306-56bc-96f5-825331eb6bde.html

National

Hurricane Irma Linked to Climate Change? For Some, a Very 'Insensitive' Question
https://www.nytimes.com/2017/09/11/climate/hurricane-irma-climate-change.html?hp&action=click&pgtype=Homepage&clickSource=story-heading&module=b-lede-package-region&region=top-news&WT.nav=top-news&_r=0

The sad state of today's EPA (opinion)
https://www.washingtonpost.com/opinions/the-sad-state-of-todays-epa/2017/09/08/32e0dbc8-93e4-11e7-8482-8dc9a7af29f9_story.html?utm_term=.30402c438c33

The Health 202: Mosquitoes, carbon monoxide and chemicals are big post-Irma health concerns
https://www.washingtonpost.com/news/powerpost/paloma/the-health-202/2017/09/11/the-health-202-mosquitoes-

In scathing lawsuit, first responders describe vomiting, gasping at Texas chemical plant fire
https://www.washingtonpost.com/news/energy-environment/wp/2017/09/07/in-scathing-lawsuit-first-responders-describe-vomiting-gasping-at-texas-chemical-plant-fire/?utm_term=.ec33f64c6f3d

EPA Says No Volatile Chemicals Found in Water Near Arkema Plant in Texas
https://www.nytimes.com/reuters/2017/09/09/world/europe/09reuters-storm-harvey-arkema.html?rref=collection%2Fsectioncollection%2Freuters-world

Wildfires have burned an area the size of Maryland (Montana)
https://www.washingtonpost.com/news/speaking-of-science/wp/2017/09/08/wildfires-have-burned-an-area-the-siz

Government watchdog to launch probe into EPA's hiring practices
https://www.washingtonpost.com/news/powerpost/wp/2017/09/08/government-watchdog-to-launch-probe-into-epas-hiring-practices/?utm_term=.b3b529b172a2

Florida governor has ignored climate change risks; critics say
https://www.washingtonpost.com/national/health-science/florida-governor-has-ignored-climate-change-risks-critics-say/2017/09/08/04a8c60a-94a0-11e7-aace-04b862b2b3f3_story.html?utm_term=.a24800e9b525

58 Texas Superfund Sites OK After Harvey; 2 Need More Review
https://www.nytimes.com/aponline/2017/09/08/us/ap-us-harvey-toxic-sites-underwater.html?rref=collection%2Fsectioncollection%2Faponline-news

Christine Todd Whitman: How Not to Run the E.P.A.
https://www.nytimes.com/2017/09/08/opinion/how-not-to-run-the-epa.html?rref=collection%2Fsectioncollection%2Fopinion

From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Mon 9/11/2017 4:17:43 PM (UTC)
Subject: FEMA: TX 4332 Media Monitoring Report 09112017Morning
TX 4332 Media Monitoring Report 09112017Morning.pdf

FEMA

Texas Severe Storms TX-4332-DR

Media Analysis Report/Morning Edition
September 11, 2017

Hot Issues

- None

Analysis/Trends

- Coverage continues on recovery efforts with print and broadcast stories focusing on Disaster Recovery Center openings in the Houston area, an AP story was widely circulated on **FEMA** trailers to be used as last resort, and in wake of Hurricane Irma **FEMA** reassures Harvey survivors they're not going anywhere.

- Many state and local officials are starting to report that services are up and running and businesses and schools are reopening.

- Lack of housing continues to be a major concern, with a KXAN-TV report examining the problems La Grange survivors are having with long-term recovery.

- Wide coverage of donations and volunteer assistance in print and broadcast, with most notable story being the J.J. Watt fund reaching $31 million for Harvey survivors.

- Harvey coverage has significantly declined due to Hurricane Irma.

Social Media Analysis

Hurricane Harvey – Social Listening Report – 9/10/17 1800 ET

This report is being distributed to FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, NRCC Situational Awareness, Louisiana state, Red Cross, USCG, and HHS/ASPR.

This report compiled by Julie Foster, Julie.Foster@fema.dhs.gov

Summary: The volume of Harvey discussions continue to decline slowly with recovery efforts due to the noise from Irma. Conversations continue with people looking for ways to help with clean up throughout the affected areas of Texas. Residents

are returning back to their homes in the Beaumont area. The residents are concerned about the safety of first responders because a first responder suffering from a flesh-eating infection. The Rockport/Fulton area are still having a heavy mosquito and biting flies problem.

Summary of Coverage

- Three Disaster Recovery Centers open Monday in Houston area
- FEMA to use trailers as last resort after Harvey, Irma
- Hurricane Irma won't alter FEMA work in Texas
- Power returns to Port Aransas two weeks after the storm
- Rockport football team fights on in Harvey aftermath
- Franklin & Marshall students cope with Hurricane Harvey
- Hurricane Irma pummels Florida
- Hurricane Irma slams into Florida but it could have been worse
- Sam Houston tollway reopens after flooding
- Houston students heading back to school after Harvey
- Harris County courts reopening after flood damage
- Long-term housing a problem for La Grange survivors
- In coordination with FEMA, faith-based groups provide bulk of disaster recovery
- J.J. Watt fund raises $31 million for Harvey survivors
- Book donation event being held to help schools and libraries rebuild after Harvey
- Social Media

Notable Quotes

"If we had some money, we would leave, but we don't." – Claudia Ochoa, Houston resident

"As a city and as a people, I think they've come together very well. They're tough. They're resilient. They live on an island, they know what the sea is and what it can do. They're going to come back strong."-
Charles Bujan, Port Aransas Mayor

"So that is our biggest problem is to find long-term housing for people." – Janet Moerbe, La Grange Mayor

"We are starting the school year under circumstances that nobody could've ever imagine. We have a lot of kids who are displaced. We have a lot of kids who are not living where their paperwork may say they were living." – Tracey Clemons, Houston School District press secretary

Headlines

3 FEMA disaster recovery centers opening in Houston area

FEMA sees trailers only as last resort after Harvey, Irma
Agency will open Disaster Recovery Center in county 'within the next week or so' **Over two weeks after Harvey, light returns to Port Aransas**
Hurricane Harvey hit this high school hard, but its football team fights on **F&M students cope with Hurricane Harvey**
Hurricane Irma pummels Florida; 'This one scares me'
Trump: U.S. a 'bit lucky' Irma veered from original course **Social Media**

Recovery

Sam Houston Tollway fully reopens after Harvey flooding, damage **Some HISD students are heading back to school after Hurricane Harvey** **Harris Co. criminal cases impacted the most after Harvey**

Housing

Hundreds devastated by Harvey in La Grange look for long-term help

Volunteers/Donations/Charities

Faith groups provide the bulk of disaster recovery, in coordination with FEMA
J.J. Watt makes unforgettable Week 1 entrance after raising $31 million for Hurricane Harvey victims
Book event aims to help families, schools rebuild libraries after Hurricane Harvey

Opinion

Monday letters: Flood risks, our Texas, blame is obvious

Stories

3 FEMA disaster recovery centers opening in Houston area

Houston Chronicle By Lydia DePillis
September 10, 2017

As the shelter population ebbs in the Houston area two weeks after Hurricane Harvey flooded thousands out of their homes, government agencies are shifting their focus to helping residents obtain federal assistance to rebuild their lives.

The Federal Emergency Management Agency announced Sunday that it will open three disaster recovery centers in the Houston area — in Greenspoint, Katy, and Baytown starting Monday, Sept. 11.

Staff will be on hand to help residents navigate the paperwork needed for FEMA grants and SBA loans. As of Friday, 95,500 families in Harris County had been approved $110 million in FEMA assistance, which can be used for a wide range of short-term needs. As of last Wednesday, nearly 8,000 people in Texas had applied for SBA loans, which can be used either for homes or businesses.

Education on the merits of each program is key: As Politico reported on Friday, receiving an SBA loan can make you ineligible for a FEMA grant that you might otherwise have received.
Here are the addresses of the disaster recovery centers, which will be open from 7:00 a.m. to 7:00 p.m.

Katy Mills Mall (Fort Bend County) 5000 Katy Mills Circle
Katy TX 77494
Hours: Daily, 7 a.m.-7 p.m.

Baytown Community Center (Harris County) 2407 Market Street
Baytown TX 77520
Hours: Daily, 7 a.m.-7 p.m.

Greenspoint Mall (Harris County) 263 Greenspoint Mall
Houston TX 77060
Hours: Daily, 7 a.m.-7 p.m.

Agency will open Disaster Recovery Center in county 'within the next week or so'

The Facts, Clute, TX By Sam Liebl
September 11, 2107

With Hurricane Irma poised to make landfall in the U.S., national attention may shift from South Texas to Florida, but FEMA workers will stay in Texas for as long as they are needed, said agency spokesperson William Rukeyser.

That need is enormous. More than 650,000 Texans have registered with FEMA for disaster assistance in the wake of Hurricane Harvey.

The agency focuses on providing for survivors' basic needs rather than making everything just the way it was prior to the disaster. In the immediate aftermath of Tropical Storm Harvey, FEMA's goals are to make Brazoria County residents "safe, sanitary and secure" in their homes, Rukeyser said.

Doorknobs or sheets of plywood may not be significant in the long run, but they can mean the world to survivors when they first return to their damaged homes, he said.

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In order to provide assistance, FEMA needs to know where people live, how many people live with them and whether they have flood insurance. Survivors can register and submit that information online at disasterassistance.gov, by calling 1-800-621-3362, or in-person at FEMA intake or Disaster Relief Centers.

Within a few days of a household registering for disaster relief, survivors can expect a FEMA inspector to schedule an appointment to see their home. After seeing a home, an inspector will submit a report to the agency, and that report will determine which FEMA programs will be available to members of a household.

Following an inspection, qualifying households can expect to see monetary relief within seven to 10 days, FEMA spokesman Ken Higginbotham said.

That may seem like a long wait for someone who has lost most of their possessions, but Higginbotham said "an event of this magnitude has been unprecedented, so it does take a little bit of time."

More than 1,500 FEMA inspectors are in Texas working to file reports, he said. In the meantime, residents may qualify for a FEMA-financed stay at hotels.

Many hotels offer rooms to disaster survivors through the Transitional Sheltering Assistance (TSA) program, though those rooms can be hard to find because of high demand, Higginbotham said.

While the agency is currently in "triage" mode to address survivors' short-term needs, it will shift to provide more long-term assistance by opening Disaster Recovery Centers in Brazoria County.

The centers function as one-stop shops for disaster relief, and provide employees from FEMA as well as local and state agencies.

FEMA has opened seven centers within 100 miles of Lake Jackson, but as of Saturday, the agency had yet to open any centers in Brazoria County.

County residents can expect a center to open in the county "within the next week or so," Higginbotham said. Sam Liebl is a reporter for The Facts. Contact him at sam.liebl@thefacts.com.

Over two weeks after Harvey, light returns to Port Aransas

KRIS-TV, Corpus Christie, TX September 10, 2017

PORT ARANSAS - After over two weeks without power due to Hurricane Harvey, we've confirmed that recovery efforts in Port Aransas have finally brought light back to the devastated community.

The Coastal Bend was plunged into darkness as Hurricane Harvey made landfall, while thousands of crews working with American Electric Power Texas (AEP) descended on the region to restore services in its wake. Although power came back online for parts of Corpus Christi within days of the storm, many surrounding cities were not so lucky.

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Port Aransas was among those cities, where Harvey wreaked havoc on everything from homes to boats to businesses and of course, the city's utilities. More than two weeks later, recovery efforts are finally picking up speed as electricity slowly inches its way back into the community.

The beachside city now has electricity, water, gas and sewer services in many areas, according to officials. As of Sunday morning, reports said power had been restored to around 95% of the area at a cost of over $150 million according to AEP. As the lights came back on, many residents remained clustered near donation sites throughout the city; where food, water, clothes and other supplies have been brought in and distributed to the community.

However, the local business community remained devastated by Harvey, which effectively shut down the popular tourist destination. Port Aransas' mayor said that with time, he fully expects the town to bounce back from tragedy.

"As a city and as a people, I think they've come together very well," said Charles Bujan, Mayor of Port Aransas. "They're tough. They're resilient. They live on an island, they know what the sea is and what it can do. They're going to come back strong."

With utility service restored, Bujan said the next step would be getting debris cleaned up. Piles of ruined debris were common in the city, many stacked by its residents, each clearing out pieces of their homes and businesses destroyed by Harvey. FEMA was in the area, offering aid to the city as it rebuilds, with Mayor Bujan encouraging residents to be patient as things progress.

Bujan also urged residents and business owners to make sure their electrical systems are thoroughly checked by licensed electricians before they flip their breakers back on, with the hope of avoiding any potential fires that could sprout from damaged electrical systems coming into contact with water.

Although much of the city had power on Sunday, AEP crews continued to work on restoring power to smaller neighborhoods. Many buildings will require inspection before the lights are switched back on.

Hurricane Harvey hit this high school hard, but its football team fights on

Los Angeles Times By David Montero
September 11, 2017

For the first time in two weeks, Angelo Trevino had a home.

The expanse of a green field lay in front of him. The soft glow of an orange sunset sank behind him. There it was — 100 yards marked off in white lines, bracketed by end zones and limitless possibility.

There was more green than he'd seen since Hurricane Harvey laid waste to his grandmother's home. His mom's home. His coach's home. So many homes.

It wasn't his football field. His field back at Rockport-Fulton High School still had no lights. Two-thirds of the scoreboard rested in a trash heap out by the parking lot. The goal posts were down. At practices, players were still finding debris — broken glass, shards of wood — in the grass. The gym next to the field was missing most of a wall, and metal rain gutters were twisted by the winds as if they were no thicker than paper clips.

Angelo, a 16-year-old junior, tried to put it all out of his mind. This was Friday night, and in Texas, that meant one thing — high school football games. Mostly, he just wanted to feel normal.

The coach, Jay Seibert, decided a few days after the hurricane that his team would play its season opener Friday at Sinton High School — about 40 minutes inland from Rockport. He hoped to teach the players about overcoming adversity. To show Rockport's resiliency. To give the team a chance to focus on something other than tragedy for a few hours. He also wanted to avenge last season's loss to Sinton and win the game.

He had his players spend their mornings practicing and their afternoons helping residents clean up the town. Before the kickoff against Sinton, the visitor's-side bleachers were almost full. Rockport had come to watch and cheer for the team.

"Remember who you play for. You play for each other," Seibert told them. "In this case, we're also playing for our family and friends in our community. We're playing for everyone."

On the field, they had one last huddle. Rockport would receive. Angelo, an offensive lineman, would be on the field first.

"Let's go!" he yelled after the kickoff.

Two weeks of energy pent up since the storm were released, and the crowd roared. Molly Frost, a sophomore volleyball player, banged a frying pan with a wooden stick while her friends yelled around her. Angelo's family — a clan of 13 — sat in two rows of bleachers. His mother, Heather Rollins, wore a T-shirt that read, "I can't keep calm, I'm a football mom." His uncle, who helped with the inflatable tunnel out of which the team ran, paced and stalked around the end zone with nervous energy.

Evettee Lozano, wearing a #RockportStrong T-shirt, hadn't been to a Pirates road game since her son graduated in 2015. She

hoped they'd win, but after weeks of standing in debris and rubble and tearing moldy interiors out of buildings made by her construction company, she was simply thankful the team was giving her three hours of normalcy. For her, that felt like a gift.

"In a lot of ways, this feels exactly like Friday night," Lozano said.

Hurricane Harvey's eye passed over Rockport — about 30 minutes up the Gulf Coast from Corpus Christie — Aug. 25 and left the city in tatters. For two weeks, National Guard units, utility workers and relief agencies have been working to help the 10,000 residents try to get the city running again.

Before the hurricane, large oak trees were so thick in places that houses were hidden behind their green, leafy limbs. After the hurricane, it looked like Rockport was in the middle of a winter — barren, brown trees framing its mess of toppled churches, splintered houses and empty businesses.

Chainsaws and small tractors have been cutting and clearing away the dead trees piled high on the side of the road, and residents have been covering the curbs with waterlogged furniture.
Frank Johnson and his 14-year-old son, Michael Ramos, said they hadn't stopped clearing debris from their home and that repairs were daunting. But driving by the football field, Johnson stopped to take in an abnormal site that, on any other day, would've looked normal: a football practice.

He graduated from Rockport more than two decades ago. His daughter is graduating this year, and his son hopes to play for the Pirates next year. He said seeing the team practice for Friday night was inspiring. "They're setting an example," Johnson said. "I think it's great."

Seibert, who is in his fourth year coaching at Rockport, said he wasn't sure what to expect when he first contacted his coaching staff and players about playing so soon after the hurricane. When he proposed a voluntary practice to see how many would show up, he wasn't sure what to expect.

About half of the team came. He cried.

J.D. Medrano, an assistant coach, said when the practice was over, he told Angelo he could change in the locker room. But Angelo didn't have a change of clothes. He only had what he was wearing.

"It broke my heart to hear that," Medrano said. "But here he was, showing up to practice anyway."
The team began holding practices during the week leading up to the game, and by then more than 90% of the players were showing up. Primarily a running team, they drilled on plenty of sweeps and counters.
Rushing the ball and playing defense wins games, Seibert has preached.

He hoped to be able to execute that game plan against Sinton, but after his team fell behind early, 13-6, he knew he'd have to make adjustments at halftime.

The crowd's emotion helped carry the team as cheers erupted with every first down. The school band couldn't make it to the game, as their instruments weren't accessible amid the damage, so a DJ played recorded music through a loudspeaker. The cheerleaders arrived, however, and worked tirelessly.

Sinton, which didn't sustain much hurricane damage, cheered for Rockport before the game, with greeters high-fiving the players as they arrived at the field.

Krista Boscamp and her mother, Paula Boscamp, were decked out in maroon — Sinton's colors — but were hanging a poster on the fence by the Rockport fans. It read, "Rivals On The Field. Allies Through It All.
Pirate Strong."

Krista, an eighth-grader, said they chose to mix the green and maroon colors in the poster. Both teams are the Pirates.

"We just wanted to show them that we're with them," she said. But the Sinton football

team had other ideas.
Slowly, the team increased its lead, scoring two more touchdowns while keeping Rockport out of the end zone. As the clock wound down to the final seconds, the Sinton announcer said, "We are behind you, Rockport — 100%."

The final score was 25-6. Sinton head coach Tom Allen headed to the middle of the field to shake Seibert's hand. Allen called both teams together, and they huddled on their knees for a prayer.
Allen said something bigger happened than a football game.
"I honestly can't put myself in Coach Seibert's shoes, and I don't know how I would have reacted to this situation," Allen said. "I hope that just by getting out here and playing football helped with the healing." Seibert gathered his players and didn't mince words about their performance. Too many penalties. Too many turnovers. Not enough broken tackles by running backs. But he also told them he was proud of them. "Don't think by losing this game that changes what kind of men you are," he said.

Reality was starting to settle in, however. The three-hour respite from the hurricane aftermath was winding down.

Seibert told the players they would have to enroll in other schools in the area for at least the next four weeks while their campus underwent repairs. If the players didn't enroll somewhere, they wouldn't be able to play football for Rockport.

Angelo was upset. He missed his friends and knew they'd be scattered for at least a month. For three hours during the game, he knew exactly where his place in the world was — settling into a three-point stance on the line of scrimmage. Now things looked unstable again. He ultimately decided to enroll at Gregory- Portland High School, where he is set to start classes Monday morning.

His family came over and hugged him. His mother told him he played well. His uncle pointed out mistakes that were made by the team. Angelo was angry about losing. He was never OK with losing.
At least that felt normal.

FEMA sees trailers only as last resort after Harvey, Irma

WBNS-TV, Columbus, OH September 10, 2017

HOUSTON/AP — In a 2017 hurricane season that has already seen two monster storms, Harvey and Irma, manufactured homes are turning out to be just a small fraction of the federal government's plan to deal with displaced people, with only 1,700 trailers available.

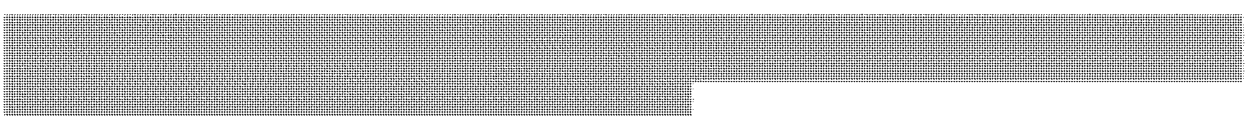
Where exactly the Federal Emergency Management Agency plans to send those trailers, Texas or Florida, is not yet clear. But what is clear is they will only be used as a last resort.

That's in stark contrast to 2005, when 144,000 FEMA trailers became symbols of the troubled federal response to Hurricanes Katrina and Rita after lawsuits accused some of those units of being riddled with high levels of cancer-causing formaldehyde.

FEMA's new model for monster storms honed in the wake of 2012's Superstorm Sandy puts the emphasis on paying for hotels and apartments for temporary housing. That, along with money for super-fast fixes that allow people to move back into their own homes as quickly as possible, even before all the repairs are done.

"Our role is to provide sort of the bridge to get through the disaster," FEMA spokesman Kurt Pickering said Saturday. "We are not intended to make people or households back the way they were before, to make them whole. We're designed to get them through the emergency."
A joint state and federal housing task force in Austin is working with FEMA on the best way to allocate resources. But those affected are far more likely to get government support by way of a few weeks at a hotel, a couple of months of rent in an apartment or a check for repairs, than a FEMA trailer.

"To put a mobile home or travel trailer out there is a significant expense — it really is the option of last resort," said Mark Miscak, an emergency management consultant and former director in FEMA's recovery division.



That's the way it's playing out so far after Harvey, which damaged or destroyed more than 210,000 homes across southeast Texas, mostly from the effects of floodwaters from an epic downpour of nearly 52 inches. FEMA is picking up the tab for hotel rooms spread across Texas for about 60,000 people affected by the storm for up to two weeks. The agency is also paying a couple months' rent at the government's fair market rate for 27,000 additional households.

So who might get a trailer?

It might be people like the Ochoa family of hard-hit southwest Houston, with parents and two grown siblings still sleeping in their heavily damaged, moldering home, its skeletal walls recently stripped of soggy drywall.

Claudia Ochoa, 21, said FEMA offered to put her family up in motels but they were located in cities four to five hours away and they couldn't afford to abandon their jobs.

"If we had some money, we would leave, but we don't," she said as her 5-year-old son played on a couch salvaged from the storm. FEMA sent a $500 check for food and cleaning supplies, Ochoa said, but the family is still hoping for a more permanent solution. The Ochoas' 58-year-old neighbor, Salvador Cortez, is also sleeping in his musty, flood-gutted home. Cortez said he's received no money or housing options from FEMA yet, despite repeated phone calls. But he didn't want to continue imposing on his son, where his wife has been staying with four other people.

Going into the current hurricane season, FEMA had 1,700 trailers on hand in staging areas in Alabama and Maryland. It has put out bids for another 4,500, but officials could not say when they would be ready to meet needs arising from Harvey, Irma and potentially future storms.

FEMA spokesman Bob Howard stressed the units are of much higher quality and do not have the formaldehyde problems of the trailers of the past, which resulted in multimillion-dollar lawsuit payouts to survivors who lived in them for years after the storms.

The new trailers, which cost FEMA between $40,000 and $60,000 each, range in size from one bedroom to three bedrooms, and are equipped with sprinklers and other features designed for longer-term habitation.

"They're built to house survivors much longer than previous units used after disasters," FEMA said in a release last year announcing its new fleet, "an important consideration because rebuilding can take months or even years."

Still, FEMA stressed in a January 2017 release, units "are not intended to be a permanent housing option for flood survivors."

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F&M students cope with Hurricane Harvey

The College Reporter By Katherine Coble
September 10, 2017

Bonnie Sullivan loves her hometown. An F&M (Franklin & Marshall) junior and native of Houston, TX, she was raised in the southwestern neighborhood of Meyerland. Meyerland is a part of town known for flooding and Sullivan is no stranger to water damage — but Hurricane Harvey was different.

Harvey is the first category-3 or higher hurricane to hit the mainland United States since 2005 and has caused at least 71 deaths. According to FEMA administrator Brock Long, it is "probably the worst disaster"

that the state of Texas has ever seen. Houston, the fourth-largest city in the United States, was one of the places hit hardest by Harvey.

Sullivan considers her family "lucky" and says Harvey caused minimal damage to her family home because the house "just sits a few inches higher" than others on her street, many of which are still flooded and will need to be rebuilt. Her parents housed neighbors during the storm whose home's water levels had gotten to be too high. The storm has pushed local school's start dates back by two weeks and some of her family friends will have to begin the school year in a different location because their schools' structures were so badly damaged in the storm.
Sullivan herself was not in Houston during the storm because she had re-arranged her flight in order to avoid the storm. "If I had stayed, my original flight was cancelled and I would've been stranded in Houston for another week," she says, and was grateful that "both Dean Hazlett and Dr. Porterfield reached out to me personally to make sure I had made it back to campus safely." Sullivan's parents and younger brother remain in Houston.

Sophomore Donald Peacock is also a Houstonite, although from a different area of the city — a northern neighborhood known as Acres Homes. He says the north was less impacted by Harvey than the areas closer to downtown (such as Sullivan's neighborhood). "Gratefully, there wasn't any damage to our home, but that's because we live in the northern part of Houston." Peacock's travel plans to F&M also were not impacted because he arrived early for HA training, but he says he does know current F&M students who were stranded in Houston for days and unable to attend the first week of classes because they were back in Texas.

Both Sullivan and Peacock have fears about the rebuilding process, in part because resources are stretched so thin from other recent hurricanes. Peacock expressed frustration with the speed of the Federal Emergency Management Agency (FEMA) response, and Sullivan acknowledged that the road to recovery would be "long and hard." However, both remain optimistic about the future, describing their city as resilient and strong. "I think that Houston is going to be okay," Peacock says.

When asked how Harvey has impacted their lives, both Sullivan and Peacock bring up their families. "I appreciate my family way more," Peacock acknowledges, "I'm very grateful to have them." He also says that Harvey has brought the city of Houston together, particularly during rescue efforts. "People started to help each other… They felt this need to go out and be of service to other people… the hurricane has created a greater sense of community."

Sullivan echoes the sentiment, saying, "It's made me immensely grateful for the resilience of my city and the unimportance of material things… Such a stressful time really puts into perspective how replaceable material things are, and how family and friends are what's so much more important and valuable."

Sophomore Katherine Coble is the news editor. Her email is kcoble@fandm.edu.

Hurricane Irma pummels Florida; 'This one scares me'

WREG-TV, Memphis, TN September 10, 2017

MIAMI/AP — A monster Hurricane Irma roared into Florida with 130 mph winds Sunday for what could be a sustained assault on nearly the entire Sunshine State, submerging streets, knocking out power to millions and snapping massive construction cranes over the Miami skyline.

The 400-mile-wide (640-kilometer-wide) storm blew ashore in the morning in the mostly cleared-out Florida Keys and then began a slow march up the state's west coast. Forecasters said it could hit the heavily populated Tampa-St. Petersburg area early Monday.

"Pray, pray for everybody in Florida," Gov. Rick Scott said on "Fox News Sunday" as more than 160,000 people statewide waited it out in shelters.

Irma struck as a Category 4 but by late afternoon had weakened to a Category 2 with 110 mph (177 kph) winds that whipped Florida's palm trees with drenching squalls. A storm surge of over 10 feet (3 meters) was recorded in the Keys, and forecasters warned some places on the mainland could get up to 15 feet of water.

There were no immediate confirmed reports of any deaths in Florida, on top of the 24 people killed during Irma's destructive trek across the Caribbean.

Many streets were flooded in downtown Miami and other cities. In the low-lying Keys, boats were reported sunk and appliances and furniture were seen floating away, but the full extent of Irma's fury there was not clear.

A Miami woman who went into labor was guided through delivery by phone when authorities couldn't reach her in high winds and street flooding. Firefighters later took her to the hospital.

An apparent tornado spun off by Irma destroyed six mobile homes in Palm Bay, hundreds of miles away along the state's Atlantic coast. Flooding was reported along Interstate 4, which cuts across Florida's midsection.

In downtown Miami, two of the two dozen construction cranes looming over the skyline collapsed in the wind. No injuries were reported. City officials said it would have taken about two weeks to move the massive equipment.

Curfews were imposed in Miami, Tampa, Fort Lauderdale and much of the rest of South Florida, and some arrests of violators

were reported. Miami Beach barred outsiders from the island.

Fort Lauderdale police arrested nine people they said were caught on TV cameras looting sneakers and other items from a sporting goods store and a pawn shop during the hurricane.

More than 2.7 million homes and businesses across the state lost power, and utility officials said it will take weeks to restore electricity to everyone.

While the projected track showed Irma raking the state's Gulf Coast, forecasters warned that the entire state — including the Miami metropolitan area of 6 million people — was in danger because of the sheer size of the storm.

Nearly 7 million people in the Southeast were warned to evacuate, including 6.4 million in Florida alone.

About 30,000 people heeded orders to leave the Keys as the storm closed in, but an untold number refused, in part because to many storm-hardened residents, staying behind in the face of danger is a point of pride.

John Huston, who stayed in his Key Largo home, watched his yard flood even before the arrival of high tide. "Small boats floating down the street next to furniture and refrigerators. Very noisy," he said by text message. "Shingles are coming off."

Irma made landfall just after 9 a.m. at Cudjoe Key, about 20 miles outside Key West, forecasters said. During the afternoon, it rounded Florida's southwestern corner and hugged the coast closely as it pushed toward Naples, Sanibel, Fort Myers and, beyond that, Sarasota, at 14 mph (23 kph).

Hurricane-force winds extended 80 miles (129 kilometers) from its center.

Meteorologist Ryan Maue of WeatherBell Analytics said the entire Florida peninsula will be raked by Irma's right front quadrant — the part of a hurricane that usually brings the strongest winds, storm surge, rain and tornadoes.

The Tampa-St. Petersburg area, with a population of about 3 million, has not taken a direct hit from a major hurricane since 1921.

The wind began picking up in St. Petersburg, some 400 miles north of the Keys, and people started bracing for the onslaught.

"I've been here with other storms, other hurricanes. But this one scares me," Sally Carlson said as she snapped photos of the waves crashing against boats. "Let's just say a prayer we hope we make it through."

Forecasters said a weakened Irma could push into Georgia, Alabama, Mississippi, Tennessee and beyond. A tropical storm warning was issued for the first time ever in Atlanta, some 200 miles from the sea.

"Once this system passes through, it's going to be a race to save lives and sustain lives," Federal Emergency Management Agency chief Brock Long said on "Fox News Sunday."

With FEMA still dealing with the aftermath of Hurricane Harvey in Houston, Irma could test the agency's ability to handle two disasters at the same time.

President Donald Trump approved a disaster declaration for Florida, opening the way for federal aid.

Florida's governor activated all 7,000 members of the Florida National Guard, and 10,000 guardsmen from elsewhere were being deployed.

For days, forecasters had warned that Irma was taking dead aim at the Miami metropolitan area and the rest of Florida's Atlantic coast.

But then Irma made a more pronounced westward shift — the result of what meteorologists said was an atmospheric tug-of-war between weather systems that nudged Irma and determined when it made its crucial right turn into Florida.

Irma at one time was the most powerful hurricane ever recorded in the open Atlantic, a Category 5 with a peak wind speed of 185 mph (300 kph). Given its size, strength and projected course, it could still prove one of the most devastating hurricanes ever to hit Florida.

The storm brought memories of Hurricane Charley, which blew ashore near Fort Myers in 2004 with winds near 149 mph (240 kph). It caused $15 billion in damage and was blamed for as many as 35 deaths in the U.S.

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Trump: U.S. a 'bit lucky' Irma veered from original course

The Spokesman-Review, Spokane, WA By Darlene Superville
September 10, 2017

WASHINGTON/AP – President Donald Trump said Sunday that "we may have been a little bit lucky" after Hurricane Irma veered from its original course and headed along Florida's west coast, instead of east. He said that path might be less destructive.

He said Irma will "cost a lot of money" but that he's most concerned at this point with saving lives.

Trump commented hours after the nearly 400-mile-wide storm blew ashore early Sunday in the Florida Keys, made landfall on Marco Island on the state's west coast and was barreling toward Tampa, which hasn't suffered a direct hit from a major hurricane in nearly 100 years.

He also spoke before state and local officials had begun to assess the damage.

"We may have been a little bit lucky in that it went on the west and it may not have been quite as destructive, but we're going to see," Trump said, addressing reporters after returning to the White House from Camp David, the presidential retreat in Maryland where he spent the weekend monitoring the storm.

"It's going to play out over the next five or six hours," said Trump, who was accompanied by his wife, Melania.

Trump deflected questions about the billions of dollars the government will be asked to spend to help communities in Florida and other affected states rebuild after Irma, saying "right now we're worried about lives, not cost."

Trump on Friday signed a $15.3 billion measure to replenish accounts at the Federal Emergency Management Agency and speed federal assistance to victims of Hurricane Harvey, which struck southeast Texas and neighboring Louisiana towns just three weeks ago.

The president made two trips to Texas after Harvey struck. He said Sunday that "we're going to Florida very soon."

Trump said he'd be having additional meetings Sunday about coordination for the storm response.

The White House said Trump had received a "comprehensive update" on Irma earlier Sunday while at Camp David that included details on her status, forecasted path, evacuations and preparations for response and recovery. He thanked FEMA and the Homeland Security Department, which oversees the agency, for their efforts, and encouraged officials to also stay focused on the post-Harvey recovery.

Trump also spoke with the governors of Alabama, Georgia, South Carolina and Tennessee. Forecasters warned that after churning up Florida's west coast, a weakened Irma could push into those states. The National Weather Service on Sunday issued a first-ever tropical storm warning for Atlanta.

Florida Gov. Rick Scott said he also talked with Trump on Sunday.

Vice President Mike Pence and several Cabinet secretaries who were at Camp David for Trump's storm briefing later visited FEMA headquarters.

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"The people of Florida need to know that our hearts and our prayers and all of our efforts are with them and will be with them until this storm passes," the vice president said. He said Irma was dangerous and life- threatening, and pleaded with people in the storm's path to "heed the warnings" of local officials.

"It's enormously important that every American in the path of this storm take the warnings of state and local officials to heart," Pence said.

At the White House, Trump described Irma as a "rough hurricane" and "some big monster" and said he was most concerned about its strength.

He said FEMA has been "incredible" and that the U.S. Coast Guard deserved "tremendous credit" for its storm response.

"If you talk about branding, no brand has improved more than the United States Coast Guard," said Trump, a former businessman.

Recovery

Sam Houston Tollway fully reopens after Harvey flooding, damage

KHOU-TV, Houston By Janelle Bludau
September 11, 2017

HOUSTON -- Good news for drivers heading into Monday morning: Sam Houston Tollway's main lanes are now fully reopened in both directions.

That means tens of thousands of commuters can now get back to their regular routes. The opening is a few days ahead of schedule, and something that crews have worked around the clock to make happen. What would normally take a month, crews finished in just four days.

The clatter of construction is gone, and the gigantic jack hammer has been put away. What's left is a small section of cement waiting to be filled.

"We've been replacing it, working 24 hours a day, starting Thursday morning, and through to finish," said HCTRA Maintenance & Construction Engineer Matt Kainer.

Less than a week ago, the road was a river, but when the 14 feet of water drained from Sam Houston Tollway Thursday, HCTRA engineers realized it left behind a big problem on their road.

"Essentially, the main lanes of the pavement here heaved up, actually rose up from the water underneath almost a full two feet," Kainer said.

The northbound lanes were fine, so crews quickly reopened them, but the southbound lanes needed major work.

And drivers have noticed.

"So getting out in the field from about 7 a.m., you're not going to hit anything until about 10 a.m., so it's just been awful, it's been really frustrating, exasperating," Walid Natafgy said.

Commutes that normally took minutes soon turned into hours.

"It's hard for me to leave home knowing that I'm going to be in the car for awhile," Ashley Millan said.

Thousands of Houston ISD students and teachers will head back to school Monday, adding to the traffic expected on the roads in the morning.

The opening of Sam Houston Tollway should bring a little relief to that traffic headache. "That's awesome. That's a

huge break," Natafgy said.

But Highway 6 between Clay road and Park Row will remain closed, at least for a few more weeks. Ashley Millan says she's

just ready to get her road back.
"Go back to your old commute if you can," Millan said.

Bad news for drivers: Those tolls will start up again Tuesday at 4 a.m. on all toll roads except for the section of Sam Houston Tollway between Highway 59 and Highway 290. Tolls will be waived because some feeder roads are still closed.

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Some HISD students are heading back to school after Hurricane Harvey

KHOU-TV, Houston By Becca Habegger
September 10, 2017

HOUSTON - Many Houston ISD students are heading back to school on Monday following a delay due to Hurricane Harvey.

District press secretary Tracey Clemons told KHOU 11 News the superintendent's word for this school year is flexibility.

"We are starting the school year under circumstances that nobody could've ever imagined," Clemons said. "We have a lot of kids who are displaced. We have a lot of kids who are not living where their paperwork may say they were living."

Related: HISD preparing for delayed school year

Of the district's approximately 218,000 students, more than 15,000 of them were significantly impacted by the storm.

"The storm hit right before school started, so I mean, these kids had their school supplies ready. A lot of them probably had their backpacks ready to go, their uniforms, you know, picked out and ironed and ready to go, and then Harvey comes through and just wipes all of that out, for some of them," Clemons said.

Also, he said, nearly all of the district's more than 300 buildings were damaged in some way by Harvey. Two hundred and eighty-four of those are schools buildings, 220 of which are reopening Monday.

The remaining school campuses -- with the exception of a handful, which are damaged beyond reopening anytime soon -- are starting school on a rolling basis.

Related: HISD schools to start classes on rolling schedule

Clemons strongly recommends parents check HISD's website, Facebook page and Twitter account daily for updates.

Because the storm damaged thousands of students' belongings, the district is relaxing its uniform policy through December.

"That doesn't mean you can come to school wearing a hat or come to school wearing shorts, you know, that expose yourself or anything," Clemons said. "That just means, you know, if you don't have uniforms, come to school with what you have, because we just want you in the seat so we can teach you."

On Sunday afternoon, volunteers with Radio One brought four semi-truck loads-worth of donated school supplies from Dallas to HISD's Delmar Fieldhouse.

"I've been here for a long time and I've never seen the community come together like this," Madd Hatta, of the Madd Hatta Morning Show on Radio One's 97.9 The Box, said. "I mean, look at it here, this is crazy."

Radio One organized the school donation drive across its Houston and Dallas stations.

"I think that's what we learned through Hurricane Harvey: the art of living, the art of loving another," Madd Hatta said. "I think if we see more of that, I hope that's what all these kids take out of it."

The district is still working on a plan to distribute all those supplies.

As for transportaion, METRO is offering free rides for students during the entire month of September. Parents escorting kids to school also ride free. Tap/click here for more information.

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Harris Co. criminal cases impacted the most after Harvey

KTRK-TV, Houston By Jeff Ehling
September 11, 2017

HOUSTON, Texas -- Harris County courts are reopening today for the first time since Harvey damaged facilities, significantly impacting pending criminal cases.

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The Harris County Criminal Justice Center at 1201 Franklin St. in downtown Houston was damaged from last month's storm. Those cases will be heard at The Civil Courthouse at 201 Caroline St. and the Juvenile Justice Center at 1200 Congress Ave. Misdemeanor cases will move to the Family Law Center at 1115 Congress.

The criminal courthouse is expected to stay closed for the next six to nine months.

Civil district, family district and county probate courts are being combined to accommodate criminal hearings.

Other aspects of court are also being affected:

Jury service: Jury duty has been canceled through Sept. 15. People summoned before that date will not need to appear and will not need to reschedule. There's no word on when jury duty service will resume, and people who are being summoned after Sept. 15 will have to call the Harris County District Clerk's Office at 832-927-5800 or go online to confirm service.

Court dates: Dockets for people in jail charged with a Class A or B misdemeanor or a felony will continue to be held in the jail at 49 San Jacinto, but will soon move to 1307 Baker Street for male defendants and 1200 Baker Street for female defendants. Contact the District Clerk's Office at 832-927-5800 or go online for docket information.

Bonds: Bonds will not be forfeited for anyone who failed to appear in court between Aug. 28 and Sept. 8. Information on bond conditions can be found with the Harris County Pretrial Services at 713-755-8700, 713-274-0920, or online.

Trials: Jury trials will be rescheduled as soon as possible. The court hoped to have jury trials in criminal bond, juvenile and family cases to resume after Oct. 1. Civil and probate cases have been postponed until after Nov. 1. Criminal trials will immediately resume when "jurors and attorneys are properly noticed."

Housing

Hundreds devastated by Harvey in La Grange look for long-term help

KXAN-TV, Austin, TX By Alyssa Goard
September 11, 2017,

LA GRANGE, TX — As the hundreds of people displaced by Harvey in La Grange are now situated in temporary housing, the community is beginning the difficult transition into long-term recovery.

Janet Moerbe, mayor of the city of La Grange for the past 17 years, said that of the 300 to 400 people left homeless by the storm in her city, roughly a dozen remain at the city shelter. The rest have all been housed in hotels through FEMA's Transitional Shelter Assistance (TSA) or are staying with other families.

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Now that she knows these families have a place to stay, Moerbe said the next step is getting them into permanent housing. La Grange has had a housing shortage since before the storm, which has made it difficult to figure out where to house them.

"So that is our biggest problem is to find long-term housing for people," Moerbe said.

She and other city leaders are discussing options including annexing more land, working with private investors, and getting help from local religious groups. According to her latest numbers, 174 people in La Grange living in trailer parks were displaced by

Harvey, as were 74 people living in homes. The storm also damaged 32 businesses.

Moerbe drove KXAN around one of the trailer parks which was hardest hit, tearing up as she saw the piles of debris where people's homes once stood.

"It's been a heartbreaking experience for our community. It's something we've never faced in recent times," she said. Though she adds that heartbreak has been eased some by the outpouring of support her city has received from around Texas and around the country.

This week, La Grange residents received assistance from groups large and small. They took in donations from the Boys & Girls Club of Madison, Wisconsin. And a small group of friends from Arizona, Missouri and Illinois teamed up and drove into town with a trailer and handed out hot meals.

"It's easy to just forget what's happening here because there's another storm, there's another fire and there's other things, and yet there are people who are waking up today who have nothing,' said Tracey Kreiling of Chicago, one of those friends distributing food Sunday. "This shouldn't happen."

Moerbe explained that her city will need to lean on donations and generosity like that in the months to come.

"One of my concerns is that because the recovery is going to be long term, that we keep resources available to [survivors] long term," Moerbe said. "Right now we don't have room to take any more [donations], but in a month, there will be room, and there will be need."

The city of La Grange is encouraging residents to apply for disaster assistance through the FEMA office at the Randolph Recreation Center. Moerbe said going through the center will get survivors connected with aid faster.

Jan Tracey, a spokesperson for FEMA in Texas, explained that while there will be a time eventually when FEMA stops giving aid in La Grange, at this point FEMA does not have an expiration date for the services it's providing.

"We just go ahead and provide what we have to provide and it is entirely up to Congress to come up with the funding," she explained.

Through FEMA, survivors can also apply for a rental assistance program which would cover them for up to 18 months if they are able to demonstrate they have a plan of action to get their primary residence back into living condition.

Tracey explained that FEMA is aware that many of these survivors also face the challenge of a shortage of contractors and materials to make repairs. FEMA has a task force in La Grange going door to door,

encouraging people to register for assistance. She noted that many people don't realize they qualify for the help and others are afraid to apply because they are undocumented.

"I encourage anyone who has any damage at all to their personal property or their primary residence to go ahead and register," Tracey said.

In Fayette County, to date there have been 482 applicants for assistance and FEMA has approved $1.28 million in assistance. Tracey said it is FEMA's understanding that the city and the county will be looking to find an area that is suitable to house the survivors staying at hotels when the antiques show comes to town in a few weekends.

Moerbe added that the city has its electricity up and running as well as four of its seven water wells, which is why the city is asking residents to conserve water.

If you are interested in volunteering or making a donation to recovery efforts in La Grange, give Kim with the city of La Grange a call at (979) 968-3017.

Volunteers/Donations/Charities

Faith groups provide the bulk of disaster recovery, in coordination with FEMA

USA Today By Paul Singer
September 10, 2017

If you donate bottles of water, diapers, clothing or any other materials to hurricane victims in Texas or Florida, your donation will likely pass through the hands of the Seventh Day Adventists before it gets to a storm victim.

That's because the Adventists, over several decades, have established a unique expertise in disaster "warehousing" collecting, logging, organizing and distributing relief supplies, in cooperation with government disaster response agencies.

Likewise, the United Methodist Committee on Relief is known for its expertise in "case management." After the initial cleanup — where the Methodists have work crews helping pull mud out of houses — the church sends trained volunteers into the wreckage to help families navigate the maze of FEMA assistance, state aid programs and private insurance to help them rebuild their lives. UMCOR also trains other non- profits to send their own case managers into the disaster zone.
In a disaster, churches don't just hold bake sales to raise money or collect clothes to send to victims; faith- based organizations are integral partners in state and federal disaster relief efforts. They have specific roles and a sophisticated communication and coordination network to make sure their efforts don't overlap or get in each others' way.

The Convoy of Hope, a non-denominational Christian organization, specializes in feeding. Before Hurricane Irma made landfall in Florida, the Springfield, Mo.,-based Convoy had three trailer trucks stocked with food, water and sanitary supplies parked in the state waiting to deploy to areas hardest hit, said spokesman Jeff Nene. In major disasters, the organization will set up feeding stations, sometimes at FEMA's request and even using government-provided food and equipment.

The Adventists have agreements with states around the country to provide warehouse services in the event of a disaster. "Right now, in the state of Texas, we are going around with FEMA trying to help them select a facility," said Derek Lee, director of disaster response for Adventist Community Services. "It'll actually be the state's facility but it'll be us that helps them manage it. We are going around with them right now trying to help them pick out a facility that will accommodate what the need is going to be on the ground."

Over and over again in public comments as Hurricane Harvey was soaking Texas and Louisiana, FEMA administrator Brock Long asked concerned citizens to go to NVOAD.org to make donations – that
is National Voluntary Organizations Active in Disaster, the alliance of volunteer organizations that are helping FEMA channel disaster assistance into the affected areas. About 75% of the organizations that are part of the alliance are faith-based.

Samaritan's Purse, an evangelical aid group run by Rev. Franklin Graham, has trucks at the ready in Florida with chainsaws and debris removal experts to help clean up houses. After initial cleanup, the group has contracting services available to help the needy rebuild their homes. The group has responded to 20 disasters already this year, said Luther Harrison, vice president of North American Ministries for Samaritan's Purse.

"FEMA – they have been a big blessing to us, they're an assistance to us," Harrison said Saturday. "For Hurricane Irma, the majority of our equipment has already been dispatched to Texas ... so our office in Canada is bringing their equipment across the border and FEMA was instrumental in helping us clear that with customs and getting all the paperwork done."

Harrison said a Samaritan's Purse disaster relief unit is a two-story, 53-foot trailer that has tools and equipment, including two dozen chainsaws, blue tarps for roofing, and kits for helping homeowners clear mud out of their houses.

One of the most critical resources the faith groups can provide is manpower. The United Methodists have 20,000 trained volunteers around the country who can be called up for "early response teams," basically small crews that can help with debris removal and home cleanup, said Cathy Earl, UMCOR's director of disaster programs. "They are trained they are badged they are background checked and they are part of the team that can be called up on short notice to respond," she said.

The efforts of volunteer groups come at essentially no cost to the government yet they also have a significant cash value to the states they serve.

States are obligated in most cases to pay a "match" for federal disaster aid, generally about 10% of the amount the federal government is paying in the immediate aftermath. But FEMA policy allows states to count volunteer hours as a payment toward that match, at $25 per hour. Harrison said that his group has already logged and reported to Texas more than 27,000 volunteer hours worth more than $675,000 toward the state's required match.

"About 80% of all recovery happens because of non-profits, and the majority of them are faith-based," said Greg Forrester, CEO of the national VOAD. The money is "all raised by the individuals who go and serve, raised through corporate connections, raised through church connections," and amounts to billions of dollars worth of disaster recovery assistance, he said.

And it is not just Christian congregations involved, Forrester said. There are also other faith groups including Islamic, Buddhist and Jewish relief agencies at work in disaster zones.

"FEMA cannot do what it does so well without the cooperation of faith-based non-profit organizaitons and churches," said the Rev. Jamie Johnson, director of the Department of Homeland Security's Center for

Faith-Based & Neighborhood Partnerships. "It's a beautiful relationship between government and the private sector and it is something to behold."

FEMA does not assign work to the state agencies or the faith-based groups, Johnson said, but "we affirm the work that they are already doing ... FEMA brings the groups into its national command center to work with us because they have their people on the ground."

J.J. Watt makes unforgettable Week 1 entrance after raising $31 million for Hurricane Harvey victims

Yahoo Sports
By Melissa Casskey September 10, 2017

For the past two weeks, J.J. Watt's been leading a monumental effort to help the city of Houston rebuild in the aftermath of Hurricane Harvey. So it came as no surprise when NRG Stadium erupted as he returned to the NFL field for the first game in the regular season on Sunday

Watt has helped raise more than $31 million since Aug. 27 after setting a modest $200,000 goal. With the Texas flag proudly raised during his introduction, Watt greeted the crowd and rushed to meet his teammates.

Book event aims to help families, schools rebuild libraries after Hurricane Harvey

Houston Chronicle September 10, 2017

Stacks of furniture lay in yards across Houston, tainted by the floodwaters of Hurricane Harvey. The legs of wooden shelves sit buckled after days of swelling with water, and oftentimes, near the furniture waiting by the curb to be taken away are the books that used to rest safely on the shelves.

When Harvey's floodwaters finally receded from homes, schools and public libraries, many discovered shelves of books had been destroyed or swept away.

To help residents and schools rebuild their libraries, Houston Center for Literacy and Half Price Books are partnering to host a book donation event. Books can be purchased Sept. 12 at Half Price Books for those impacted by Hurricane Harvey and donated at the Houston Center for Literacy office at 2700 Southwest Freeway. A portion of the proceeds that day will also benefit the Houston Center for Literacy's programs.

For more information, visit www.houliteracy.org.

Opinion

Monday letters: Flood risks, our Texas, blame is obvious

Houston Chronicle September 10, 2017

Flood risks
Regarding "Number of flood insured on the decline" (Page A15, Saturday), the article is a sign of the ongoing misunderstanding of flood risks when reading the FEMA maps. In reality, all areas in coastal regions like Houston have some degree of flood risk.

Being outside the designated 100-year or 500-year flood zones does not mean being flood-safe, but that seems to be the interpretation taken by homeowners and lenders.

The FEMA maps are an incomplete picture. Flooding may occur not only from overflowing bayous (the only source of flooding assumed in the maps), but also from overwhelmed storm sewers or ditches.
Redrawing the maps with updated data is needed, but showing only one level of risk will not provide better information. A map depicting several layers of risk - for example high, medium, moderate or low - could be more informative. An objective description for each layer is part of the task.

Rebuilding after Harvey? Keep these things in mind
Off to uneven start, housing remains top priority of recovery
It is time to broaden the definition of flood risk because all properties in Houston are flood-prone. The challenge ahead is to reduce and manage the risk, which will never be eliminated.

Andres Salazar, Pearland

Our Texas
Regarding "The right is now fine with big government" (Page A15, Thursday), now that Houston is in recovery and many people from different states are helping out, it is hard to hear some people beginning to bash our great city. They wonder why we stay and rebuild on a swampy flood plain that is barely 50 feet above sea level. It is the same reason people in California stay and rebuild after each earthquake.
We have Montana and other states battling fires. These people will also rebuild. There are those who stay in "tornado alley." They roll up their sleeves and pick up the pieces. So during the coming months and even years, people don't need to question why we stay. We stay because this is home. This is where are hearts are happy. This is where our families are settled.

Linda Anderson, The Woodlands

Blame is obvious
Regarding "They warned us" (Page A22, Friday), I have lived in Houston for over 50 years and the history and purpose of the Addicks and Barker reservoirs have been so widely and frequently published that it is almost inconceivable that one could be oblivious to the risk of building or buying in an area that all know with certainty will flood at some point.

To fail to buy flood insurance is surely a willful blindness to reality. Sue your developer or builder or your realtor, perhaps, but suing the city, county, or U.S. Army Corps of Engineers is ludicrous in the extreme when the Corps' facility is doing just what it was planned to do.
The problem is not with the Corps of Engineers. It is with the city that allowed permits and the developers who built there in the first place knowing it would certainly flood at some point.
Robert Wiemer, Houston

Helping hands
Regarding "Houston girl sells lemonade to commuters stuck in traffic to raise money for Harvey victims" (Chron.com, Friday), I love our city. We have our differences, but I have seen the best come out of us (during the floods). Even the kids feel the need to help; it's beautiful!
Steve Jones, posted via Chron.com

Social Media

FEMA Conversation

- As of today at 1411 ET the district 143 state representative Ana Hernandez announced that FEMA will be at the Houston Christian Tabernacle Church today.

Recovery:

- As of today at 2205 ET Beaumont Police will be helping transport residents back to their homes.

Transportation:

- As of today at 1338 ET the Galveston U.S Army Corps of Engineers announced that Highway 6 in Addicks Reservoir

should be clear in about 10 days.

Private Sector:

- As of 2209 ET today a Home Depot Store crew members helping with clean-up in the Aransas Pass, Texas area.

Public Perception

- Low but moderate Interest from both local and non-local residents to help with clean-up continue. (Example 1) (Example 2) (Example 3)
- Many are concerned about first responders after a case was reported that a first responder suffered from a flesh-eating infection after helping with Hurricane Harvey.
- Both local and non-local residents are positively responding to a local news article discussing the Wisconsin fire fighters coming to help the Houston fire fighters.
- Low conversations from the residents of Rockport/Fulton area that they are still experiencing a heavy mosquito and biting flies problem especially with their pets.

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From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Sun 9/10/2017 9:45:56 PM (UTC)
Subject: FEMA: TX 4332 Media Monitoring Report 012 09102017
TX 4332 Media Monitoring Report 012 09102017.pdf

Texas Severe Storms TX-4332-DR

Media Analysis Report
September 10, 2017

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Hot Issues –

- *Survivors Struggling to Rebuild* – Whether it be the lack of flood insurance, limited finances or the simple inability to rebuild, media states rebuilding in the aftermath of the storm is becoming a greater, more challenging task than some residents realized.

- *Flood-related Toxins* – Survivors are growing progressively more frustrated with their exposure to the toxins that may have been floating in floodwaters. As recovery continues, both print and broadcast media emphasize the importance of "limited exposure to the unknown" and signs of illness. In addition to general conversations about the toxins there have also been some heated discussions about how some of the exposure could have been avoided – *See the article below for an example of residents, who are concerned about the impact of contaminated water and the actions of various officials.*

Houston residents confront officials over decision to flood neighborhoods
By Emily Flitter –Reuters –September 9, 2017
HOUSTON (Reuters) - Angry Houston residents shouted at city officials on Saturday over decisions to intentionally flood certain neighborhoods during Hurricane Harvey, as they returned to homes that may have been contaminated by overflowing sewers. A town hall grew heated after City Council member Greg Travis, who represents parts of western Houston, told about 250 people that an Army Corps of Engineers official told him that certain gauges measuring water levels at the Buffalo Bayou - the city's main waterway - failed due to a decision to release water from two municipal reservoirs to avoid an overflow….

Noteworthy issues:

FEMA: Agency provides aid, but can't cover all costs
By Marissa Barnett, Daily News – Galveston News – September 8, 2017
…Hurricane Harvey victims this week were beginning to receive determination letters and even claims back from the Federal Emergency Management Agency while others register or await news. Because many flooded residents didn't have insurance, the claims were particularly important for learning how homeowners might be able to get their properties back to normal, residents said….

Lack of Infrastructure, Regulation Made Houston Vulnerable
By By Phil Bedient and Andrew Juan – Houston Chronicle –September 9, 2017

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Harvey starkly exposed the inadequacy of the city and county's flood management strategy, both in terms of flood control infrastructure and flood prevention policies. Early estimates are that the storm dropped about a trillion gallons of water on Harris County and inundated 10 percent of all structures in the Harris County Appraisal District….

Houston's Unauthorized Immigrants Struggle In Shadows To Rebuild After Harvey
By Naomi Martin, Reporter – Dallas Morning News –September 9, 2017

HOUSTON — The Tamayo family stacked their mattresses on top of chairs, and propped the fridge on bricks. But in the end, Harvey's floodwaters still damaged their floors, walls and furniture. Now, as the family, which includes some unauthorized immigrants, starts to rebuild and apply for disaster assistance, they face an additional fear. The same federal government that they're asking for help — and supplying with personal information — could also deport them…

Media Monitoring Trends –

Print/Online –

- While today's print media reports seem to be covering a gambit of disaster-related topics, the most noticeable is the topic of flood insurance. Whether survivors are talking about the lack of insurance, the cost of coverage or a simple misunderstanding with how everything works, it's become a sore subject that is quickly adding to the strain of the recovery process.
- Echoing broadcast media, print media continues to highlight the concerns surfacing among survivors. While finances and displacement have stirred emotions, one of the greatest fears is the lingering effects of toxic floodwaters that were likely filled with traces of pollution and contaminated sediment.
- Various print media outlets have made reference to the emotional and physical toll first responders are facing as they deal with multiple catastrophic hurricanes. Above all else it's media's perception that each new disaster will continue to deplete resources, making it even more challenging to assist survivors.

Radio/Television –

- While Hurricane Irma currently dominates the headlines, broadcast media continues to draw the occasional comparison to Harvey, and the significance of two devastating weather events occurring in such a short amount of time. Not only is it "making the recovery process more difficult," it's also generating deeper conversations about the benefits of flood insurance and the various reasons to utilize disaster preparedness tips.
- Aside from being hyper-focused on the events surrounding Hurricane Irma, broadcast media remains deeply engaged in highlighting the struggles associated with Hurricane Harvey recovery efforts. This is not to say that all the stories are negative, but rather fixated on viewers better understanding the gravity of the situation.
- In addition to the above mentioned stories, media has also devoted a large portion of the disaster- related coverage to volunteerism and the numerous ways the generosity of strangers is helping Harvey impacted families recover from the devastation.

Social Media –

- The volume of Harvey discussions continue to decline slowly with recovery efforts due to the noise from Irma.
- With regard to disaster specific trends, conversations continue on animal shelter efforts and people looking for ways to help with debris clean up.
- In addition to the above mentioned topics, there has also been an increase in frustration of being denied FEMA assistance.

- To learn more about additional social media trends, please access the Social Listening Report at the end of this document.

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What Others Are Saying –

Devastated but determined to rebuild, the people who have been affected most by Harvey's wrath are showing a fighting spirit that has caught the attention of people all across the country….

"I never doubted for a moment what was going to happen when this storm hit, and immediately after it hit," said David Brady, CEO of the American Red Cross' Texas Gulf Coast Region. "I know my fellow Texans too well. We are going to step up, we are going to rally around each other and we're going to support each other across all differences, whether it's socioeconomic, whether it's race, whether it's religion, Texans don't care about that.

"Texans — we may annoy a lot of people — but we are Texans first in a lot of ways. We're going to step up and help our fellow Texans in a time of need."

Brady has been leading the recovery efforts at the George R. Brown Convention Center in Houston, where more than 11,000 people were housed during the height of the flooding in the city….

"It was demonstrated every single minute of every day during this storm, and after the storm," Brady said of the spirit of togetherness he witnessed over the last couple of weeks. "My neighbor took his fishing boat and went and found a neighborhood that needed help. He spent four days out there rescuing people that he didn't know. That's one story, but there are thousands of stories like that. That's what people did."

Times-Review, September 10, 2017

Video/Audio –

Nottingham residents get first look at Harvey flooding
By Matt Dougherty, KHOU – KHOU – September 10, 2017

Many Nottingham Forest residents were finally able to access their homes Saturday for the first time since the Hurricane Harvey flooding. Entire subdivisions were blocked and barricaded with checkpoints manned by both neighbors and state troopers. Only residents and approved work crews were allowed entry….

Props to Texas - Spectrum News Austin http://mms.tveyes.com/PlaybackPortal.aspx?SavedEditID=8491dcb7-1758-41b0-8fcc-16266e6f9ba0 9/10/2017 12:06:29 PM
FEMA Administrator Brock Long is giving props to Texas….

Kimora Lee Simmons bringing aid to Houston Harvey victims
ABC13 – September 9, 2017
HOUSTON (KTRK) -- Fashion designer and entrepreneur Kimora Lee Simmons is in town to help Harvey victims in Houston get back on their feet. Simmons will visit the Aldine Family Hope Center today to hand out relief supplies….

Texas A&M wants fans to help out in a show of support Saturday
TexasA&M September 9, 2017
As shown in the video … you can see that Aggies fans are being asked to wear "Beat the Hell out of Harvey" T-shirts during Texas A&M's game against Nicholls State on Saturday at Kyle Field. The shirts are an effort to show support after Hurricane Harvey caused huge damage in Houston and other areas of southeastern Texas recently….

Full Stories –

RECOVERY

Nottingham residents get first look at Harvey flooding

By Matt Dougherty, KHOU KHOU
September 10, 2017

Many Nottingham Forest residents were finally able to access their homes Saturday for the first time since the Hurricane Harvey flooding.

Entire subdivisions were blocked and barricaded with checkpoints manned by both neighbors and state troopers. Only residents and approved work crews were allowed entry.

Scattered debris from the homes' interiors along with antiques were stacked in piles atop what were once manicured lawns.

Neighbors make a clear distinction, saying they were not victims of the flood waters that came from Hurricane Harvey, but that they were the victims of the water released from the dams.

Worst of all, they say it happened without warning.

"We got no notification," said Nottingham Forest resident Sally Smith.

They say the water rushed into their homes like a surge in the middle of the night; allowing them no time to plan; no time to evacuate before the water reached their doorsteps; no time to protect even their smallest, sentimental items from their homes.

"I understand it completely, they kind of had to sacrifice us to save the dam or they were worried about the dam breaking, so they had to release to our homes," Smith said. "But they should've told — we would've bought flood insurance had we been in the flood plain."

The body of a man was finally recovered by members of the HPD dive team on Friday from a home two miles from Nottingham Forest.

Dive team members had attempted to reach the home for a recovery operation on two prior occasions but were never able to safely reach the residence.

These FEMA Centers Offer Disaster Recovery Assistance To Houston Area

Community Impact News (TX) September 9, 2017

A disaster recovery center opened in Magnolia on Friday morning, supported by the state and Federal Emergency Management Agency. This marks the third DRC to open in the Greater Houston area as recovery from Hurricane Harvey continues.

According to FEMA, area locations include:

West Montgomery County Community Development Center 31355 Friendship Drive,
Magnolia

George Brown Convention Center
1001 Avenida De las Americas, Houston

Sienna Annex

5855 Sienna Spring Highway, Missouri City Additional sites can be located

online.
Affected residents and businesses can visit any DRC for in-person support when seeking federal aid.The centers are open to anyone within the 39 counties included in the Texas federal disaster declaration. Harris, Montgomery and Fort Bend counties are apart of this declaration, and residents may be eligible to receive disaster recovery assistance.

According to a statement from FEMA, representatives with the Small Business Administration are also onsite to help businesses rebuild. Before visiting the center, residents and businesses should register with FEMA online, by phone (800-621-3362) or via the FEMA app.

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Lack of Infrastructure, Regulation Made Houston Vulnerable

By Phil Bedient And Andrew Juan Houston Chronicle
September 9, 2017

Harvey starkly exposed the inadequacy of the city and county's flood management strategy, both in terms of flood control infrastructure and flood prevention policies.

Early estimates are that the storm dropped about a trillion gallons of water on Harris County and inundated 10 percent of all structures in the Harris County Appraisal District. That means about 135,000 homes flooded-more than twice the number flooded by Tropical Storm Allison in 2001, the previous benchmark for the city's worst flooding.

In the face of so much rainfall – 30-40 inches in most parts of the county – could anything have prevented flooding? No. But the scale of the flooding did not have to be so catastrophic. To understand why, we need to examine how Houston got where it is today and where it should go in terms of flood prevention and control.

Houston is flood-prone for many reasons. Our topography is flat. We're subject to frequent, high-intensity rain events. Our soil tends to shed water rather than absorb it.

After a major thunderstorm in 1935 inundated Buffalo Bayou and killed several people, local leaders took action to try to prevent future floods. The Texas Legislature created the Harris County Flood Control District. The Army Corps of Engineers began building the Addicks and Barker reservoirs to prevent catastrophic flooding in Buffalo Bayou.

Unfortunately, most of this drainage infrastructure was overwhelmed by our rampant urban expansion that began in the 1960s and continues to this day. No other large reservoirs have been built. Brays, Buffalo and White Oak bayous were lined with concrete to improve water flow, but that wasn't enough to handle the increased runoff from the city's urban sprawl. By the 1990s, most of the bayous that drain Houston were unable to contain a 100-year flood, much less the 500-year or 1,000-year variety.

Brays Bayou, for example, can currently only handle a 10-year storm. A massive, federally-funded project to update the bayou, Project Brays, began construction in the early 2000s and was designed to handle anything up to a 100-year flood. The project

included upstream detention basins, channel improvements and bridge modifications in the middle and downstream sections of the bayou. But even a project of this scale was insufficient to prevent flooding when the channel overtopped its banks in 2015's Memorial Day Flood, 2016's Tax Day Flood and now Harvey.

Preventing and controlling future floods will require new flood control infrastructure and new policies and regulation. We need to add more water storage capacity by building new reservoirs. Local, state and federal agencies must invest in properly maintaining and retrofitting existing channels, storage basins and storm sewer networks. A reasonable goal is to protect all parts of the county from a 100-year event.

But while Houston built its way into its current predicament, it cannot build its way out. The county and city must look beyond simply building more infrastructure, important as that is. To significantly reduce flooding, elected leaders must be willing to try politically challenging options such as property buyouts to replace flood-vulnerable homes with new or expanded detention basins.

For watersheds like Cypress Creek that are becoming increasingly urbanized but are not yet fully developed, measures must be enacted to preserve natural green spaces like native prairies and wetlands, which prevent floods by storing and holding runoff. These can be supplemented with engineered green spaces such as golf courses and parks.

Houston and Harris County's drainage regulations for property development should also be updated.
For example, Fort Bend County's drainage standards require almost double the storage per acre of development as Harris County's. That's a major reason why Fort Bend County fared much better than we did during Harvey.

Finally, Houston's development and flood insurance practices have historically been governed by FEMA- created 100-year floodplain maps. The maps generate a false sense of security among property owners about flooding and are an unreliable guide to an area's true risk.

Look at the widespread flooding that occurred beyond the official floodplain in the Harvey, Tax Day and Memorial Day floods. Moreover, many floodplain maps are outdated and do not reflect existing land use or development conditions. Aside from updating these maps more frequently, FEMA should create new probabilistic floodplain maps for a more accurate representation of flood risks.

In Houston, 100-year floods are no longer the benchmark. Harvey is.

Bedient is the director of Rice University's Center for Severe Storm Prediction, Education and Evacuation from Disasters (SSPEED). Juan is a graduate student in Civil and Environmental Engineering at Rice.

Tank failures in Houston reveal vulnerabilities after Hurricane Harvey

By Matthew Brown and Larry Fenn NWHerald
September 9, 2017

More than two dozen storage tanks holding crude oil, gasoline and other contaminants ruptured or otherwise failed when Harvey slammed into the Texas coast, spilling at least 145,000 gallons of fuel and spewing toxic pollutants into the air, according to an Associated Press analysis of pollution reports submitted to state and federal regulators.

The tank failures follow years of warnings that the Houston area's petrochemical industry was ill- prepared for a major storm, with about one-third of the 4,500 storage tanks along the Houston Ship Channel located in areas susceptible to flooding, researchers said.

More of the massive storage tanks could be put to the test in coming days as Hurricane Irma bears down on Florida. The tanks are prone to float and break during floods, and Harvey's unprecedented rainfalls revealed a new vulnerability when the roofs of some storage tanks sank under the weight of so much water. Federal and state rules require companies to be prepared for spills, but mandate no specific measures to secure storage tanks at refineries, chemical plants and oil production sites.

Although Florida has no oil refineries, it has more than 20 petroleum product storage terminals in coastal communities and about 30 chemical companies with a presence in the state, including a significant

number of facilities in the Tampa Bay area, according to the American Chemistry Council and U.S. Energy Information Administration.

"Tampa Bay is one of the most vulnerable cities in the country" to hurricanes, said John Pardue, a Louisiana State University professor who has researched problems with storage tanks during storms.

"But there's no requirement that says when you're in a hurricane zone you've got to do things differently," Pardue added. "If we're going to continue to put some of these facilities in harm's way, it would be great to have some specific regulations" to safeguard storage tanks.

The storm surge from Harvey was small enough that the refineries in the Houston Ship Channel appear to have avoided the huge spills associated with past storms such as Hurricane Katrina, when ruptured storage tanks released several millions of gallons of oil including into residential areas, said Jamie Padgett, an associate professor at Rice University who has inventoried the Houston Ship Channel's storage tanks.

One difference during Harvey was that before the storm, some refineries apparently were able to fill up their storage tanks to make them less buoyant and therefore less prone to floating and being damaged, said Kyle Isakower, vice president of regulatory policy at the American Petroleum Institute.

That wasn't the case with about a dozen smaller storage tanks that experienced spills in Fayette County west of Houston, said Ron Whitmire with EnerVest, the Houston-based company that operated the tanks. The capacity of those tanks ranged from about 250 to 400 barrels, which he said was not large enough to resist the force of the floodwaters that swept them away.

"Do we plan for storms and hurricanes? Absolutely," Whitmire said. "But nobody plans for 50-plus inches of rain."

The record rainfall also exposed problems among almost 400 large storage tanks in the Houston area that have "floating roofs" that go up or down depending on how much fuel is inside the containers. The unprecedented rains that came with Harvey caused 14 of those roofs to sink, in some instances allowing the chemicals inside them to escape, according to company reports and Padgett of Rice.

There are no government rules dictating how tanks are designed. But the American Petroleum Institute has established industry standards for tank construction that call for tanks to be able to drain at a minimum 10 inches of rain over a 24-hour period. Rain was falling at more than twice that rate during Harvey, Padgett said.

At least two of the floating roof failures occurred in gasoline storage tanks at Shell Oil's Deer Park refinery and another occurred at Exxon Mobil's Baytown refinery.

Pollution reports submitted by the companies to Texas regulators blamed the roof problems on Harvey's excess rainfall. The reports said air pollutants including benzene, toluene and xylene were released into the atmosphere. Long-term exposure to such pollutants can cause cancer, although Texas officials said they never reached concentrations high enough in the storm's wake to cause health concerns.

A Shell representative said in a statement to the AP that the roof problems presented an "extremely rare" circumstance and that company workers had quickly responded by spraying the spilled fuel with foam to suppress any harmful vapors. All the gasoline that was released was contained on-site, Shell spokesman Ray Fisher said.

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Exxon Mobil spokeswoman Charlotte Huffaker said safety was a priority for the company and it was able to lessen environmental damage from Harvey by shutting down equipment in advance. Huffaker said Exxon "reported and responded to the event as soon as it was identified."

As state and federal officials investigate the impacts from Harvey, it's uncertain how much spilled material flowed off-site from the storage yards, oil production areas and refineries.

It's expected to take about two weeks from the time of the spills for any contamination in the ship channel to reach Galveston Bay, according to Hanadi Rifai, director of the graduate program in environmental engineering at the University of Houston.

Texas has rules governing protections for underground storage tanks during floods, but not for above- ground tanks found at many

refineries and chemical plants, according to Andrea Morrow, a spokeswoman for the Texas Commission on Environmental Quality.

Morrow declined to say if the agency planned to investigate the Harvey-related tank failures and whether tanks that failed had been properly secured before the storm.

"We have established a Unified Command with other state and federal partners, and are in the field conducting rapid needs assessment at this time," she said. "Due to the widespread impact from Harvey, the TCEQ anticipates conducting many storm-related investigations over the next several months."

Trying To Return To Normal

Wharton (TX) Journal-Spectator September 8, 2017

Residents all over Wharton and Wharton County are working on getting their lives back together following Hurricane Harvey and the ensuing river flooding from the Colorado and San Bernard rivers.

The Wharton County Recovery Team will hold a county-wide meeting to address long-term recovery for the area at 7 p.m. Tuesday at the Wharton Civic Center.

"Issues that will be addressed at the meeting will mainly be surrounding un-met needs," said Recovery Team President Cathy Garcia.

The Wharton County Recovery Team was formed last year after Wharton was hit by two consecutive Colorado River floods, leaving more than 100 residents misplaced from their homes. The Recovery Team's goal is to get peoples' lives back to normal after the devastation of their homes.

This year's flood in Wharton affected a wider area than past floods. Officials said 60 percent of the city was flooded, including many areas on the north side that have never flooded before.

"The long-term recovery team is here to make sure that when FEMA and other federal agencies go home, we are here to provide residents with the needs they didn't receive from those agencies," said Garcia.

The Recovery Team has seven committees that were named last year and will need volunteers to staff each position.

The following positions that need to be filled are: Case Management, Financial Resources, Construction, Spiritual Emotional and Mental Health Counseling, Volunteer Management and Donated Goods Management.

Residents who signed up for those positions last year can resume their positions and start working toward a community goal, those that did not serve on the Recovery Team last year are welcome to join.

"We need as many people as possible," said Garcia. "We would like to be able to take care of residents and allow them to know that they're not in this alone."

One of the services that the Recovery Team offers is help with FEMA appeals and applications.
"People who have applied for FEMA and been denied funding often don't know that they need to appeal that decision," said Garcia.

The Recovery Team will address in depth at the Tuesday meeting the impact of these floods on the community and how to help the 1,400 people affected by it in Wharton County.

"If you or someone you know is looking to help, I encourage you to come to the meeting," said Garcia. The meeting will be held Tuesday from 7:00 p.m. to 8:30 p.m. at the Wharton Civic Center.

Disaster relief and distribution centers have been set up all over Wharton to try to meet the needs of residents who lost everything.

Disaster centers set up by FEMA to help residents apply for funding can be found at the Wharton Civic Center from 8 a.m. to 7 p.m. daily and an auxiliary location at Caney Creek Church located at 118 W. Milam St. in Wharton.

Distribution centers for a variety of items can be found at First united Methodist Church, East Gate Plaza parking lot, New Hope Church, Holy Family Catholic Church, American Legion, and Abundant Life Christian Fellowship Church in Wharton.

The Small Business Administration (SBA) is also offering help for those who lost their businesses during the disaster. To reach an SBA representative, go online and apply for assistance at www.disasterloans.sba.gov or call 1-800-659-2955 you may also call the number to locate a disaster recovery center near you.

Residents Slowly Returning To Normal

The Brazosport (TX) Facts September 10, 2017

The sun blazed in a clear blue sky Saturday, leaving little evidence of the floodwaters raging through Brazoria County until just days ago following Tropical Storm Harvey's second swipe at the coast.
Plenty of debris piled up on roadsides to serve as reminders, however, as residents returned home to rip out damaged pieces of their homes and start piecing back together their lives.

"It looks like we have good weather in front of us for a while for citizens to deal with whatever aftermath Harvey left for them to deal with," Brazoria County Judge Matt Sebesta said. "Folks seem to be moving into recovery mode."

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The Brazos River had fallen well below flood stage at the National Weather Service gauge near Rosharon, hovering at 23.54 feet as of 5 p.m. Saturday. The same river had dropped to 12 feet at the gauge near West Columbia.

The San Bernard River was almost a foot below flood stage to 15.1 feet at the National Weather Service gauge near Sweeny as of 5 p.m. Saturday. It had been at a record height less than a week ago.

Sweeny residents no longer have to conserve water, as officials lifted the request Saturday morning. Public works crews fixed sewer issues at two homes Friday in Brazoria, but those were the only problems Mayor BobbyJo Newell had heard of Saturday, she said.

"It was from a build-up of things that should not be flushed, is what I was told," Newell said.
West Columbia Mayor Laurie Kincannon hadn't heard of any sewer issues in her city either, she said. Residents have established recovery centers in West Columbia at the Lighthouse Church, 501 W. Brazos Ave., and First Baptist Church, 226 S. Broad St.

"We are looking at coordinating down to one next week," Kincannon said.

Things are starting to return to normal in West Columbia as well, a day after the city lifted its mandatory evacuation order for good, Kincannon said.

"People are one and working on damaged houses, she said. "There is lots of debris piling up."

The state highway department Saturday opened the last closed stretch of Highway 35, spanning roughly from West Columbia to Bar-X Ranch, Sebesta said. Drivers still should exercise caution, as water remained over parts of the road, according to the highway department.

Residents living along state and county roads in the county should call 979-900-9037 or email debrispickup@brazoria-county.com, and place their debris as close to the road as possible. There should be separate piles for vegetative debris (leaves and logs), construction and demolition debris, appliances and white goods, such as air conditioners and stoves, electronics and household/hazardous waste. Crews will make multiple passes through residential areas, according to the county's Facebook page.

Residents within city limits should consult with their local leaders about debris removal.

Federal Emergency Management Agency representatives will be on hand from 9 a.m. to 5 p.m. today at the Liverpool Police Department, 8901 Calhoun St., to help flood survivors navigate the federal assistance program.

Residents who waded into floodwaters can stop by the Angleton Public Health Department, 434 E. Mulberry St., from 8 a.m. to 7 p.m. today for a free tetanus vaccine.

Erinn Callahan is a reporter for The Facts. Contact her at 979-237-0150.

Elliott: Don't Get Back To Normal

By Rebecca Elliott Houston Chronicle

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September 9, 2017

In the days after a disaster like Harvey, as residents return to their homes, or what's left of them, they will want to get back to "normal." They will clean what can be salvaged, clear out what can't, fight mold, hang drywall and replace insulation. This impulse is entirely understandable. A flooded home is a disrupted sanctuary, and making it habitable again goes a long way toward restoring the ordinary rhythm of life.

In the wake of Harvey, though, Houston shouldn't get back to normal. The storm was indeed a historic event, but poor planning and governance significantly exacerbated the catastrophe: inadequate building codes that don't require flood resilience, zoning that puts residents and chemical plants in vulnerable areas and the paving over of prairies and wetlands that provide natural protection from floods.

For individual homeowners, not getting back to normal means treating Harvey as an opportunity to rebuild differently. If you can afford it, consider elevating your home at least as high as it flooded during Harvey. Move heating and cooling systems to higher floors. If possible, relocate to safer ground.

That's a tough job for individuals to do on their own, which is why city, state and federal assistance is so badly needed. FEMA's Hazard Mitigation Grant Program, for instance, gives homeowners in flood-prone areas money to protect their houses, and should be expanded. The program already provides $30,000 grants to some National Flood Insurance Program policyholders to elevate their homes, but that's only about a third of the full cost.

More money also should go to helping communities pursue buyouts, a policy implemented in some Staten Island neighborhoods that flooded during Superstorm Sandy. Those residents received the pre-storm value of their homes, plus a 5 percent bonus for those who stayed on Staten Island to avoid eroding the tax base that funds schools and other services.

Not getting back to normal isn't just a matter of how much we spend, but how we spend it. According to the Natural Resources Defense Council, for every $100 the nation has spent to rebuild homes through the National Flood Insurance Program, only $1.72 has gone to helping people move out of harm's way. If we are going to continue to rebuild flooded homes with disaster relief, we should at least require tougher building standards as a condition of doing so.

Disaster relief gets flood victims back into their homes and back to normal. But a substantive disaster response-one that rejects "normal" in favor of better, smarter and safer-can prevent them from being flood victims again in the future. Disaster relief is an expression of our generosity to those who are suffering today. A disaster response signals a commitment to a more supportive society, in which we can all fare better as we face a future defined by climate change.

Elliott is a professor of sociology at the London School of Economics. Her book in progress, "Underwater," examines the politics and social effects of flood management.

Houston's Unauthorized Immigrants Struggle In Shadows To Rebuild After Harvey

By Naomi Martin, Reporter Dallas Morning News
September 9, 2017

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HOUSTON — The Tamayo family stacked their mattresses on top of chairs, and propped the fridge on bricks. But in the end, Harvey's floodwaters still damaged their floors, walls and furniture.

Now, as the family, which includes some unauthorized immigrants, starts to rebuild and apply for disaster assistance, they face an additional fear. The same federal government that they're asking for help — and supplying with personal information — could also deport them.

"It's painful to see, when you grow up in a country that expresses a lot of support for their people, that at the same time, it's only certain people," said Areli Tamayo, 23, whose parents brought her to the U.S. as a baby. Tamayo's parents are among Houston's nearly 600,0000 unauthorized immigrants — the third largest population of any U.S. city, after New York and Los Angeles, according to Pew Research Center. No one knows how many were affected by Harvey's devastation, but activists with the group United We Dream believe the number to be at least several thousand.

Houston's unauthorized community was already fearful amid immigration raids and crackdowns. A new Texas law, called SB4, which bans sanctuary cities and allows police to check anyone's immigration status, was to take effect Sept. 1, though a federal court temporarily blocked parts of it. And President Donald Trump's administration moved last week to end DACA, or Deferred Action for Childhood Arrivals, an Obama-era program that protected undocumented youths brought to the U.S.

"There is nothing compassionate about the failure to enforce immigration laws," U.S. Attorney General Jeff Sessions said in announcing the end of DACA. "The compassionate thing to do is end the lawlessness, [and] enforce our laws."

After Harvey, unauthorized immigrants face a particularly tough road ahead, as they navigate a lack of assistance and interactions with the government that they fear could separate them from their families.
A kitten and a rooster inspect piles of discarded items to be thrown out on the curb of the Romero residence on Bronson Street in South Houston. Residents continue to work to recover from the Hurricane Harvey in Houston, photographed on Sept. 8.

Discarded items to be thrown out sit on the curb of houses on Bronson Street in South Houston, as residents continue to work to recover from the Hurricane Harvey in Houston.

"The undocumented community's been affected even more so" by Harvey, said Laura Patricia Fernandez, an immigration attorney and board member of the Mexican American Bar Association of Houston.
In Houston, 1 in 10 people is an unauthorized immigrant. Those with children who are U.S. citizens are eligible for assistance through the Federal Emergency Management Agency. However, Fernandez said, seeking that help brings the risk that FEMA could share their information with immigration authorities.
In an email, a FEMA spokesperson said the agency would not "proactively" share people's information with immigration authorities, but may do so if the authorities claim a "significant law enforcement interest exists" such as a national security case.

Even if the immigrants can apply to FEMA for aid through their children, some don't have proof of leases, insurance coverage or their belongings because they often didn't know to keep documentation, Fernandez said. Some are facing eviction notices from landlords, she said, and because they always paid in cash and never had a written lease, they have no recourse. They're also not eligible for state disaster unemployment aid.

There is some help available. FEMA said anyone affected by presidentially declared disasters — "regardless of citizenship status" — is eligible for short-term relief such as shelter, food and water. They could also apply for legal services, case management and disaster food stamps.

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ENVIRONMENT/HEALTH CONCERNS

Residents Washed Away By Harvey Wait for Answers about Waste Pit Pollution

By Lise Olsen Houston Chronicle
September 9, 2017

Hundreds of families in riverfront neighborhoods east of Houston fear that massive flooding has poisoned their land and fouled their wells with sewage, industrial pollution and toxic sediment from the region's most notorious Superfund site – the San Jacinto Waste pits.

The San Jacinto River floods unleashed by the remnants of Hurricane Harvey created a wall of water that smashed into nearly dozens of homes in the Channelview riverfront neighborhood next to the pits and demolished two low-lying subdivisions in Highlands.

Some Channelview river bottom homes washed away entirely. Others lost their roofs and were pushed off foundations. A few ruins now teeter on the brink of sink holes that now pockmark the neighborhood, called San Jacinto River Estates, that's built around a county park and a private marina.

Linda Bonner, 71, shuffles in black tennis shoes through the silt to a jagged hole where her front porch, dining room and bedroom used to be. Bonner bought her place in 1978 – unaware of old paper mill dump sites on the riverbanks behind it – and raised seven children here. She rebuilt after the 1994 floods and again after Hurricane Ike, but says Harvey "was the worst."
Her home now slants, half in and half out of a sandy6-foot deep hole. It's stuck, which is much the same that Bonner has felt since 2008, when the federal government first declared the waste pits worthy of national Superfund status because of the cancer-causing dioxins and other poisons they contain.

"The Superfund site sits not a mile from here, but if you don't have anywhere to go what do you do? You live with it," she said. "But now I'm done. … And when I leave, I'm going to throw away these shoes too." Bonner and others in Channelview, Baytown and Highlands neighborhoods along this industrial stretch of the river south of the Lake Houston dam worry about the toxicity of murky water, white dust and the foul- smelling sludge covering their properties.

The question for dozens of people, who a week after the storm still guard wrecked riverfront properties from marauders seeking scrap, is whether their neighborhoods are now too contaminated to recover – and whether it's safe to retrieve their remaining possessions. And no one seems to be giving them any answers. The San Jacinto pits are among 13 of 60 state and federal Superfund sites in Texas that were flooded and potentially damaged in Hurricane Harvey. Of these sites, only two federal sites – San Jacinto and U.S. Oil Recovery – require additional assessment efforts, the EPA says.

Few sites are as vulnerable to the elements as the waste pits. For years, paper mill wastes containing cancer- causing dioxin were stored along the western river banks, which later became partially submerged as the river changed course.

They were capped back in 2011, pending an EPA review of a more expensive plan to remove the waste completely. Both the EPA and the companies responsible for the pits say the armored cap remains sound

after Harvey. Those inspections have been conducted by boat and by land. More extensive monitoring has been promised.

Tracking dioxin

Figuring out how much toxic waste Harvey redistributed in neighborhoods along the southernmost stretch of the heavily industrialized San Jacinto River could prove difficult.

Much of the industrial areas of Harris County already are contaminated – a certain amount of heavy metals and toxics comes with this territory.

But dioxins, like those stored in the paper mill pits, are "a family of compounds" with variations that create "something of a chemical signature," said Dr. Hanadi Rifai, professor of Civil and Environmental Engineering at the University of Houston.

For years, Rifai has lead research teams that tracked dioxin in water and sediment across the Houston metro area and beyond. "We have tracked the dioxin from the pits all the way down the channel and down the bay," she said.

The last sediment samples in the Houston area were taken in 2012, Rifai said. Her team hopes to redeploy soon to explore the damage caused by Harvey.

"It's our neighborhood. So we're looking at collecting samples ourselves. We definitely have an interest in tracking this more consistently over time," she said.

Surprisingly few government-funded studies have been conducted in nearby neighborhoods since the pits became a Superfund site. About 6,000 homes in that area depend on wells for water. About 150 wells have been tested by Harris County to see if the drinking water is safe.

James Corley, 52, used to worry about the well water in his Highlands Shores neighborhood.
Then on Aug. 27, floodwater rose nearly to the ceiling of his two-story house. He managed to push a borrowed canoe out the front door and paddle to safety.

When the access road reopened, Corley returned to find his neighborhood in ruins. His home has been pushed sideways off its pilings. His neighbor's house – with whom he shared a well – disappeared. Huge power lines and poles were knocked flat.

"I'm a river rat. I'm used to floods. But it's never been this bad," he said.

He returned only to retrieve his cat, Biddy Boo, and to extract a few more mud-covered keepsakes. He stood barefoot in the mud Thursday, hammering, the same foul-smelling muck that now covers the subdivision splattered across his arms, tattooed chest and toes.

Corley said he fears toxic sludge as much as anyone else. But he's already got cancer. He was diagnosed the week before Harvey hit.

Health ruined

Six hundred families from the communities of Channelview, Highlands and Baytown are part of a pending civil lawsuit that claims their property and their health already has been ruined by exposure to toxics from the pits, which contain cancer-causing dioxins barged there from a paper mill throughout the 1960s and 1970s. Their case remains pending in Harris County courts.

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Many individuals involved in the lawsuit suffer from cancer. Clusters of childhood cancers and birth defects identified in the area prompted a series of studies, though the research, coordinated by the State of Texas, has never pinpointed a specific cause.

Harris County officials sued the companies overseeing the pits six years ago, claiming that pollution from the partially submerged pits had endangered the environment and public health.

Two companies involved in the lawsuit did not admit responsibility. They deny any dioxins have escaped from the pits, but settled the case for $29 million. That money was split among the county, the state and the attorneys.

Harris County used some of its $10 million settlement to test 150 wells. At least seven of them flooded in Harvey and will require retesting, said Harris County pollution control director Bob Allen.

The first round of well tests completed in July 2016 initially found unacceptably high levels of dioxin in drinking water only in a few wells in Lynchburg – a community just across Interstate 10 from the pits. But soon the county reversed the findings, blaming the results on a lab error.

Diana Fitzgerald and her husband received a letter that told them to avoid drinking or cooking or bathing in their water. A month later, another letter arrived that said their water was fine.

They don't know what to believe. She and her husband are active members of a grassroots group called the Texas Health and Environment Alliance that is insisting on more testing.

"I don't drink the water. I don't use it to cook. I make my husband get bottled water. I don't even like taking baths and showers in it," Fitzgerald said.

The state of Texas also got a $10 million share of the waste pits settlement. It spent none of the money to test wells, sediment or fish in the lower San Jacinto River, where pregnant women and children are warned to avoid eating any seafood because of contamination.

Instead, the state used its money to improve parks along the San Jacinto River – including a park with a boat ramp right next to the waste pits.

Most of those parks flooded in Harvey. Memories hard to leave

Becky Cooey moved to Channelview's San Jacinto River Estates only last year. She rented a house across from the county park with ponds lined by cypress trees that offered expansive views of the river. She knew nothing about flood risks or the waste pits sandwiched between the neighborhood and busy Interstate 10. When Hurricane Harvey approached, Cooey crammed a few clothes into a suitcase and left. By the time she returned, her tiny house had disappeared. Her white 1998 Chevy pick-up sits upended into a huge hole where the house used to be. A FEMA inspector took a quick look on Monday and declared her property a total loss.

She's afraid to retrieve scraps that remain. "I was told even if we could wash it, it might never be safe."
Just down the street, Ana and Armando Cruz' house sits a bit higher and appears sound. But its interior is entirely carpeted with foul-smelling river muck. The couple bought here in 2000, attracted by the tranquility

of the river bottom. They've been frustrated that nearly all of the information delivered in mailings and meetings since the Superfund site was declared in 2008 has been in English.

Ana wants to leave. Armando would like to clean up and rebuild. But he hasn't seen FEMA yet and his insurance adjuster instructed him not to touch anything. They need information to decide.

Just around the corner, Bonner has been keeping vigil for a week outside her ruined house with her 10-year- old granddaughter, Gaige-Lyn. They're waiting for FEMA too.

Some memories are hard to leave behind.

Bonner stayed on at this house with her seven children even after her husband left her. She stayed on after record floods in 1994.

And she returned even after Hurricane Ike in 2008 brought so much high water that a local fireman came to fetch her in a boat. After Ike, she and her children and her grandchildren all donned gloves and boots to muck out the sludge from the house. None of them knew about potential dangers from the waste pits back then.

Gaige-Lyn hasn't wanted to leave her grandmother's side since Hurricane Harvey.

"I just feel like she gets lonely. And I don't like her being lonely," she said. So they pass their days together, talking, eating white bread and bacon sandwiches and watching out for thieves.

Bonner said she thinks some of lawsuit settlement money would have been better spent to help people who owned homes and land in vulnerable neighborhoods like hers.

Post Harvey, Harris County officials say that they may ask FEMA to provide money to buy out residents in hard-hit San Jacinto River communities. But no list has been released.

It's a little late for Bonner.

"I have no house left anymore," she said. "But we're going to be fine. We're resilient. We're Texans."

EPA says no volatile chemicals found in water near Arkema plant in Texas

Reuters September 9, 2017

(Reuters) - Water samples collected after an Arkema chemical plant in Crosby, Texas caught fire following a power outage due to Tropical Storm Harvey contained no volatile chemicals, the U.S. Environmental Protection Agency said Friday.

The Arkema plant experienced a series of fires as a result of sensitive organic chemicals that rose to dangerous temperatures after the facility lost power due to storm flooding.

People in a 1.5-mile radius around the plant, located about 20 miles (35 km) northwest of Houston, were evacuated after company officials said an explosion or large fire was likely because the organic peroxides used to make plastics and other products could not stay cool enough.

The EPA, in its statement, said that no "volatile organic chemicals or semi-volatile organic chemicals were detected in the surface water runoff samples," which were collected on September 1.

The investigation, which involves the U.S. Chemical Safety Board, the Texas Commission on Environmental Quality, and other state, federal and local agencies, is ongoing.

The first explosion took place on Aug. 31, several days after Harvey hit. The storm dropped several feet of rain in the Houston area.

Texas Bays Struggle To Adjust In Harvey's Aftermath

By By Shannon Tompkins Houston Chronicle
September 9, 2017

On a typical September day, the water lapping against Galveston Bay's western shoreline adjacent to the village of Bacliff is a slightly murky green, about the color of original Gatorade but without that sports drink's almost neon tint and considerably more salty.

Based on long-term sampling and monitoring of such things, the average salinity level of Galveston Bay water along the Bacliff shoreline in early September is 10.5 parts per thousand. That's salty but not especially so – about a third of the 35 ppt salinity level in the open Gulf of Mexico and half the average September salinity in lower reaches of the sprawling bay.

But that 10.5 ppt salinity level is just fine for speckled trout and redfish, black drum, bay anchovies and most of the rest of the assemblage of marine life that must have a saline environment to survive.

Last week, however, water in Galveston Bay off Bacliff registered a salinity level of 0.6 ppt. Some Texas rivers are saltier than that in late summer. Instead of Gatorade green, the Galveston Bay water had the color and nearly the syrupy consistency of cafe au lait.

Galveston Bay, like bay systems from Sabine Lake on the Texas/Louisiana border to Nueces Bay near Corpus Christi, was awash in silt-laden freshwater as the trillions of gallons of rain generated during Hurricane/Tropical Storm Harvey's prolonged, deadly, devastating, record-setting careen around Texas slowly drain.

That runoff, as well as the storm's other side effects, will have significant impacts on the coastal marine environment, the creatures that live there, the anglers who pursue the bay's sport fish and even the landscape along the coast.

Some of the effects will be short term. Others will last longer. And some are simply unknown. "This is all new ground,"

Lance Robinson, deputy director of coastal fisheries for Texas Parks and
Wildlife Department and a veteran marine scientist with decades of experience on Texas bays, said of gauging Harvey's effects on coastal ecosystems. "This is an unprecedented event.

"No one has ever seen something on this scale, so no one can say they know what all the impacts will be."

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TPWD will be making a huge effort to learn as much as possible about the storm's effects, he said. But some short-term effects easily can be seen or guessed, and longer-term effects inferred based on past experiences.

Freshwater runoff

One of the most obvious is the overwhelming of bays with freshwater runoff that promises to swamp huge expanses of upper and mid-coast bays for weeks if not months.

This is highly unusual for a hurricane. Tropical cyclones typically increase salinity levels in bays, with their storm surges pushing massive slugs of high-salinity water from the Gulf into the bays and beyond.

Harvey did a bit of that along the mid-coast when it came ashore, devastating Rockport, Port Aransas and Aransas Pass as its storm surge shoved into and over Redfish, Aransas, Nueces and Corpus Christi bays and combined with the high winds to wreck the region.

That wind, storm surge and its powerful currents also changed the face of some of the coast. Most dramatically, it "blew open" Pass Cavallo near Port O'Connor.

Cavallo, one of the major, natural bay/Gulf exchanges on the Texas coast and a crucial avenue for marine life whose life cycles depend on access/egress to both Gulf and bays, had been slowly sanding shut – a result of man-made changes in coastal hydrology. The storm's powerful surge scoured Pass Cavallo's channel, widening and deepening it.

It also tore a new adjacent channel when it breached the tip of Matagorda Island, cutting through a spot called Sunday Beach and mating the new channel with Pass Cavallo.

In one of those inexplicable twists all too common with hurricanes, the storm did not do the expected and scour open Cedar Bayou/Vinson Slough just 20 miles or so down Matagorda Island from Pass Cavallo.
That natural connection between the Gulf and Mesquite Bay, separating Matagorda Island and San Jose Island, had been reopened in 2014 after a multimillion-dollar public/private effort to restore the long- closed pass.

Cedar Bayou/Vinson Slough channel had again sanded closed earlier this summer.

Most assumed – or hoped – Harvey's powerful storm surge would reopen the pass. It did not.
But Harvey's rains, and not its storm surge or winds, are having the most profound and immediate impacts on coastal fisheries.

Search for saltier water

Short-term effects of the inundation of coastal bays with silty, muddy, freshwater runoff include forcing major movement of marine fish in affected systems. Fish and other marine life that can't survive long- term exposure to fresh water move away from the swamped portions of the bay, searching for saltier water.

This leaves huge swaths of bays most affected by Harvey's runoff – Sabine, Galveston and Matagorda – devoid of the fish coastal anglers most often target, especially speckled trout.

"They will move out of those areas and find areas where salinities are more suitable," Robinson said of marine fish hit by freshwater flooding.

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In the Galveston Bay system, West Galveston Bay currently is holding the saltiest water. Late last week, salinity levels along the south shoreline of West Galveston Bay ranged from 8 ppt to as much as 15 ppt in some pockets. Typically in September, those areas hold salinities above 20 ppt.

Similar situations exist in the Matagorda Bay system, where some areas in both East and West Matagorda bays hold salinities below 1 ppt while others – portions of East Matagorda Bay and areas along the south shore of West Matagorda away from where the flooding Colorado River is pouring billions of gallons of freshwater into the bay and Gulf – are holding 10 ppt to 15 ppt salinities. Fish are concentrated in those saltier areas.

The farther down the coast you go, the less freshwater flooding is seen, and the bays and the fishing prospects are significantly better.

While fish can get out of the way of the freshwater inundation in Texas bays, oysters can't. And these marine mollusks, crucial pieces of the bays' ecosystem, stand to see the greatest short-term and perhaps long-term effect from the flooding.

Oysters can't survive much more than a few days in freshwater, and flooding for a week or two will result in almost complete die-offs of all oysters in affected areas. That almost certainly is going to occur in bays along the upper coast.

But the situation isn't necessarily grim for oysters, Robinson said.

"Oysters are extremely resilient animals," he said. They've been around for millennia and have faced every kind of environmental challenge. They have found ways to persist."

While reefs in areas that see weeks of freshwater swamping may die, their shells will remain, serving as habit for a plethora of marine life as well as providing the hard surface to which larval oysters attach when conditions moderate.

And the flooding-caused changes in salinity gradient in the bay can benefit oysters by opening up new areas to colonization. That is what happened in the wake of a somewhat similar flooding event in 1979 when Tropical Storm Claudette dumped biblical amounts of rain that sweetened high-salinity West Galveston Bay enough that oysters could thrive but their major parasites and predators – oyster drills and dermo, which require high-salinity levels to survive – could not.

All is not lost

The result was an explosion of oysters in West Galveston Bay in the wake of that epic flooding.

"Events like this have devastating and heartbreaking effects on us. This is an unimaginable tragedy on an unprecedented scale," Robinson said. "For the bays, there are positive and negative effects. It can be like a forest fire, destroying things but also pumping nutrients into the bays. Almost invariably, productivity goes up in the years after something like this."

That's at least something positive to hold onto.

Aerial Spraying To Try To Control Mosquitoes After Harvey

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Associated Press September 9, 2017

BEAUMONT, Texas (AP) — Texas health officials say the Federal Emergency Management Agency will use military planes to spray chemicals near Houston to help control disease-carrying mosquitoes following Hurricane Harvey.

Texas Health and Human Services spokesman Chris Van Deusen says spraying begins Saturday evening east of Houston, in Jefferson, Orange and Chambers counties.

Harvey's rains flooded the region. Standing water is a breeding ground for mosquitoes, including those that carry the West Nile and Zika viruses.

Van Deusen says there haven't been reports of the viruses in the region. He says health officials want to prevent any outbreak and control "nuisance" mosquitoes that could interfere with recovery efforts.
Van Deusen says FEMA is using modified Air Force C-130 aircraft to spray the chemicals, which he says don't pose health risks to humans or pets.

FEMA To Deploy Military Planes To Spray Houston Mosquitoes

Associated Press September 9, 2017

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Mosquitoes, Medicine and Mold: Texas Battles Post-Harvey Health Issues

By Maggie Fox NBCNews September 9,
2017

Dr. Carrie de Moor has a nasty cough, and she's not sure if it's allergies or one of the common respiratory infections that have been spreading since Hurricane Harvey hit southeast Texas late last month.

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She's been sleeping in a trailer adjacent to her free-standing emergency room and urgent care clinic in Rockport, Texas, which was devastated by Harvey's winds and flood waters. The clinic had only been open for two weeks when Harvey hit.

De Moor is home in Dallas now for a few days with her children but will soon head back to the clinic, which is overwhelmed by people crowding in for stitches, tetanus shots, ear infections and skin rashes.

"We were seeing numbers outpacing anything we were prepared to take care of," said de Moor, an ER physician who is CEO of Code 3 ER and Urgent Care.

Physician volunteers have been cramming into the trailer and sleeping on the clinic floors as they tend to as many as 90 patients a day.

Related: Doctor Wades to Get to Cancer Patient

Lara Hamilton describes a similar scene at Christ Clinic in Katy, west of Houston.

"We typically see about 200 patients a week. In the first week we saw triple that," said Hamilton, a registered nurse who is executive director for the clinic. Volunteer doctors from as far afield as Vermont, Minnesota and Oregon have brought cots and are camped out in the clinic and at other nearby facilities, offering their services as needed.

"They're showering at the YMCA," Hamilton said.

No one single entity has authority over health matters in Texas, which has a history of turning away federal funding and oversight and which has a limited Medicaid program. County health authorities like the one in Harris County take care of issues like mosquitoes, clean water, inspecting restaurants and some vaccinations, but free and charity clinics like Christ Clinic and for-profit operations like Code 3 struggle in the best of times to fill in the gaps.

Now, post-Harvey, they are overwhelmed. Zika mosquito 'heaven'

So far, there's no big epidemic to cope with. The Harris County Health Department had to squelch rumors that plague was being spread by flood waters. Plague is carried by fleas, not in water.

But there are plenty of other messes left behind by Hurricane Harvey's floodwaters.

They include masses of mosquitoes, respiratory infections and a dramatic worsening of the day-to-day ills that people could cope with in normal times, but that get out of control in a crisis.

"We are seeing people who have just been eaten up by mosquito bites," Hamilton said. "Typically, people won't go to the doctor for mosquito bites." But the combination of standing water, a lack of electricity
and the need to work outside means a lot of exposure.

"People are working outside all day long, cleaning up their homes," said Hamilton. "The doors are standing open because they are carrying debris in and out."

Aerial spraying for mosquitoes started this week, said Chris Van Deusen, spokesman for the Texas Department of State Health Services. They're bringing in heavy ordnance for the job, including an Air Force reserve wing from Youngstown, Ohio flying specially equipped C-130 aircraft.

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Expected to get worse

"As the floodwaters recede, mosquito numbers are going to start going up," said Dr. Peter Hotez, dean for the National School of Tropical Medicine at Houston's Baylor College of Medicine.

"There's just debris everywhere. It's like Aedes aegypti heaven."

Aedes aegypti are the mosquitoes that carry viruses such as dengue and Zika virus. Stagnating water in ditches, bayous and flooded fields will breed other mosquitoes that spread West Nile virus.

No one's sure how much worse things will get, but Dr. Umair Shah, who heads the Harris County health department, is sure it will get bad.

He says teams are trying to replace mosquito traps pulled out hurriedly ahead of Harvey's floods. "It's good we removed them," he said. They would have been washed away, but now it will take time to get back up and running to monitor where disease-causing mosquitoes are breeding.

'True post-traumatic stress'

Patients are also beginning to come in with more urgent problems as they run out of insulin or blood pressure medications, said Jody Hopkins, CEO of the Texas Association of Charitable Clinics.

"For some of our clinics who supply insulin, a lot of them lost it because they lost refrigeration," Hopkins said.

And people are starting to show up with depression, anxiety and post-traumatic stress disorder.

"I think mental health is going to be huge," Hopkins said. "A patient came and said, 'I worked at Dollar General and the store is wiped out. I am out of a job.' That has a huge impact," she said.

Hamilton said Christ Clinic has already seen a big uptick in visits from people needing help from the licensed clinical social workers and psychologists helping out at the facility.

"Typically, a mental health provider will see eight to nine patients a day," she said. "We saw 32 mental health patients in one day this week."

Harris County's Shah said he was struck by the experience endured by an evacuee staying in a hotel. "Every time the air conditioning came on at the hotel, she heard the water dripping and she started having flashbacks to the rain and the rising water. That was true post-traumatic stress," Shah said.

Authorities are cutting through red tape as quickly as they can. The state medical board is expediting licenses for out-of-state doctors to practice and schools have loosened immunization requirements.

"Last night a waiver came through for mold remediators," said the health department's Van Deusen.

As long as they register with the state health department, mold contractors can work without a license for as long as the disaster declaration is in effect.

Tank Failures In Harvey Reveal Vulnerabilities In Storm

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By Matthew Brown And Larry Fenn Washington Post
September 9, 2017

More than two dozen storage tanks holding crude oil, gasoline and other contaminants ruptured or otherwise failed when Harvey slammed into the Texas coast, spilling at least 145,000 gallons (548,868 liters) of fuel and spewing toxic pollutants into the air, according to an Associated Press analysis of pollution reports submitted to state and federal regulators.

The tank failures follow years of warnings that the Houston area's petrochemical industry was ill-prepared for a major storm, with about one-third of the 4,500 storage tanks along the Houston Ship Channel located in areas susceptible to flooding, according to researchers.

More of the massive storage tanks could be put to the test in coming days as Hurricane Irma bears down on Florida. The tanks are prone to float and break during floods, and Harvey's unprecedented rainfalls revealed a new vulnerability when the roofs of some storage tanks sank under the weight of so much water.

Federal and state rules require companies to be prepared for spills, but mandate no specific measures to secure storage tanks at refineries, chemical plants and oil production sites.

Although Florida has no oil refineries, it has more than 20 petroleum product storage terminals in coastal communities and about 30 chemical companies with a presence in the state, including a significant number of facilities in the Tampa Bay area, according to the American Chemistry Council and U.S. Energy Information Administration.

"Tampa Bay is one of the most vulnerable cities in the country" to hurricanes, said John Pardue, a Louisiana State University professor who has researched problems with storage tanks during storms.

"But there's no requirement that says when you're in a hurricane zone you've got to do things differently," Pardue added. "If

we're going to continue to put some of these facilities in harm's way, it would be great to have some specific regulations" to safeguard storage tanks.

The storm surge from Harvey was small enough that the refineries in the Houston Ship Channel appear to have avoided the huge spills associated with past storms such as Hurricane Katrina, when ruptured storage tanks released several millions of gallons of oil including into residential areas, according to Jamie Padgett, an associate professor at Rice University who has inventoried the Houston Ship Channel's storage tanks.
One difference during Harvey was that prior to the storm, some refineries apparently were able to fill up their storage tanks to make them less buoyant and therefore less prone to floating and being damaged, said Kyle Isakower, vice president of regulatory policy at the American Petroleum Institute.

That wasn't the case with about a dozen smaller storage tanks that experienced spills in Fayette County west of Houston, said Ron Whitmire with EnerVest, the Houston-based company that operated the tanks. The capacity of those tanks ranged from about 250 to 400 barrels, which he said was not large enough to resist the force of the floodwaters that swept them away.

"Do we plan for storms and hurricanes? Absolutely," Whitmire said. "But nobody plans for 50-plus inches of rain."

The record rainfall also exposed problems among almost 400 large storage tanks in the Houston area that have "floating roofs" that go up or down depending on how much fuel is inside the containers. The

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unprecedented rains that came with Harvey caused 14 of those roofs to sink, in some instances allowing the chemicals inside them to escape, according to company reports and Padgett of Rice.

There are no government rules dictating how tanks are designed. But the American Petroleum Institute has established industry standards for tank construction that call for tanks to be able to drain at a minimum 10 inches (25 centimeters) of rain over a 24-hour period. Rain was falling at more than twice that rate during Harvey, Padgett said.

At least two of the floating roof failures occurred in gasoline storage tanks at Shell Oil's Deer Park refinery and another occurred at Exxon Mobil's Baytown refinery.

Pollution reports submitted by the companies to Texas regulators blamed the roof problems on Harvey's excess rainfall. The reports said air pollutants including benzene, toluene and xylene were released into the atmosphere. Long-term exposure to such pollutants can cause cancer, although Texas officials said they never reached concentrations high enough in the storm's wake to cause health concerns.

A Shell representative said in a statement to the AP that the roof problems presented an "extremely rare" circumstance and that company workers had quickly responded by spraying the spilled fuel with foam to suppress any harmful vapors. All the gasoline that was released was contained on-site, Shell spokesman Ray Fisher said.

Exxon Mobil spokeswoman Charlotte Huffaker said safety was a priority for the company and it was able to lessen environmental damage from Harvey by shutting down equipment in advance. Huffaker did not directly respond to emailed questions about the sinking roof on the Baytown tank.

As state and federal officials investigate the impacts from Harvey, it's uncertain how much spilled material flowed off-site from the storage yards, oil production areas and refineries.

It's expected to take about two weeks from the time of the spills for any contamination in the ship channel to reach Galveston Bay, according to Hanadi Rifai, director of the graduate program in environmental engineering at the University of Houston.

Texas has rules governing protections for underground storage tanks during floods, but not for above- ground tanks found at many refineries and chemical plants, according to Andrea Morrow, a spokeswoman for the Texas Commission on Environmental Quality.

Morrow declined to say if the agency planned to investigate the Harvey-related tank failures and whether tanks that failed had been properly secured before the storm.

"We have established a Unified Command with other state and federal partners, and are in the field conducting rapid needs assessment at this time," she said. "Due to the widespread impact from Harvey, the TCEQ anticipates conducting many storm-

related investigations over the next several months."

GOVERNMENT/ POLITICS/FLOOD INSURANCE

FEMA: Agency provides aid, but can't cover all costs

By Marissa Barnett, Daily News Galveston News

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September 8, 2017 GALVESTON
Hurricane Harvey victims this week were beginning to receive determination letters and even claims back from the Federal Emergency Management Agency while others register or await news.
Because many flooded residents didn't have insurance, the claims were particularly important for learning how homeowners might be able to get their properties back to normal, residents said.

But as some learned, the aid from FEMA is not intended to "make a person whole," as FEMA officials explain it.

"We help them get started, but the job of getting to normality is on the person and the community," said William Rukeyser, a media affairs specialist. "FEMA is not a substitute for insurance."

Residents should start the process by registering for FEMA aid. It takes seven to 10 days to hear from a FEMA agent, who then will send a contractor to inspect a home, Rukeyser said.

"FEMA doesn't know about you unless you contact FEMA directly," Rukeyser said.

"We always hear about people who gave their info to The Red Cross, a church group, the county, etc. And they assumed all the info on needs and damage was passed on to FEMA. It's not."
From there, FEMA sends a determination letter with the aid offered, which could be grants toward personal property, housing repairs or transitional housing, or some mixture, he said.

"Almost always people are upset," Rukeyser said. But they need to know "the determination letter is the start of the conversation, not the end."

Property owners can appeal the determination letter if they disagree with the findings, he said. "Everything is appealable, but that doesn't mean each person will get what they want," Rukeyser said.

Residents expressed frustration this week over claims and the FEMA process, with some saying they had waited on hold for several hours attempting to talk to someone about the process.

Because there were so many people affected by Hurricane Harvey, the agency is experiencing a large number of requests, which slows down wait times, Rukeyser said. The calls are typically handled on a first- come, first-serve basis, he said.

Despite mixed-messaging in communities, FEMA does not require homeowners to keep debris from their house to determine damage, Rukeyser said.

"What we do ask is people document, document, document — where one picture of the couch is good, 20 pictures from different angles is better," he said.

As residents get back claims, FEMA officials were urging them to understand that the checks will likely not cover the entire damage. Because the agency is taxpayer-subsidized, the program is intended to help people get started but not cover all losses, which might be handled by insurance, Rukeyser said.

"There's no way a disaster will be painless, we try to minimize it to the extent we can," Rukeyser said.

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Hurricane Harvey Seems Certain To Delay Flood Relief for Some West Ashley Homeowners

Charleston (SC) Post and Courier September 9, 2017

Several dozen West Ashley property owners saw their homes flood badly in 2015 and last year. As Hurricane Irma approaches, relief might be further away.

The city of Charleston has applied to the Federal Emergency Management Agency for a grant to buy out the owners of 47 properties in its West Ashley Church Creek drainage area. Each property had a record of significant flood damage in recent years.

However, the agency's extensive response to Hurricane Harvey and flood-devastated Houston will delay a decision, said Charleston Public Services Director Laura Cabiness.

Cabiness said the city recently received a letter saying FEMA has evoked "immediate needs funding," which means it will focus its work on current emergencies.

"This doesn't help those (West Ashley) folks as we look down Hurricane Irma in the next few days," she said. "On the other hand, you look at what's happening in Houston and you understand."

She said the city had expected to get word on the grant this month — or at least by year's end. The timetable is now uncertain.

The agency's decision on the grant ultimately could hinge on Congress' decisions on an aid package for Harvey victims and an overall decision on federal spending levels as well as how much FEMA ends up spending on Hurricane Irma.

Meanwhile, FEMA is looking to buy out some Houston property owners whose homes have flooded repeatedly instead of giving them insurance proceeds to rebuild, according to The Houston Chronicle. The report quoted Roy Wright, the FEMA official who runs the National Flood Insurance Program.

"I've got to make sure I can make the program work," Wright said. "The point is, I'm not going to make someone redo their house, then re-buy it."

Harris County around Houston already has bought out more homeowners than any county in the nation, Wright said, adding that about $225 million was spent on such purchases in the last two decades.

The city of Charleston has not had a single such property bought out yet, but it has sought the grant before, without success. That was before Hurricane Matthew caused yet another bout of costly flooding last fall. Federal confidentiality rules prohibit the city from specifying which West Ashley properties are involved. Cabiness said the city will keep pursuing its grant request — largely because there's no known drainage fix to prevent these homes from flooding again — and it also seek similar grants for other properties, too.

"This isn't a one-shot thing," she said.

Harvey's lesson: We must make government work better

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By Lisa Falkenberg | Houston Chronicle September 9, 2017

Yes, government matters.

Harvey's wrath, and Houston's response to it, taught us a lot about our neighbors, our faith communities, our leaders. But it also has taught us about the importance of institutions, regulations and the need for policies crafted with forethought and courage.

What our government should do, and how much, is a constant debate that often disintegrates into partisan talking points and ideology. A historic flood makes flesh of philosophy.

We may applaud the performance of government on some levels, including the heroic response of first responders and the tough, bipartisan calls of Harris County Judge Ed Emmett and Houston Mayor Sylvester Turner to hunker down.

But let's start asking some tough questions.

What more, for instance, could Houston Police Chief Art Acevedo and his officers have done to save people if his department weren't 2,000 officers short?

What could have been done to safeguard chemical plants and avoid potential disasters such as the explosions at the Arkema plant in Crosby, which has already drawn a lawsuit by first responders who say they were overcome by fumes?

As my Houston Chronicle colleagues have reported, such plants operate under loose federal and state regulation, and after a 2013 ruling by then-Attorney General Greg Abbott, Texans don't even have a right to know what dangerous chemicals are being stored in their neighborhoods.

The Chronicle's Mark Collette and Matt Dempsey have reported that the U.S. Environmental Protection Agency, the Occupational Safety and Health Administration and the Texas Commission on Environmental Quality are all poorly equipped to inspect plants damaged during Harvey or to look for long-term problems because they are "understaffed, underfunded and don't account for scores of dangerous chemicals."

"Who is going to oversee any of this?" Jordan Barab, a former top OSHA official asked in a recent Chronicle story. "The answer is no one."

Consider this from that same report: President Donald Trump's budget cut OSHA enforcement spending - including inspections - but a House budget committee in July went even further, proposing cuts of $14.7 million, or more than 7 percent. The agency already was unable to inspect most facilities.

In Harris County, we should ask what more officials could have done to prevent flooding. More specifically, whether the devastating, sustained flooding we have seen in neighborhoods downstream from controlled reservoir releases could have been avoided. What if flood control officials had demanded protections, federal funding to pay for it, and tried to curb development in the area around Addicks and Barker?

'Chilling accuracy'

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The answers seem clear after The Dallas Morning News last week cited a Harris County Flood Control District report from two decades ago, that predicted with "chilling accuracy" reality experienced by thousands of homeowners.

The report, which concluded the aging reservoir system was severely insufficient, proposed a $400 million fix that could have pushed water toward the Houston Ship Channel more quickly. It also suggested buying out properties at risk and regulating development in the area.

None of it happened. The report was mostly forgotten. Over time, land on the western fringes of the reservoirs filled with rows of brick homes.

Today, many sit mangled and destroyed - a preventable outcome that haunts Arthur Storey.

In a surprisingly candid interview with the Dallas paper, Storey, who was flood control director at the time of the 1996 report, said he regretted that he didn't do more to pressure officials to act, and that he was "not smart enough, bold enough to fight the system."

Storey didn't return my call on Friday, perhaps because he was busy tending to his home, which flooded as well. The longtime public servant, who retired from the county in 2015 at age 78, was clear in his assessment to the Dallas paper:

"This, what we have before us, is a massive engineering and governmental failure. I'm both angry about it and embarrassed about it."

Storey's honesty is commendable, and also heartbreaking.

But no one person is to blame for shortsighted policies. Forward-thinking, long-term investment requires buy-in from every level of government.

It also requires something else: Buy-in from you and me.

We, the people served, must acknowledge that, yes, government matters. Yes, there are some things government can solve or just make better.

Start at the polls

We can't keep electing people openly contemptuous of the government institution that signs their paycheck. Their obstruction is not helpful, or cost-effective. We can't keep demanding ever-lower taxes without regard to the cruel consequences.

As citizens, we have a duty to look beyond our own self-interests, to support investment that protects our neighbors, and to hold elected leaders accountable for doing what's right.

If you're looking for a place to start, here's one:

The U.S. House overwhelmingly approved on Friday $15 billion in aid for Harvey victims throughout southeast Texas. But four of our fellow Texans voted against it: U.S. Reps. Joe Barton of Ennis, Jeb Hensarling of Dallas, Sam Johnson of Richardson and Mac Thornberry of Clarendon.

They're all Republicans, but they have something else in common - none of them represent counties in the direct path of the storm.

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Watertown Daily Times | What A 500-year Deluge Could Look Like In Five Cities

Washington Post September 10, 2017

Hurricane Harvey pummeled the Houston area with an unprecedented four feet of rain, making it the most extreme rain event in U.S. history. Cars and houses are underwater, and thousands of people have needed or await rescue.

The event has been called a "500-year flood"- a flood event that has a one-in-500 chance of occurring in any given year in that location. Residents in 500-year flood zones aren't required to purchase flood insurance, even though there is more than a 5 percent chance, more than one in 20, of a 500-year flood over a 30-year mortgage.

The Federal Emergency Management Agency (FEMA) mandates that people living in the high-risk 100- year flood zone purchase flood insurance. While a 1 percent chance every year sounds unlikely, consider that it equates to roughly a 25 percent chance over a 30-year mortgage. A 500-year flood has roughly a 5 percent chance.

Hundreds of thousands of people live in flood-prone cities like Houston, Miami, New Orleans, Tampa Bay and New York.

In catastrophic flood events like the one in Houston, areas well beyond the 100-year flood line, or even the 500-year line, can end up under water. (Recent reports claim up to 30 percent of Houston may be flooded due to Harvey.) For those without federal flood insurance, there are few resources to help them rebuild after the floodwaters recede.

Here's what 500-year floods look like, or could look like, in other cities. New York city

New York City sustained an estimated $4.8 billion in uninsured private losses as a result of Hurricane Sandy in 2012, which caused a storm surge that flooded the subway system and shut down the New York Stock Exchange. Only about 7 percent of the city's population lives in a flood area that is moderate- to high-risk. But because of New York's size, that amounts to more than 560,000 people — greater than the number of people living in flood zones in Tampa Bay. The places most vulnerable to flooding are along the city's waterfronts in all five boroughs.

Harris County, Texas (Houston)
Almost 13 percent of people live in a 100-year flood zone in Houston and Harris County, but as one of the nation's most populous counties, that's more than half a million people. Another half-million residents live in moderate risk areas, the 500-year flood zone, where the likelihood of flooding is between 1 and 0.2 percent each year.

This works out to over a million people in moderate-to-high flood-risk areas in Houston alone. Other cities that have recently weathered hits from hurricanes aren't much better off.

New Orleans, La.

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With much of the city below sea level, New Orleans is particularly vulnerable to flooding. Hurricane Katrina devastated the city in 2005, and remains the most costly and one of the deadliest hurricanes to hit the United States. More than 10 years later, the city's population still hasn't recovered to pre-Katrina levels.

Nearly 95,000 people live in areas at a high risk of flooding, requiring flood insurance, while another 160,000 live in moderate-risk areas. The rest of New Orleans's population resides in areas protected from floods by levees, though in the event of a levee failure, as in Katrina, those areas would also become vulnerable.

Miami-Dade County, Fla. (Miami)

Nearly half of all people in Miami-Dade County live in a high-risk flood zone. While the last major hurricane to make landfall nearby was Hurricane Andrew in 1993, sea-level rise has contributed to higher king tides, or the highest tides, and more frequent coastal flooding.

Some areas of Miami-Dade, like the "Billion Dollar Sandbar" in Biscayne Bay, lie on reclaimed land only a few feet above sea level. A large chunk of the county's western side is uninhabited wetlands outside the county's development zone.

Hillsborough and Pinellas Counties, Fla. (Tampa Bay)

Analysts say the Tampa Bay area, which includes the cities of Tampa and St. Petersburg, is the most vulnerable in the United States to flooding and damage in the event of a major hurricane. A direct hit would likely surpass the cost of Hurricane Katrina, with one Boston firm that analyzes potential catastrophic damage estimating a cost of more than $175 billion to the region. More than 30 percent of residents live in a moderate to high risk flood zone.

Unlike the other areas included, the Tampa Bay region hasn't experienced a direct hit from a Category 3 or higher hurricane in nearly a century.

A Storm of Misinformation on HB 1774

San Antonio Express-News September 10, 2017

Natural disasters like Hurricane Harvey can bring out the best in people, as we've seen in the past weeks across Houston and the Texas Gulf Coast with everyday Texans doing heroic things.

There's also an unfortunate increase in scams and misinformation that preys on Texans impacted by the storms.

And one such misinformation campaign took social media and traditional media by storm this past week, confusing and striking fear in homeowners over their insurance claims and coverage.

At issue is a new law that took effect Sept. 1 that's aimed at reducing lawsuit abuse around insurance claims. Some personal injury lawyers have gone from ambulance chasing to storm chasing, stirring panic and fear over House Bill 1774, suggesting the new law will greatly limit homeowners' rights to file legitimate suits against their insurers.

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It's time to get the facts straight on the impact of the new law. HB 1774 is a common-sense reform that will limit lawsuit abuse by giving insurance companies 60 days to resolve a claim before being taken to court. It also preserves Texas homeowners' right to sue, while ensuring that natural disasters aren't used for financial gain driven by personal injury lawyers.

Texans should know their rights and remedies under Texas law as they work to recover from Harvey. Our state has some of the strongest consumer protections against insurers that unfairly deny or delay claims.
That was the case before this new law, and it remains so after it took effect.

Homeowners should remain vigilant against this and other misinformation, and seek counsel from verifiable, credible sources.
Don't just take our word for it.

The Texas Department of Insurance publicly reassured homeowners that they will maintain the same rights to an insurance claim now that the law has taken effect. Gov. Greg Abbott worked to assuage fears by reinforcing that homeowners did not need to rush to file a claim before Sept. 1, as have Lt. Gov. Dan Patrick, Attorney General Ken Paxton and many House members and senators.

But legitimate sources of information risk being drowned out by the deluge of misinformation from personal injury lawyers and their allies seeking to generate new cases and use our courts for greed, not justice.
And what does all this mean for survivors of Harvey, specifically?

Homeowners should know the new law likely will not apply to the majority of claims or lawsuits arising from Harvey because of the type of damage that occurred and the areas it occurred in.

The Federal Emergency Management Agency (FEMA) has made clear that the new law does not apply to claims with the National Flood Insurance Program (NFIP), because it is governed by federal law. This program is where most people get their flood insurance. Additionally, the new law does not apply to claims made through the Texas Windstorm Insurance Association (TWIA) — a major insurer on the Texas coast
— because it is subject to a different law governing post-disaster lawsuits.

The primary purpose of HB 1774 is to require written notice of a dispute before a lawsuit is filed. It's really that simple, and it's being done to ensure an insurer is aware of a policyholder's complaint and has an opportunity to address the complaint before being sued.

HB 1774 is designed to discourage unscrupulous personal injury lawyers, adjusters and contractors from preying on Texans impacted by weather-related events.

The bottom line is the normal insurance claims process has not changed, and a homeowner's ability to file suit and receive full damages for unpaid claims does not change with this new law either.

Be wary of individuals claiming to help you get more from your insurance company if you allow them to file suit on your behalf. They may be motivated by greed more than by ensuring you and your family's property is repaired and made whole.

Jennifer Harris is executive director of Texans Against Lawsuit Abuse.

GUEST VIEW: A Storm Of Misinformation

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Odessa (TX) American September 10, 2017

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Trump Chides FEMA for Denying Disaster Relief to Churches

Townhall September 9, 2017

The Federal Emergency Management Agency has been doing incredible work down in Texas and Florida these past few weeks as the states recover from Harvey and prepare for Irma. Under the purview of administrator Brock Long, the agency has been utilizing all resources to get victims the help they need.
Yet, FEMA's decision to reject disaster relief funding to three churches in Texas seeking to rebuild their communities in the wake of Hurricane Harvey is causing leaders to shake their heads. All three have filed lawsuits against the agency.

One of the churches, the Hi-Way Tabernacle, sheltered 70 people and provided over 8,000 emergency meals.

President Trump said FEMA deserves those funds.

Sen. Ben Sasse (R-NE) noted his own frustration in a new statement.

"This policy discriminates against people of faith," he wrote. "It sends the message that communities of worship aren't welcome to participate fully in public life.... It reduces the facilities and volunteer time, talent, and effort available to support the broader community. And it is inconsistent with the Supreme Court's recent 7-2 ruling in Trinity Lutheran Church v. Comer.... In other words, it is unjust. It is unconstitutional. It is unreasonable. And it is impeding ongoing recovery efforts."

Sasse used a recent court ruling, Trinity Lutheran v. Comer, to bolster his argument. In that case, the judges ruled that excluding a religious organization from a public benefit for no other reason than its being a church, is "odious to our Constitution . . . and cannot stand."

"When facilities for stamp and coin collecting are eligible for aid, but houses of worship aren't, something has gone seriously

wrong," Sasse added.

Don't be misled by this current disagreement. Trump does appear to have a good overall relationship with Long and FEMA. The two have complimented one another for their efforts in the past couple of weeks, with Long telling Fox News anchors how thankful he was that the president was so "engaged."

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Trump Tweets Support for Giving Texas Churches Disaster Aid

By Miranda Green CNN
September 9, 2017

Washington (CNN) President Donald Trump put himself into the middle of an ongoing lawsuit late Friday, tweeting support for giving federal aid to Texas churches dealing with the aftermath of Hurricane Harvey. Three Texas churches filed a lawsuit this week challenging a Federal Emergency Management Agency policy that excludes religious institutions from receiving disaster-relief grants.

"Churches in Texas should be entitled to reimbursement from FEMA Relief Funds for helping victims of Hurricane Harvey (just like others)," Trump tweeted Friday night.

The three churches, the Harvest Family Church, the Hi-Way Tabernacle and the Rockport First Assembly of God, "are not seeking special treatment; they are seeking a fair shake," the lawsuit reads. "And they need to know now whether they have any hope of counting on FEMA or whether they will continue to be excluded entirely from these FEMA programs."

All three churches were damaged during Hurricane Harvey, according to the lawsuit, which was filed Monday in the US District Court for the Southern District of Texas.
Trump's support for providing Texas churches with federal money is notable given that the lawsuit was filed against his own administration. It is unclear whether the President meant the tweet as a broader call for FEMA to treat secular nonprofits and religious-based groups equally in the disbursement of disaster-relief funds.

The lawsuit comes after the Supreme Court handed down a major religious liberty decision in late-June, ruling that a Missouri policy that excluded a church-run preschool from a grant program was unconstitutional, potentially opening the door for similar cases.

The White House and FEMA did not immediately return requests for comment Saturday.

Trump Tweets Support For Texas Churches Seeking FEMA Money after Harvey; Lawsuits Already Filed

By Justin Wm. Moyer Chicago Tribune
September 9, 2017

President Donald Trump stepped into a hot church-state dispute Friday night, tweeting support for Texas churches that were damaged by Hurricane Harvey and now want assistance from the Federal Emergency Management Agency to rebuild.

Trump's tweet came after three Texas churches filed a lawsuit this week challenging a policy from FEMA that excludes houses of worship from disaster relief grants, and as Hurricane Irma barreled toward the southeastern United States.

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The Harvest Family Church, the Hi-Way Tabernacle and the Rockport First Assembly of God were all damaged during Harvey, according to a lawsuit filed Monday in the U.S. District Court for Southern District of Texas. The First Assembly of God lost its steeple, roof and church van, while the other two churches were severely flooded. In addition, the Hi-Way Tabernacle serves as a FEMA staging center, sheltering up to 70 people and distributing more than 8,000 emergency meals.

Yet the churches will not be eligible for recovery money from FEMA, which "categorically excludes houses of worship from equal access to disaster relief grants because of their religious status," according to the lawsuit, which asks the court to declare FEMA's church exclusion policy unconstitutional and seeks an emergency injunction preventing its enforcement.

"The churches are not seeking special treatment; they are seeking a fair shake," the lawsuit reads. "And they need to know now whether they have any hope of counting on FEMA or whether they will continue to be excluded entirely from these FEMA programs."

FEMA excludes buildings that provide "critical service" or "essential government services" from repair if more than half their space is used for religious programming, the suit said. Museums and zoos are eligible for relief, but churches are not.

"If the Churches were to cease all religious activity in their houses of worship, those buildings would become assistance-eligible," the lawsuit read.

A FEMA spokesman declined to comment on pending litigation.

This issue is not new. In 2002, President George W. Bush made news when his administration approved a $550,000 grant to a Jewish school devastated by an earthquake. After Katrina in 2005, the Bush administration said that parochial schools, nursing homes and other faith-based institutions could get federal disaster aid but that the government would not pay to rebuild houses of worship.

This week's lawsuit comes three months after the Supreme Court decided that a church in Missouri could get government money to resurface its playground – a major religious-liberty decision that has set the stage for similar cases, some experts say.

"The consequence is, in all likelihood, a few extra scraped knees," Chief Justice John Roberts Jr. wrote in Trinity Lutheran v. Comer. "But the exclusion of Trinity Lutheran from a public benefit for which it is otherwise qualified, solely because it is a church, is odious to our Constitution all the same, and cannot stand."

Diana Verm of Becket, a nonprofit Washington law firm that seeks to defend religious liberty, said the churches sued FEMA partly because of the Trinity case.

"This is a time of crisis in Houston," she said. "Churches are some of the helpers, doing everything they can to get back on their feet. Yet they are denied the same relief other nonprofits are getting from FEMA."

When FEMA provides money to communities stricken by natural disaster, not everyone can get it. For example, community centers "operated by a religious institution that provides secular activities" are eligible, according to the agency's policy guide, but other religious institutions may not qualify.

Alex Luchenitser, the associate legal director for Americans United for Separation of Church and State, another D.C.-based nonprofit, said the Trinity decision was not applicable to the church litigation. That

decision allowed a church to get funding for a nonreligious function, he said; the Texas churches are seeking money for "core facility" repair.

"We know a lot of people in Texas are suffering, and we are sympathetic," he said. "But the fact that something bad has happened does not justify a second wrong." He added: "Taxpayers should not be forced to protect religious institutions that they don't subscribe to."

FEMA funds have been used to reimburse churches before. When money went to churches after Hurricane Katrina in 2005, officials said the decision was unprecedented, and some – including some of the faithful – wondered whether the funding was appropriate.

"The people have been so generous to give, that for us to ask for reimbursement would be like gouging for gas," the Rev. Flip Benham, the director of the antiabortion group Operation Save America, said at the time. "That would be a crime against heaven."

Founded more than 15 years ago, the 300-member Hi-Way Tabernacle in Cleveland worked with FEMA during Hurricanes Rita and Ike, the lawsuit said, and turned its gym into "a warehouse for the county" during Harvey. The church's pastor said Hi-Way would do the work anyway but would like some help.

"The Tabernacle is here to help people," Pastor Charles Stoker said in a statement. "If our own government can help us do that, that'd be great. And if not, we're going to keep doing it. But I think that it's wrong that our government treats us unfairly just because we're Christians."

Bill Maher: 'Unfair' for states like Texas to request federal aid after Harvey

By Max Greenwood The Hill
September 9, 2017

HBO host Bill Maher complained that it "seems a little unfair" for residents of conservative states like Texas to rely on federal assistance in the wake of Hurricane Harvey.

"These places that got flooded, like Texas, okay, they have a low tax base," Maher said on his show "Real Time" on Friday. "So, the federal government bails them out. Their governors, their legislators they don't believe in climate science."

"It seems like the responsible folks in this country, the people who pay a little more taxes and the people who believe in climate change are bailing out the people who hate government, except when they need government when they're in trouble," he continued. "That seems a little unfair."

"Suddenly, socialism is not such a bad idea when you're standing in toxic floodwater."

Maher's comments came just two weeks after Hurricane Harvey made landfall in southeast Texas, bringing with it historic floodwaters that devastated the Gulf Coast.

Congress voted this week to approve a stopgap spending measure that, in addition to keeping the government running past September, included more than $15 billion for hurricane and emergency relief.

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Some conservatives, like Sen. Ted Cruz (R-Texas), have faced criticism recently for pleading for federal assistance in the region, despite voting against a more than $50 billion relief package in 2012 for victims of Hurricane Sandy, which struck New York and New Jersey.

WORKSHOPS & MEETINGS

Houston residents confront officials over decision to flood neighborhoods

By Emily Flitter Reuters September 9, 2017

HOUSTON (Reuters) - Angry Houston residents shouted at city officials on Saturday over decisions to intentionally flood certain neighborhoods during Hurricane Harvey, as they returned to homes that may have been contaminated by overflowing sewers.

A town hall grew heated after City Council member Greg Travis, who represents parts of western Houston, told about 250 people that an Army Corps of Engineers official told him that certain gauges measuring water levels at the Buffalo Bayou - the city's main waterway - failed due to a decision to release water from two municipal reservoirs to avoid an overflow.

Travis' words inflamed tensions at the town hall, held at the Westin Houston hotel, as the region struggled to recover from Hurricane Harvey, which dropped as much as 50 inches (127 cm) of rain in some areas along Texas' Gulf Coast, triggering historic floods.

More than 450,000 people either still do not have safe drinking water or need to boil their water first.

On Aug. 28, the Army Corps and the Harris County Flood Control District opened the Addicks and Barker reservoirs in western Houston to keep them from overflowing. They warned it would flood neighborhoods, some of which remained closed off two weeks later.

Travis said the Army Corps official said they kept releasing water without knowing the extent of the flooding. "They didn't understand that the bathtub effect was occurring," he said.

Residents attempting to return to flooded homes may have to contend with contaminated water and air because the city's sewer systems overflowed during the floods. Fire chief Samuel Pena said people returning home should wear breathing masks and consider getting tetanus shots.

"We couldn't survive the Corps - why should we rebuild?" Debora Kumbalek, who lives in Travis' district in Houston, shouted during the town hall.

Scattered heaps of discarded appliances, wallboard and mattresses can be still seen throughout the city of 2.7 million people, the nation's fourth-largest.

There were no representatives from the Army Corps at the town hall. An official from the Army Corps could not immediately comment. An official from the Harris County Flood Control District did not immediately respond to a request for comment.

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The Corps released water at an intended maximum rate of 13,000 cubic feet (370 cubic meters) per second to keep those reservoirs from overflowing. However, preliminary data from the U.S. Geological Survey suggests that on at least two days, the average release rate exceeded that 13,000 level.

Many residents face lengthy rebuilding processes, and the majority do not have flood insurance. The Federal Emergency Management Administration will contribute a maximum of $33,000 per home in assistance to cover damages, a FEMA official said at the town hall, though for heavily flooded homes, damages will likely exceed that amount.

Fire chief Pena said homes may also be occupied by alligators, rodents and snakes due to the floods. A total of 52 of the state's public drinking water systems were still damaged, inoperable or destroyed, according to the U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality, leaving 70,000 people without water. Another 380,000 people need to boil their water.

HUMAN INTEREST & COMMUNITY OUTREACH

Houston perseveres after Harvey

By Tom Waddill Times-Review September 10, 2017

Devastated but determined to rebuild, the people who have been affected most by Harvey's wrath are showing a fighting spirit that has caught the attention of people all across the country.

Texans pulled together when times got the toughest during the storm, and they're doing it again a week later as they move into recovery mode.

"I never doubted for a moment what was going to happen when this storm hit, and immediately after it hit," said David Brady, CEO of the American Red Cross' Texas Gulf Coast Region. "I know my fellow Texans too well. We are going to step up, we are going to rally around each other and we're going to support each other across all differences, whether it's socioeconomic, whether it's race, whether it's religion, Texans don't care about that.

"Texans — we may annoy a lot of people — but we are Texans first in a lot of ways. We're going to step up and help our fellow Texans in a time of need."

Brady has been leading the recovery efforts at the George R. Brown Convention Center in Houston, where more than 11,000 people were housed during the height of the flooding in the city. He and thousands of Red Cross volunteers have comforted people who have lost loved ones, left their homes with floodwaters rising and lived to tell horrific tales of Hurricane Harvey and the 51 inches of rain that fell in the Houston area while the storm slowly made its way around the Lone Star state.

"It was demonstrated every single minute of every day during this storm, and after the storm," Brady said of the spirit of togetherness he witnessed over the last couple of weeks. "My neighbor took his fishing boat and went and found a neighborhood that needed help. He spent four days out there rescuing people that he didn't know. That's one story, but there are thousands of stories like that. That's what people did."

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A Category 4 storm when it roared into Rockport on Aug. 25, Harvey's winds weakened some, but the tropical storm hung around for four days and dumped more than 40 inches of rain on Southeast Texas, causing catastrophic flooding and at least 70 deaths.

More than 185,000 homes were damaged across Texas. Some were ravaged by high winds in small coastal communities; others in Houston were flooded with 6 feet of water or more.

People who were caught up in the storm will never forget what it was like.

"It was so stressful," Bay City school teacher Linda Smith said. "My house (in Sweeny) was surrounded by water. Water got in the garage, but thank God, it did not get in the house. We were very worried, but it was out of my control. I know what it's like to be flooded because I had gone through it before. We're doing good now, but watching television is stressful because there are so many individuals hurting."

Harvey made a lasting impact on a huge swath of South and Southeast Texas. After flooding Houston, the storm briefly retreated into the Gulf of Mexico, then returned to land near the Texas-Louisiana border.
That's when people in Texas' Golden Triangle — an area that includes Beaumont, Port Arthur, Orange and other smaller communities — felt Harvey's fury.

"The most horrific part of the experience for me was (Aug. 29), getting the phone calls, emails and Facebook messages from people in Port Arthur desperately calling for water rescues," said Brandon Scott, a reporter with KFDM News in Beaumont. "We heard from the Jefferson County judge, sheriff and commissioner who represents that area. All of them frantically sought help for a city underwater."

Like it did in Houston days earlier, the rain kept falling and the water kept rising.

"County officials warned earlier in the day that it would be nearly impossible to navigate through the floodwaters after nightfall," Scott explained. "They shut down water-rescue operations and it seemed as though no one would be able to save these people. And the calls kept coming. The images people saw, either on social media or television, ended up being exactly what we were hearing about through phone calls.

"It was chilling."

Then, like Brady witnessed inside Houston's spacious downtown convention center, people in Bay City and Beaumont began rallying together.

"Those folks stranded in Port Arthur, many of them would've died without the volunteer rescue efforts of civilians with boats and the willingness to risk their own safety to save people," an energized Scott said. "We saw humanity in all of its glory."

Smith, who has been trying to help students at Bay City High School understand what happened over the past couple of weeks, said it's been uplifting to see everyone in her small community working together and helping one another.

"I love the Texas spirit," Smith said. "Recently, this country has been divided among races, but in the last couple of weeks, a storm has brought everyone back together. Even the news is not reporting on the division. God has a way of bringing us down together. I just hate that it had to be a storm that made us do this. We need to remember that God's greatest commandment is love and we all should love our neighbors."

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Brady worked 20-hour days during the worst part of Harvey. He saw that same Texas grit in the big city. People in Houston refused to let Harvey get them or their neighbors down.

"There's a reason we're proud," Brady said, "It's not arrogance. We're just proud to be from this state, proud to be part of a culture that is about caring for and helping people. That came shining through during and after this storm.

"What do I expect when this is over. I expect organizations, whether they be government, nonprofit or businesses, I expect everyone to keep working together as we always do, but even more collaboratively on elevating our communities, on elevating our state.

"We're going to be stronger," Brady stressed. "This storm is going to make us stronger."

Over 100 Volunteers Leave LAX for Houston to Aid with Harvey Response

By Jessica Rice NBC-LA

September 9, 2017

Some 135 people including military veterans and first responders left LAX for Houston Saturday morning, to aid with the disaster response to Hurricane Harvey.

The devastating storm killed more than 70 after landing on the Gulf Coast of Texas on Aug. 25 as a Category 4 hurricane, leaving hundreds of thousands of families with flood-damaged homes.

The volunteers headed to Texas with Team Rubicon, a Los Angeles-based nonprofit sending up to 2,000 volunteers to support "the Hurricane Harvey cleanup effort over the next six weeks," read a statement from the nonprofit.

There, volunteers will help families affected by the storm "get back into their homes as soon as possible," the statement read.

'This is human kindness': Hurricane Katrina survivors help Houston after Harvey

By Meghan Holohan TheTodayShow September 9, 2017

Soon after Hurricane Katrina, Connie Uddo was sitting with a friend in an iHop in Kingwood, Texas, where she was living after she was forced to evacuate New Orleans in 2005. She had just learned that she and her two children wouldn't be able to return to their home to salvage their belongings and start rebuilding their lives.

“My husband tells me,‘I don’t think I am going to be able to get us home. Keep the kids in school and find an apartment,’” she told TODAY. “I just lost it.”

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As Uddo cried, two women came over and began comforting her.

“They literally sat at our table and just ministered to us and prayed with us and hugged us and comforted us,” she said.

When Uddo went to pay for her bill, she was overwhelmed with gratitude after learning another stranger had already covered it.

“That’s what Houston gave to me. They gave me strangers seeing me crying at the table who came up to me and loved on me,” she said. “This is human kindness.”

Uddo eventually returned to Louisiana and helped rebuild her neighborhood, Lakeview, which was one of the hardest hit areas after Katrina. She founded several nonprofits, including NOLA Tree Project — which is reforesting New Orleans after the devastating storm — and St. Paul’s Homecoming Center — which started as a welcome center at her house.

After seeing the devastation from Hurricane Harvey, Uddo quickly packed up her recovery van, which is equipped for gutting and mucking houses, and drove straight to Houston just a few days after the storm hit.

“I knew I had to go,” Uddo said.

In the past, Uddo has organized as many as 200 volunteers at a time to help people demolish homes and hopes to bring more to Texas post-Harvey. She is also trying to help Houstonians avoid mistakes that many experienced in New Orleans during the recovery by warning them about contractors who try to defraud them by citing outlandish prices for tasks like black mold removal.

But, more importantly, she is sharing her message of hope with survivors.

“We can tell you ‘We’ve been through this and you’re going to be okay. You are going to be better than okay. You are going to find you are going to be stronger, more resilient,’” she said.

Uddo is not the only New Orleans resident who remembers Katrina and the kindness of Houston. Henry Heaton was just 15-years-old when his family was evacuated in 2005. At the time, Heaton's family owned a ranch house near one of the breached canals. After the storm, the property was entirely underwater.

“My family had some friends in Houston and they found them a temporary home,” he told TODAY. “Friends who took them and

made them feel at home."

When Heaton returned to New Orleans, he met Uddo's daughter, Stephanie, and they became close. When Uddo was looking for volunteers for this weekend's trip, he signed up immediately.

"My heart went out to Houston because I know exactly what was going on," he said. "New Orleans wouldn't be what it is without all the volunteers who got on a plane and went down there."

He, too, remembers seeing his waterlogged home for the first time and not being able to stay long because it felt too overwhelming. He also remembers how small but kind gestures made a huge difference.

"A hug goes a very long way," he said. "Talking to someone who has been in your place and saw what you have been through, it will help."

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For others, being able to give people a meal or a bottle of water feels powerful. Ryan Fitzmorris and his brothers, Jim and John, who are all survivors of Hurricane Katrina, remember how Houstonians provided so much support to New Orleans as it was being rebuilt.

"I got to do something," he told TODAY. "I have two beautiful sons and if I was in this situation I want someone to help me."

Fitzmorris, who has since moved back to New Orleans and now owns a recovery business, recently started a GoFundMe campaign to raise money to buy supplies for Houston. Over Labor Day weekend, he filled a 26- foot truck with food, water, diapers, and wipes, along with specialty requests like bug spray, citronella candles and chainsaws, and took it to Port Arthur.

He's currently accepting donations to fill the truck again to take to Rockport on Sunday, Sept. 10.

"It is overwhelming. All I did was step up," he said. "I think it's more than just kind of going there and dropping off the valuables. It is letting them know you are not by yourself."

Beyoncé Teams Up With Houston Pastor to Help Harvey Survivors

By Gwendolyn Quinn NBCNews September 9, 2017

Global superstar Beyoncé returned home to Houston on Friday and joined the survivors of Hurricane Harvey at her home church, St. John's United Methodist Church, with Senior Pastor, Rudy Rasmus - affectionately known to the global community as Pastor Rudy.

Joining Pastor Rudy and Beyoncé were her mother Tina Knowles Lawson, daughter Blue Ivy and bandmate Michelle Williams of Destiny's Child, among others who were on hand to provide support and aid to the victims of Hurricane Harvey, which has profoundly impacted the region.

The Houston native and her foundation, BeyGOOD partnered with Pastor Rudy, the founder of the Bread of Life, Inc., a non-sectarian, non-profit organization, which started 25 years old ago through St. John's United Methodist Church. The Bread of Life was set up to specifically respond to crises and disasters such as Hurricane Harvey. Beyoncé has previously partnered with her pastor on global outreach initiatives, including her highly-publicized anti-hunger campaigns and food programs in conjunction with her concert tours.

"I'm home, this church is my home. I was maybe nine or ten years old the first time I sat there where my daughter [Blue Ivy] is sitting. I sang my first solo here," she said, emotional as she spoke to a packed church.

Looking to Pastor Rudy, she added, "I just want to thank you for lifting up my family and praying for me and for being such an incredible example of what life and love is."

Speaking to the audience full of survivors, she continued. "Today is a celebration of survival. Y'all are my family. Houston is my home. I thank God that you're safe, and your children are safe. The thing that really matters is your health, and your children, and your family. And I just want to say I love you. I'm so, so

thankful to God that I've been blessed, so that I can bless other people, and I ask God to continue to do that for other people."

Though Pastor Rudy would not disclose the financial donation that Beyoncé made on behalf of Hurricane Harvey, he did say that it was sizable. "Over the years, I've worked with Beyoncé to help coordinate various humanitarian opportunities to impact places in the states and all over the world," says Pastor Rudy. "She has partnered with Bread of Life to do food drives. We have addressed food insufficiency around the world, including countries in Africa and India, where people are really suffering. We've done great work with her."

His relationship with the superstar goes back many years. "I've known Beyoncé since she was a little girl," Pastor Rudy continued. "She grew up at St. John's. I've known her mom [Tina Knowles Lawson] and dad [Mathew Knowles] before they had kids. Beyoncé has been an amazing friend and generous supporter. She has helped us do some significant work in the Houston area and she is totally committed to the recovery efforts on behalf of Hurricane Harvey."

He noted that Houston has long benefited from many contributions made by Beyoncé and the extended Knowles family, including the Knowles-Rowland Center for Youth, which started in 2002 through St. John's Church. "I often say that the Knowles-Rowland Center was built on Destiny's Child hit single, 'No, No, No.' Destiny's Child came through and help [Bread of Life] to build up a gymnasium as an outreach center for young people in our community," says the pastor.

With tens of thousands of people displaced and adversely affected by days of torrential rain and flooding in Houston and the surrounding areas, Pastor Rudy and the Bread of Life team have already begun outreach and recovery efforts. Hurricane Harvey is now considered one of the most devastating natural disasters in American history; with the damage spanning Texas and Louisiana, damages to date are estimated to cost more than $100 billion in clean-up and repair.

Related: Saving Grace: Faith Community Unites to Help Harvey Victims

The Bread of Life has set up a disaster case-management component to walk individuals and families through the process of getting back on their feet. The organization is now receiving support from all over the country, including donations of money and non-perishable essentials and supplies, including personal hygiene products, cleaning supplies, diapers, wheelchairs, blankets, pillows, and other items people we need for the long haul.

Further, Bread of Life is providing temporary and permanent housing and financial support to many, and has coordinated disaster relief cleanup crews, ground transportation needs for individuals and families; cleanup kits; and household appliances. Displaced families will also have access to a tool bank, where they can borrow a variety of construction tools and do the necessary work on their homes themselves.

"One of the things we are finding is that people are going to need transportation to move around and to get their lives back on track," says Pastor Rudy. "We [the Bread of Life] have been in the business of working with the homeless community for 25 years. There are a lot of people who never imagined themselves being homeless, who are homeless right now, and our goal is to help soften the blow as much as we can for those men, women, and children."

The Bread of Life has prepared a Hurricane Harvey Recovery Guide as a resource for those impacted by the storm. The organization is also building and utilizing relationships in the mental health community for people who will experience post-traumatic stress disorder (PTSD) as a result of Hurricane Harvey.

"The recovery process won't be a sprint, it will definitely be a marathon," says Pastor Rudy. "We're carefully building capacity around some areas we believe are vital to individuals and families. Our goal, and our promise to our donors, is to make sure that people who need the help will actually receive the benefit of the dollars being donated."

Though separate entities, both the Bread of Life and St. John's United Methodist Church are committed to providing assistance and normalizing the environment for the people of Houston, the nation's fourth largest city, as the recovery process continues.

"Social justice has been the foundation of the ministry [at St. John's] from the beginning," says Pastor Rudy, who adds that this month marks the 25th anniversary of St. John's and Bread of Life. "We focused on healing the needs of people in pain and that's where we established our mark in this town. Our mantra from day one has been tearing down the wall of classism, racism, and sexism and building a community of recovery with unprecedented hope. When we think about classism,

racism and sexism, those are the lines of demarcation that have historically presented themselves in faith communities and in churches; from the beginning, our goals were to eradicate those lines."

St. John's United Methodist Church has church locations in both the downtown and the Northwest sections of the city. Pastor Rudy co-pastors with his wife of 32 years, Juanita; the couple are parents to two daughters. Culturally and ethnically diverse, St. John's has more than 9,000 members with 95 percent being people of color. The congregants span every strata of the social-economics spectrum: 30 percent of its members own franchises or have lucrative jobs and positions; another 30 percent are struggling to get by, and another estimated 30 percent are transitioning out of homelessness, prison, or other precarious situations. In fact, the housing and health and human services divisions of the Bread of Life owns and operates three apartment buildings under the Temenos Community Development Corporation; these were specifically constructed for the chronically homeless, defined as men and women who have been homeless for at least a year.

The first property built under the corporation is the Knowles Temenos Place Apartment, a 42-unit, single occupancy permanent housing unit financially supported by the Knowles family. The corporation constructed two other buildings with help from other donors. The second building is a $14 million project with 80 single units and the latest is a 15-single-unit apartment building.

Bread of Life has already start to assist many of the displaced families and individuals with temporary housing. "As the result of this crisis [Hurricane Harvey], the Bread of Life is mobilizing to house people and get people out of the city-operated shelters and into safe, decent and sanitary alternatives," says Pastor
Rudy. "The big challenge for our agency and other agencies that do similar work in the community is to find adequate and sufficient housing for residents with nowhere to go. Our goal today is the same as it was 25 years ago, which is to provide the quality of residential environment that anyone would want to live in, not just the homeless; it's first class."

A global humanitarian and the host of the popular radio show, "Pastor Rudy's Love Evolution," which airs weekly on Sirius XM's Kirk Franklin's Praise channel (Sirius 64 – XM 33). He is the author of "Touch: Pressing Against The Wounds of a Broken World;" "Jesus Insurgency: The Church Revolution from the Edge" with co-author Dottie Escobado-Frank; and "Love Period: When All Else Fails." Pastor Rudy is currently working on his fourth book, which will address the issues of privilege and scarcity, and is completing his doctoral work at United Theological Seminary in Dayton, Ohio. He previously attended Southern Methodist University's Perkins School of Theology and the Houston Graduate School of Theology.

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As a leader, one of Pastor Rudy's strengths is the ability to mobilize and aid in crisis situations. But Hurricane Harvey has created a challenge for Houston and the nation. "It's a human tragedy of epic proportions," Pastor Rudy concludes. "What we discover in moments like these is how many people are living from one day to the next financially and how many people have no one to call. We often take for granted how many contacts are in our phone and how many numbers we can dial when we are in distress. But imagine, there are hundreds of thousands of people in Houston who has no one to call in the moment of distress and that's what we see. And those are the people we are trying to help."

Kimora Lee Simmons bringing aid to Houston Harvey victims

ABC13
September 9, 2017

HOUSTON (KTRK) -- Fashion designer and entrepreneur Kimora Lee Simmons is in town to help Harvey victims in Houston get back on their feet.

Simmons will visit the Aldine Family Hope Center today to hand out relief supplies.

She announced she has made a $25,000 donation to The Unmentionables, a non-profit that provides undergarments and toiletries to displaced people around the world.

From Texas, Simmons will head back to New York City to show her Spring Summer 2018 collection during New York Fashion Week on Wednesday.

Relief Effort Needs Better Planning

Victoria (TX) Advocate September 9, 2017

Two weeks after Hurricane Harvey blasted through the Crossroads, relief and recovery efforts appear to be finally synchronizing.

Immediately after the storm, people jumped in to start helping, which is typical of Texans. But the problem was there appeared to be no planning and little communication so those coordinating the cleanup would know where to send people for social services and vice-versa.

This caused unneeded confusion in an already-difficult situation.

Disaster relief is being coordinated by the Voluntary Organizations Active in Disaster. The social services organizations, such as the United Way, Victoria Christian Assistance Ministry and Community Action Committee, also are helping people find needed supplies.

The efforts are also helping local businesses coordinate their assistance. For a while, they were

working mostly in isolation from one another.

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But after conversations began last week, the efforts have moved together. Phone banks are in place, and people are trained to answer the phone and direct people in the proper direction. A central area for seeking assistance has been established.

VOAD is still coordinating the efforts but has more voices and resources available. This will increase the availability of services long after the out-of-town workers have left to go help at another disaster.

The Crossroads is fortunate to not have major disasters on a frequent basis, but when it does, such volunteer efforts need to be coordinated and ready to go as soon as the affected area is safe.

Leaders of social services groups, who work with disaster contingency plans and whose daily work is to know the available resources, are invaluable components of the recovery effort.

The VOAD needs to be expanded to include social service organizations. They are the boots on the ground and will provide a more complete treasure trove of resources.

In coming months or years after the region has recovered from this disaster, the VOAD needs to remain active and prepared to respond. The group needs to meet on at least a quarterly basis to make sure all necessary resources are accounted for. When a disaster hits, all need to be prepared to hit the ground to help.

The relief workers and volunteers have provided tremendous amounts of help that will be remembered for years to come.

But the job is enormous and requires more than kind hearts and willing hands. For it to succeed, we must have coordinated efforts of all local, state and federal resources.

5 ways to avoid charity scams exploiting Hurricane Harvey

Market Watch September 10, 2017

Hurricane Harvey has inspired a huge outpouring of support in the days since the natural disaster displaced thousands of people, with corporations such as Apple AAPL, -1.63% Facebook FB, -1.30% Google GOOG,
-1.01% and Microsoft MSFT, -0.48% donating more than a combined $113 million to rebuilding affected areas in Texas and helping victims. Celebrities including Miley Cyrus, Oprah, Lady Gaga, and Kevin Hart have also personally donated hundreds of thousands of dollars to the cause.

But a number of scams have also been unleashed on consumers in wake of the disaster. On Thursday, the Federal Bureau of Investigation released a warning about emails and calls requesting donations for duplicitous charity organizations. The Federal Trade Commission also warned would-be donors about the increasing risk of fraud.

“It’s heartbreaking to see people lose their lives, homes, and businesses to the ongoing flooding in Texas,” Colleen Tressler Federal Trade Commission wrote in an alert to consumers on Monday. “But it’s despicable when scammers exploit such tragedies.”

Actively seek out legitimate organizations rather than donating when contacted by phone or email, said Melanie Ulle, chief executive officer of consulting firm Philanthropy Expert. “Donors should not give reactively during disasters like Hurricane Harvey,” she said.

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Here are some other tips to avoid being scammed: Vet a charity before you

give them money

Some have also advised against donating to the Red Cross at all, after a ProPublica investigation raised questions about charity’s response to Hurricane Sandy and the 2010 Haiti Earthquake.

When donating to smaller charities, it pays to do your research. Search the charity’s name with the Better Business Bureau’s (BBB) Wise Giving Alliance, Charity Navigator, Charity Watch, or GuideStar to see how much of its money actually goes towards helping victims. And be suspicious of funds that sprang up shortly after the natural disaster.

Alan Brill, Senior Managing Director in Kroll’s Cyber Security & Investigations practice, also suggests following the advice of local news organizations that have vetted charities, like the Houston Chronicle, Texas Tribune and news station ABC13.

Designate your funds to the disaster

If you do choose to donate to a national organization like the Red Cross or Americorps, be sure to label your donations as being for Hurricane Harvey. Donate through their verified websites and not through any unsolicited emails.

Don’t always trust what you see online

Scammers are getting more and more sophisticated, Brill said, making it hard to tell if a website advertising a charity is legitimate. Often they can create fake emails, phone numbers, and even entire websites to mirror those of legitimate organizations.

“Sometimes these sites will have a name linked to the disaster – something like ‘Houston Pastors For Relief’ – and will likely borrow imagery stolen from legitimate sites,” he said.” The bad guys are also very good at registering names that are almost the same as legitimate organizations. Maybe there is a slight misspelling. Maybe where a legitimate site ends in “.org” the criminal site ends in “.com” or “.us.” In fact, the bad guys can copy an entire legitimate site and just change where the payment goes.”

Usually these sites have a URL that is just slightly changed from the real website. Make sure you are going to redcross.org rather than donateredcross.org or redcross.com, for example.

Don’t donate cash

Most legitimate charities will not ask donors to mail in cash or checks. To ensure the security of your donation — and to get it to those in need faster, stick to donating online through an encrypted website with a secure URL — one that begins with “https://.”

Check receipts

Be sure to check your bank statements to ensure you donated the intended amount of money. Donating by text message means the contribution will show up on your phone bill, which often takes longer to post than credit card transactions. Don’t forget to check that as well, Brill said, and make sure you donate exactly as much as you intend to: “If a ‘charity’ offers to send you a receipt for more than your actual donation

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(because, for example, they have an “anonymous donor” who matches your contribution), that should be a waving red flag,” he said. “Offering to violate tax laws is not a positive indicator.”

Help with more than just money

While many find writing a check is the easiest way to help the cause, there are a number of ways to help that don't involve money.

Experts recommend not sending clothes or supplies until the area is stabilized, but services are needed. Those who live near the affected area in Texas can host families or help with cleanup efforts through resources listed by the Texas Tribune. Many animals evacuated from Hurricane Harvey need places to stay across the country, whether they have been displaced from shelters or temporarily separated from evacuee pet owners. Check with your local animal shelters to see if any displaced pets need help in your area.

From nurses to animal rescuers: Coloradans make way to Houston to aid the drowned city

Denver Post September 9, 2017

Quinn McGee opened her front door, four days after she left. She closed it behind her and fell to her knees, sobbing for two hours.

It was last Sunday and she'd just gotten back from Houston. While there, she put on a tough face, leading her team and pulling them together when they broke down. But she couldn't be emotional while on the job. She needed to stay in control. So she waited. And when she got home and saw all her belongings, after leaving an area with nothing, she let go.

McGee was one of the many Coloradans who went down to help after Hurricane Harvey hit. She's not the only one.

Her group, No Kill Colorado, focused on rescuing animals. Others, like Rachel Kuker, were sent through organizations to work at surrounding hospitals. And then there were people like Mike Staffieri, who made sure people had access to life-saving medicines.

And at the same time people like them piece back together a city that had turned into a chain of islands, Hurricane Irma descended on Florida, pounding more cities with water and wind.

Houston and surrounding areas were devastated. From Aug. 25-31, rain fell across the widespread city, dropping almost 45 inches in one area, according to preliminary data from the National Weather Service.

The day after the storm, only 30 of Denver-based DaVita's 106 clinics were open in Houston, said Staffieri, chief operating officer at the kidney-care company. Some patients couldn't leave hospitals because they had nowhere to go, said Kuker, a UCHealth nurse.

And people who lost their homes and cars sobbed as they handed over pets, knowing they couldn't take care of them, McGee said.

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People worked to create order in chaos. Staffieri, who arrived Tuesday, Aug. 29, described it as a big project management with different workstreams. For people on the ground in Houston, like Staffieri and McGee, the key was creating a central command center that directed side groups.

DaVita had over 500 people head to Houston, including more than 40 from Denver. Teams located patients, helped overwhelmed hospitals and transporting people to hospitals, clinics and homes. Those without specialized skills helped local DaVita staff whose homes were hit by the storm, clearing away dry wall and the like.

No Kill Colorado sent nine people, and then joined a group of people with boats, making their crew grow to 12. The group worked with Austin Pets Alive. Volunteers responded to calls of trapped animals, picking them — and stranded people — up in boats. Others helped with the intake and outtake of animals as they came in. Some animals that were given up were brought to Colorado.

Meanwhile, Kuker has been working 13-hour shifts straight since Aug. 31 and will continue until Wednesday. Her organization sent about 300 nurses to the area, 10 of whom are working with Kuker at the Conroe Regional Medical Center north of Houston. She works a variety of roles, relieving local nurses who have been impacted and helping with the extra flow of patients being relocated out of Houston.

Volunteers in Houston work long hours. And when they catch some sleep, it's either at a friend's house, in a clinic or hospital and a few in some of the rare open hotel rooms, according to the three Coloradans.

"I've been saying a prayer every morning that God can continue to give me energy to keep going," Kuker said. "There are parts of the day where I am ripping my hair out and there are parts where it's super easy."

People are appreciative of the help, she said, adding, "I think that keeps you going, too, because you know it's needed."

She wasn't the only one to express those sentiments. Both Staffieri and McGee said they were moved by what they've seen.

"Being on the ground there, it's very heartbreaking and a very tragic thing," Staffieri said. "But at the same time, if you go around and meet the people, it's a very heartwarming experience."

Although Kuker is still in Houston, both Staffieri and McGee have returned to Denver. They still keep in contact with teams on the ground, though. And in the meantime, another storm was expected to hit Florida early.

McGee said she's been too consumed with Houston to look elsewhere but others in the organization are offering housing for Floridians who want to escape the storm with their pets. Kuker said she wanted to go help but couldn't take any more personal time off work. DaVita is sending more people to help with Irma, although they've concentrated their efforts on the surrounding areas that are getting overwhelmed with evacuees.

"You bring up Irma and it just makes me cringe," Staffieri said. "Harvey was such a tough thing."

J.J. Watt Taking the Field in Houston for First Time Since Hurricane Harvey Will Give You Chills

By NFLMemes

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DailySnark September 10, 2017

In the span of a few weeks, J.J. Watt went from being a larger than life football star in Houston to a hero the city will never forget.

After the devastation Hurricane Harvey left, the face of the Texans raised over $31 million for the storm's victims and relief efforts.

Watching him the the field for the first time since the disaster will give you chills.

Houston football wearing 'Texas Strong' helmets to show support after Hurricane Harvey

By Alysha Tsuji USAToday September 9, 2017

The Houston Cougars postponed their first game of the season vs. UTSA that was supposed to be last Saturday because they wanted to focus on helping with Hurricane Harvey recovery efforts.

This Saturday, the team will be playing Arizona in Tucson, but the Cougars aren't forgetting all the people home in Texas. They'll be wearing these helmets that have the Texas flag inside the Houston Logo and a "Texas Strong" decal on the back.

Houston football wrote on Twitter, "As always, we are playing for our city and our state."

Other college football teams also wore helmet decals as a tribute to victims of Hurricane Harvey last week.

Additionally, this week Houston Athletics announced that for every ticket sold for the Cougars' game vs. Texas Tech on Saturday, Sept. 23, they'll be giving area first responders a free ticket to the Rice game next Saturday, Sept. 16.

Houston couple takes shelter in Omaha following Hurricane Harvey

KETV
September 9, 2017

OMAHA, Neb. — Steven Brown and LaRhonda Taylor said they evacuated their East Houston apartment ahead of Hurricane

Harvey. With few of their belongings, they hopped on a Greyhound bus and ended up in Omaha, where they now plan to stay.

"I saw the Coast Guard lifting people out of houses and I was like, 'Oh my God, that could have been us,'" Brown said.

In two weeks' time, Brown and Taylor went from living in Houston to the Siena Francis House in Omaha.

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"We're out of funds, thank god they're helping us," Taylor said. "I (don't have any) washed clothing, but we're safe and we're dry."

Just before the wrath of Hurricane Harvey hit Houston, the couple took a Greyhound to Wichita, Kansas and then continued on to the Omaha metro.

"(We) just grabbed what we could, and we got out of there," Brown said. "It's a good thing we did because a lot of people didn't make it out of there."

Taylor and Brown spent their savings on bus tickets and a week's stay at a motel in Bellevue. When money ran out, the American Red Cross referred them to Siena Francis.

"(Siena Francis) went out of their way to accommodate us so that we wouldn't be separated," said Brown.

Brown is currently staying in the shelter's building for men and Taylor is staying at the women's shelter across the street. The couple said they've been at Siena Francis for four days.

Brown and Taylor are hoping for assistance but has not heard back from FEMA.

"It's getting better, but ... I know FEMA is backed up because of Florida and it's just so much going on," Taylor said.

The two, both handicapped and on social security, are expecting quite the wait before financial help becomes available.

"I'm just blessed that were not in Texas," Taylor said. "Only thing I can think is if it hasn't killed me yet, it's making me stronger for something else."

The couple said they plan to make Omaha their new home and hope to be back on their feet soon. They said FEMA told them it

could be 10 to 14 days before they hear back.

MISCELLANEOUS

Fight Flooding Now

Houston Chronicle September 9, 2017

With the sun shining, floodwaters receding and attention shifting to another part of the country preparing to do battle with its own giant storm, it's easy to grow complacent about the knottier and more resistant challenges that confront Houston and southeast Texas in the wake of Hurricane Harvey. Now that cleanup and reconstruction are in full swing, we must not lose focus on the long-range view.

If the nation's fourth-largest city and the surrounding region are to emerge stronger and more resilient, we have to rethink, re-imagine and rebuild with the future in mind. We have to be better prepared for storms to come. And make no mistake: They will come.

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This is our "seawall moment," not unlike a time more than a century ago when our Galveston neighbors responded to the greatest natural disaster in American history by changing their form of municipal government, by literally lifting their city up and by raising a sturdy protective barrier that has stood the test of time. We must be just as farsighted and ambitious. In the spirit of Galveston's long-range view, we offer a dozen action items that we believe are vital if Houston and the region are to come back

stronger, safer and more resilient than ever.

The list isn't necessarily comprehensive, but we hope it provokes an ongoing conversation among elected officials, business leaders, community activists, social-service providers, academics, charitable foundations, environmentalists, engineers – in short, every resident of the greater Houston area who cares about the future of this vibrant region.

1. Establish a regional flood control authority

Floodwaters ignore city-limit signs and county-line markers. We can't adequately address drainage issues with a mélange of municipal efforts and flood control districts split between local jurisdictions. Instead of dividing these disaster-prevention efforts into provincial fiefdoms, we need a single authority with the power to levy taxes that will take charge of all of our area's drainage issues. Gov. Abbott should call a special session of the Legislature and set up such an authority.

Although we are skeptical about whether lawmakers obsessed with divisive social issues can turn their attention to urgent needs, establishing this authority requires action from Austin. Our governor and our Legislature need to get this done immediately.

2. Build a third reservoir

Addicks and Barker dams, reservoirs and spillways, constructed more than 60 years ago, are dangerously inadequate. The U.S. Corps of Engineers rated both as "extremely high-risk" infrastructure years before Harvey. Houston environmental attorney Jim Blackburn maintains that at least one new reservoir should be constructed in northwest Harris County that can help flooding along Cypress Creek, Bear Creek and Buffalo Bayou. He urges the construction of additional upstream locations on virtually every stream in our region.
Harvey shoved us uncomfortably close to catastrophe. We need a third reservoir, and probably more, to avoid unimaginable consequences the next time. Some experts estimate this could be a half-billion-dollar infrastructure project. It is a small price to pay to avoid catastrophe and should be part of any federal relief plan.

3. Build the coastal barrier system

If Hurricane Ike in 2008 had steered straight up the Houston Ship Channel, its powerful surge would have wrought catastrophic damage not only on the Johnson Space Center and the Bayport Industrial Complex, but also on the nation's economy. This area is responsible for more than half the nation's jet fuel and almost a third of its oil-refining capacity. It's also the leading supplier of energy products to the U.S. military.

Texas Land Commissioner George P. Bush has asked President Donald Trump to dedicate $15 billion toward construction of a coastal barrier system that would protect the upper Texas coast from hurricane storm surges. It's time to stop talking about this project and get to work building it.

4. Buy the Westwood Golf Club

One of Houston's worst recurring flood problems may have a relatively simple solution. Phil Bedient, director of the SSPEED Center at Rice for Severe Storm Protection, contends that most of Meyerland would

be protected from future flooding if the Westwood Golf Club along Brays Bayou was converted to a storm- water detention space. Harris County flood control officials must acquire this golf club and convert it into a detention pond. They should, if necessary, use condemnation powers.

5. Approve new funding streams

We need money. A lot of it. Current local budgets are inadequate to cover the costs of the massive infrastructure investment we'll need to keep this region safe from floods. The Harris County Flood Control District has a capital improvement budget of $60 million per year. Mike Talbott, the district's former executive director, estimated that we need about $26 billion for necessary infrastructure updates.

Potential funding sources include a Lone Star State version of the Dutch national tax for flooding abatement. The Dutch tax goes into that resourceful nation's comprehensive and innovative approach to flood protecting.

Other revenue-generating ideas: as we said above, create a regional flood control district to levy new taxes, as Harris County did after the deluges of 1929 and 1935; impose a countywide sales tax dedicated to flood prevention; and, of course, expand the drainage fee the Houston City Council implemented in 2011 for a pay-as-you-go Rebuild Houston infrastructure plan (assuming it survives a state court challenge).

The Legislature should compel the unincorporated areas of Harris County, home to about 2 million people, to establish local municipalities that levy their own sales and property taxes. At the state level, Abbott's special session agenda must also tap the $10 billion Economic Stabilization Fund, also known, appropriately enough, as the Rainy Day Fund, to help pay for one-time infrastructure expenses. The federal government's recovery legislation can be a resource to both rebuild what Harvey destroyed and establish new resiliency for regional flooding and storm-surge protection along the coast.
"Like the Dutch," Blackburn told the Chronicle, "we need to be willing to tax ourselves to raise the needed money. We have a solid industrial base. We have a generally wealthy and vibrant community. We can do this, but not without proper funding."

6. Require more effective land-use regulations

Adopting new regulations at both city and county levels to better control runoff would include restrictions on expanding impervious surfaces, investment in green infrastructure and stronger flood-detention standards. If the county refuses to act, politicians at City Hall should not be reluctant to use their authority in the extra-territorial jurisdiction to impose land-use regulations beyond city limits.

Prairies and wetlands in west and northwest Harris County must be preserved either through direct purchases or deals with landowners. New construction should be subject to higher building-elevation standards perhaps with detention ponds. The ploy of paving over Houston and putting up parking lots that are just under a 10-acre regulatory threshold to avoid mandatory flood-mitigation requirements is the sort of loophole our politicians must close. Houston also must reduce the need for impervious parking lots by lowering or eliminating parking minimums.

7. Reform the National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) must update its flood maps to better reflect the true risk, and cost, of living in a floodplain. Developers have a vested interest in keeping flood zones as small as possible to hide that risk and the eventual expense to owners. People and politicians must push back.

We cannot keep rebuilding homes that flood over and over again. Buyouts must take priority over repairs for "repetitive loss properties," where the federal insurance program has paid multiple claims within a 10- year span. Congress has to act to prevent federal flood insurance from expiring on Sept. 30, and our representatives can use the opportunity to implement much-needed reforms. Any change to the program should involve forgiving FEMA's $25 billion debt to the Treasury.

The county and city must fill in the gaps for buyouts of routinely flooded properties not covered by FEMA. Local governments must also work to use reclaimed property in flood zones for both flood mitigation and functional urban greenspace.

8. Insist on a transparent Corps of Engineers

The U.S. Army Corps of Engineers often serves as the most important line of defense between people and floodwaters, but a broken political system leaves far too many in the dark about what the Corps does. Local neighborhoods remain ignorant about Corps projects throughout the region and about the risks and threats posed by floodwaters. Just look at the homeowners surprised to find themselves flooded near Addicks and Barker reservoirs. People who deal with the Corps say that responsiveness varies by region.
Congress fails to maintain stringent oversight or proper funding for the Corps. Our elected officials, particularly U.S. Sens. John Cornyn and Ted Cruz, have a duty to ensure that the Corps of Engineers is working to keep Houstonians safe.

9. Reinvigorate our politics

Harvey wasn't the first. Houston, Harris County and beyond have repeatedly had to deal with assorted natural disasters, including devastating hurricanes, and yet our elected officials are too often unresponsive. At the county level and in other jurisdictions without term limits, we re-elect the same people for years, decades even, despite what seems to be their unwillingness or inability to respond to long-range needs. We urge local political parties to shake things up, recruit new candidates with fresh ideas and an eagerness to rattle the status-quo. We need engaged citizens who vote, who demand that politicians respond to real needs, not transgender bathroom restrictions.

At the federal level, gerrymandered congressional districts are unexpected contributors to flooding problems. The Corps of Engineers takes its direction from Congress, where U.S. Rep. Ted Poe's tadpole- shaped district stretches from the Addicks Reservoir to Atascocita and his colleague Michael McCaul's from Austin to the Katy Prairie. These sprawling, ungainly districts are drawn to reelect incumbents, not to reflect the interests of constituents. The politics of place, unfortunately, takes a backseat to partisan primaries. Texas needs a nonpartisan redistricting commission.

Speaking of responsive elected officials, Congress needs to restore earmarks. The tradition may have gotten a bad name over the years, but as our two Green congressmen – Al and Gene – have pointed out, earmarks are a useful mechanism for meeting local flood needs rather than relying on the parochial whims of an often recalcitrant Congress.

10. Protect renters

In addition to new infrastructure, we have to build economic resilience to help Houstonians, especially renters, weather the financial burden that floods impose. Apartments must be required to offer flexibility on rent payments and late fees during disasters. Leases must be easier to break for renters who endure a natural disaster. Property owners can't be allowed to discriminate against flood victims who rely on Section 8 vouchers to pay for new housing.

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11. Help schools rebuild

Harvey cost the Houston Independent School District $700 million in damages, Superintendent Richard Carranza says. Abbott should provide HISD the funding it needs to rebuild by calling upon the Legislature for a one-time payment from the Rainy Day Fund.

Texas Education Commissioner Mike Morath should help by waiving the academic accountability ratings for public school districts and charter schools in counties declared disaster areas. A waiver will give ravaged campuses the opportunity to rebuild and to focus on the emotional needs of students. For a while, schools can do without the constant drilling students must endure to pass standardized tests.

12. Establish a national emergency website address

We need a national 911-style emergency information web address, a standard and easily remembered internet site where people can find up-to-the-moment intelligence on everything from road closures and rising floodwaters to web cameras and weather radar. FEMA needs to take the lead on this idea, establishing the web address and ensuring that county governments aggregate all their emergency data feeds on their local sites. Residents should rely of state-of-the-art technology and up-to-the-second information from government not from social media.

First Harvey and Now Irma; Relentless Storms Strain Rescue Workers: NPR

NPR
September 9, 2017

Carlos Calvillo and more than 70 other members of the Los Angeles Fire Department were on their way home when they got the call.

After almost two exhausting weeks of water rescues, home inspections and cleanup in flood-ravaged southeast Texas, as part of a FEMA Urban Search and Rescue Task Force, they were getting deployed again
– this time for Hurricane Irma.

"We made it as far as El Paso before we got turned around," says Calvillo, an assistant chief. "We've been traveling now quite a bit so that's getting tiresome, but as a whole, the team is in great spirits. I think it's really actually harder on the people at home."

Calvillo's team is one of the many storm-weary emergency response units that are bracing for the one-two punch of Hurricanes Harvey and Irma.

The back-to-back storms – coupled with massive wildfires in the West – are straining the nation's first responders, government agencies and aid organizations that deal with natural disasters.

Earlier this week, there were even concerns that the Federal Emergency Management Agency would run out of money just as Irma is forecast to make landfall in South Florida. A $15 billion disaster relief package, passed Friday by Congress and signed by President Donald Trump, has quelled those concerns.

But it does little for the on-the-ground crews who are still drying out from a massive response to Hurricane Harvey just a couple of weeks ago.

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"We had deployed some of our teams and mobile kitchens from Florida [for Harvey]," says Lt. Col. Ron Busro, of the Salvation Army. "So a few days ago we had to release them to try and get them back."
Busro, who's done disaster response work for 40 years, says he's never experienced something of this magnitude – potentially two Category 4 Hurricanes striking two major metropolitan areas within two weeks of each other. South Florida is projected to take a direct hit from Irma.

"Are we prepared? No," he says. "None of us are prepared, but by God's grace we're going to get in there and do the best we can in this terrible situation."

After rescuing more than 11,000 people and more than 1,000 pets during Hurricane Harvey, the U.S. Coast Guard has redeployed resources, readying for the aftermath of Hurricane Irma on the U.S. mainland.
"This is what we train for in the Coast Guard," says Ben Barrett, who's stationed in Mobile, Ala. "It's just unfortunate that it's happening so quick – you know, one after the other – but our guys are ready to go." The potential scale of the disasters is worrying some that there won't be enough resources to go around.
In Texas, where more than 500,000 people have registered for help from FEMA, there are concerns that Irma could hamper relief efforts. Texas Gov. Greg Abbott told reporters Thursday, that federal officials assured him that Texas would continue to receive resources for Harvey recovery regardless of what might happen with Irma.

"There is no doubt in my mind that they are extremely stretched at this point in time and that folks are starting to get tired," says Jason McNamara, former FEMA chief of staff.

He's confident, though, that people in Florida and Texas will get the help they need. It helps, he says, that the two events – at least for now – are in different stages of disaster, because they require different resources.

In Florida, emergency personnel and supplies like food, water and cots are immediately needed.
In Texas, where floodwaters have receded, McNamara says, "Now you need caseworkers, you need folks to assess the infrastructure damage, you need engineers, you need cost-estimators."

Those needs are going to remain for a long time, he says. And the number of people, places and towns that need them could significantly grow after Irma has run its course.

The federal government is committed to handling them, but McNamara says it's important that people know there are going to be disasters that the government system just can't handle.

"It's not just about the federal government," he says. "It's all about the communities and the neighborhoods that are impacted, and the states and the surrounding states. This is everybody's responsibility as an American to pitch in."

Harvey's aftermath might have killed thousands of Texas cattle

By AP/New York Daily News NYDailyNews
September 9, 2017

HOUSTON — Texas agricultural officials fear thousands of cattle may have died in the aftermath of Harvey, resulting in losses to ranchers of tens of millions of dollars.

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The counties that sustained damage when Harvey first came ashore Aug. 25 were home to 1.2 million head of cattle, representing 1-in-4 of all beef cows in Texas, the nation's largest producer.

Sales of beef cattle and calves in the state averaged $10.7 billion annually between 2011 and 2014, according to the Texas A&M Agri-Life Extension Service and Agri-Life Research.

Most ranchers don't insure their herds because of the cost, so a rancher could be out hundreds of thousands of dollars if an entire herd drowned, the Houston Chronicle reported. The Oklahoma National Stockyards, branded as one of the world's largest stocker and feeder cattle markets, sold beef cows for an average of $1,500 in May.

Jennifer Lawrence says Mother Nature angry over Trump Officials are still in the process

of tallying the damages.
"We're finding cattle in waist-deep water," said Sid Miller, Texas Agriculture commissioner. "But when we try to drive them to dry ground, many of them just collapse they're so exhausted."

Cattle standing in water will have weakened skin and hooves that are susceptible to infection, said Dr. Dan Posey, a veterinarian and clinical professor at Texas A&M. Prolonged standing, lack of food and lack of drinkable water could make the cattle susceptible to respiratory disease, he said.

Texas A&M economists estimated that Hurricane Ike in 2008 caused about $13.3 million in cattle losses, with an additional $23.3 million in damages to fences, hay and other farm equipment.

Harvey may be more costly because it affected a larger area, said David Anderson, an A&M professor and agriculture economist.

However, Anderson said he doesn't expect the losses to affect meat prices, because the number of cattle lost in Harvey won't be enough to impact the national beef market, which is expected to yield a record amount next year.

The beef cows in the coastal regions are mostly raised for breeding, so their loss won't be immediately felt by meat packers. Coastal region calves are sent to Texas Panhandle feedlots where they grow to full size before going to slaughterhouses.

Editorial: Price-gougers, Scammers Take Advantage Of Storm Victims, Our Desire To Help

Longview (TX) News-Journal September 9, 2017

Unfortunately, it's not easy to distinguish. The Federal Trade Commission has posted a series of tips on how to spot the signs of a charity scam, as well as a checklist for vetting any organization before donating. You can find that online at bit.ly/

We always marvel at the inspiring tales of heroism, generosity and hope that surface in the wake of natural disasters like Hurricane Harvey. It is a given in this nation that when our fellows are in need, we roll up our sleeves and do all we can to help those who are suffering.

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Unfortunately, another given is that such disasters also prompt the bottom feeders who see in them an opportunity to re-victimize storm survivors through price gouging, scams and fake businesses.

The problem has become so bad that, after Hurricane Katrina, the Justice Department established the National Center for Disaster Fraud, which receives hundreds of calls every month — even without a disaster.

And the calls are starting to roll in from Houston. The center is hearing about unscrupulous repair and removal contractors, FEMA "inspectors" charging for their services, and robo-calls about phony insurance schemes.

The Texas attorney general's office said late last week it already had received more than 3,200 complaints about scams, fraud and price gouging since Aug. 25. Some of those came from East Texas, where a handful had been reported through Friday from the Longview area.

Price gouging becomes a problem when immoral business people try to take advantage of desperate hurricane victims. We have seen stories about people charging $99 for a $5 case of bottled water; $300 per night for an $80-per-night motel room; even $20 for a gallon of gas.

Attorney General Ken Paxton has put out the word he will prosecute anyone caught price gouging in the aftermath of Harvey, but he will need your help. If you hear about someone attempting to illegally profit from Harvey-related misery, file a report online at texasattorneygeneral.gov or report it to local law enforcement officials.
Such ripoffs are bad. Even worse are schemes that take advantage of our desire to help. And every disaster like Harvey sees scam artists crawling out of the woodwork in search of a quick buck.

In this era of online fundraising, such scams are even easier to pull off. One victim of Hurricane Harvey, whose family's rescue from their flooded apartment via helicopter airlift was aired by the local ABC affiliate, found multiple GoFundMe.com fund-raising web pages created in his name. Only one was created by the family. The others may very well have had people with good intentions or they could have been fakes. But how can you tell?

Unfortunately, it's not easy to distinguish. The Federal Trade Commission has posted a series of tips on how to spot the signs of a charity scam, as well as a checklist for vetting any organization before donating. You can find that online at bit.ly/2xKKZr7

The impulse to help is a worthy one but be cautious of those who want to use your generous and compassionate heart to make a quick buck. If you think you have spotted price gouging or other scams, report it to authorities.

Body of Houston hotel worker trapped in flooded elevator during Harvey discovered after weeks long search

By Terence Cullen NYDailyNews
September 9, 2017

The body of a Houston hotel employee who volunteered during the worst of Harvey was found nearly two weeks after she made her final call for help.

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Jill Renick's remains were discovered earlier this week in the basement of the Omni Houston Hotel, where she worked as a spa manager.

An employee found the 48-year-old Houston resident's body in the ceiling near the elevators on Thursday, according to the Houston Chronicle. She was one of more than 70 killed when the devastating Harvey battered Texas' gulf coast.

She got into an elevator on Aug. 27 before 6 a.m. as Houston was a nearby bayou flooded over from Harvey's torrential downpours.

SOCIAL LISTENING

Hurricane Harvey – Social Listening Report – 9/9/17 1830 ET

This report is being distributed to FEMA External Affairs at Headquarters and Region 6, FEMA Office of Response and Recovery, NRCC Situational Awareness, Louisiana state, Red Cross, USCG, and HHS/ASPR.

Summary: The volume of Harvey discussions continue to decline slowly with recovery efforts due to the noise from Irma. Conversations continue on animal shelter efforts and people looking for ways to help with debris clean up. There has been an increase in frustration of being declined FEMA assistance. Curfews continue to get lifted in multiple counties. The public continues to share recovery tips for survivors.

FEMA Conversation

Public conversation:

- There is an increasing amount of frustration being shared by residents who have been denied FEMA assistance, especially people who were denied after a house inspection deemed their residence habitable. These residents have been sharing their experiences on community pages and discussing how to raise awareness about the denials. (Example 1) (Example 2) (Example 3)
- The conversation continues to be low surrounding FEMA hotel vouchers for Hurricane Harvey. There is one news article that is receiving positive reactions to the Rio Grand Valley Hotels accepting FEMA vouchers.

- Throughout the day, there have been occasional excitement from residents that they are about to, or just finished, meeting with FEMA inspectors. (Example 1) (Example 2)

Operations

Animals/Agriculture:

- A resident of Houston shared that his dogs were diagnosed with bacteria-borne illness due to their exposure to floodwaters, cautioning other pet owners to wipe their pets down after being outside.

Recovery:

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- As of today at 14:15 ET Harris County Precinct 4 Debris drop-off site opened at 9 a.m. for local residents.
- Various locations throughout Houston continued to talk about clean up volunteer efforts throughout the day. (Example 1) (Example 2) (Example 3)

Public Health:

- As of today at 12:02 ET the Mayor of Houston stated that the free replacement of medical equipment/supplies lost in the flood will be distributed today.
- As of today at 14:26 ET the Orange County Office of Emergency Management announced that Military C-130 will be used to treat the area for mosquitos.

Public Safety:

- As of today at 11:03 ET the Mayor of the City of Katy lifted the curfew.
- As of yesterday at 18:30 ET the City of Bridge City announced that the curfew is now 11pm-5am.

Mass Care:

- As of today at 14:21 the Texas Commission on Environment Quality lifted the boiling water notice.
- The Houston NRG shelter continues to seek volunteers this afternoon.

Public Perception

- Facebook community groups are increasingly becoming central locations for residents to seek and share information about all recovery topics. Many of these groups have small followings made up of local residents interested in hyper local information. (Example 1) (Example 2) (Example 3)
- A moderate amount of local Refugio County residents continue to discuss that they are looking for places to help with debris cleanup in the area. (Example 1)
- There continues to be conversations about new animal shelter openings and how others can help displaced pets. (Example 1) (Example 2) (Example 3)

Thank you,

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From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Sat 9/9/2017 11:35:09 PM (UTC)
Subject: FEMA: TX 4332 Media Monitoring Report 011 09092017afternoon
TX 4332 Media Monitoring Report 011 09092017afternoon.pdf

Texas Severe Storms TX-4332-DR

Media Analysis Report/Afternoon Edition

September 9, 2017

Hot Issues

- None

Analysis/Trends

- Coverage continues on the recovery process faced by thousands of Texans. A Weatherford Democrat article focuses on the unimaginable loss by hurricane survivors and the long road to recovery.
- Several print and broadcast stories show the struggle of Harvey's aftermath, with problems of home and debris clean-up. An Associated Press story focuses on the piles of garbage lining Houston streets and how they're dealing with it.
- There is steady coverage of volunteers donating their time and money to help survivors. A KHOU-TV story reveals the J.J. Watt fund has surpassed $30 million.
- Continued wide coverage of Hurricane Irma while Florida waits for its impact.

Social Media Analysis

The volume of Harvey discussions continues to decline slowly, with a focus on recovery efforts. The variety of donations and volunteers coming in to affected areas, especially Rockport, Beaumont, Katy, and Refugio, has led to residents increasingly discussing how they can better organize recovery efforts in these communities. Most volunteers and residents continue to actively share each other's posts to make ad hoc connections between those who need help and those offering help.

Summary of Coverage

- Thousands still disrupted by flooding disaster in southeast Texas
- Houston struggling to get back on its feet after Harvey
- Florida orders massive evacuations and waits for Irma's impact

This report compiled by Julie Foster, Julie.Foster@fema.dhs.gov

- Texas' most desperate may be forced to leave after Harvey
- Former inspector explains FEMA documentation process on damaged houses
- Garbage lines Houston streets after Harvey flooding

- Atascocita neighborhood working to recover from flood
- Rebuilding your home after a disaster
- Two hundred Houston schools damaged by Hurricane Harvey
- J.J. Watt fund surpasses $30 million for Harvey relief fund
- Indiana churches form teams to help with Harvey relief in southeast Texas
- Beyonce returns home to Houston to help those affected by Harvey
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- Texas businesses and churches raise money and collect donations for hurricane survivors
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Notable Quotes

"When they say we will get tons of rain, don't take it lightly. We just don't know when to trust the media."
– Chel Bailey, Atascocita area resident

"We have a long road to hoe if we're going to rebuild the fourth largest city in the United States as well as the entire geographic region." – TX Governor Greg Abbott

"It's a worst-case scenario. Katrina was a 500-year flooding event, and you hope that we'd have been spared something that catastrophic. But here we are again, and I'd like to hope that the research and the dissemination of that research after Katrina is helping Texas school districts now."- Dr. Michael Ward,
Univ. of Southern Mississippi professor

"We can tell you 'We've been through this and you're going to be okay. You are going to be better than okay. You are going to find you are going to be stronger, more resilient." – Connie Uddo, New Orleans resident

Headlines

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Flood Recovery

Harvey's wrath may force rural Texas' most desperate to leave town for good **After A Disaster, FEMA Documents Home Damage, A Former Inspector Explains**
Harvey's Floodwaters Give Way To Festering Piles Of Garbage **Atascocita Neighborhood Works To Recover**
Rebuilding Your Home After A Disaster **Harvey Damaged At Least 200 Houston Schools**

Volunteers/Donations/Charities

J.J. Watt fund surpasses $30 million for Harvey relief **Texas Flood Relief Planned**
Beyonce volunteered to help Houston residents affected by the recent hurricane **This is human kindness': Hurricane Katrina survivors help Houston after Harvey** **Texas Connects Us: Helping Hurricane Harvey Victims**

Stories

Thousands Disrupted By Disaster In Southeast Texas

Weatherford (TX) Democrat, September 9, 2017

Rescuers first spotted a 3-year-old wearing a pink backpack in the floodwaters of a Texas drainage canal.

Then they made a discovery that would stir hearts across the country: The young girl was clinging to her mom's floating body. The 41-year-old nurse had died trying to move her daughter to safety after floodwaters rose around their car in Beaumont as they

attempted to flee.

Stories of unimaginable loss continue to surface in the wake of Hurricane Harvey, which slammed into the Gulf Coast as a Category 4 hurricane before converting into an unrelenting tropical storm that stuck around for days.

Now, the nation has turned its attention to a new monster, Hurricane Irma, raging in the Atlantic toward Florida. But back in southeast Texas, the suffering from Hurricane Harvey remains inescapable.

Even two weeks after Harvey's landfall, the immediate effects of the storm linger large. The devastating floodwaters — the result of an historic four-foot deluge — stubbornly fester in Houston and other hard-hit communities.

The still-standing murky mess has delayed recovery efforts, making attempts at quantifying the extent of the massive storm's impact on the state — and beyond — still anyone's best guess.

Right after Harvey struck, Texas Gov. Greg Abbott called it "one of the largest disasters America has ever faced."

No one disagreed.

Abbott has put the price tag for the storm's damage that inundated both Houston and rural Texas, with flooding occurring as far inland as La Grange, at as much as $180 billion. That is significantly more than what the federal government spent after Hurricane Katrina. Nearly one-fifth of Texas was under a federal disaster declaration at the height of Harvey.

"We have a long road to hoe if we're going to rebuild the fourth largest city in the United States as well as the entire geographic region," Abbott said on Fox News Sunday.

President Donald Trump, who has twice visited Texas for a first-hand look at conditions, asked Congress for $7.9 billion as a "down payment." Congress approved the request this week, doubling the amount of disaster aid.

Even so, securing more federal aid will likely encounter a political battle in Washington while back home, Texans face months, if not years, of challenges in housing displaced residents, rebuilding homes and businesses, maneuvering flood insurance programs, repairing infrastructure and restoring the Southeast Texas economy.

"Harvey may have staggered us, but it didn't knock us out," said John Sharp, chancellor of Texas A&M University who on Thursday was tapped to lead a new state commission focused on the rebuilding effort.

Sharp said the commission's work would be, in part, to "future-proof" what is rebuilt. Hard recovery
The stories of the people who perished slowly trickled out in the wake of Harvey.

There was an infant who slipped from her parents' grasp in raging floodwaters in New Waverly. There was a Houston police officer whose patrol car was swept up in the torrent on his way to work. There were the six family members who were trapped in a van carried off by rushing waters.

At least 70 people died in Texas. More people are still missing.

It could have been far worse. More than 122,000 people were rescued or otherwise taken to safety. So were more than 5,000 pets.

Many survivors are returning home, though, to find fresh heartache. At least 14,000 houses were destroyed. Harvey left its mark on hundreds of thousands of others.

For Texans without flood insurance, which is most of those living in the affected areas, repairing their homes will mean depleting their savings or going into debt. Some have predicted that the out-of-pocket costs could surpass the $28 billion that people spent to restore their homes after Katrina.

Robert Hunter, director of insurance with the Consumer Federation of America, a consumer advocacy group, said this reality will likely cause many low-income homeowners to abandon homes requiring repairs that far surpass any equity in the home.

That's what happened after Katrina, particularly in New Orleans' Ninth Ward, Hunter said.

"They're just going to say, 'Forget it,'" said Hunter, who is also a former Texas insurance commissioner. "The sad thing is a lot

of those people from New Orleans ended up (staying) in Houston, so they're going through it again."

But in spite of the grim circumstances, stories of endurance continued to bubble up from communities throughout the region, even as the storm unfolded.

"I'm smiling because otherwise I have to think about how my house is going to be underwater," Charlene Crocker, a Walker County resident, said as she and her pup, Annabelle, were evacuated from her subdivision along the Trinity River.

'Waiting game'

Harvey temporarily brought Texas' Gulf Coast oil refineries to their knees and drove concerns about fuel shortages, leading to price gouging complaints, with a gallon of gas reportedly spiking as high as $20 in the Houston area.

AAA expects consumers throughout the nation to continue to feel the effects of Harvey at the pump throughout the month, with the national average approaching levels not seen in two years. Hurricane Irma, with winds more ferocious than Harvey, won't help bring down gas prices even if it doesn't affect Texas.

Harvey also threatened the state's beef cattle industry, the top producer of the nation's beef. It robbed some cotton growers of a potentially bumper crop. It inflicted major damage on about 4,000 businesses and dramatically boosted unemployment benefit claims from those unable to work or whose employers have not yet reopened their doors.

A clearer view of Harvey's economic toll on Texas will remain elusive until the state dries out. But the beastly storm is sure to leave scars.

One storm's power to cripple the oil capital's major refineries — taking out one-quarter of the U.S. production capacity at one point — has already sparked debate about whether the industry should look elsewhere to build future facilities in an attempt to better diversify the country's energy infrastructure.

At least six refineries are now operating at a reduced rate, and others are in the process of restarting. Six others remain shut down, according to the U.S. Department of Energy, but lush inventories have helped satisfy demand during the downtime.

"As a reminder, with 230 million barrels of refined products in storage in the United States, we do not have a gasoline shortage," Commissioner Ryan Sitton, who heads the Railroad Commission of Texas, which oversees the oil and gas industry, said in a statement Wednesday. "But some areas have experienced outages at gas pumps due to exponentially higher demand than normal as people stockpile fuel."

It also remains to be seen how the 1.2 million cattle located within Harvey's reach weathered the storm, but there are some positive reports emerging. Jeremy Fuchs, spokesman for the Texas and Southwestern Cattle Raisers Association, said assessing the losses is "a waiting game" right now.

"A lot of folks were able to heed our early warnings and get those cattle out of harm's way," Fuchs said. Helicopters became aerial cowpokes to move the cattle to higher ground.

"That said, the flooding — with the unprecedented rainfall — was much more dramatic than we expected, and so, in some instances, what they anticipated would be safe and secure wasn't due to the overwhelming rain," he added.

There are reports of cattle swimming their way to higher ground. The high floodwaters also buoyed some cows over fences.

"They'll swim till their feet hit the ground," said Ron Gill with the Texas A&M AgriLife Extension. "It's just amazing what they've been able to do to get out of it.

"They're pretty intelligent," he added. "Sometimes we're just not smart enough to know how smart they are."

Not all have been so fortunate, of course. There are many still stranded on newly created islands, particularly in the far southeast region where floodwaters remain. Airboats and helicopters are being used to drop off feed to sustain them. Long-term health concerns remain, as well.

It is not clear yet how many cattle are likely to make it and how the losses might affect the market, although Gill and others said they were optimistic that it would not have a lasting effect on beef prices.

"We're trying to be very careful about giving the economic impact yet because we just don't have a clue," Gill said.

Jill Nolin is a state reporter out of Atlanta for CNHI's newspapers and websites. Reach her at jnolin@cnhi.com. The Associated Press and Joplin Globe reporter Crystal Thomas contributed to this report.

Best Of U.S. On Display In Texas

Franklin (IN) Daily Journal September 9, 2017

Who knows how soon the Bayou City can get back on its feet, or if all the weary residents who fled will ever return? I know this much: Houston won't be the same again for years, maybe never.

What happened here had all the markings of something apocalyptic, a grim reminder of human frailty and how vulnerable our cities are to withstanding Mother Nature's harshest blows.

A 1-in-1,000-years flood turned the nation's fourth-most populous city into an eerie ghost town, a treacherous archipelago navigable mostly by boats, dump trucks and other mechanical beasts powerful enough to plow through raging floodwaters.

By the time I got here, three days after Hurricane Harvey slammed into the Texas Gulf Coast, the city was reeling. Rescue operations were in full swing. Tens of thousands of residents were still trying to get out or find refuge. Thousands of dazed and displaced souls moved about like zombies, standing in long lines for shelter or slumping in rescue posts on the edge of downtown.

Before the week was over, Harvey, which had "weakened" into a tropical storm, was marching east and wreaking havoc on small towns in its path from southeast Texas to Louisiana and beyond. Poor Beaumont took a beating, Port Arthur was pummeled and other coastal cities were overwhelmed.

Still, Harvey's life-threatening grip on Houston remains, testing the will of a city and its people.

"Texas," declared Federal Emergency Management Agency chief Brock Long, "has never seen an event like this."

No, certainly not in my lifetime. And, hopefully, never again.

But what we have seen before is the indomitable spirit that it will take to lift Houston and the other devastated cities back on their feet. That was on full display as we saw countless brave volunteers and emergency workers risking their lives to save others in Harvey's wake.

Here's what else I saw: Men and women in private boats from East Texas and Louisiana patrolling floodwaters to rescue people. A throng of people on a freeway overpass helping emergency workers pluck several people from raging waters below. A mother and daughter rushing to put up a blockade in front of a flooded street that had become a river of trouble.

I talked to rescue workers, including police officers, who'd had little or no sleep for days. And I encountered one person after another who'd rushed back into Houston, despite the lurking dangers, to help with the relief effort.

I also marveled at how Vic Parker, a Red Cross volunteer from Delaware, came in and took charge of the city's biggest evacuation center and shelter at the George R. Brown Convention Center downtown.

Parker, 55, a retired sales and marketing manager, had just left Canada, where she'd been assisting with a Red Cross wildfire relief effort, when she answered the call for help in Houston.

I asked her why she chose to come here, where danger was all around. "My pay-it-forward," she

said. "Any one of us could be in this position."

Each morning, she arrives about 7 and doesn't go back to her nearby hotel to rest until late at night, 12 to 14 hours later.

"This is where I'm needed," said Parker, stopping frequently to field questions from other volunteers or give a nod to a displaced resident. "This is a bridge to help people return to their normal lives."

Day by day, more volunteers flocked to relief centers from across the city, state and country, while those stranded here for days finally were able to start leaving by week's end.

That is the incongruous beauty of tragedy: It tends to bring out the best in us.

It also makes our differences less important as we stand together, rallying for the same cause.

"That water doesn't care how rich or poor you are," Houston police Lt. Jack Harvey said. "It doesn't care if you're black or white, Christian or Muslim … or what your sexual orientation might be."

I met Lt. Harvey the first night I arrived. He'd had hardly any sleep for three days.

"I've got a nap here and there," he said. "But no one has had much time to sleep. There are still too many people in danger."

On this night, he was stationed at a bus transit center where dozens of mostly poor residents plucked from flooded apartments were delivered in tarp-covered dump trucks. Then, they waited for buses to take them to the convention center or another makeshift shelter.

Shortly before midnight, I asked Lt. Harvey how long he would be there. "As long as I'm

needed," he said.

That is the grit that's keeping the city grounded.

"All we got is each other," said Bobby Glenn, 63, a retired janitor who spent most of the week helping neighbors pull wet carpet and furniture out of their homes.

Glenn moved to Houston when he was a small child and has lived for decades in Kashmere Gardens, a historically black neighborhood near downtown. He stayed in his house with his two brothers because, quite frankly, he thought it was as safe as anyplace else.

Asked if he and his neighbors plan to stay put, he shot back: "I don't think nobody's going to leave Houston. If they leave, where they gonna go?"

I've come to believe the old adage: Adversity doesn't make character. It reveals it.

I saw a city, crippled by crisis, refusing to give up. I saw America at its best, standing together. "We just have to fix up,

patch up and move on," said Glenn. "That's all we can do."
Hopefully, that will be enough.

James Ragland is a columnist for the Dallas Morning News. Send comments to letters@dailyjournal.net.

Florida Orders 5.6 Million To Evacuate, Stressing That Irma Is Unlike Anything Residents Have Seen

Washington Post September 9, 2017

POMPANO BEACH, Fla. — Hurricane Irma swept across the Bahamas and Cuba on Friday, hurtling toward Florida.

"It's not a question of if Florida's going to be impacted, it's a question of how bad Florida's going to be impacted," said William "Brock" Long, administrator of the Federal Emergency Management Agency.

As the weather forecasts and warnings from officials grew increasingly dire, hundreds of thousands of people across Florida fled their homes in an effort to get out in time to escape Irma's devastation. About 5.6 million people in Florida — more than one quarter of the state's population — were ordered to evacuate and an additional 540,000 were told to leave the Georgia coast.

Authorities opened hundreds of shelters for people who did not leave. Hotels as far away as Atlanta filled up with evacuees.

By Friday evening Irma was an only slightly weakened Category 4 storm, and forecasters said it could be back up to Category 5 when it comes ashore near Key West on Sunday morning.

Forecasters adjusted the storm's potential track more toward the west coast of Florida, away from the Miami metropolitan area of 6 million people, meaning "a less costly, a less deadly storm," University of Miami researcher Brian McNoldy said.

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Nevertheless, forecasters warned that the hurricane's winds were so wide they could reach from coast to coast, testing the nation's third-most-populous state.

"This is a storm that will kill you if you don't get out of the way," National Hurricane Center meteorologist Dennis Feltgen said. "Everybody's going to feel this one."

Irma killed at least 22 people in the Caribbean and left thousands homeless.

Puerto Rico, the Dominican Republic and the eastern part of Cuba reported no major casualties or damage. But many residents and tourists farther east were left reeling after the storm ravaged some of the world's most exclusive tropical playgrounds, known for their turquoise waters and lush vegetation. Among them: St. Martin, St. Barts, St. Thomas, Barbuda and Anguilla.

Local, state and federal officials have issued ominous warning after warning as the storm zeroed in on Florida, making clear how much danger they felt the state could face in the coming days. Long urged people from Alabama to North Carolina to monitor and prepare for Irma, calling the storm "a threat that is going to devastate the United States, either Florida or some of the Southeastern states."

Floridians are familiar with ominous forecasts and hurricane warnings. Many in the state have painful memories of Hurricane Andrew, which made landfall as a Category 5 monster in 1992, and other storms that brought lashing rain and winds.

But when asked about people in South Florida who intend to ride out the storm at home, Long was blunt.

"I can guarantee you that I don't know anybody in Florida that's ever experienced what's about to hit South Florida," Long said. "They need to get out and listen and heed the warnings."

Florida Gov. Rick Scott has warned people that evacuation zones could expand, and said that all Floridians "should be prepared" to leave their homes.

Airports across the state said they would suspend flights and cease operations. Publix, a grocery store chain, announced plans to close stores across the state in waves and did not say when they would reopen.

Tom Bossert, homeland security adviser to President Donald Trump, said Friday that people need to have enough food and water to get by during a period when the rain and wind will prevent authorities from getting to them.

"We have pre-deployed and pre-staged, but we can't actually get to that final point of care until conditions permit," he said.

Many people ordered to leave Broward and Palm Beach Counties were directed to public schools, which Scott has shuttered across the state so they can serve as shelters and staging areas for first responders. Many public schools across the state canceled classes, while colleges had also closed campuses and rescheduled football games.

Pompano Beach High School, which is just a few miles from the Atlantic Ocean, was transformed Friday into a haven for about 150 people seeking shelter from Irma. Several volunteers said they expected that the school, one of about 20 facilities Broward County is using as shelters, would reach its capacity of 280 people by today.

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Those already packed into the school's cafeteria had one thing in common: They were either unable or unwilling to leave the area, despite a mandatory evacuation order.

Many occupants came fully prepared. A number of air mattresses, chairs and sleeping bags were set up in neat rows throughout the cafeteria. Three free meals a day will be served.

Bill and Jane Borum, both native Washingtonians and retirees, were reading to pass the hours.

The Borums live in a condo at the Bay Colony high-rise in Fort Lauderdale, just steps from the ocean, and left when an evacuation order was issued.

They thought about driving north to get out of harm's way, but traffic was horribly jammed and "we really didn't have any place to go," said Jane Borum, who retired to South Florida with her husband.

"Our kids in Maryland wanted us to fly home, but we couldn't get on a flight, so now we're here," she said. "It's our first time in a shelter — and the last, I hope."

This report includes material from the Associated Press.

Flood Recovery

Harvey's wrath may force rural Texas' most desperate to leave town for good

Dallas Morning News By Corbett Smith
September 9, 2107

REFUGIO -- Loretta Capistran hung T-shirts on the metal railing of her second-floor apartment, sorting through what she wanted to keep. Her apartment took a beating during Hurricane Harvey: Windows busted, water blown in.

Five of the six buildings in the Refugio Apartment complex on Osage Street, where Capistran lived, suffered major damage. Sections of roofs were peeled off by the winds. Ceilings sagged and collapsed from the water.

"I'm just trying to save what I can," she said. "Everything got wet, got damp."

Nearly two weeks after the storm, the town of 2,800 is bustling with energy. A parking lot behind one of the gas stations on the town's main thoroughfare, Highway 77, is lined with 18-wheelers and service trucks. As one resident put it, the town was moving from rescue and recovery to rebuilding.

But that's not the case at the Osage apartments, one of two low-income complexes in Refugio, about 40 miles southwest of Victoria. Because of the damage, the 48-unit complex is closing, perhaps for good. The apartments have been deemed uninhabitable, and last Sunday, Capistran and nearly 100 other residents received a 10-day notice to vacate.

After that date, all their possessions will be pulled out and discarded, as the apartment's management company brings in insurance adjustors to decide the facility's fate.

For small towns like Refugio, where a quarter of its residents live in poverty, affordable housing is scarce -- or nonexistent. Staying to rebuild sometimes isn't an option. Instead, relocation becomes the reality.

For the poor, "there's no place to live in Refugio," Joy Ministries pastor Joel Garcia said. "There was barely any place before the hurricane."

Despite being 20 miles inland, Refugio was one of the towns hardest hit by Harvey, blasted with hurricane- force winds one day, then dumped on by torrential rain the next as the storm made a slow pirouette back to sea.

Capistran weathered the tempest in her apartment. Born and raised in Refugio, she'd been through big storms before -- Hurricane Celia had skirted the town when she was a little child.

But she'd never experienced anything like Harvey.

When the storm hit in the night on Aug. 25, it came with fury, shattering the windows in Capistran's apartment.

"Boom. Boom. Boom," as Capistran described it, holding out her arm. "See? I get goose bumps just talking about it. It was very,

very terrible. One of the worst things I've ever been through."

She moved to her closet for shelter, praying that her father -- who lived nearby -- was safe. It took hours for the storm to die down enough for her to check on him.

"It seemed like a day," she said. "I thought it would never end."

In the days after the storm, Capistran tried to stay in her deteriorating apartment, unwilling to surrender her belongings to the elements or others.

But the heat, combined with musty, noxious smell of mold growing in the dampness, drove her to leave. Capistran is staying in town with her cousin for now, although it's clear she doesn't want to be a burden.

"It's really hard," Capistran said. "I hope I get my place back. I need to get my place back." REBUILD OR RAZE?

That might not happen.

The property's management company, Lubbock-based Medlock Southwest Management Corporation, will evaluate whether to rebuild or raze the complex after insurance adjustors assess its condition next week.

"At that point, we'll know a little more on a timeframe on when it will be rebuilt, if it is going to be rebuilt," the company's president, Kaye Medlock, said.

It's not a simple decision.

Medlock's company manages 36 government-subsidized apartment properties in four states, including 12 in Texas. Another one of their complexes, the 40-unit Bay of Aransas apartments in Rockport, was also destroyed by Harvey.

Both apartments were built decades ago by limited partnerships to take advantage of low-income housing tax credits, and both facilities, according to Medlock, were nearing the end of their lifetimes as a tax vehicle.

From that point, the facilities simply become managed properties, with thin margins.

Calling the situation in the Gulf Coast "heartbreaking," Medlock said her company returned full security deposits to Refugio and Rockport residents last week, giving people quick access to funds that could be used for the emergency or as a deposit on another dwelling.

Once residents have cleared out what's salvageable, the apartment's on-site manager Cindy Faulkner -- who weathered the storm in her first-floor apartment with her husband Charles, the maintenance manager -- provides them with a "letter of priority." That document puts a resident at the top of waiting lists at other low-income complexes subsidized by either the U.S. Departments of Agriculture or Housing and Urban Development. Without it, those waiting lists can be months or years long.

Faulkner said Osage residents are looking all over the state, in nearby communities such as Beeville and Corpus Christi and in much farther away locales like San Antonio or Dallas.

'THIS SHALL PASS'

Garcia, the pastor, said that until he was asked about it, he hadn't pondered the impact that Harvey's diaspora could have on his hometown.

"I've just been thinking about next week," he said, sitting under a pop-up tent at his church's make-shift relief station.

He's been busy.

Before the Red Cross came into town, Garcia's church was the town's only shelter, housing as many as 40 evacuees despite not having electricity or running water. Until a few days ago, Joy Ministries served breakfast, lunch and dinner to as many as 500 people. The church now serves two meals, breakfast and dinner, with the food prepared off-site.

After a little reflection, Garcia -- a pastor for the past 18 years -- said if the apartments close, it will have an impact on his ministry. He intentionally built the church directly next to the complex to help its residents. Many members of his congregation lived there, including several children.

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He pulled out his phone to show a picture of a group of kids at a shoe store in Corpus Christi. Over the summer, Garcia's church took 27 children -- those who had gained enough points in a summer program -- to buy shoes. Many of them lived at the Osage apartments.

Given the financial fragility of those residents, if people can't stay in town with family, they'll head to other towns where relatives are present or available work can be had, Garcia said.

But will they return?

Garcia said he hopes so, roughly paraphrasing Ecclesiastes, Chapter 3: "There's a season for everything, and this shall pass."

Capistran said that she couldn't be anything but hopeful, too.

s a community, I hope we can stick together and help each other through this. If we can stand together, we can get back on our feet and get to normal soon. I hope."

After A Disaster, FEMA Documents Home Damage, A Former Inspector Explains

WCAI-FM Cape Cod (MA)

September 8, 2017

After a disaster in the U.S., some of the first people on the ground work for the Federal Emergency Management Agency. It offers shelters and assistance, of course, but FEMA also contracts with companies to send inspectors into people's homes to figure out how bad the damage is.

Jack Fryday was one of those inspectors, working in the aftermath of several big storms early in the decade and in New Orleans after Hurricane Katrina. Marketplace Weekend host Lizzie O'Leary called up Fryday at his home in Texas. The following is an edited transcript of their conversation.

What's the first thing you do when you arrive at a home?

Well, the first thing when you walk up to it, you drive your car or truck up to this house, you're scanning the whole area, looking at the next-door neighbors, and you're just looking at everybody. And just looking at the house in general to see what's, you know, what's there. And we've already made an appointment with the homeowner, so they're in the house if you can get in the house, or they're waiting outside in their car.
Whatever. But when you drive up to the house, first of all, after being over there for about 30 minutes, every house looks the same. You drive down the streets. You've got all of the contents of the house out on the street curb, and all of the houses, you know, look virtually the same. If they had a tornado go through, they're all torn-up roofs, etc. If they just had wind or rising water, then they all look the same. So it's no different from one house to the other, once you get into that subdivision.

So when you would walk into a house, what were you looking for? What were you assessing?

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Well, you walk in there with your camera and your notepad, and you just do an overall general assessment of it. And then you meet with the owners and get all of the paperwork out of the way, and then you just start room by room, looking at detail by detail. You take pictures of every room, all the damage that's done. I write up, you know, "X number of feet of Wet carpet. Kitchen cabinets damaged. Furniture is damaged." You just write up everything that you see: windows broken out. Ceiling caved in. Feet rock wet. Just whatever you see.

What do people need to have when they know that you're coming?

Well, the most important thing they have to have is, I've got to have documentation that they own the property. That's the main

documentation I'm looking for, is proof that they own the property. And that becomes a challenge for some of them.

What did you do when people didn't have the paperwork? If they they couldn't prove that they owned the home? After all, a lot of people lose their paperwork in a storm.

Well, there's not much for me to do. I actually ran into one family in Breaux Bridge, Louisiana, where I was during Katrina. And in one home I went to, an older house, there was a young couple in there. And the first thing I said was, "You know, I need to see proof of your ownership of the house. Do you have a deed?" And they said, "No sir. We just live here." And to make a long story short, the house belonged to their grandfather who passed away, and then one of the family members just moved into it. And then they passed away and another family moved into it. Nobody knows where the deed is. So there was nothing I could do there.

What happens to a family in a situation like that?

I really don't know. I don't know if they go to other people for help, but I don't know what they did from there.

After a FEMA inspector does their work, then often the insurance company, if you've got insurance, the adjusters step in, and they move on from there. How does the government and the insurance company work together at that point?

The insurance companies are going to send adjusters out. And FEMA sends adjusters out, too. I'm not an adjuster, I'm just inspecting to see what's there. The adjusters go in and really look at the detail stuff and assign dollar values to it, and that sort of thing. And so the FEMA adjusters, they work for FEMA, but they are the insurance adjusters. And they come out, and go to each house and meet with the family and actually look at the house, item by item. Measure rooms. Got this many square feet of carpet in this room. They've got these windows broken out. They got this or that. They document everything meticulously. And then they send that all to their company, and the company then puts a dollar value to it.

You are out of this line of work right now, but, you know there are people who are listening to this, who may have been affected or could be affected by a disaster in the future. What would you tell them to do? What advice would you give them?

The first thing you want to do is pay attention to your adjuster. If you don't think the adjuster is doing what he should do, or writing up everything, and you're not happy with what his deal is, you can, of course, protest back to the company, but the best thing for you to do is to hire a public adjuster. A public adjuster is somebody that's licensed to do adjusting. He works for you. He does not work for an insurance company, and they will charge you a percentage of what [you] get. But since they're on commission, they're going to get everything they can. They're going to look at everything in there and really do you a good job. So I

would recommend to anybody who is not satisfied with the adjuster that they got from the insurance company, look into hiring yourself a public adjuster.

Harvey's Floodwaters Give Way To Festering Piles Of Garbage

Associated Press
By Brian Melley And Paul J. Weberbrian Melley And Paul J. Weber September 7, 2017

HOUSTON (AP) — Roiling waters in the streets have given way to festering piles of garbage on the curbs.

Harvey's record-setting rains created heaps of ruined possessions that now line entire neighborhoods, some nearly up to the rooftops of the homes that were swamped. All that sodden drywall, flooring, furniture, clothing and toys adds up to an estimated 8 million cubic yards in Houston alone, enough to fill the Texans' football stadium two times over.

Texas and city officials have pledged to make a priority of the monumental task of cleaning it all up, though they stopped short of giving specific timelines, mindful that such cleanups have dragged on longer than anticipated after other major storms.

"We want to get it removed as quickly as possible," Texas Gov. Greg Abbott told reporters Thursday.

For now, the piles big and small have become evidence, of sorts, of the losses from more than 200,000 damaged homes up and down the Texas coast.

Not only are the heaps eyesores, but they are starting to give off a musty funk. And the longer they sit, officials warn, they could become havens for mold, not to mention snakes, rats, skunks and other critters. The junk could also turn into projectiles if, heaven forbid, another hurricane strikes.

"I just can't stand it anymore," said Peggy Lanigan, who took a break from clearing out her Houston home that flooded for the first time in 22 years.

The city is pushing to complete a "first pass" of debris removal within 30 days, said Derek Mebane, deputy assistant director of Houston's solid waste department. He said collecting subsequent piles could take months and warned that if Hurricane Irma causes extensive damage in Florida, the cleanup in Houston could be slowed if resources are diverted. While local crews do the pickups, FEMA covers 90 percent of the costs.

As it stands now, clearing even just one Houston street can take days. Some piles are so massive that a single stack of debris from one home can fill an entire truck.

Houston Mayor Sylvester Turner this week pleaded for help, asking for anyone with heavy equipment suitable for debris removal to reach out.

The trash will go into the city's existing landfills. San Antonio trucks have been sent in as part of an agreement between the two cities to help each other in disasters, the mayor said.

Soon after the storm hit, state officials suspended some environmental rules on waste removal that they said could impede the pace of disaster recovery, which raised concerns among environmentalists.

Trash looters are another concern. Some homeowners spray-painted messages on mattresses to leave them alone because the debris is needed for insurance claims. Others posted signs saying they were just drying out items they intended to save.

Mike Martinez said a king-sized mattress that had been floating in his bedroom days earlier was taken from his yard along with a La-Z-Boy sectional couch. The $5,000 sofa still looked brand new after the flood but was like a sponge if you sat on it. He couldn't understand why anyone would take it because it's contaminated with floodwater and probably mold.

"It was like a parade of people going by looking at the devastation," Martinez said. "Then there was a parade of people picking up the garbage."

Overturned sofas, listing mattresses and toppled chairs dominate the rubble while smaller, more intimate items hide in the cracks.

The piles also created a sort of archaeological record of the households from which they came. There's a moldering red cooler, a beat-up blue kiddie pool, a pornography stash spilling onto the street. Brand-new golf balls, a full jar of mangoes and a twisted artificial Christmas tree. A book titled "The Inheritance of Loss" seemed particularly poignant.

Sherri Blatt's main concern is that it could be a long wait before the mess is carted away. "This is too long," she said. "Once all the stuff is gone, I'll feel safe."

Almost on cue, a garbage truck rumbled around the corner. But it wasn't there for flood debris — only for the trash that hadn't been picked up in a week and was adding its own odor to the mix.

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Weber reported from Austin, Texas. Associated Press writer Juan A. Lozano in Houston contributed to this report.

Atascocita Neighborhood Works To Recover

Houston Chronicle, By Dina Kesbeh
September 8, 2017

Atascocita area residents made their way to their homes as soon as waters began to recede to start the post- flooding recovery process after receiving a record of almost 5 feet of water.

A trail of couches, sheet rock, bedding and mattresses led the way down Atascocita Shores as residents began gutting what was once pieces of their homes and leaving it on the sidewalk for trash pick-up.

As if ripping apart memories and their gutting their homes wasn't enough, residents reported many incidents of looting.

"Nothing inside is worth dying for," reads a sign placed outside the home of Chel Bailey after hearing about people driving by, breaking into cars and stealing property placed outside to dry out by homeowners.

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"People, they want to take the things that aren't trash, but if you have insurance, they want to see that and people are saying its trash as a reason for taking it. Just leave it alone," Bailey said.

As floodwaters rose, Bailey was out helping other people evacuate around Atascocita Shores when her family received the call their neighborhood was being evacuated.

"We didn't think we were going to get flooding because other people got a lot more water than we did. Our street was evacuated. I'm on the end, so I was able to do a little more walking to get to Atascocita Shore Drive," Bailey said.

Bailey's one-story home was consumed with water before they were evacuated by boat. She said they were able to grab a hurricane box that they have, which contains the most important things, and whatever they could fit before leaving.

"We are just going on a wing and a prayer. Luckily, our jobs have been very supportive and said do what you need to do and get paid," Bailey said.

The family does not have flood insurance because they do not live in a flood zone as do the rest of her neighbors.

Bailey said they applied for FEMA assistance but have not heard back in regards to receiving any funding to help pay for the renovations.

The most irreplaceable items Bailey said they lost were family photos. Everything else is material that will be replaced.

She said this is a lesson learned that in the future they will get flood insurance to protect themselves.

"When they say we will get tons of rain, don't take it lightly. We just don't know when to trust the media," Bailey said.

Rebuilding Your Home After A Disaster

New York Times, By Ronda Kaysen
September 8, 2017

Catastrophe can arrive at your doorstep in any number of ways: A century-old tree could hit the roof, faulty wiring could spark a fire or a storm like Hurricane Harvey could unleash its fury and yours could be one of countless homes in its path.

Tragedy's hand might be unpredictable, but the road to recovery is forged in the language of your homeowner insurance policy, words that will determine how — and if — you will be made whole again.

The disorienting months following disaster are often marked by endless Saturdays spent wandering the aisles of Home Depot; afternoons wasted on the phone arguing with your insurance company about the value of an Ikea crib; and critical decisions made at your most vulnerable hour. And all of this often happens while you are living in temporary housing, wondering if your life will ever return to something like normal.

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For Ta-Kuang Chang, a 62-year-old lawyer from Pelham, N.Y., life came undone during a windstorm on a Sunday morning in January 2016. He was lying in bed texting his daughter when a 125-year-old tree from his yard crashed through his roof, landing just inches away. Trapped in his room, he waited for the fire department to free him.

Twenty months later, Mr. Chang is still waiting, mired in a protracted dispute with his insurance carrier over repair costs. The disagreement, partly of Mr. Chang's own making, could leave him on the hook for hundreds of thousands of dollars and illustrates some challenges homeowners face in the wake of disaster. "I am so worried that I will, in the end, be screwed," he said.

In 2015, 5.9 percent of insured homeowners filed a claim, with an average loss of $11,402, according to the Insurance Information Institute. How many claims come with headaches? A 2014 Consumer Reports survey found that of the six percent of respondents who filed claims for $30,000 or more, 41 percent reported complaints about things like disagreements over damages or coverage, delays or slow payouts.

"The bigger the claim, the more likely you're going to run into more resistance from the company," said Jeff Blyskal, a senior editor at Consumer Reports.

For homeowners facing what is often the biggest crisis of their lives, navigating a complex and sometimes resistant bureaucracy can be bewildering and exhausting.

In hindsight, the smell of burning toast should have tipped off Suzanne Kaufman. But September 27, 2010, was a busy morning in the Kaufman home, a 100-year-old bungalow in Glen Rock, N.J. Ms. Kaufman, a medical social worker who is now 43, rushed out the door to take her 3-year-old to preschool while the babysitter fed the 18-month-old baby. "Looking back on it, there was nothing toasting," she said.

In the few minutes it took to dash from her car to the classroom, Ms. Kaufman missed five calls from the babysitter. The baby was O.K. The house was on fire. Ms. Kaufman heard sirens in the distance and knew they were for her.

She returned home to watch the house that she and her husband, Matthew Kaufman, a lawyer who is now 44, had owned for 20 months burn. By late afternoon, the adjuster from the insurance company charged with assessing the damages was surveying the smoldering property. The loss was total.

"It was like, boom, your house is boarded up," Ms. Kaufman said.

Vendors, like contractors and companies that remediate smoke, descended on the property. "People are slipping cards under your door, and you just don't know what to do," she said. "You are just freaking out."

Among the business cards being pressed into your hands will be those of some public adjusters, independent insurance experts who can navigate the process for you, albeit for a hefty fee. In New York State, public adjusters can charge as much as 12.5 percent of your settlement. Ms. Kaufman did not see a need for one because at the time she wasn't working, and she planned to dedicate her waking hours to the task of rebuilding her home. But some homeowners, particularly those with limited time, view a public adjuster as an advocate well worth the fee.

USAA, the family's insurance carrier, had a list of preferred vendors. But were they the best ones? In the end, the Kaufmans decided to go with a contractor recommended by a family member.

The policy would rebuild the house to its original condition, but the Kaufmans thought maybe they should use this rebuilding to expand. Insurance, however, is intended to make you whole again, not bankroll a new

addition. So how would they finance improvements? Contractors advised them to tear the house down to the foundation. USAA initially objected, but eventually relented, and the Kaufmans eventually moved into a much larger home. There was "a lot of negotiating every step of the way," Ms. Kaufman said. "None of this just happens."

Suffer an isolated event, and chances are your insurance adjuster will arrive within a day. That equation changes if you suffer a loss during a natural disaster like a hurricane. Just getting anyone to show up can take days, or weeks.

"If you have a big catastrophe and the television cameras are around, the insurance companies are handing out checks for additional living expenses," said J. Robert Hunter, director of insurance for the Consumer Federation of America. But "when the big claims start to roll in, that's when the trouble starts."

On the night of October 29, 2012, as Hurricane Sandy bore down on New Jersey as a tropical storm, Casey Kait and Stephen Weiss struggled to convey the gravity of their situation to their insurance carrier, USAA. They had been putting their two young children to bed when a 100-year-old pin oak tree fell onto their four- bedroom home in South Orange. The family fled to a neighbor's house, where they called 911 and USAA.

"It was Sandy, so they were getting calls from everywhere," Ms. Kait, 41, a hiring manager, said of USAA. "They said, 'We'll send somebody in a week.'" (Mr. Weiss, 42, works in marketing.)

Days passed, and the family still had not seen an insurance adjuster. "I remember getting Mama Bear," Ms. Kait said about one pivotal phone conversation with an agent. "I was like, 'I have two young children and no house.' " That got the agent's attention. Within an hour, an adjuster called, telling Ms. Kait that he would be at her door by 10 a.m. the next morning.

There was no small measure of haggling with insurance adjusters during the process, but nine months after the storm, Ms. Kait

and her family moved back into a fully restored house.

Standard insurance policies do not cover everything. Flood damage requires a separate policy usually backed by the National Flood Insurance Program, although a few private insurers provide it independently. Only about 12 percent of homeowners had flood insurance in 2016, according to the Insurance Information Institute, and most homeowners affected by Hurricane Harvey do not have flood coverage.

In 2015, water damage accounted for 45 percent of all property damage, according to the insurance institute, yet insurance policies often limit or exclude coverage for water-related damage from mold, a sump pump failure or a sewage backup.

"People worry about fires, which obviously make sense, but the reality is that water losses are 13 times more likely to occur," said Annmarie Camp, an executive vice president at Chubb Personal Risk Services. "I know we're in the middle of a hurricane, but it's a very strong likelihood that homeowners will suffer an internal water leak."

Unless your policy covers the replacement cost of your belongings, you might receive only a fraction of the money needed to buy a new sofa. About 60 percent of homes are underinsured, according to Consumer Reports.

You might also have to fight for payment even for losses that are covered. Ms. Kait and Mr. Weiss of South Orange argued with an adjuster about the extent of damage to some of their possessions. The adjuster thought furniture in the children's rooms that had been covered in debris could be cleaned and reused. The couple disagreed. Overwhelmed by the tasks ahead, Mr. Weiss and Ms. Kait didn't fight every battle. "To

be honest, we let a lot of things go," Ms. Kait said. "You don't have time to go over every item in your life and fight about it when you're trying to get your life back."

Some battles can drag on for months.

More than a year and a half after a fallen tree made his Pelham home uninhabitable, Mr. Chang is still sparring with Travelers, his insurance carrier. The dispute hinges on competing estimates for repairs. Travelers estimated it would cost $224,000 to repair the home. An engineer that Mr. Chang hired estimated the work could cost as much as $808,000. The roof, chimney, second story and parts of the first floor needed to be rebuilt.

Typically, when the estimates don't line up, the homeowner's contractor hammers out a compromise with the insurance adjuster. But Mr. Chang instead invoked a formal resolution process known as appraisal, where both sides hire an independent appraiser and a mediator may be appointed to break an impasse. This process, however, can lengthen and complicate matters.

The case lingered, in part because Mr. Chang traveled frequently for work and was not able to monitor the appraisal process closely. After eight months of living in temporary housing paid for by Travelers, Mr.
Chang withdrew his appraisal demand and tried to restart direct negotiations with Travelers, but Travelers opted to stick with the appraisal process.

To keep a dispute from escalating, consumer advocates suggest that homeowners navigate the insurance process with caution from the very first call until the final check is cut. "Start by trusting the company," said Mr. Hunter, of the Consumer Federation. "But you do it warily, and you do it professionally." Keep notes of conversations and copies of correspondence and receipts. If you run into trouble with the claims department, contact the public relations department. Hit enough roadblocks and you may need a lawyer.

Last October, Mr. Chang began rebuilding his house, despite having no resolution on the total amount that Travelers would pay. He paid for some of the $425,000 of work with a partial payment of around $185,000 from Travelers, and the rest with savings. "I'm not trying to be unjustly rich, I just want to make up what I've lost," Mr. Chang said. "I just want to be made whole."

Mr. Chang's case has been further complicated by the fact that even though he was still living in an apartment paid for by Travelers, he rented his house in July to a tenant for $7,700 a month. The house was listed for rent in May when the work was completed as a "totally renovated Pelham Heights home," according to Zillow. Mr. Chang said he needed the rental income to offset the money he put into the renovation. He said he plans to move out of the Travelers apartment later this month, into a vacant house in Port Chester, N.Y., that belongs to his mother.

Travelers estimates that it has paid nearly $500,000 to repair Mr. Chang's home, replace damaged property and cover additional living expenses for his family, according to a statement from Matt Bordonaro, a Travelers spokesman. The case now is before a mediator whose decision will be binding.

Even if your insurance carrier agrees to pay for home repairs, you may not see the money right away. If your home has a mortgage, checks for repairs to the dwelling will likely be made to both you and your lender. Your bank will often hold onto the money, dispensing it as the work is done, adding another layer of bureaucracy and, often, delay.

Nearly a year after fire destroyed his Glen Rock home, Mr. Kaufman marched into his mortgage lender's office in Hoboken, N.J., demanding his insurance money. The bank would not release an $80,000 payment

from the insurance company, for reasons that have not been made clear to Mr. Kaufman. But the work was nearly done and bills needed to be paid. "I had a large blowout with the bank president," Mr. Kaufman said.

Rather than continue to fight with the bank, the Kaufmans borrowed $80,000 from Mr. Kaufman's parents. Eventually, the bank released the money.

In a blog called "From Fire to Fabulous," Ms. Kaufman chronicled her experience, starting with the day the house was torn down to the foundation. "We poured glasses of Korbel to mark the occasion," she wrote.

Sixteen months after the fire, the Kaufman family moved back home. At 3,000 square feet, the new house is twice as large as the previous one, with an open floor plan, large kitchen and four large bedrooms. Mr. and Ms. Kaufman paid for the addition, about a third of the rebuilding cost, separately. "Everyone says, 'Your house is amazing,'" Ms. Kaufman said. "But I really wouldn't recommend going through this to anybody."

Harvey Damaged At Least 200 Houston Schools

Huffington Post
By By Travis Waldron September 8, 2017

Hurricane Harvey wreaked havoc on the Houston Independent School District — the largest public school system in Texas and the seventh-largest in the United States — forcing school closures and disrupting the lives of hundreds of thousands of students and teachers.

As of last Friday, district officials reported that each of the 200 school-related facilities they'd inspected had sustained damage from the hurricane, which was later downgraded to a tropical storm. An additional 100 facilities likely face similar problems, but have been inaccessible because of flooding or other circumstances, Richard Carranza, the district's superintendent, told HuffPost.

Jonathan Bachman/Reuters Evacuees in Vidor, Texas, rescued from the floodwaters of Tropical Storm Harvey run toward a school bus bound for Louisiana on Aug. 31, 2017.

Schools in other Houston-area districts have also suffered damage. But if Hurricane Katrina, which struck the Gulf Coast in 2005, is any indication, the worst of Harvey's effects on education are still ahead. Katrina, which displaced more than 370,000 students in Mississippi and Louisiana, created a lost generation of students who were forced from their homes and schools. As a result, their academic achievement was lower, their dropout rates were higher, and they struggled with joblessness even a decade after the storm.

School officials in Houston, which took in more Katrina evacuees than any other city, are leaning on the research, experiences and improved technology that came out of Katrina to implement plans to reduce Harvey's worst possible consequences for children — and to prevent the storm from negatively impacting students for generations to come.

Houston schools will provide three free meals a day to every student during the upcoming school year, an expansion of an existing program. The district has also organized food and clothing drives with neighboring districts. When students and teachers return to school next week, crisis counselors will be waiting for them. Houston's district will also use technology to identify and track displaced and homeless students, Carranza said, a crucial step in implementing the lessons learned from Katrina.

But Houston can't successfully mitigate Harvey's worst educational impacts on its own. The school district has already faced crunched budgets and potential funding shortfalls. Experts who studied the aftermath of Katrina say an influx of money is necessary to hire staff and implement full recovery programs for displaced students who will need years of academic and emotional support.

And although the House of Representatives will take up its first Harvey-related legislation this week — a $7.85 billion relief package that will help the Federal Emergency Management Agency continue its efforts in Houston and other affected areas — Congress' crowded docket and looming spending fights could imperil future relief funding, included the sort of targeted education funding school districts need.

'The Needs Of Kids Will Outlast The Patience Of Adults'

For the vast majority of students, merely returning to the normalcy of school and receiving early counseling will be enough to recover, or come close to it. A year after Hurricane Andrew hit Florida in 1992, nearly 80 percent of students had recovered from the psychological trauma they experienced because of the storm, according to researchers. Even after Katrina, 71 percent of students had similarly recovered within two years of the storm making landfall, similar research found.

But for some students, recovery will take longer — and that's where Houston and other affected districts need to avoid the biggest post-Katrina mistakes.

A year after Katrina made landfall, students the storm displaced missed more days of school and had lower rates of achievement than they did before the hurricane, according to Dr. Michael Ward, who, as an education professor at the University of Southern Mississippi, studied Katrina's effects on students who moved schools.

But their rates of suspension and discipline for misconduct also fell, suggesting that teachers and administrators were more understanding and lenient than they typically had been — that they "really worked hard and really went out of their way to make sure that kids who had been displaced and suffered worst got the support and the help they needed from teachers," Ward said.

Five years after Katrina, however, rates of suspension for displaced students had skyrocketed beyond their pre-storm levels, and Mississippi's Katrina kids were twice as likely to drop out of school than students the storm hadn't displaced, Ward found. (The numbers were likely similar in Louisiana, he said.)

"So the lesson there appears to be that, if you're not thoughtful — if the adults in the process are not thoughtful — what will happen is that the needs of kids will outlast the patience of adults," Ward said. "Unless there's a system for keeping track of kids who were displaced, the next school year they may end up with a teacher who doesn't know they experienced that sort of trauma. Two years out, five years out, it's kind of old history — except for the kids."

Houston and other districts, Ward said, will "need to maintain support systems around these kids for multiple years."

The most vulnerable children — kids from poorer families and students of color — are particularly likely to suffer from the hurricane. Harvey has already had a disproportionate impact on those communities, and the demographics of Houston's public schools — in 2016, 62 percent of its students were Hispanic or Latino, while another 24 percent were African-American — suggests the educational outcome could be similarly unequal.

Scott Olson via Getty Images Volunteers and students from Houston's C.E. King High School help clean up the school in the aftermath of Tropical Storm Harvey on Sept. 1, 2017.

How The Federal Government Can Help

Texas doesn't have any near-term plans to provide extra money to help Houston and other school districts deal with the educational effects of Harvey. DeEtta Culbertson, a spokeswoman for the Texas Education Agency, said she was not yet aware of any plans for the state to step in to provide such funding, and last week, Gov. Greg Abbott (R) said he would not call a special legislative session to seek Harvey relief funding.

That leaves the feds. After Katrina, Congress approved $880 million in federal funding to assist school districts that took in displaced students, intended to help them hire staff and provide support to students in need.

As part of the package, Congress granted each district $1,500 per displaced student, allowing districts to provide basic education services, reopen schools, and operate temporary facilities. But many districts said that funding fell short of what they needed, according to a 2011 assessment from the Government Accountability Office, and only three of the 13 districts the GAO observed reported using the funds to hire new staff.

Hiring new counseling staff may be especially important in Texas. The state employs one school counselor for every 465 students,

said Jill Cook, the assistant director of the American School Counselors Association, which recommends a ratio of one counselor for every 250 students.

School districts also reported that the verification process for the aid program proved challenging, according to the GAO. And district leaders told the agency that they were overly cautious in how they spent the money because they were unsure what costs it covered and feared they would have to return misused funds to the federal government.

Much of the federal aid, meanwhile, provided assistance only for the school year immediately following Katrina, even though children and their schools continued to deal with the storm years after it devastated the Gulf Coast. A federal package that helps avoid the failures of Katrina's recovery may need to be more ambitious than Congress' package a decade ago.

Members of Congress have held committee-level discussions about education relief funding, though no dollar figure has been floated yet, one House Republican said. Carranza, the Houston superintendent, said that he has heard "good rumblings" from lawmakers about "federal support for all of the students who have been displaced and students who will be actually homeless."

The good news, Ward said, is that Katrina led to loads of new information about what does — and doesn't — help schools recover after a storm. The challenge now is to apply those lessons.

"It's a worst-case scenario," Ward explained. "Katrina was a 500-year flooding event, and you hope that we'd have been spared something that catastrophic. But here we are again, and I'd like to hope that the research and the dissemination of that research after Katrina is helping Texas school districts now."

Matt Fuller contributed reporting.

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Volunteers/Donations/Charities

J.J. Watt fund surpasses $30 million for Harvey relief

KHOU-TV, Houston September 8, 2017

HOUSTON - Houston Texans star J.J. Watt has now collected more than $30 million for flood victims following Hurricane Harvey.

The fund has far outgrown the original $200,000 goal, surpassing the $30 million mark on Friday.

Over 197,000 people have made donations to the fund as of Friday night, according to the You Caring page.

On Wednesday morning the fund received a boost in the form of a $5 million personal donation from Charles Butt, CEO of H-E-B.

RELATED: How H-E-B kept stores stocked after the storm

"The love that I have developed for this city... I feel like it's one big family," Watt said in a news conference. "It feels like everyone is stepping up."

The fund will close at 5 p.m. on Friday, September 15.

Texas Flood Relief Planned

Columbus (IN) Republic September 9, 2017

Two local churches are forming work teams to help to residents in southeast Texas who have lost their homes to flooding.

Volunteers from Asbury United Methodist Church and St. Peter's Lutheran Church will work through national relief organizations to determine where the teams will provide help, pending approval from emergency management officials.

No one goes to a disaster site unaffiliated and uninvited, said Steve Ferdon, who helps direct Asbury's Disaster Response Team known as DiRT.

Asbury teams will be working through UMCOR, the United Methodist Committee on Relief, the church's international relief

organization.

Teams from St. Peter's Lutheran Church are being formed and will work with Samaritan's Purse, an organization that had volunteers come to Columbus to help with relief work after the city's 2008 flood, said Greg Patterson, who has worked on several relief trips with his wife Thecla through St. Peter's.

Planning timing of trips

At the earliest, local volunteer teams will travel to the Houston, Texas, area later this year, then return in the spring, after the first wave of cleanup begins, Ferdon said.

Asbury hopes to put together a team of at least 20 adult volunteers to travel to the flood-stricken area in November or December, and then return sometime between late March to May.

Ferdon said local residents should recall what happened during Columbus' flood of 2008 to remember why it is crucial for volunteers to arrive months after the disaster.

The first month or so after water recedes, property owners scramble to clean out their flood-damage homes, get assessments and try to determine how they are going to repair their homes, he said.

"They become emotionally tired, physically tired," he said. "That's when people like us come in from around the country. We come in and we work."

Patterson said St. Peter's is thinking about a week in mid-October to do its relief trip, working with Samaritan's Purse to schedule where and what the team will be doing.

Samaritan's Purse volunteers came to Columbus in 2008 to help local residents, something St. Peter's volunteers remember, he said. The national relief organization provides semi trailers full of every tool imaginable to help the work crews in their mission.

Ferdon said most of the teams will be helping families that have flooded-out homes that don't have insurance and do not have enough resources to even begin a repair or renovation.

Crews will "muck out" the homes, taking them down to the studs and allowing the structure to dry out, he said. Then the Asbury teams will return in the spring and put the homes back together again — one doing drywall, another doing roofing — as the repairs are done in stages.

"It's not for the faint of heart," Ferdon said of the work, saying it is physically demanding and stressful.

Workers will be picking up and moving heavy objects, moldy materials and other debris, Ferdon said. They will become familiar with using a shovel and chain saws, he said.

The teams have to be self-sufficient and often partner with area churches to provide lodging space, where teams utilize sleeping bags on foam mats and shower in disaster-relief shower trucks provided by FEMA, or the national relief organizations. Many churches in the disaster zone agree to feed the teams with their own resources during a team's stay.

Patterson said Samaritan's Purse will organize all the resources needed for St. Peter's team, and church members have already begun contributing money that will pay for a rental van for transportation and gas and food expenses for the trip south.

Lessons to learn

For those working with UMCOR, Ferdon said volunteers must take early response team training, which he is organizing now as people sign up to be on an Asbury team.

During the training, volunteers learn what they can and cannot do at a relief site, how the chain of command works with emergency management, and how to be safe on a job site, he said.

In addition to advising residents not to plan relief trips to Houston on their own, he also advised against putting together truckloads of items and taking them to the disaster zone.

He remembers one relief effort when volunteers received a crate of taco sauce, and another — the Henryville tornado site — where a semi rolled up loaded with green beans.

"Donate money to the Red Cross," Ferdon said of the more effective way of helping flood victims. Patterson said he and

his wife normally don't talk about going out on relief trips.
"We feel we are serving for God and no one really knows about it," he said.

As a seed corn salesman for Stewart Seeds, Patterson said during harvest time he's usually talking to farmers in their harvest vehicles. But the farmers understand, as does his employer, when he wants to do mission work.

"They came here for us," Ferdon said of the Texas volunteers who arrived in Columbus to help local residents in 2008. "That's why we do it."

To learn more about UMCOR, which is the United Methodist Committee on Relief, visit umcor.org/

To learn more about Samaritan's Purse, a nondenominational evangelical Christian organization providing spiritual and physical aid to hurting people around the world, visit samaritanspurse.org

For more information about the teams from Columbus going to southeast Texas for flood relief, call: Asbury United Methodist

Church: 812-372-4555
St. Peter's Lutheran Church: 812-372-1571

Beyonce volunteered to help Houston residents affected by the recent hurricane

The Telegraph News Our Foreign Staff
September 9, 2017

Beyonce returned to her home town of Houston, Texas, to show support to residents affected by Hurricane Harvey.
The singer was joined by her mother Tina and former Destiny's Child bandmate Michelle Williams as they volunteered to hand out meals to families devastated by the storm.
The powerful hurricane, which was a Category 4 storm when it hit Texas on August 25, caused historic devastation and widespread flooding.

In a video shared by Tina on Instagram, Beyonce, 36, can be seen sporting plastic gloves to serve green beans into polystyrene containers. In the caption, she said it was the third stop of the day after her daughter sponsored a luncheon for 400 people affected by the hurricane at her local church, St John's, before they paid a visit to the George R Brown convention centre to meet people displaced by the flooding.

The hurricane brought catastrophic flooding to Houston Credit: David J. Phillip/AP

She added: "It was fun unloading the truck and organising the sizes. Please keep the donations coming! Thats Michelle Williams at the beginning of line, serving the chicken, Beyonce on Green beans and me on bread duty. Ingrid over there serving deserts."

A boy plays amongst water-damaged property as the Houston clean-up continues Credit: CHRISTOPHER ALUKA BERRY/REUTERS
Beyonce also announced last week that she is aiding Hurricane Harvey victims through her BeyGOOD Houston relief initiative.

Brock Long, the director of the Federal Emergency Management Agency (FEMA), called Harvey the worst disaster in Texas history, and expected the recovery to take many years. Preliminary economic losses are estimated at between $70 and $200 billion, with a large portion of the losses sustained by uninsured homeowners.

'This is human kindness': Hurricane Katrina survivors help Houston after Harvey

Today

By Meghan Holohan September 9, 2017

Soon after Hurricane Katrina, Connie Uddo was sitting with a friend in an iHop in Kingwood, Texas, where she was living after she was forced to evacuate New Orleans in 2005. She had just learned that she and her two children wouldn't be able to return to their home to salvage their belongings and start rebuilding their lives.

"My husband tells me,'I don't think I am going to be able to get us home. Keep the kids in school and find an apartment,'" she told TODAY. "I just lost it."

After experiencing the kindness of people in Houston after Katrina, Connie Uddo knew she wanted to help out. She is coordinating volunteers to help muck and gut houses in Houston.
As Uddo cried, two women came over and began comforting her.

"They literally sat at our table and just ministered to us and prayed with us and hugged us and comforted us," she said.

When Uddo went to pay for her bill, she was overwhelmed with gratitude after learning another stranger had already covered it.

"That's what Houston gave to me. They gave me strangers seeing me crying at the table who came up to me and loved on me," she said. "This is human kindness."

Uddo eventually returned to Louisiana and helped rebuild her neighborhood, Lakeview, which was one of the hardest hit areas after Katrina. She founded several nonprofits, including NOLA Tree Project — which is reforesting New Orleans after the devastating storm — and St. Paul's Homecoming Center — which started as a welcome center at her house.

After seeing the devastation from Hurricane Harvey, Uddo quickly packed up her recovery van, which is equipped for gutting and mucking houses, and drove straight to Houston just a few days after the storm hit.

"I knew I had to go," Uddo said.

New Orleans residents saw damage in Houston and wanted to help in any way they could. Many of them remember how kind Houston was to their city after Katrina.

In the past, Uddo has organized as many as 200 volunteers at a time to help people demolish homes and hopes to bring more to Texas post-Harvey. She is also trying to help Houstonians avoid mistakes that many experienced in New Orleans during the recovery by warning them about contractors who try to defraud them by citing outlandish prices for tasks like black mold removal.

But, more importantly, she is sharing her message of hope with survivors.

"We can tell you 'We've been through this and you're going to be okay. You are going to be better than okay. You are going to find you are going to be stronger, more resilient,'" she said.

Uddo is not the only New Orleans resident who remembers Katrina and the kindness of Houston. Henry Heaton was just 15-years-old when his family was evacuated in 2005. At the time, Heaton's family owned a ranch house near one of the breached canals. After the storm, the property was entirely underwater.

"My family had some friends in Houston and they found them a temporary home," he told TODAY. "Friends who took them and made them feel at home."
=
While Houston residents need help mucking and gutting houses, volunteers from New Orleans also provide hope because they're proof that recovery can happen.

When Heaton returned to New Orleans, he met Uddo's daughter, Stephanie, and they became close. When Uddo was looking for volunteers for this weekend's trip, he signed up immediately.

"My heart went out to Houston because I know exactly what was going on," he said. "New Orleans wouldn't be what it is without all the volunteers who got on a plane and went down there."

He, too, remembers seeing his waterlogged home for the first time and not being able to stay long because it felt too overwhelming. He also remembers how small but kind gestures made a huge difference.
"A hug goes a very long way," he said. "Talking to someone who has been in your place and saw what you have been through, it will help."

For others, being able to give people a meal or a bottle of water feels powerful. Ryan Fitzmorris and his brothers, Jim and John, who are all survivors of Hurricane Katrina, remember how Houstonians provided so much support to New Orleans as it was being rebuilt.

"I got to do something," he told TODAY. "I have two beautiful sons and if I was in this situation I want someone to help me."

Many people from New Orleans went to Houston to help in recovery from Hurricane Harvey.

Fitzmorris, who has since moved back to New Orleans and now owns a recovery business, recently started a GoFundMe campaign to raise money to buy supplies for Houston. Over Labor Day weekend, he filled a 26- foot truck with food, water, diapers, and wipes, along with specialty requests like bug spray, citronella candles and chainsaws, and took it to Port Arthur.

He's currently accepting donations to fill the truck again to take to Rockport on Sunday, Sept. 10.

"It is overwhelming. All I did was step up," he said. "I think it's more than just kind of going there and dropping off the valuables. It is letting them know you are not by yourself."

Texas Connects Us: Helping Hurricane Harvey Victims

KXAS-TV, Dallas By Kris Gutierrez
September 9, 2017

While North Texans weren't directly impacted by Hurricane Harvey, the storm certainly stirred up an awakening.

Many businesses and churches are raising money and collecting donations to send down to Houston, to help victims.

At Valley Creek Church in Lewisville, volunteers are working to fill more boxes. "It's going to have diapers, pull ups, wipes, the works," said one volunteer.

Whether it's toiletries, food or brand new clothes, each box is filled with more than just necessities. The volunteers make sure each one is packed with love.

"There's something that happens whenever you get to do something like this, " said campus pastor Ben Moreno. "It's like there's something in your heart that is awakened. It's like you are awakened to the purpose of why we are here, it's to love one another, to love your neighbor."

Valley Creek has turned its Next Steps center into a central hub for Harvey relief.

"We felt there was a huge call to action whenever hurricane Harvey hit, " Moreno added.

He's been blown away by the generosity of others as 2,000 volunteers helped sort and pack all the donations. For Stacy Russell, it's much bigger than just giving her time.

We've all seen incredible rescues out of Houston and the Gulf Coast. Now NBC 5 introduces you to some of the rescuers. One team in the Houston Police Department saved 3,000 lives.(Published Wednesday, Sept. 6, 2017)

"As we're teaching our girls at home about God and serving others, what better way to do this first hand then to come here and see what people have donated and see what people have done, " she said.

The church's offices look like war rooms, with maps and diagrams to strategize where the donations will go. So far, six semi-trucks, with more than 2,700 boxes have gone out.

Matt Nelson drove the first truck down to Houston.

"Whether you're dry or wet, rich or poor, no matter where you are in the world, you can help and you can make a difference, " he said.

This is what church looks like. Giving and receiving.

"We keep sending out truck loads and it's still full of donations, and I love that," Moreno added. "That's connecting Texas."

Click here to see the items Valley Creek Church is collecting. The church hopes to send one truck down to Houston each day until Sept. 15.

Social Media

FEMA Conversation

Public Conversation:

- There was a slight increase in inquiries on our official social media accounts last night and today, especially regarding delays in getting homes inspected. Top topics:
  - Housing inspections: waiting for the inspectors and complaints about inspectors. (Example 1, Example 2, Example 3)
  - Frustration over not yet receiving funds (Example 1, Example 2)
- Frustration with finding hotels that will participate in the Transitional Sheltering Assistance program continues, as residents are still reporting that they could not find participating hotels with room. People are using their personal social media profiles to ask each other how to identify which hotels accept "FEMA vouchers", rather than asking the official FEMA accounts directly. (Example 1, Example 2, Example 3)
- There was a large increase in Harvey-related conversation on the national level last night due to negative reactions to the President's tweet about churches being entitled to FEMA assistance. Most reactions state that the churches should not receive funds because they do not pay taxes.
  - Some of the public are expressing that the churches are seeking funds to be able to provide more for survivors; others still disagree with these views. (Example 1, Example 2)
  - The amount of people who feel that churches should receive funding for them opening their doors to help survivors are very low.
- There is a relatively small but steady number of people sharing information about getting hired to work for FEMA to help Hurricane Harvey survivors. Most of these posts are simply passing the information along to anyone who may be interested in applying. (Example 1, Example 2)

Operations

Recovery:

- Facebook community groups are actively collecting volunteer offerings, services, and supplies in lists that are being updated daily. Volunteers are primarily asking where to deliver items and which neighborhoods need help with mucking out homes. Many residents are sharing the Crisis Clean Up hotline (800-451-1954) for those who want to request assistance.
  - Katy area list

- Residents in Rockport are reporting a variety of donation collections and discussing the need for a more organized way of managing all donations in the area. There is concern that people who are seeking specific items are having a hard time finding them because of the multitude of locations where ad hoc collection drives are being held.

Mass Care:

- There have been a few posts from residents in the George R. Brown shelter in Houston expressing concern about the conditions inside. These posts are receiving high amount of attention from other social media users, and most are

expressing negative sentiments towards the Red Cross and shelter volunteers. (Example 1, Example 2)

Public Health:

- Free medical care and tetanus shots are still being announced in various locations across the affected area.
  - Rosenberg
  - Friendswood
  - Jefferson
- As of 1204 ET, Jefferson County Emergency Management announced that the Texas Dept. of State Health Services would begin contract mosquito control spraying and also requested FEMA assistance for additional mosquito control.

Transportation:

- As of 0910 ET, a local Fort Bend County news outlet posted an article explaining that tolls will resume on Sept 11th.

Public Perception

- Conversations among the affected community continue to highlight successful efforts in recovery, with many people expressing thanks to volunteers and businesses that have helped out. The hashtag #HoustonStrong continues to be frequently used to highlight these positive stories. (Example 1, Example 2)
  - Celebrity visits (such as Beyoncé and Janet Jackson) and donations are among the most frequently discussed recovery topics. (Example 1, Example 2, Example 3)
  - Both Texas residents and non-residents are responding positively to Governor Greg Abbott's tweet explaining that the commission to rebuild Texas has already stated working towards rebuilding.
- There are multiple posts from local Port Arthur and Beaumont residents describing the living conditions as horrible, along with people needing help receiving food, water, and other basic living supplies. (Example 1, Example 2, Example 3)

Rumors/Misinformation

- There are no new significant rumors or misinformation at this time.

.

Thank you

Message

From: Germann, Sandy [Germann.Sandy@epa.gov]
Sent: 9/8/2017 6:49:37 PM
To: Letendre, Daisy [letendre.daisy@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Scheraga, Joel [Scheraga.Joel@epa.gov]
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

He's out today, would try him at Ex. 6

Sandy Germann
US EPA Office of Policy
202-631-0272
germann.sandy@epa.gov

From: Letendre, Daisy
Sent: Friday, September 08, 2017 2:48 PM
To: Germann, Sandy <Germann.Sandy@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Scheraga, Joel <Scheraga.Joel@epa.gov>
Subject: Re: Info Needed on Superfund Cleanup, Reporter on Deadline

Joel what's the best number to reach you at? Can I give you a quick call?

Sent from my iPhone

On Sep 8, 2017, at 2:17 PM, Germann, Sandy <Germann.Sandy@epa.gov> wrote:

Hi Michael,

Deliberative Process / Ex. 5

I'm adding Enesta, who received the inquiry. She reports the DDL is 3 pm.

Sandy

Sandy Germann
US EPA Office of Policy
202-631-0272
germann.sandy@epa.gov

From: Abboud, Michael
Sent: Friday, September 08, 2017 12:48 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Thanks Sandy, so does this website include the report she is referring to? Or is that statement below the only information we have on the report?

From: Letendre, Daisy
Sent: Friday, September 8, 2017 12:40 PM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Thanks Sandy – looping in Michael Abboud.

From: Germann, Sandy
Sent: Friday, September 8, 2017 12:22 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: FW: Info Needed on Superfund Cleanup, Reporter on Deadline

Daisy, See request below. I expect the statement she's asking about is from the OLEM (formerly OSWER) Climate Change Adaptation Plan. I found this statement below via this page: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts. Please advise on how you'd like to handle.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone.

Sandy Germann
US EPA Office of Policy
202-631-0272
germann.sandy@epa.gov

From: Jones, Enesta
Sent: Friday, September 08, 2017 12:12 PM
To: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>
Subject: Fwd: Info Needed on Superfund Cleanup, Reporter on Deadline

Did we do this or OLEM?
From: Sharon Zhang <szhang@tnr.com>
Date: September 8, 2017 at 12:10:14 PM EDT
To: Press <Press@epa.gov>
Subject: Info Needed on Superfund Cleanup, Reporter on Deadline

Hello!

I'm Sharon Zhang, a research assistant to Emily Atkin at the New Republic. I'm looking for a 2012 report described in this quote from an AP piece:

"Under the Obama administration, the EPA conducted a nationwide assessment of the increased threat to Superfund sites posed by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the 2012 study, 521 were determined to be in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites in coastal areas could also be vulnerable to rising sea levels."

I poked around the climate change adaptation part of the Superfund page of the EPA website, but it appears it's no longer there. Could you confirm that that is no longer on the website, or if it's moved, could you point me to the location?

Thank you so much! Have a good one.
Sharon Zhang

To: Abboud, Michael[abboud.michael@epa.gov]
From: StClair, Christie[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]
Sent: Fri 9/8/2017 6:41:01 PM (UTC)
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Here if you need me to help!

From: Abboud, Michael
Sent: Friday, September 08, 2017 2:33 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Gotcha, we're looking for a link right now.

From: StClair, Christie
Sent: Friday, September 8, 2017 2:31 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Michael, the last inquiry we handled on the Climate Change Adaptation Plan was also for Superfund.

The reporter was Sylvia Carignan from BNA. Here's the final response we sent her:

The agency is refocusing its efforts on a comprehensive back-to-basics strategy that maintains core environmental protection with respect to statutory and regulatory obligations.

From: Abboud, Michael
Sent: Friday, September 08, 2017 2:03 PM
To: Sharon Zhang <szhang@tnr.com>
Cc: Press <Press@epa.gov>
Subject: Re: Info Needed on Superfund Cleanup, Reporter on Deadline

Hey Sharon, I'm working on your request. Hope to have something back to you soon.

Sent from my iPhone
On Sep 8, 2017, at 2:02 PM, Sharon Zhang <szhang@tnr.com> wrote:

> Hi, any word on this?
>
> Thanks!
>
> On Fri, Sep 8, 2017 at 12:27 PM Sharon Zhang <szhang@tnr.com> wrote:
> Also, I just noticed that the Superfund page that I referenced in my first email no longer mentions the EPA's Climate Change Adaptation plan, a mention that was removed in March. I'm hoping you can tell me why was it removed? And does the Superfund program still use that climate change adaptation plan?
>
> Thanks!
> Sharon
>
> On Fri, Sep 8, 2017 at 12:23 PM, Sharon Zhang <szhang@tnr.com> wrote:
> I'd love a response on this asap, please! We're on deadline for 3pm.
>
> On Fri, Sep 8, 2017 at 12:10 PM, Sharon Zhang <szhang@tnr.com> wrote:
> Hello!
>
> I'm Sharon Zhang, a research assistant to Emily Atkin at the New Republic. I'm looking for a 2012

report described in this quote from an AP piece:

"Under the Obama administration, the EPA conducted a nationwide assessment of the increased threat to Superfund sites posed by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the 2012 study, 521 were determined to be in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites in coastal areas could also be vulnerable to rising sea levels."

I poked around the climate change adaptation part of the Superfund page of the EPA website, but it appears it's no longer there. Could you confirm that that is no longer on the website, or if it's moved, could you point me to the location?

Thank you so much! Have a good one.
Sharon Zhang

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/8/2017 6:18:07 PM
To: Germann, Sandy [Germann.Sandy@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Letendre, Daisy [letendre.daisy@epa.gov]; Scheraga, Joel [Scheraga.Joel@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: Info Needed on Superfund Cleanup, Reporter on Deadline

+ Nancy

On Sep 8, 2017, at 2:17 PM, Germann, Sandy <Germann.Sandy@epa.gov> wrote:

Hi Michael,

Deliberative Process / Ex. 5

I'm adding Enesta, who received the inquiry. She reports the DDL is 3 pm.

Sandy

Sandy Germann
US EPA Office of Policy
202-631-0272
germann.sandy@epa.gov

From: Abboud, Michael
Sent: Friday, September 08, 2017 12:48 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Thanks Sandy, so does this website include the report she is referring to? Or is that statement below the only information we have on the report?

From: Letendre, Daisy
Sent: Friday, September 8, 2017 12:40 PM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Thanks Sandy – looping in Michael Abboud.

From: Germann, Sandy
Sent: Friday, September 8, 2017 12:22 PM

To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: FW: Info Needed on Superfund Cleanup, Reporter on Deadline

Daisy, See request below. I expect the statement she's asking about is from the OLEM (formerly OSWER) Climate Change Adaptation Plan. I found this statement below via this page: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts. Please advise on how you'd like to handle.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone.

Sandy Germann
US EPA Office of Policy
202-631-0272
germann.sandy@epa.gov

From: Jones, Enesta
Sent: Friday, September 08, 2017 12:12 PM
To: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>
Subject: Fwd: Info Needed on Superfund Cleanup, Reporter on Deadline

Did we do this or OLEM?
From: Sharon Zhang <szhang@tnr.com>
Date: September 8, 2017 at 12:10:14 PM EDT
To: Press <Press@epa.gov>
Subject: Info Needed on Superfund Cleanup, Reporter on Deadline

Hello!

I'm Sharon Zhang, a research assistant to Emily Atkin at the New Republic. I'm looking for a 2012 report described in this quote from an AP piece:

"Under the Obama administration, the EPA conducted a nationwide assessment of the increased threat to Superfund sites posed by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the 2012 study, 521 were determined to be in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites in coastal areas could also be vulnerable to rising sea levels."

I poked around the climate change adaptation part of the Superfund page of the EPA website, but it appears it's no longer there. Could you confirm that that is no longer on the website, or if it's moved, could you point me to the location?

Thank you so much! Have a good one.
Sharon Zhang

Message

From: Germann, Sandy [Germann.Sandy@epa.gov]
Sent: 9/8/2017 5:01:24 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Letendre, Daisy [letendre.daisy@epa.gov]
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Will do.

Sandy Germann
US EPA Office of Policy
202-631-0272
germann.sandy@epa.gov

From: Abboud, Michael
Sent: Friday, September 08, 2017 1:00 PM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Could you reach out to him? If there is a link we could provide her that would be great.

From: Germann, Sandy
Sent: Friday, September 8, 2017 12:51 PM
To: Abboud, Michael <abboud.michael@epa.gov>; Letendre, Daisy <letendre.daisy@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

The statement I pasted in is available on the website currently. I suspect the statement she's asking about is from the program's climate adaptation plan. That should be available on the EPA archive site, but it's hard to find. I'm going through now. I'll continue to look for it unless I hear otherwise. I would also advise looping in Joel Scheraga. He could probably identify where this came from and how to access pretty quickly. Let me know if I should reach out to him. Thanks.

Sandy Germann
US EPA Office of Policy
202-631-0272
germann.sandy@epa.gov

From: Abboud, Michael
Sent: Friday, September 08, 2017 12:48 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

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Sent: Friday, September 8, 2017 12:40 PM
To: Germann, Sandy <Germann.Sandy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Info Needed on Superfund Cleanup, Reporter on Deadline

Thanks Sandy – looping in Michael Abboud.

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From: Jones, Enesta
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To: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Germann, Sandy <Germann.Sandy@epa.gov>
Subject: Fwd: Info Needed on Superfund Cleanup, Reporter on Deadline

Did we do this or OLEM?
From: Sharon Zhang <szhang@tnr.com>
Date: September 8, 2017 at 12:10:14 PM EDT
To: Press <Press@epa.gov>
Subject: Info Needed on Superfund Cleanup, Reporter on Deadline

Hello!

I'm Sharon Zhang, a research assistant to Emily Atkin at the New Republic. I'm looking for a 2012 report described in this quote from an AP piece:

"Under the Obama administration, the EPA conducted a nationwide assessment of the increased threat to Superfund sites posed by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the 2012 study, 521 were determined to be in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites in coastal areas could also be vulnerable to rising sea levels."

I poked around the climate change adaptation part of the Superfund page of the EPA website, but it appears it's no longer there. Could you confirm that that is no longer on the website, or if it's moved, could you point me to the location?

Thank you so much! Have a good one.
Sharon Zhang

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/7/2017 12:48:12 AM
To: Lincoln, Larry [Lincoln.Larry@epa.gov]
CC: Freeman, Caroline [Freeman.Caroline@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Harris-Young, Dawn [Harris-Young.Dawn@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]; Hill, Franklin [Hill.Franklin@epa.gov]; Chaffins, Randall [Chaffins.Randall@epa.gov]; Rigger, Don [Rigger.Don@epa.gov]; Davis, Anita [Davis.Anita@epa.gov]; Matory, Derek [Matory.Derek@epa.gov]; Denman, Bill [Denman.Bill@epa.gov]; Young, Nestor [Young.Nestor@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: FL Superfund Release

Thank you – good edits. We are sending now. Appreciate everyone's late night availability.

From: Lincoln, Larry
Sent: Wednesday, September 6, 2017 8:44 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Freeman, Caroline <Freeman.Caroline@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Hill, Franklin <Hill.Franklin@epa.gov>; Chaffins, Randall <Chaffins.Randall@epa.gov>; Rigger, Don <Rigger.Don@epa.gov>; Davis, Anita <Davis.Anita@epa.gov>; Matory, Derek <Matory.Derek@epa.gov>; Denman, Bill <Denman.Bill@epa.gov>; Young, Nestor <Young.Nestor@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: FL Superfund Release

Good to go Region 4 edits below:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

###

Sent from my iPhone

On Sep 6, 2017, at 7:49 PM, Graham, Amy <graham.amy@epa.gov> wrote:

> All – Here is the press release we are planning to send shortly. Please let us know asap if there are any factual inaccuracies. Thanks.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Freeman, Caroline
Sent: Wednesday, September 6, 2017 6:58 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Hill, Franklin <Hill.Franklin@epa.gov>; Chaffins, Randall <Chaffins.Randall@epa.gov>; Rigger, Don <Rigger.Don@epa.gov>; Davis, Anita <Davis.Anita@epa.gov>; Matory, Derek <Matory.Derek@epa.gov>; Denman, Bill <Denman.Bill@epa.gov>; Young, Nestor <Young.Nestor@epa.gov>

Subject: RE: in the messaging you are working on -- Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Good evening Everyone,

My suggested response regarding Homestead Air Reserve Base is as follows:

Deliberative Process / Ex. 5

Sincerely,
Caroline

From: Lincoln, Larry
Sent: Wednesday, September 6, 2017 6:50 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>; Falvo, Nicholas <falvo.nicholas@epa.gov>; Freeman, Caroline <Freeman.Caroline@epa.gov>
Subject: Re: in the messaging you are working on -- Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Looping in Caroline Freeman of R4. Caroline was researching any Homestead actions for that question.

Sent from my iPhone

On Sep 6, 2017, at 6:19 PM, Graham, Amy <graham.amy@epa.gov> wrote:

<image001.gif>
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Deliberative Process / Ex. 5

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Additional questions from AP:

1. Can I interview Shelby Johnston about management of the Miami Drum Services Superfund site? If not, please state a reason in writing.

2. Does EPA alert individuals near these sites who may be exposed to floodwaters or storm surge that is carrying some of the sites contamination?
3. The Homestead Air Force Base Superfund site is quite large, more than 2,000 acres. It was destroyed by Andrew and concerns are that if Irma were to make landfall the same could happen. Is EPA working to alert members of the community about possible flood water contamination?

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Subject: RE: in the messaging you are working on -- Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

More from the program:

Deliberative Process / Ex. 5

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
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See additional information from Region 4 Superfund (highlighted)

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Deliberative Process / Ex. 5

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Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
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From: Grantham, Nancy
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To: Lincoln, Larry <Lincoln.Larry@epa.gov>
Subject: in the messaging you are working on - Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

Message

From: Falvo, Nicholas [falvo.nicholas@epa.gov]
Sent: 9/7/2017 12:31:57 AM
To: Graham, Amy [graham.amy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Freeman, Caroline [Freeman.Caroline@epa.gov]; Lincoln, Larry [Lincoln.Larry@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Harris-Young, Dawn [Harris-Young.Dawn@epa.gov]; Hill, Franklin [Hill.Franklin@epa.gov]; Chaffins, Randall [Chaffins.Randall@epa.gov]; Rigger, Don [Rigger.Don@epa.gov]; Davis, Anita [Davis.Anita@epa.gov]; Matory, Derek [Matory.Derek@epa.gov]; Denman, Bill [Denman.Bill@epa.gov]; Young, Nestor [Young.Nestor@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: FL Superfund Release

Generally with federal facilities, as in Homestead AFB, we enter into agreements with the other federal agency. EPA oversees the work, but the other agency performs the work.

Sent from my iPhone

On Sep 6, 2017, at 8:10 PM, Graham, Amy <graham.amy@epa.gov> wrote:

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> **Subject:** Re: FL Superfund Release
>
> **Deliberative Process / Ex. 5**
>
> Sent from my iPhone
>
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> **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

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All – Here is the press release we are planning to send shortly. Please let us know asap if there are any factual inaccuracies. Thanks.

Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

More from the program:

Deliberative Process / Ex. 5

Larry

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More from the program:

Deliberative Process / Ex. 5

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Larry

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Sent: Wednesday, September 6, 2017 5:38 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Hill, Franklin <Hill.Franklin@epa.gov>; Chaffins, Randall <Chaffins.Randall@epa.gov>; Webster, James <Webster.James@epa.gov>
Subject: RE: in the messaging you are working on -- Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Good afternoon Larry,
In response to your question Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Lincoln, Larry
Sent: Wednesday, September 6, 2017 5:09 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Freeman, Caroline <Freeman.Caroline@epa.gov>
Subject: RE: in the messaging you are working on -- Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Remedial program is working on verbiage now – will have it in about 20 minutes or so.

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304

Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Grantham, Nancy
Sent: Wednesday, September 6, 2017 5:06 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>
Subject: in the messaging you are working on -- Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/6/2017 9:47:03 PM
To: Graham, Amy [graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: EPA - AP query: Harvey-related spills

Sending all AP reporters the same response once it's ready – a link to a press release.

From: Graham, Amy
Sent: Wednesday, September 6, 2017 5:41 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: FW: EPA - AP query: Harvey-related spills

What are we doing with this one? I assume he's working with Biesicker.

From: Gray, David
Sent: Wednesday, September 6, 2017 2:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: EPA - AP query: Harvey-related spills

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Wednesday, September 06, 2017 12:55 PM
To: Press <Press@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: AP query: Harvey-related spills

Greetings-
Relative to oil and chemical spills caused by Hurricane Harvey, I'm hoping to get some details about the EPA's oversight of oil and other fuel/chemical storage tanks.
We're seeing that most spills reported to National Response Center and state Railroad Commission to date came from storage tank failures.

Some questions follow. Hoping to get answers at earliest chance as they become available. We would like to turn this story around today if possible but realize this is an ongoing event:

-are there federal regulations governing what kind of flooding defenses/precautions are required of oil and other fuel storage tanks?

-Can you please tell me if the EPA is conducting any investigations into whether storage tanks (either at refineries/plants or oil production facilities) were properly secured for the storm?

-can you please provide details on all reports received by the EPA on chemical/oil/hazliquid/produced water spills as a result of Harvey, including source, volumes, cause, responsible party, etc? (realize this is a broad one so all guidance appreciated)

-broadly (and excepting the Crosby plant) has the EPA been able to assess whether the petrochemical/chemical industries were well prepared for the storm (perhaps compared to past events such as Katrina)?

Thanks for your time and all help-
Matt Brown

Matthew Brown
Associated Press Correspondent
PO Box 36300
Billings, MT 59107
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6
fax-406 896 8117

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To: Henderson, Dedre[Henderson.Dedre@epa.gov]
From: Henderson, Dedre[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C5BF6DD9430F435F9486A3A76402D904-HENDERSON, DEDRE]
Sent: Tue 9/5/2017 4:50:02 PM (UTC)
Subject: Environmental Headlines September 5, 2017

Environmental Headlines – prepared by the Region 8 Librarians – September 5, 2017

Note: Many newspapers are beginning to adopt subscription policies to govern access to their online editions. In some cases, this involves the creation of a free user account; in others, paid subscription is necessary to view more than a set number of articles (usually 20) per month. If you have difficulty accessing the news articles you need, please contact the library (library-reg8@epa.gov or (303) 312-7226) for assistance. Please note that the new Region 8 intranet site does not allow access to older headlines; if you need assistance retrieving a news article from a previous week or month, please contact the library.

Colorado

Coal's future as a power source in Colorado flickering.
http://www.denverpost.com/2017/09/03/colorado-coal-future-xcel-energy/

Green Roof Initiative qualifies for Denver ballot, would require gardens atop new buildings
http://www.denverpost.com/2017/09/05/denver-green-roof-initiative-ballot/

Henderson Mine in Clear Creek County resuming operations, which could delay closure by 6 years
http://www.denverpost.com/2017/08/31/henderson-mine-clear-creek-county-closure-delay/

Rapidly growing wildfire in West Routt County prompts pre-evacuation notices
http://www.denverpost.com/2017/09/04/steer-park-fire/

West Fort Collins air quality lags behind region
http://www.coloradoan.com/story/news/2017/09/04/west-fort-collins-ozone-air-quality-lags-behind-region/620636001/

Enviro group warns of Superfund cuts
http://www.chieftain.com/news/pueblo/enviro-group-warns-of-superfund-cuts/article_decf230c-edf2-578d-b432-603dff01d863.html

Greeley under air quality health advisory as a result of wildfire smoke
http://www.greeleytribune.com/news/local/greeley-under-air-quality-health-advisory-for-wildfire-smoke/

Weld County oil and gas spill report for Sept. 4
http://www.greeleytribune.com/news/local/weld-county-oil-and-gas-spill-report-for-sept-4/

Montana

Across Montana, no "good" air quality readings Saturday afternoon
http://mtstandard.com/news/state-and-regional/across-montana-no-good-air-quality-readings-saturday-afternoon/article_88a37a55-a145-5d41-93ae-a705eaf30b50.html

Battle Complex fire burns across Eastern Montana, Northern Wyoming
http://mtstandard.com/news/state-and-regional/battle-complex-fire-burns-across-eastern-

montana-northern-wyoming/article_118daf13-dba9-54cf-8918-2a5dc13dbb79.html

More wind, more fire, more smoke - another tough day for firefighters and residents alike
http://missoulian.com/news/state-and-regional/updated-more-wind-more-fire-more-smoke---another/article_f2dfb59a-9411-5710-8070-4bfe889e076d.html

EPA delayed chemical safety rule after industry complaints
http://mtstandard.com/news/national/govt-and-politics/epa-delayed-chemical-safety-rule-after-industry-complaints/article_c853a02b-64d0-5549-b79c-ecf588569372.html

BIO Asks EPA To Use a Forward-Looking Methodology in Setting Renewable Fuel Standards
http://www.kulr8.com/story/36267975/bio-asks-epa-to-use-a-forward-looking-methodology-in-setting-renewable-fuel-standards

South Dakota

You cannot mine water in S.D. (opinion)
http://www.argusleader.com/story/opinion/voices/2017/09/04/voice-mine-water-sd/105271632/

RFS: 'A great American success story' (letter)
http://www.argusleader.com/story/opinion/readers/2017/09/03/letter-rfs-great-american-success-story/105259000/

Utah

Heat, poor air quality expected to linger this week
http://www.deseretnews.com/article/865688080/Heat-poor-air-quality-expected-to-linger-this-week.html

Summer 2017: Not Just Sweltering, It Was the Hottest On Record
http://kuer.org/post/summer-2017-not-just-sweltering-it-was-hottest-record

Utah's air quality takes a beating from the summer sun and wildfires
http://fox13now.com/2017/09/04/utahs-air-quality-takes-a-beating-from-the-summer-sun-and-wildfires/

Businesses Push For Cleaner Air
http://kuer.org/post/businesses-push-cleaner-air

Commentary: The EPA continues to run amok
http://www.sltrib.com/opinion/commentary/2017/09/02/commentary-the-epa-continues-to-run-amok/

BLM to auction oil and gas leases next to Utah's Dinosaur National Monument in San Rafael Swell
http://www.sltrib.com/news/business/2017/09/01/blm-to-auction-oil-and-gas-leases-next-to-utahs-dinosaur-national-monument-and-in-san-rafael-swell/

Feds to allow oil, gas drilling near Dinosaur Monument in Utah
http://www.deseretnews.com/article/865688003/Feds-to-allow-oil-gas-drilling-near-Dinosaur-Monument-in-Utah.html

Stericycle wins approval of air, waste permits for moving its medical-waste incinerator to Tooele County
http://www.sltrib.com/news/environment/2017/09/01/medical-waste-burning-plant-stericycle-inc-will-move-to-a-more-rural-area-of-utah/

Canyon residents question Salt Lake City's protectionist watershed ordinance
http://www.deseretnews.com/article/865688079/Canyon-residents-question-Salt-Lake-Citys-protectionist-watershed-ordinance.html

Earthquake shakes northern Utah, southern Idaho
http://www.deseretnews.com/article/865688052/Earthquake-shakes-northern-Utah-southern-Idaho.html

Crews making slow, steady progress on Utah wildfires
http://www.sltrib.com/news/2017/09/01/crews-making-slow-steady-progress-on-utah-wildfires/

Potentially harmful chemicals may have tainted Moab's water supply
http://www.sltrib.com/news/environment/2017/08/31/westside-moab-residents-told-to-avoid-drinking-tap-water/

Moab issues 'bottled water only' order for some residents over water contamination concerns
http://fox13now.com/2017/08/31/moab-issues-bottled-water-only-order-for-some-residents-over-water-contamination-concerns/

Love Talks Clean Environment, Climate Solutions
http://kuer.org/post/love-talks-clean-environment-climate-solutions

NATIONAL

Chemical companies have already released 1 million pounds of extra air pollutants, thanks to Harvey
https://www.washingtonpost.com/news/energy-environment/wp/2017/09/04/chemical-companies-have-already-released-1-million-pounds-of-extra-air-pollutants-thanks-to-harvey/?utm_term=.186e43e37eeb

AP EXCLUSIVE: Toxic waste sites flooded in Houston area
https://www.washingtonpost.com/national/energy-environment/ap-exclusive-toxic-waste-sites-flooded-in-houston-area/2017/09/02/4f731fbe-904f-11e7-9c53-6a169beb0953_story.html?utm_term=.18ea60b99cf2

U.S. Judge Rejects Wyoming's Environmental Lawsuit Against VW
https://www.nytimes.com/reuters/2017/08/31/business/31reuters-volkswagen-emissions.html

Exclusive: EPA Eyes Limits for Agricultural Chemical Linked to Crop Damage
https://www.nytimes.com/reuters/2017/09/05/business/05reuters-usa-pesticides-epa-exclusive.html

The Latest: AP EXCLUSIVE: EPA Surveys Toxic Waste Sites
https://www.nytimes.com/aponline/2017/09/02/us/ap-us-harvey-toxic-sites-underwater-the-latest.html

Harvey Floods or Damages 13 Texas Superfund Sites: EPA

https://www.nytimes.com/reuters/2017/09/02/us/02reuters-storm-harvey-superfund.html?_r=0

Hot Spots in a Freezing Ocean Offer Lessons in Climate Change
https://www.nytimes.com/2017/08/31/science/climate-change-antarctic-ocean.html?rref=collection%2Fsectioncollection%2Fclimate

To: Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Konkus, John[konkus.john@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
From: Hewitt, James[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: Tue 9/5/2017 1:05:20 PM (UTC)
Subject: this headline is great

http://abcnews.go.com/US/ap-defends-epa-attacks-misleading-report-superfund-sites/story?id=49610809

James Hewitt
Environmental Protection Agency
Special Advisor for Public Affairs
(202) 578-6141

To: Abboud, Michael[abboud.michael@epa.gov]
From: Hewitt, James[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: Tue 9/5/2017 12:24:35 PM (UTC)
Subject: useful clips

http://abcnews.go.com/US/ap-defends-epa-attacks-misleading-report-superfund-sites/story?id=49610809

https://www.cbsnews.com/news/superfund-sites-residents-concerned-wake-of-harvey/

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(202) 578-6141

From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Sun 9/3/2017 11:30:58 PM (UTC)
Subject: UPDATE: Harvey NICCL Summary 09/03/17
Harvey_NICCL Summary 09032017.pdf

All,

Apologies. An incorrect version of the NICCL Summary was sent. Please disregard and use this version for your reference.

Have a good evening.

National Incident Communication Conference Call (NICCL) Meeting Notes
Hurricane Harvey
Sunday, September 3, 2017

A NICCL call was conducted on September 3, 2017 at 11:00 a.m. EDT to discuss the federal coordination and response to Hurricane Harvey.

Participants: WHC, FEMA HQ and Region VI EA, EAO, DHS OPA, ARC, USACE, CNCS, CBP, CDC, CRCL, USDA, DOE, HHS, FDA, HUD, DOI, DOL, DOS, SOT, Treasury, VA, EPA, FAA, FCC, GSA, USA.GOV, NGB, OPM, SBA, USCIS, USG, ARC, ATF

Lead Responsibilities:
- DHS/FEMA

The next Hurricane Harvey NICCL call is scheduled for 11:00 a.m. EDT (10:00 a.m. CDT) on Monday, September 4, 2017.

Today's NICCL call was hosted by Susan Phalen, Director of FEMA External Affairs.

Opening Comments

FEMA External Affairs
- Day ten of response to Hurricane Harvey.

White House Communications

- Thank everyone who supported POTUS visit yesterday. His clear message to the state was federal agency partners are going to stand with them in the recovery effort.

- Administrator Long covered importance of continuing to press for funding and to support the many resources needed.

- Questions about Hurricane Irma are coming in. Developing a communication plan will be necessary. International partners are inquiring about preparations.

- Today is the National Day of Prayer claimed by the president for survivors of Hurricane Harvey.

DHS Office of Public Affairs (DHS OPA)
- Anna Franco (DHS) is at FEMA helping manage the VIP visit process. Cabinet and subcabinet requests go to anna.franco@hq.dhs.gov.

National Oceanic and Atmospheric Administration *(NOAA Liaison to FEMA)*
- Texas and Louisiana weather conditions are quiet for today with heat index values in the mid-upper 90s for today, Monday, and Tuesday. This will increase the risk for heat-related illnesses, particularly for those without air conditioning.
- Chance of showers and thunderstorms on Tuesday and Wednesday, but no widespread heavy rainfall or exacerbation of conditions in those areas.
- Cooler temperature expected mid to late week.
- Flooding continues in several basins due to controlled releases of dams, including Buffalo Bayou, Beaumont area, and the Neches River.

- In regard to Hurricane Irma, no coastal watches have been posted this time. The storm will approach the US Virgin Islands and Puerto Rico near mid- week. US Virgin Islands could see effects as early as Tuesday evening and Puerto Rico could be feeling effects on Wednesday morning. Direct impact to the islands is still not ruled out and there is uncertainty about when and if the storm will affecting the continental US.

ESF-15 Situational Update

- The Administrator has returned from Texas where he supported the president's visit yesterday and toured some of the shelters.
- This morning, Administrator Long recognized the good work being done to save lives and reinforced the need to remain focused to continue our support. It is making a difference.
- Administrator also emphasized the need to have an equal communications plan for language needs as we prepare for Irma. Stressed quality of service when it comes to language needs.
- We are coordinating messaging on clean-up with HHS, CDC, and EPA to provide safety tips for survivors beginning the clean-up process.
- Private Sector team here at HQ is reaching out to large chains, such as Starbucks and Wal-Mart, to allow the presence of Disaster Survivor Assistance Teams (DSAT) in their stores. The DSATs can provide disaster assistance and registration information as well assist with on-the-spot registrations.
- Several major chains are reporting an upwards trend of reopening or expected operational date. (Private Sector)
- To date, FEMA has received:
    - 529,000+ registrations for assistance.
    - 167,000+ survivors are approved for $125 million in FEMA disaster assistance.
    - $39.5 million approved for housing assistance (i.e. rental assistance).
    - $85.6 million is approved for other needs assistance.
- Administrator Long spoke this morning on ESF-15 coordinating with Army Corps of Engineers to develop messaging on the controlled release activities at the Addicks and Barker Reservoirs.
- Priority is to push information explaining the Individual Assistance (IA) registration process and the sequence of delivery.
- Katie Fox will speak with Dave Phillips of *New York Times* today at noon for his piece on how the agency has changed since Katrina, and on the Agency's focus on "fostering more training and planning at a local level."
- Administrator Long will pre-tape an interview this morning for Meet the Press on CBS.
- Residents are focused on clean-up efforts, sharing information on how to handle debris removal, mold, and how to document damages.
- The majority of social media conversation remains focused on the organization of volunteer and donation opportunities.
- Survivors continue to reach out to us via social media to discuss emerging issues with the application and assistance process. Providing answers to their questions via social media or are pointing them in the appropriate direction of additional information.
- Started to transition ESF-15 functions to the JFO. As this occurs, HQ External Affairs will pivot to the emerging concerns (?) from Hurricane Irma.

Marty Bahamonde, External Affairs Officer, Austin JFO & Director of Disaster Operations, FEMA External Affairs

- Asking federal partners to amplify message that, as survivors register for FEMA assistance, inspectors will have difficulty accessing flooded houses. FEMA asks for their patience as more areas become accessible.
- Disaster recovery centers (DRCs) soft launched yesterday with hard launches today. Locations have been identified for

additional DRCs.
- Locations have been identified for DRCs. Several DRCs opening – locations going out
- Infrastructure is getting better in places so more people can be accommodated with offices in the branches.
- Still very dynamic situation. In some areas, floodwaters are not expected to recede for another seven to eight days
- 32,000 people remain in shelters with an additional 16,000 utilizing transitional sheltering assistance. Roughly 50,000 people are still out of their homes, but the number of displaced people is not truly known since many may be staying with family and friends.

Phil Beasley, FEMA External Affairs Director, Region VI

- In San Antonio today at 1:00pm, an international flight from Canada is delivering donated baby items to the Salvation Army. FEMA is sending a representative to sign over the donation of those goods.

- Rescue operations continue in southeast Texas.

- The Neches crested yesterday seven feet over flood stage. Due to the dirtiness of the floodwater, the Regional Response Coordination Center (RCCC) coordinated a mission assignment for vaccines for survivors and first responders. Those will be delivered to the Texas Department of State Health services.

- In Louisiana, one shelter remains open with 1,700 occupants, 90% of whom are evacuees from Texas.

- Joint preliminary damage assessments (PDAs) will take place in Calcasieu Parish on 09/05.

Federal Partners Updates:

American Red Cross (ARC)

- Shelter numbers dropped overnight again; not sure why.

- 32,399 occupants last night in 226 shelters.

- About a dozen feeding kitchens with capability to provide 145,000 meals.

- Media coverage has plateaued, though some negative media coverage has come out. ARC is addressing by continuing to offer positive stories. And address requests for assistance as they come in.

AmeriCorps (CNCS)
- No update.

Army Corps of Engineers (USACE)

- No operational updates from yesterday.

- Communications were down.

- Coordinating an interview with Headline News regarding debris removal; coordinating with JFO.

Bureau for Alcohol, Tobacco, Firearms, and Explosives (ATF)
- Personnel continuing support of the Texas PD and Houston law enforcement agencies.
- Coordinating national and local media engagements.
- CNN live hit.
- Social media platforms continuing to provide coverage on law enforcement activities.

Center for Disease Control (CDC)
- Last night, released a health alert on carbon monoxide poisoning from generators.
- Expanded messaging on tetanus, whether or not one is needed.
- Addressed plague rumors.
- Pushed messages about mold with people with compromised immune systems.
- Continue to push messaging on heat issues, mold remediation, clean-up, coping after disaster, and safe return home.

Civil Rights and Civil Liberties (CRCL)

- Coordinating with other interagency partners on messaging.
- Focusing on individuals with disabilities.

Customs and Border Patrol (CBP)

- No update.

Dept. of Agriculture (DOA)

- Issued a news release yesterday about the USDA giving flexibility in some states for the waiver SNAP requirements

Dept. of Energy (DOE)

- Industry partners have under 100,000 outages.
- Delivered 600,000 barrels of crude oil from the Strategic Petroleum Reserve to the refineries; authorization is for up to five million barrels.
- Colonial continues to work on pipeline from Houston; may not be operational until 09/03.
- Continue to push message on restoring power to the grid.

Dept. of Interior (DOI)

- Photographer from San Antonio accompanying the crews gathering video and photos.
- US Geological Survey posted a series of updates on Facebook on their activities.
- In coordination with USACE, webcams were installed to view the outflow from the Barker and Addicks reservoirs; also set up gauges on the Neches River.

Dept. of Labor (DOL)

- No updates.

Dept. of Veterans Affairs (VA)

- Secretary Shulkin will be on Fox and Friends (Fox News) on Tuesday to discuss his trip to the affected area with the vice president. Requesting talking points.

Environmental Protection Agency (EPA)

- Issuing a press release on status of the drinking water and waste water and sewage treatment systems in the impacted areas.
- AP story on superfund sites and toxic water surrounding them. In response, EPA issued a statement yesterday indicating EPA does advanced security of the sites and has teams going to accessible sites.
- Also continuing to monitor fires at Arkema chemical facility.

Federal Communications Commission (FCC)

- Monitoring status of communication networks and coordinating with providers and government partners.
- Yesterday afternoon released another report for the areas impacted by Harvey; available on Harvey website www.FCC.gov\Harvey.
- Reduced the geographic area for this recording to 13 counties.

Food and Drug Administration (FDA)

- No updates.

General Services Administration (GSA)

- No updates.

Health and Human Services (HHS)

- On social media, a Flickr album related to images from the field and video going out today showing some behind-the-scenes tools used in a response like this.
- 2,300 patients in locations around Houston area.
- Patients and facilities continue to take advantage of the waivers in place by the Public Health Emergency declaration.

Housing and Urban Development (HUD)

- No updates.

National Guard Bureau (NGB)

- NGB General will appear on Fox News today to discuss hurricane response. Expect questions about the Texas National Guard's ability to respond to Harvey and manage overseas deployments.

- 16,000 air and national guardsmen from 32 states supporting both Texas and Louisiana.
- Transitioning from search and rescue to commodity distribution, doubling points of distribution from eight to sixteen.
- Monitoring Hurricane Irma and developing contingencies

National Protection and Programs Directorate (NPPD)

- Maintaining coordination with owners and operators in high risk chemical facilities.
- Received 384 biometric submissions from FEMA to support screening and vetting activities. This is expected to increase in the coming days.
- In the past 24 hours we have completed 48 assessments, bringing the total to 248 assessments.
- Continuing to track our communication support with government industries.

Office of Personnel Management (OPM)

- No updates.

Small Business Administration (SBA)

- Press release opening this morning Business Recovery center at the University of Houston.
- 5,712 loan applications received
- 197 disaster loans approved for a total of $17.5 million; of those 184 are home loans for $16.3 million; 13 business loans for $1.1 million
- 13,163 calls handled by the call center
- 106 staff on the ground
- 1,997 damage inspections completed.
- Social media focus on local hiring, loan deferment, and encouraging survivors register for assistance.

U.S. Citizenship and Immigration Services (USCIS)

- Application support center opening 09/05.U.S. Coast Guard (USCG)
- Urban search and rescue calls are on the decline.
- Rescued 69 people over the last 24 hours, totaling 11,022 lives saved so far.
- Looking to actively phase demobilization for equipment maintenance and crew rest in anticipation of Irma response.
- Making significant progress on waterway operations and restoring ports. Eight ports are open with restrictions. Two are open for recovery with restrictions with the one exception being Port Arthur. Operations are limited due to high currents. Expect that to continue for the next several days.
- Priorities continue to be for the safety of personnel, rescue, and reconstitution.

U.S. Northern Command (USNORTHCOM)

- Continue to conduct national level interviews and embeds.
- PA assets in affected areas, including mobile detachments and camera teams; also three case teams in Region VI.
- Continue to amplify FEMA's priorities on social media.
- Continue to tell the rescue-effort story.

USA.Gov

- No updates.

Closing Remarks:

Susan Phalen, Director of FEMA External Affairs

- Thank everyone for joining on the weekend. NICCL call will continue tomorrow. Keep eyes on Hurricane Irma.

Please continue to send operational updates as you receive them to the FEMA-ESF15-Coordination@fema.dhs.gov by 4:00 Eastern Time.

ESF 15 Inputs: Please submit information on your agency's operational and external affairs activities (and relevant links/products) to FEMA-ESF15-Coordination@fema.dhs.gov, dalila.scott@fema. dhs.gov, and kathryn.vanmarter-sanders@fema.dhs.gov **by 4:00 p.m. each day** so that we can capture the response efforts on behalf of the federal government. This includes:

- **Upcoming VIP/Senior Official Visits and Press Events**
- **Press Release Coordination:** All news releases should be sent to FEMA for coordination prior to external dissemination.
- **Stakeholder Advisories:** All advisories to Congressional members, staff and committees; state, local, tribal counterparts; and/or private sector stakeholders.
- **Staffing Coordination:** If your agency has any Public Affairs and/or Stakeholder (state, local, tribal, congressional, etc.) outreach staff deploying to the field, they need to check in with the FEMA ESF15 Lead on the ground in that state. FEMA

HQ can provide contact information.

The National Incident Communications Conference Line (NICCL) is used for transmission and exchange of critical and timely [e.g., "breaking"] incident information among Federal and affected state, local, and tribal authorities. If the nature of the incident is of critical importance and urgency FEMA Public Affairs will maintain a controller on the line continuously to provide and receive updates from departments and agencies. During sustained incident management activity, the NICCL will be used for daily or other incident communications coordination calls. FEMA Public Affairs will maintain a summary of key NICCL communications and interagency coordination actions. These are maintained and distributed to participants in a timely manner.

From: FEMA-ESF15-Coordination[FEMA-ESF15-Coordination@fema.dhs.gov]
Sent: Sun 9/3/2017 10:48:51 PM (UTC)
Subject: Harvey NICCL Summary for 9/2/17
Harvey_NICCL Summary 09032017.pdf

Good evening,

Please find attached the NICCL Summary for today's call.

Thank you!

National Incident Communication Conference Call (NICCL) Meeting Notes
Hurricane Harvey
Sunday, September 3, 2017

A NICCL call was conducted on September 3, 2017 at 11:00 a.m. EDT to discuss the federal coordination and response to Hurricane Harvey.

Participants: WHC, FEMA HQ and Region VI EA, EAO, DHS OPA, ARC, USACE, CNCS, CBP, CDC, CRCL, USDA, DOE, HHS, FDA, HUD, DOI, DOL, DOS, SOT, Treasury, VA, EPA, FAA, FCC, GSA, USA.GOV, NGB, OPM, SBA, USCIS, USG, ARC, ATF

Lead Responsibilities:
- DHS/FEMA

The next Hurricane Harvey NICCL call is scheduled for 11:00 a.m. EDT (10:00 a.m. CDT) on Monday, September 4, 2017.

Today's NICCL call was hosted by Susan Phalen, Director of FEMA External Affairs.

Opening Comments

FEMA External Affairs
- Day ten of response to Hurricane Harvey.

White House Communications

- Thank everyone who supported POTUS visit yesterday. His clear message was federal agency partners are going to stand with them in the recovery effort.

- Administrator Long covered importance of continuing to press for funding and to support the many resources needed.

- Questions about Hurricane Irma are coming in. Developing a communication plan will be necessary. International partners are inquiring about preparations.

- Today is the National Day of Prayer claimed by the president for survivors of Hurricane Harvey.

DHS Office of Public Affairs (DHS OPA)
- Anna Franco (DHS) is at FEMA helping manage the VIP visit process. Cabinet and subcabinet requests go to anna.franco@hq.dhs.gov.

National Oceanic and Atmospheric Administration *(NOAA Liaison to FEMA)*
- Texas and Louisiana weather conditions are quiet for today with heat index values in the mid-upper 90s for today, Monday, and Tuesday. This will increase the risk for heat-related illnesses, particularly for those without air conditioning.
- Chance of showers and thunderstorms on Tuesday and Wednesday, but no widespread heavy rainfall or exacerbation of conditions in those areas.

- Cooler temperature expected mid to late week.
- Flooding continues in several basins due to controlled releases of dams, including Buffalo Bayou, Beaumont area, and the Neches River.
- In regard to Hurricane Irma, no coastal watches have been posted this time. The storm will approach the US Virgin Islands and Puerto Rico near mid- week. US Virgin Islands could see effects as early as Tuesday evening and Puerto Rico could be feeling effects on Wednesday morning. Direct impact to the islands is still not ruled out and there is uncertainty about when and if the storm will affecting the continental US.

ESF-15 Situational Update

- This morning, Administrator Long recognized the good work being done to save lives and reinforced the need to remain focused to continue our support. It is making a difference.

- Administrator also emphasized the need to have an equal communications plan for language needs as we prepare for Irma. Stressed quality of service when it comes to language needs.

- Administrator has returned from Texas where he supported the president's visit yesterday and toured some of the shelters.

- We are coordinating messaging on clean-up with HHS, CDC, and EPA to provide safety tips for survivors beginning the clean-up process.

- Private Sector is reaching out to large chains, such as Starbucks and Wal-Mart, to allow the presence of Disaster Survivor Assistance Teams (DSAT) in their stores. The DSATs can provide disaster assistance and registration information as well assist with on-the-spot registrations.

- Several major chains are reporting an upwards trend of reopening or expected operational date. (Private Sector)

- To date, FEMA has received:

    - 529,000+ registrations for assistance.

    - 167,000+ survivors are approved for $125 million in FEMA disaster assistance.

    - $39.5 million approved for housing assistance (i.e. rental assistance).

    - $85.6 million is approved for other needs assistance.

- Administrator Long spoke this morning on ESF-15 coordinating with Army Corps of Engineers to develop messaging on the controlled release activities at the Addicks and Barker Reservoirs.

- Priority is to push information explaining the Individual Assistance (IA) registration process and the sequence of delivery.

- Katie Fox will speak with Dave Phillips of *New York Times* today at noon for his piece on how the agency has changed since Katrina, and on the Agency's focus on "fostering more training and planning at a local level."

- Administrator Long will pre-tape an interview this morning for Meet the Press on CBS.

- Residents are focused on clean-up efforts, sharing information on how to handle debris removal, mold, and how to document damages.
- The majority of social media conversation remains focused on the organization of volunteer and donation opportunities.
- Survivors continue to reach out to us via social media to discuss emerging issues with the application and assistance process. Providing answers to their questions via social media or are pointing them in the appropriate direction of additional information.

- Started to transition ESF-15 functions to the JFO. As this occurs, HQ External Affairs will pivot to the emerging from Hurricane Irma.

Marty Bahamonde, External Affairs Officer, Austin JFO & Director of Disaster Operations, FEMA External Affairs

- Asking federal partners to amplify message that, as survivors register for FEMA assistance, inspectors will have difficulty accessing flooded houses. FEMA asks for their patience as more areas become accessible.
- Disaster recovery centers (DRCs) soft launched yesterday with hard launches today. Locations have been identified for additional DRCs.
- Locations have been identified for DRCs. Several DRCs opening – locations going out
- Infrastructure is getting better in places so more people can be accommodated with offices in the branches.
- Still very dynamic situation. In some areas, floodwaters are not expected to recede for another seven to eight days
- 32,000 people remain in shelters with an additional 16,000 utilizing transitional sheltering assistance. Roughly 50,000 people are still out of their homes, but the number of displaced people is not truly known since many may be staying with family and friends.

Phil Beasley, FEMA External Affairs Director, Region VI

- In San Antonio today at 1:00pm, an international flight from Canada is delivering donated baby items to the Salvation Army. FEMA is sending a representative to sign over the donation of those goods.
- Rescue operations continue in southeast Texas.
- The Neches crested yesterday seven feet over flood stage. Due to the dirtiness of the floodwater, the Regional Response Coordination Center (RCCC) coordinated a mission assignment for vaccines for survivors and first responders. Those will be delivered to the Texas Department of State Health services.
- In Louisiana, one shelter remains open with 1,700 occupants, 90% of whom are evacuees from Texas.
- Joint preliminary damage assessments (PDAs) will take place in Calcasieu Parish on 09/05.

Federal Partners Updates:

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American Red Cross (ARC)

- Shelter numbers dropped overnight again; not sure why.
- 32,399 occupants last night in 226 shelters.
- About a dozen feeding kitchens with capability to provide 145,000 meals.
- Media coverage has plateaued, though some negative media coverage has come out. ARC is addressing by continuing to offer positive stories. And address requests for assistance as they come in.

AmeriCorps (CNCS)

- No update.

Army Corps of Engineers (USACE)

- No operational updates from yesterday.
- Communications were down.
- Coordinating an interview with Headline News regarding debris removal; coordinating with JFO.

Bureau for Alcohol, Tobacco, Firearms, and Explosives (ATF)

- Personnel continuing support of the Texas PD and Houston law enforcement agencies.
- Coordinating national and local media engagements.
- CNN live hit.
- Social media platforms continuing to provide coverage on law enforcement activities.

Center for Disease Control (CDC)

- Last night, released a health alert on carbon monoxide poisoning from generators.
- Expanded messaging on tetanus, whether or not one is needed.

- Addressed plague rumors.
- Pushed messages about mold with people with compromised immune systems.
- Continue to push messaging on heat issues, mold remediation, clean-up, coping after disaster, and safe return home.

Civil Rights and Civil Liberties (CRCL)
- Coordinating with other interagency partners on messaging.
- Focusing on individuals with disabilities.

Customs and Border Patrol (CBP)
- No update.

Dept. of Agriculture (DOA)
- Issued a news release yesterday about the USDA giving flexibility in some states for the waiver SNAP requirements

Dept. of Energy (DOE)
- Industry partners have under 100,000 outages.
- Delivered 600,000 barrels of crude oil from the Strategic Petroleum Reserve to the refineries; authorization is for up five million barrels.
- Colonial continues to work on pipeline from Houston; may not be operational until 09/03.
- Continue to push message on restoring power to the grid.

Dept. of Interior (DOI)
- Photographer from San Antonio accompanying the crews gathering video and photos.
- US Geological Survey posted a series of updates on Facebook on their activities.
- In coordination with USACE, game cameras were installed to view the outflow from the Barker and Addicks reservoirs; also set up gauges on the Neches River.

Dept. of Labor (DOL)
- No updates.

Dept. of Veterans Affairs (VA)
- Secretary Shulkin will be on Fox and Friends (Fox News) on Tuesday to discuss his trip to the affected are with the vice president. Requesting talking points.

Environmental Protection Agency (EPA)
- Issuing a press release on status of the drinking water and waste water and sewage treatment systems in the impacted areas.
- AP story on superfund sites and toxic water surrounding them. In response, EPA issued a statement yesterday indicating EPA does advanced security of the sites and has teams going to accessible sites.
- Also continuing to monitor fires at Arkema chemical facility.

Federal Communications Commission (FCC)
- Monitoring status of communication networks and coordinating with providers and government partners.
- Yesterday afternoon released another report for the areas impacted by Harvey; available on Harvey website www.FCC.gov\Harvey.

Food and Drug Administration (FDA)
- No updates.

General Services Administration (GSA)
- No updates.

Health and Human Services (HHS)
- On social media, a Flickr album related to images from the field and video going out today showing some behind-the-scenes tools used in a response like this.
- 2,300 patients in locations around Houston area.
- Patients and facilities continue to take advantage of the waivers in place by the Public Health Emergency declaration.

Housing and Urban Development (HUD)
- No updates.

National Guard Bureau (NGB)

- NGB General will appear on Fox News today to discuss hurricane response. Expect questions about the Texas National Guard's ability to respond to Harvey and manage overseas deployments.
- 16,000 air and national guardsmen from 32 states supporting both Texas and Louisiana.
- Transitioning from search and rescue to commodity distribution, doubling points of distribution from eight to sixteen.
- Monitoring Hurricane Irma.

National Protection and Programs Directorate (NPPD)

- Maintaining coordination with owners and operators in high risk chemical facilities.
- Received 384 biometric submissions from FEMA to support screening and vetting activities. This is expected to increase in the coming days.
- In the past 24 hours we have completed 48 assessments, bringing the total to 248 assessments.
- Continuing to track our communication support with government industries.

Office of Personnel Management (OPM)

- No updates.

Small Business Administration (SBA)

- Press release opening this morning Business Recovery center at the University of Houston.
- 5,712 loan applications received
- 197 disaster loans approved for a total of $17.5 million; of those 184 are home loans for $16.3 million; 13 business loans for $1.1 million
- 13,163 calls handled by the call center
- 106 staff on the ground
- 1,997 damage inspections completed.
- Social media focus on local hiring, loan deferment, and encouraging survivors register for assistance.

U.S. Citizenship and Immigration Services (USCIS)

- Application support center opening 09/05.

U.S. Coast Guard (USCG)

- Search and rescue calls are on the decline.
- Rescued 69 people over the last 24 hours, totaling 11,022 lives saved so far.
- Looking to actively phase demobilization for equipment maintenance and crew rest in anticipation of Irma response.
- Making significant progress on waterway operations and restoring ports. Eight ports are open with restrictions. Two are open for recovery with restrictions with the one exception being Port Arthur. Operations are limited due to high currents. Expect that to continue for the next several days.
- Priorities continue to be for the safety of personnel, rescue, and reconstitution.

U.S. Northern Command (USNORTHCOM)

- Continue to conduct national level interviews and embeds..
- PA assets in affected areas, including mobile detachments and camera teams; also three case teams in Region VI.
- Continue to amplify FEMA's priorities on social media.
- Continue to tell the rescue-effort story.

USA.Gov

- No updates.

Closing Remarks:

Susan Phalen, Director of FEMA External Affairs

- Thank everyone for joining on the weekend. NICCL call will continue tomorrow. Keep eyes on Hurricane Irma.

Please continue to send operational updates as you receive them to the FEMA-ESF15-Coordination@fema.dhs.gov by 4:00 Eastern Time.

ESF 15 Inputs: Please submit information on your agency's operational and external affairs activities (and relevant links/products) to FEMA-ESF15-Coordination@fema.dhs.gov, dalila.scott@fema. dhs.gov, and kathryn.vanmarter-sanders@fema.dhs.gov **by 4:00 p.m. each day** so that we can capture the response efforts on behalf of the federal government. This includes:

- **Upcoming VIP/Senior Official Visits and Press Events**

- **Press Release Coordination:** All news releases should be sent to FEMA for coordination prior to external dissemination.
- **Stakeholder Advisories:** All advisories to Congressional members, staff and committees; state, local, tribal counterparts; and/or private sector stakeholders.
- **Staffing Coordination:** If your agency has any Public Affairs and/or Stakeholder (state, local, tribal, congressional, etc.) outreach staff deploying to the field, they need to check in with the FEMA ESF15 Lead on the ground in that state. FEMA HQ can provide contact information.

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To: Abboud, Michael[abboud.michael@epa.gov]
From: Jonathan Swan[jonathan@axios.com]
Sent: Sun 9/3/2017 9:30:08 PM (UTC)
Subject: Sneak Peek: Inside the DACA fight — the next immigration battle — Trump's empty threat — pool report for the ages

View in browser

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Axios Sneak Peek

By Jonathan Swan · Sep 03, 2017

Welcome to Sneak Peek, our weekly lookahead for both ends of Pennsylvania Avenue. **I'd love** your tips and feedback: jonathan@axios.com. And **please urge** your friends and colleagues to join the conversation by signing up for Sneak Peek.

1 big thing: Inside the DACA fight

Andrew Harnik / AP

Beyond North Korea, Trump has another "no good options" dilemma this week: his decision, due Tuesday, on whether to terminate DACA — the Obama-era program that temporarily shields from deportation illegal immigrants who came to the U.S. before their 16th birthday.

Unusually for this leaky White House, they've managed to keep the DACA decision-making within an extremely small circle.

That said, here's what I've ferreted out, from conversations with senior administration officials over the past 72 hours:

- The common view within the Trump administration: DACA is *not* legally defensible. The debate internally has been less about *whether* to rescind DACA, than about *how* to do so while mitigating the harm inflicted on the roughly 800,000 people currently protected by the program.
- **What everyone in the White House agrees:** It's up to Congress to act if members want to preserve the principles of DACA and protect these illegal immigrants who came to America as children.
    - Trump's advisers know that Congress only acts when there's a crisis. Tuesday's announcement is expected to force such action.
    - **Trump is expected to rescind DACA but will likely give Congress a window to act before the effects of the termination are felt.**
    - But, there's no chance Congress will pass a bill that gives permanent legal status to any class of individuals without attaching serious enforcement measures to the same bill.

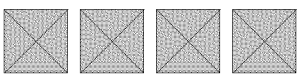
Over the past several weeks, the Trump administration has been weighing three options:

1. **Rescind DACA immediately** — meaning the day after the announcement, the roughly 800,000 protected by DACA no longer have protection. The Department of Homeland Security does not view these people as priorities for deportation, but many on DACA are understandably worried because they trusted the government with their personal information to register for the program.
2. **The 0% likelihood option:** Trump keeps DACA as is and the administration defends the program in court against the state attorneys general who are threatening to sue unless the administration phases out DACA by Sep. 5.
3. **The most likely option:** Trump winds down DACA in a manner that limits the impact of the termination on current beneficiaries but allows Congress enough time to find a constitutional and legislative solution for the program, in conjunction with significant commitments for enforcement.

How the debate has played out inside the White House: Kelly hasn't allowed the debate to widely ventilate, which has frustrated some officials, given how politically and morally sensitive this issue is.

- There are those, like Attorney General Jeff Sessions, who think DACA is illegal and that the principles underpinning it are not worth supporting.
- There are other, more moderate officials, who support the principles underpinning DACA; and there are still others who don't necessarily support DACA but believe it's not politically viable to instantly kill it.

What Trump is thinking: Sources who've spoken to the president about DACA — even as recently as Friday — are convinced his mind is still not fully made up. I first reported, 10 days ago, that Trump was seriously considering rescinding DACA, but he's publicly grappled with the morality, and explosive politics, of this decision in a way he hasn't with any other since becoming president.



2. The next immigration fight

Keep your eye on the Temporary Protected Status (TPS) program — the next big battle in the immigration wars, after DACA. TPS allows certain foreign nationals to stay in the U.S. because the government judges their home countries too dangerous to return to, either due to civil wars, environmental disasters or epidemics.

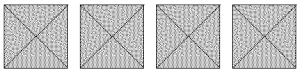
The Trump administration must renew these protections — covering countries like Haiti, Honduras, South Sudan, and Nicaragua — which expire between Nov. 2017 and Sep. 2018.

How immigration hawks in the Trump admin view TPS: Successive administrations have abused this "temporary" program. There are people who have been in the U.S. for 20 years because the government gave them a legal status; but under the law, the program for specific countries should be terminated.

Questions they're asking:

- Should Haitians still have TPS seven years after the earthquake?
- Should Central Americans, e.g. Nicaraguans, Hondurans, who've been in the U.S. for nearly 20 years, still have their "temporary" status?

Bottom line: Watch for the Trump administration to force Congress to act on this issue — by ending the program for certain countries — before the end of 2017. I'm told the countries that still meet the current legislative requirements, like South Sudan, will continue to receive protection. But in Haiti and the Central American countries, conditions have arguably improved enough that they no longer meet the requirements.



3. The debt ceiling plan

AP

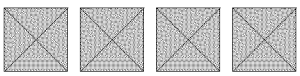
Republican leaders plan to use the emergency Hurricane Harvey aid to squeeze another must-pass item through Congress: the debt ceiling.

Sources with direct knowledge of the planning tell me the current strategy is for the House to pass a "clean" bill this week that funds the White House's request for $7.85 billion for the first phase of recovery from the hurricane.

What happens next— per multiple sources with direct knowledge — is that when the bill reaches the Senate, Republican leaders will attach a debt limit raise before sending it back to the House. (Attaching a debt ceiling raise is less controversial in the Senate than it is in the House, which has more conservative members. What I've described is Republican leadership's current thinking, as of Sunday afternoon... it could still change.)

Why this matters: Hurricane Harvey has opened a path to get one of the most controversial items off Republican leaders's backs. Conservative members won't vote to raise the debt ceiling without significant spending cuts, and Mark Meadows, chairman of the ultra-conservative House Freedom Caucus, has already said he thinks it's wrong to use hurricane funding to dodge this thorny issue.

- By linking the debt ceiling to hurricane aid, leadership would put the Freedom Caucus in the excruciating position of having to vote against emergency aid for Texas's worst natural disaster.
- A source with knowledge of the Freedom Caucus's plans tells me the group won't have a unified position on the Harvey/debt ceiling question until after they meet on Tuesday night.



Rising to the challenge in our Gulf Coast communities

When disasters hit the places we call home, we all jump into action to help our neighbors overcome their toughest obstacles. Please join Koch in supporting the American Red Cross, the Center for Disaster Philanthropy and The Salvation Army.

4: "We'll see"

John Bennett, the White House correspondent for CQ Roll Call, filed a pool report this morning that's destined for the history books.

Hours after Kim Jong Un's region-rattling nuclear test, as President Trump left St. John's Episcopal Church in D.C., after declaring a national day of prayer for Hurricane Harvey victims, Bennett asked the president whether he planned to attack North Korea.

"We'll see," Trump replied.

- **Republican Sen. Jeff Flake** accurately summarized Trump's situation, telling CNN's Dana Bash, on "State of the Union": "It becomes cliche to say there are no good options here, but there really aren't."
- **Treasury Secretary Steven Mnuchin** told "Fox News Sunday" he plans to draft a new sanctions package, but it's becoming increasingly clear Trump has concluded that only bombs — or the persuasive threat of them — will finally end the threat of a North Korean nuke hitting an American city.

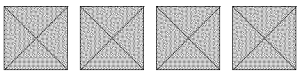
The most consequential words of the day belong to Defense Secretary James Mattis, who read a brief statement to reporters gathered outside the West Wing this afternoon.

Mattis's comments — coming at an historically charged moment — are worth reading in full:

"Good afternoon, ladies and gentlemen. We had a small group, a national security meeting today with the president and the vice president, about the latest provocation on the Korean Peninsula. We have many military options. The president wanted to be briefed on each one of them.

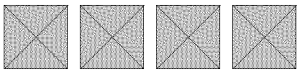
"We made clear that we have the ability to defend ourselves and our allies, South Korea and Japan, from any attack. And our commitments among the allies are ironclad: Any threat to the United States or its territories, including Guam, or our allies, will be met with a massive military response. A response both effective and overwhelming.

"Kim Jong-Un should take heed of the United Nations Security Council's unified voice. All members unanimously agreed on the threat North Korea poses, and they remain unanimous in their commitment to the denuclearization of the Korean Peninsula. ***Because we are not looking to the total annihilation of a country, namely North Korea. But as I said, we have many options to do so.*** *Thank you very much, ladies and gentlemen."*



BONUS: An empty threat

Our thought bubble: It's a wildly unrealistic — and therefore empty — threat. Trump will not stop *all* U.S. trade with the most populous country in the world, China. The U.S. and China traded nearly $600 billion in goods alone last year. Terminating all trade with China would instigate a global economic catastrophe.



5. Sneak Peek diary

- **Tax reform:** The so-called "Big Six" leading the secretive tax reform discussions — Paul Ryan, Mitch McConnell, Kevin Brady, Orrin Hatch, Gary Cohn and Steven Mnuchin — meet with the president at the White House on Tuesday afternoon.
    - **Our tip:** While the discussions will focus on tax reform, it's possible trade will also come up. Hatch and Brady run committees that also oversee trade and they'll be eager to talk Trump out of his threats to withdraw from the U.S.-Korea trade deal.
    - **On Wednesday,** Trump flies to North Dakota to give another speech selling tax reform. I'm told the speech won't get into any more detail than last week's — which had no detail at all — but will continue his pattern of putting pressure on Democratic senators in red states. This week's target: Heidi Heitkamp.
- **Big picture:** Trump meets Wednesday with leaders from both parties: Paul Ryan and Nancy Pelosi from the House, Mitch McConnell and Chuck Schumer from the Senate.
- **Legislative agenda:** The House is expected to vote on Harvey funding and the remaining eight appropriations bills. (The House passed the first four bills before they left for the August break.)
- **The 2018 budget:** Nobody I've spoken to really thinks the House can pass a budget in September — a month crowded with must-pass items like Harvey aid, a debt ceiling raise and a government funding bill. But I'm told the House whip team will begin to talk to members about the budget.
    - (Because Republicans view the budget vote as a proxy vote for tax reform — they plan to use a budget bill to pass the GOP tax plan — there's little chance the leadership can get much support for a budget until Republican leaders share much more detail with members about their tax plans.)

6. 1 missed man: Keith Schiller

AP Photo/Evan Vucci

Keith Schiller was never just a bodyguard. He's worked for Trump since 1999 and in nearly 20 years has become one of a handful of people outside of Trump's immediate family that the president truly trusts.

Now he's leaving the White House, and Trump's friends worry about the effect Schiller's absence will have on the president's psyche. Trump believes Schiller "tells him the truth because the only dog he has in the fight is the boss," a friend told Axios. Trump confides in Schiller and asks his advice about everything, including policy.

Schiller, a former NYPD officer who is beloved by the original staff from the Trump campaign, is also a Breitbart-style conservative who kept Trump in touch with the Republican base and with the law enforcement community.

> *"He's a winger! He's one of us," said another friend of Schiller's.*

- For the past eight months, Schiller has been the conduit linking Trump to his old life, and old friends, in New York City.
- In the early, freewheeling days of this administration, Trump's old contacts had a method for getting around the Chief of Staff, Reince Priebus: If they wanted to reach Trump, they'd text Keith, and before too long they'd often receive a call from the president.
- As Director of Oval Office Operations, Schiller oversaw what some aides regarded as a "shitshow." Nowadays, General Kelly tightly polices, and lists, who can visit the Oval; but Schiller operated more or less by gut instinct. He had a feeling for what Trump wanted at any given moment, whether the boss would want to see this person or whether he was in the right mood for visitors.

Schiller has talked to associates about leaving for a while. He'll make more money on the outside, and under the Kelly regime, and with so many people by his side these days, Trump has less use for Schiller, operationally. Emotionally... that's a different story.

A MESSAGE FROM KOCH INDUSTRIES

Rising to the challenge in our Gulf Coast communities

When disasters hit the places we call home, we all jump into action to help our neighbors overcome their toughest obstacles. Please join Koch in supporting the American Red Cross, the Center for Disaster Philanthropy and The Salvation Army.

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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/4/2017 7:25:55 PM
To: Gray, David [gray.david@epa.gov]; Graham, Amy [graham.amy@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: ON DEADLINE: CBS EVENING NEWS: SUPERFUND SITES

Yes I did

From: Gray, David
Sent: Monday, September 4, 2017 3:15 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: ON DEADLINE: CBS EVENING NEWS: SUPERFUND SITES

I haven't

Sent from my iPhone

On Sep 4, 2017, at 2:14 PM, Graham, Amy <graham.amy@epa.gov> wrote:

> CBS is handled right?
>
> Sent from my iPhone
>
> On Sep 4, 2017, at 12:41 PM, Gray, David <gray.david@epa.gov> wrote:

EPA has 143 personnel supporting the response efforts for Hurricane Harvey and have established a Unified Command with other state and federal partners, and are in the field conducting work. Working together, the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially

the water systems in the affected areas. TCEQ response information is available at https://www.tceq.texas.gov/response/hurricanes .

Arkema Plant Fire Update

It is the understanding of personnel on the ground that the remaining trailers are at risk of catching fire over the next few days. Rather than risk additional damage to the facility or spreading into the surrounding area, the Crosby Volunteer Fire Department and the Harris County Fire Marshal's Office will perform a controlled burn of the material.

First responders are outside the 1.5-mile area of evacuation zone, but remain in the area, for quick response to ensure the safety of the community around the facility. We continue to monitor smoke and air quality, the potential for additional fires in the area, and have aerial assets ready to be deployed, as needed. Everyone in the area should follow the safety instruction of local authorities, specifically staying out of the evacuation zone, avoiding smoke and flood waters. As with all smoke, people can limit the potential for adverse health effects by limiting their exposure. This includes staying indoors with doors and windows closed and running the air

conditioning (if possible) with the fresh intake closed. If it is absolutely necessary to be outdoors, try to move out of the plume of smoke and minimize heavy work, exercise, or children's playtime.

Flood Water

Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Air Monitoring

Monitors are showing that air quality at this time is not concerning and local residents should not be concerned about air quality issues related to the effects of the storm. Due to quick action and proper preparation by state authorities, all the ambient air quality monitors in the network from south of Corpus Christi to Beaumont were protected before the storm. Since then, state authorities are working to get the systems up and running again. As of Saturday, September 2, over 88 percent of monitors are up and working again in Corpus Christi, 85 percent in Houston, and 36 percent in Beaumont. Of the available air monitoring data collected from August 24-September 2, 2017, all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning, and local residents should not be concerned about air quality issues related to the effects of the storm.

EPA has its surveillance aircraft conducting air monitoring for the Arkema plant fire. Also, EPA’s mobile air-monitoring unit will be in Houston to assist with air monitoring as well. Also, EPA's mobile air monitoring Trace

Atmospheric Gas Analyzer bus is on the way to Houston to assist with air monitoring as well. The TAGA is a self-contained mobile laboratory capable of real-time sampling and of outdoor air or emissions. The instrumentation refers both to the analytical instrument and the mobile laboratory built around it.

Drinking Water (as of 9/2)

Half (2300) of the 4500 drinking water systems potentially affected by Harvey have been contacted. Of those: 1514 systems are fully operational, 166 have boil-water notices, and 50 are shut down. The agencies are contacting remaining systems to gather updated information of their status. Assistance Teams are in the field working directly with system operators to expedite bringing systems back to operational status. Additional drinking water assessments should be up and running within the next day.

Waste Water and Sewage (as of 9/2)

Currently, 1656 of approximately 2469 wastewater treatment plants are fully

operational in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers that is occurring, due to the historic flooding and are actively working to monitor facilities that have reported spills, conduct outreach and provide technical guidance to all other wastewater facilities in flood-impacted areas. EPA and TCEQ are working closely with the U.S. Coast Guard, the Texas Military Department, and other local and state agencies to continuously monitor wastewater systems. Houston's unified command will be up and running shortly to support water testing. Assistance Teams will be deployed to work directly with system operators to expedite bringing systems back to operational status.

Residential Wells: EPA is developing a plan for sampling residential wells, and is coordinating with TCEQ to establish several locations where residents can bring water samples from their wells to be tested.

Superfund Hazardous Waste Sites

EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the

parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted. Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites. The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to

survey the cap underwater when conditions allow.

Refineries/Fuel Waivers

In addition to waivers for 38 states and D.C., EPA signed four No Action Assurance (NAA) letters on September 1, to help address fuel shortages. NAA will help expedite the distribution of existing gasoline supplies to both Texas and Louisiana, while the refineries work to re-start and resume normal operations. Each is effective until September 15, 2017, and should allow for the distribution in Texas of 10 million or more gallons of gasoline to consumers.

Sent from my iPhone

Begin forwarded message:

> **From:** "Flickinger, Ian" <Flickingerl@cbsnews.com>
> **Date:** September 4, 2017 at 11:33:14 AM CDT
> **To:** Undisclosed recipients:;
> **Subject: ON DEADLINE: CBS EVENING NEWS: SUPERFUND SITES**
>
> Hello,
>
> I hope all is well. I work in the research department at the CBS Evening News – I'm hoping someone can give me some guidance regarding superfund sites in Texas.
>
> I see in the EPA's response to the Associated Press story from this weekend that there are "41 Superfund sites – 28 of those sites show no damage, and 13 have experienced flooding."
>
> Can we confirm that those numbers still hold? And have the names of the 13 locations that experienced flooding been released yet? Also, I was

looking at the list of recorded superfund sites on the EPA website, and the total for Texas was much higher – **66** sites in total. Do 23 of those sites no longer exist? Any guidance with this would be incredibly helpful.

Thanks in advance for your help with this, and have a wonderful holiday.

Best,
Ian Flickinger
Research Department, CBS Evening News
212-975-7178

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/4/2017 7:25:02 PM
To: Graham, Amy [graham.amy@epa.gov]; Gray, David [gray.david@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: ON DEADLINE: CBS EVENING NEWS: SUPERFUND SITES

yes

From: Graham, Amy
Sent: Monday, September 4, 2017 3:14 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: ON DEADLINE: CBS EVENING NEWS: SUPERFUND SITES

CBS is handled right?

Sent from my iPhone

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Sent from my iPhone

Begin forwarded message:

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> **To:** Undisclosed recipients:;
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>
> Thanks in advance for your help with this, and have a wonderful holiday.

Best,
Ian Flickinger
Research Department, CBS Evening News
212-975-7178

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 9/3/2017 2:22:44 PM
To: Lyons, Troy [lyons.troy@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: FOR APPROVAL: EPA Response To The AP's Misleading Story - Preview

Deliberative Process / Ex. 5

On Sep 3, 2017, at 10:19 AM, Lyons, Troy <lyons.troy@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 3, 2017, at 10:04 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Deliberative Process / Ex. 5

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 9:01:06 AM CDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story - Preview
Reply-To: press@epa.gov

Good morning -

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<!--[if !mso]--> Visit The EPA's Newsroom <!--[endif]-->

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Lyons, Troy [lyons.troy@epa.gov]
Sent: 9/3/2017 2:19:20 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov]
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Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 9:01:06 AM CDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story - Preview
Reply-To: press@epa.gov

Good morning -

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<!--[if !mso]-->Visit The EPA's Newsroom<!--[endif]-->

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/2/2017 9:27:56 PM
To: Konkus, John [konkus.john@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: DRAFT -- Response To The AP's Misleading Story - Preview

Is "ultra-polluted" a scientific term? I thought AP was scientific-fact based reporting...that seems like a pretty subjective terminology being used by the most fact-based news system

From: Konkus, John
Sent: Saturday, September 2, 2017 5:23 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: DRAFT -- Response To The AP's Misleading Story - Preview

It's also unfair to the citizens to live near the sites who are freaked out when they read the ap bs. The original AP tweet read "Breaking AP exclusive many Houston ultra polluted super fund sites are flooded concerns about toxins spreading EPA not on scene"

On Sep 2, 2017, at 5:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Here's my thoughts. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<image001.png>

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 9/2/2017 9:23:11 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: No need to do this then.

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 5:21 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5 ..thoughts?

From: Wilcox, Jahan
Sent: Saturday, September 2, 2017 5:20 PM
To: Abboud, Michael <abboud.michael@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: No need to do this then.

Unless someone disagrees.

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 2, 2017 at 4:17:35 PM CDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: Response To The AP's Misleading Story - Preview
Reply-To: press@epa.gov

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<!--[if !vml]--><image001.png><!--[endif]-->

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/2/2017 9:20:05 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: DRAFT -- Response To The AP's Misleading Story - Preview

Sounds good; thanks for pulling it together.

From: Wilcox, Jahan
Sent: Saturday, September 2, 2017 5:19 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
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Deliberative Process / Ex. 5

Sent from my iPhone

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Here's my thoughts... **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

<image001.png>

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 9/2/2017 9:11:06 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: Re: DRAFT -- Response To The AP's Misleading Story - Preview

Found it

Sent from my iPhone

On Sep 2, 2017, at 4:01 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 3:59 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Saturday, September 2, 2017 4:55 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: DRAFT -- Response To The AP's Misleading Story - Preview

This is just a draft. Discard if you want.

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From: "EPA Press Office" <press@epa.gov>
Date: September 2, 2017 at 3:52:41 PM CDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: Response To The AP's Misleading Story - Preview
Reply-To: press@epa.gov

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Deliberative Process / Ex. 5

<!--[if !vml]--><image001.png><!--[endif]-->

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

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From: Gray, David [gray.david@epa.gov]
Sent: 9/2/2017 5:47:31 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: AP Tweet

Deliberative Process / Ex. 5

On Sep 2, 2017, at 1:38 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Thanks, I replied to the tweet with this ... I think Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 1:33 PM, Gray, David <gray.david@epa.gov> wrote:

We are inspecting Superfund site as quickly as we can access them in the floodwaters receded
Sent from my iPhone

On Sep 2, 2017, at 1:31 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Do we have anything to refute this?

Sent from my iPhone

Begin forwarded message:

> **From:** "Abboud, Michael" <abboud.michael@epa.gov>
> **Date:** September 2, 2017 at 1:29:19 PM EDT
> **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>
> **Subject: AP Tweet**
>
> BREAKING: AP Exclusive: Many Houston ultra-polluted Superfund sites are flooded, concerns about toxins spreading; EPA not on scene.
>
> https://twitter.com/ap/status/904031403985305601
>
> Sent from my iPhone

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 9/2/2017 5:40:10 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Gray, David [gray.david@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: AP Tweet

I will help coordinate EPA and administrator Twitter accounts on this.

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: Ex. 6

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Date: September 2, 2017 at 1:29:19 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>
Subject: AP Tweet

BREAKING: AP Exclusive: Many Houston ultra-polluted Superfund sites are flooded, concerns about toxins spreading; EPA not on scene.

https://twitter.com/ap/status/904031403985305601

Sent from my iPhone

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/2/2017 5:52:19 PM
To: Abboud, Michael [abboud.michael@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]
Subject: Re: AP: TX Superfund sites flooded?

Yes thank you

Sent from my iPhone

On Sep 2, 2017, at 1:51 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Alright if I send her this? Attributable to Liz.

Deliberative Process / Ex. 5

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: "Shales, Sarah E." <Sarah.E.Shales@abc.com>
Date: September 2, 2017 at 12:47:03 PM CDT
To: Press <Press@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>
Cc: "Bruggeman, Lucien C." <Lucien.C.Bruggeman@abc.com>
Subject: AP: TX Superfund sites flooded?

Good afternoon –
My name is Sarah and I am reaching out on behalf of ABC News – we just spotted a headline that crossed the AP wires and were wondering if your office was aware of this or has any comment

HIGHLANDS, Texas (AP) -- AP Exclusive: Many Houston ultra-polluted Superfund sites are flooded, concerns about toxins spreading; EPA not on scene.

If you are releasing any detail or statement on this reported flooding, would you kindly respond all to this email as I have also cc'ed a coworker that is working on this story.
Thanks for your time,
Sarah

<image001.png>

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/2/2017 5:51:59 PM
To: Hewitt, James [hewitt.james@epa.gov]
CC: Konkus, John [konkus.john@epa.gov]; Gray, David [gray.david@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: FOR APPROVAL: EPA Tweet

Good thanks!

Sent from my iPhone

On Sep 2, 2017, at 1:47 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

> For EPA flagship approval:
>
> Deliberative Process / Ex. 5
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 1:40 PM, Konkus, John <konkus.john@epa.gov> wrote:
>
> > I will help coordinate EPA and administrator Twitter accounts on this.
> >
> > John Konkus
> > Environmental Protection Agency
> > Deputy Associate Administrator for Public Affairs
> > Mobile: Ex. 6
> >
> > On Sep 2, 2017, at 1:38 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
> >
> > > Thanks, I replied to the tweet with this ... I think Deliberative Process / Ex. 5
> > >
> > > Deliberative Process / Ex. 5
> > >
> > > Sent from my iPhone
> > >
> > > On Sep 2, 2017, at 1:33 PM, Gray, David <gray.david@epa.gov> wrote:
> > >
> > > > Ex. 6
> > > >
> > > > Sent from my iPhone
> > > >
> > > > On Sep 2, 2017, at 1:31 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Do we have anything to refute this?

Sent from my iPhone

Begin forwarded message:

> **From:** "Abboud, Michael" <abboud.michael@epa.gov>
> **Date:** September 2, 2017 at 1:29:19 PM EDT
> **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>
> **Subject: AP Tweet**
>
> BREAKING: AP Exclusive: Many Houston ultra-polluted Superfund sites are flooded, concerns about toxins spreading; EPA not on scene.
>
> https://twitter.com/ap/status/904031403985305601
>
> Sent from my iPhone

Message

From: Gray, David [gray.david@epa.gov]
Sent: 8/29/2017 6:48:14 PM
To: jflesher@ap.org
Subject: EPA

Hi John,

Please reach out to the city of Houston, who can provide you with more information about their system. As a precaution, residents should avoid and limit exposure to flood water to the extent possible. Flood water can contain motor oil, household cleaners, lawn pesticides and sewage. At this time, we have not any National Response Center notifications of large chemical or oil spills in Houston.

Best,
David

From: Flesher, John [mailto:jflesher@ap.org]
Sent: Tuesday, August 29, 2017 10:44 AM
To: Durant, Jennah <Durant.Jennah@epa.gov>
Subject: Associated Press questions re: Houston water quality

Hello, Jennah:

I'm part of the AP team reporting on Harvey and the Houston flooding. I have some questions related to water quality issues there. Could you please steer me to the right person? A phone interview is preferable, but if you prefer to respond by email, here are my questions:

-Is EPA or any other agency conducting water quality testing to determine the safety of drinking water? What plans are there to do so in the coming days and weeks?

-Is EPA receiving regular reports on the status of drinking water and sewage treatment operations in the city and other affected areas, given that EPA regulates the city's wastewater treatment facilities?

-Does EPA or another agency keep a database or have statistics about sewage overflows in Houston?

-I understand that EPA has been in negotiations with Houston on a consent decree pertaining to the roughly 840 sewage overflows that occur annually in Houston. The Houston Chronicle has reported that the agreement would specify pipe upgrades, stepped-up maintenance and other measures that could cost about $5 billion. What is the status of those negotiations?

-Aside from sewage overflows, what other types of potential water contamination will be a concern as the city deals with the flooding? What steps should residents take to protect themselves?

Thanks for your time and help.

John Flesher
The Associated Press
Environmental Reporting Team
Office: 231-929-4180
Mobile: Ex. 6

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 8/29/2017 6:39:16 PM
To: Graham, Amy [graham.amy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: ACTION: RESPONSE: AP (John Flesher), Associated Press questions re: Houston water quality

Deliberative Process / Ex. 5

From: Graham, Amy
Sent: Tuesday, August 29, 2017 1:36 PM
To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: ACTION: RESPONSE: AP (John Flesher), Associated Press questions re: Houston water quality

David – Quick question, Deliberative Process / Ex. 5

From: Gray, David
Sent: Tuesday, August 29, 2017 2:26 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: ACTION: RESPONSE: AP (John Flesher), Associated Press questions re: Houston water quality

DRAFT

Deliberative Process / Ex. 5

From: Flesher, John [mailto:jflesher@ap.org]
Sent: Tuesday, August 29, 2017 10:44 AM
To: Durant, Jennah <Durant.Jennah@epa.gov>
Subject: Associated Press questions re: Houston water quality

Hello, Jennah:

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-Is EPA receiving regular reports on the status of drinking water and sewage treatment operations in the city and other affected areas, given that EPA regulates the city's wastewater treatment facilities?

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-I understand that EPA has been in negotiations with Houston on a consent decree pertaining to the roughly 840 sewage overflows that occur annually in Houston. The Houston Chronicle has reported that the agreement would specify pipe upgrades, stepped-up maintenance and other measures that could cost about $5 billion. What is the status of those negotiations?

-Aside from sewage overflows, what other types of potential water contamination will be a concern as the city deals with the flooding? What steps should residents take to protect themselves?

Thanks for your time and help.

John Flesher
The Associated Press
Environmental Reporting Team
Office: 231-929-4180
Mobile: Ex. 6

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Message

From: Block, Molly [block.molly@epa.gov]
Sent: 9/12/2018 9:03:04 PM
To: Hewitt, James [hewitt.james@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Konkus, John [konkus.john@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
Subject: FW: News Clips - 12 September 2018

A ton of local coverage on yesterday's press release

News Clips - 12 September 2018

Highlights

"Hurricane could flood many waste sites, creating toxic brew," *The Daily Journal*, 11 September 2018.

"EPA assessing vulnerability of at least 9 toxic sites in Florence's projected path," *Oklahoma's News 4*, 11 September 2018.

"Rejecting Industry Plea, EPA Lists First NPL Sites Due To Vapor Intrusion," Inside EPA, 11 September 2018.

"Scientists getting to the bottom of environmental threat to Lake Ontario," *The Buffalo News*, 23 August 2018.

Litigation

"Chemours Sues Army Over Cleanup at World War II Factory Site," *Bloomberg Environment*, 11 September 2018.

"Greenlease Holding Gets Mulligan on Cleanup Cost Allocation," *Bloomberg Environment*, 11 September 2018.

Smurfit-Stone Mill Frenchtown

"Citizens, scientists want Superfund cleanup to begin now at former pulp mill," *Missoula Current*, 7 September 2018.

Southside Chattanooga Lead Site

"EPA to expedite cleanup of Southside Chattanooga Lead Site," *WRCB*, 11 September 2018.

Rockwell International Wheel & Trim

"Agency Adds Former Chrome Plating Facility in Grenada to National Priorities List to Clean Up Contamination," *U.S. Senator Roger Wicker (press release)*, 11 September 2018.

Broadway Street Corridor Groundwater

"Wheeler well field added to national EPA superfund list," *The Herald Bulletin*, 11 September 2018.

Delfasco Forge

"Grand Prairie industrial site that leaked cancer-causing chemicals under homes gets Feds' attention," *The Dallas Morning News*, 11 September 2018.

Donnelsville Contaminated Aquifer

"EPA Adds Donnelsville Contaminated Aquifer Site in Ohio to the Superfund National Priorities List," *EPA Region 5*, 11 September 2018.

35th Ave.

"EPA adds 5 Superfund sites to National Priorities List, but not north Birmingham," *AL.com*, 11 September 2018.

Proposed Sites

"EPA wants local site added to Superfund," *Pharos-Tribune*, 12 September 2018.

"EPA proposes adding West Virginia town, long haunted by chemical dumping, to list of cleanup priorities," *The Washington Post*, 11 September 2018.

"EPA's Newest Superfund Sites Highlight Toxic Indoor Air," *Bloomberg Environment*, 11 September 2018.

"Michigan steel plant site proposed for Superfund cleanup," *Associated Press*, 11 September 2018.

"EPA mulls adding Hoopa area mine to Superfund list," *Eureka Times-Standard*, 11 September 2018.

"EPA may expedite cleanup for Sporlan Valve Plant Superfund site in Washington," *St. Louis Public Radio*, 11 September 2018.

"EPA May Add HV Metalwork Plant To U.S. Superfund Priority List," *The Patch (Peekskill)*, 11 September 2018.

Other

"EPA Updates the National Priorities List, Advances Agency's Commitment to Expedite Cleanups Across the Country," *EPA OLEM*, 11 September 2018.

"Report: Texas criteria for polluted site cleanup 'significantly weaker' than neighboring states," *The Texas Tribune*, 11 September 2018.

--
Sincerely,

Anthony Bucci III
Environmental Protection Specialist (Presidential Management Fellow)
Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency
Office: 1 (703) 603.7138 | S-5834
Twitter @EPALand | https://www.epa.gov/superfund

"Be the change you want to see in the world." – Mahatma Gandhi

To: Abboud, Michael[abboud.michael@epa.gov]
From: Mutter, Andrew[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7446C126AF5D4888A569472E8B53542B-MUTTER, AND]
Sent: Sat 9/8/2018 8:13:25 PM (UTC)
Subject: Fwd: Butte visit news clips

Sent from my iPhone

Begin forwarded message:

From: "Mylott, Richard" <Mylott.Richard@epa.gov>
Date: September 8, 2018 at 11:58:51 AM MDT
To: "Benevento, Douglas" <benevento.douglas@epa.gov>
Cc: "Mutter, Andrew" <mutter.andrew@epa.gov>
Subject: Butte visit news clips

Montana Standard

https://mtstandard.com/news/local/acting-epa-administrator-andrew-wheeler-makes-historic-visit-to-butte/article_8e885c98-daf5-5f19-b9d8-316cb0b67e47.html

ABC FOX Montana (video)

http://www.abcfoxmontana.com/story/39049479/epa-boss-to-visit-polluted-mining-industry-sites-in-montana

NBC Montana (video)

https://nbcmontana.com/news/local/acting-epa-administrator-pledges-butte-anaconda-superfund-cleanup-by-2025

AP

https://abcnews.go.com/Health/wireStory/epa-boss-visits-polluted-mining-sites-montana-57685584

https://www.usnews.com/news/best-states/montana/articles/2018-09-07/the-latest-epa-boss-says-superfund-cleanups-are-a-priority

Montana Public Radio

http://www.mtpr.org/post/butte-acting-epa-chief-says-superfund-remains-priority

To: Hewitt, James[hewitt.james@epa.gov]; Block, Molly[block.molly@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]; Lynn, Tricia[lynn.tricia@epa.gov]; Daguillard, Robert[Daguillard.Robert@epa.gov]; Jones, Enesta[Jones.Enesta@epa.gov]
From: Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]
Sent: Tue 9/4/2018 6:54:29 PM (UTC)
Subject: Washington Clips, 4 September 2018

Former Admin. Pruitt:

The New York Times: Pruitt's Spending on Security More Than Doubled in 11 Months, E.P.A. Investigator Says

The Washington Times: Scott Pruitt's security detail not properly justified, EPA's IG report concludes

Politico: Watchdog says EPA did not justify Pruitt security spending

The Hill: EPA failed to properly justify Pruitt security costs, watchdog says

Chemical Plant Safety Rule

The Hill: EPA ordered to enforce Obama chemical plant safety rule

Energy and Environment:

Axios Generate: Putting Tesla into Climate Context

Washington Post - The Energy 202: How an obscure beetle got these scientists to speak out against the government

SCOTUS Hearing

Wall Street Journal: The Kavanaugh Hazing

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Axios Generate: 1 big thing: Putting Tesla into climate context
https://www.axios.com/newsletters/axios-generate-89552a71-5b71-42cb-a2a3-3e728d2b9330.html
By Amy Harder, 4 September 2018

Why it matters: Numerous other factors and technologies influence whether electric cars are actually green. And no matter how green they are, they're still just one, relatively small part of a many-sided, global problem.
Background: Let's put aside the whiplash news of Musk mulling via Twitter about taking Tesla private and then deciding not to over the weekend. A key number to remember is Teslaannounced last month it had passed the 200,000 mark for total vehicles sold in the U.S.
Between the lines: Third Way, a centrist think tank, crunched some numbers for me to put that figure into context. To think of the carbon dioxide emissions avoided by Teslas versus clean sources of electricity, here's some comparisons:

- A nuclear reactor replacing coal = 541,353 Teslas.
- Natural gas replacing one coal plant = 98,940 Teslas.
- 100-megawatt wind farm replacing natural gas = 8,267 Teslas.

The bottom line: It takes a lot of Teslas to equal the emissions savings of a carbon-free nuclear reactor, and to a lesser extent other clean energy sources.
For the record, a Tesla spokesperson said in a statement: "Tesla exists for one reason: to accelerate the world's transition to sustainable energy."

- The spokesperson's statement continued: "It would be a shame if anyone reading this article came away with the false impression that driving an electric vehicle or owning energy storage or solar products doesn't have a meaningful effect on climate change."

Electric vehicles have a green reputation, but an important reminder is that they are only as green as the electricity they are using.

- The International Energy Agency has found wide ranges in electric cars' net climate benefits over internal combustion engines, according to its 2018 outlook.
- That's after factoring in how carbon-intensive a country's electricity is, as well as the emissions associated with batteries and other manufacturing of electric cars.

Go deeper: Read the whole column in the Axios stream.

2. John McCain's climate history

RIP John McCain. We've got several pieces in the Axios stream about his life and legacy. But let's zoom in on McCain's work on global warming.

Why it matters: McCain explored and embraced the science and co-authored early versions of cap-and-trade legislation, working across the aisle.

- Those measures failed in 2003 and 2005 (though the 2003 version got 55 votes).

Flashback: Via Bloomberg BNA, "When McCain won the Republican Party's presidential nomination in 2008 to face off against Obama, it was the first time both candidates for the presidency backed legislation to cap U.S. emissions."

Yes, but: McCain grew less involved with the topic as the years went on.

- This detailed story from Inside Climate News yesterday points out that he didn't work on efforts to craft a Senate bill in 2010, when the Senate's political window to get a bill across the finish line had opened (though its debatable by how much).
- And Bloomberg's story reminds me that he voted for an unsuccessful measure that year to thwart the Obama administration's regulatory authority over greenhouse gases.

The intrigue: However, in 2017 he cast the decisive vote when the Senate very narrowly rejected a GOP-led move to kill Obama-era regulations to curb methane emissions from oil-and-gas development on public lands.

> *"McCain can be seen on the floor facing off heatedly against a half-dozen GOP senators who surround and block him before he gestures thumbs-down, a foreshadowing of his later decisive vote against the Obamacare repeal," Inside Climate News reports.*

3. Around the oil majors: Exxon, Aramco, Equinor

Saudi intrigue: The Financial Times breaks some interesting news this morning about Saudi Aramco...

- "Saudi Arabia has cut the length of time that its state energy company has exclusive rights to the kingdom's vast oil and gasfields, raising questions about Saudi Aramco's long-term production and revealing a power struggle between the company and the government," they report.
- **Why it matters:** While the story notes that the move to limit the companies' concession to 40 years instead of perpetuity was part of planning for the now-shelved IPO, it also suggests other motivations could be at play — including a crude oil demand peak in the "coming decades."
- "Often for oil companies, the shorter the concession, the sooner you must produce the resources," Texas A&M University professor John Lee tells FT.

Discoveries: Per Reuters, "Norway's Equinor on Monday increased its resource estimate for the Johan Sverdrup oilfield, the North Sea's largest discovery in more than three decades, while cutting the cost of development."

Exxon: Via Bloomberg, Exxon is seeking solar and wind suppliers for purchase agreements in Texas that could total over 250 megawatts.

- **Why it matters:** It underscores the growth of direct corporate procurement of renewables, which is increasingly driving new projects.
- Bloomberg NEF analyst Kyle Harrison says: "I have never seen an oil and gas company doing a corporate [power purchase agreement] anywhere near that size."
- **Go deeper:** The corporate renewables surge.

4. Making sense of Elon Musk's stunning flip-flop

Illustration: Lazaro Gamio/Axios

ICYMI over the weekend, we explored the aftershocks of Elon Musk's stunning Friday night announcement that he's

abandoning his planning to take Tesla private.
Situational awareness: Tesla stock is down this morning in pre-market trading.
Quick take: Axios' Steve LeVine explains that one nagging question about the buyout plan's demise is whether Musk was ever really serious, or whether he was impulsively trolling the shorts but then had to put on this theater because of the fallout.
Why you'll be hearing about this again: Here are some takeaways, questions and things to watch now that the plan is dead after a head-spinning two weeks...
1. What's next for Musk: Tesla's board, in a statement Friday night, said that "we fully support Elon as he continues to lead the company moving forward."

- But the take-private plan's brief life revealed — via this viral New York Times piece where Musk discussed his exhaustion and 120-hour weeks — that board members are concerned about his workload and use of Ambien.
- The NYT and Bloomberg later reported that they're looking for high-level talent to help Musk. Whether they can successfully add senior personnel that he trusts and will delegate to is looking increasingly critical.

2. The abrupt end to the plan won't halt concerns about Musk's judgement.

- But presumably much of the difficulty in pulling off the transaction could have been determined before his surprising, maverick announcement of the plan via Twitter on August 7.

Go deeper: Read the full story in the Axios stream.
What they're saying:

- This NYT story has some interesting nuggets about what led Musk to reconsider, including mixed feelings about the prospect of Saudi backing.
- The "cognitive dissonance" of an EV maker backed by an oil giant was "pointed out to Mr. Musk several times," NYT reports.
- They also point out that "several" major automakers were potential funders, while this new Wall Street Journal post-mortem says "one of the investors his bankers had lined up was Volkswagen AG."

5. Earbuds in: venture capital and electric buses

The latest episode of the Experts Only podcast from CleanCapital is an interesting chat with Nancy Pfund, a veteran investor in clean energy companies.
The big picture: The interview ranges from her background in the industry to opportunities for applying advanced grid technologies in Africa.
At one point, Pfund, a founder of DBL Partners, muses about the intersection of clean energy startups and U.S. policy:

> *"Most entrepreneurs, especially 10 years ago, weren't really interested in policy. In fact, many of them don't like it. They are entrepreneurs for a reason — to be unfettered, and go after that marketplace opportunity."*
> *"However, what I have seen and been encouraged by is that the smart entrepreneurs, as soon as they realize that, oh, there is a public utility commission or there is the investment tax credit that gets voted on in Washington, they are quick learners."*
> *"Even though many of them still don't like it, the best of them embraced it, or hired people that would embrace it, and so it has been an education for many, and for all of us really. We had no idea how politicized this field would become."*

Another good listen is this Greentech Media interview with Ryan Popple, CEO of the major electric bus manufacturer Proterra, who was previously with the heavyweight VC firm Kleiner Perkins Caufield & Byers.

Read more about these podcasts in the Axios stream.

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Washington Post - The Energy 202: How an obscure beetle got these scientists to speak out against the government
https://www.washingtonpost.com/news/powerpost/paloma/the-energy-202/2018/09/04/the-energy-202-how-an-obscure-beetle-got-these-scientists-to-speak-out-against-the-government/5b8d85701b326b3f31919f2e/?utm_term=.29032574e5b9
By Dino Grandoni, September 4 at 8:24 AM

THE LIGHTBULB

The American burying beetle could be reclassified from endangered to threatened under the Endangered Species Act. (Cindy Maynard/U.S. Fish and Wildlife Service)

When the federal government invited beetle biologist Douglas Leasure, at the time a postdoctoral researcher at the University of Georgia, to help it assess the threat farming posed to an endangered beetle, he said he "was happy to volunteer my time and data to help in any way that I could."

But he and his fellow beetle researcher, Wyatt Hoback, walked away from their roughly month-long stint working with the U.S. Fish and Wildlife Service saying the agency leaned on them to work too quickly to do what they saw as good science and to meld a meticulous map they made of the insect's habitat with another data set from a completely different region of the country.

The result: The pair worry the government may use their research to unduly downplay the threat big business poses to the American burying beetle.

“It felt like the Fish and Wildlife Service wanted to conclude that agriculture is not a risk to the beetle and were going to use the data in a way that made that conclusion, no matter what,” said Wyatt Hoback, a professor of entomology at Oklahoma State University.

The episode, about which I reported Monday, **came amid a years-long push by the oil and natural gas industry for the federal government to roll back protections placed on the beetle in 1989 when it was first listed as endangered.** So far, that pressure has paid off: Propped by a petition from the Independent Petroleum Association of America (IPAA), the agency is currently reassessing the beetle's status and is considering whether to carve out exemptions to rules protecting the beetle that add costs and delays to energy and agricultural businesses.

Here's what happened: Leasure and Hoback, among only a handful of researchers actively studying the insect, had recently published a map of the beetle's habitat in Nebraska. As part of the government's reassessment, the agency wanted to overlay the two scientists' map with with another map projecting which untilled areas may one day become farmland. The question: Where might farming, one of the potential drivers of the beetle's decline in the past, encroach on the beetle's habitat in the future?

But after reading the study behind the other map that was to be combined with theirs, Leasure and Hoback saw some problems:

- The other academics mapped potential cropland to the west of Nebraska— not in the sandhills and silty soils of the state, which have different ecologies. The two maps "were never intended to be put together," Hoback said.
- To boot, Leasure and Hoback also told the agency their own map of the beetle's habitat for all of Nebraska wasn't even the best one to use for the task. Other maps focused more narrowly on specific sections of Nebraska would be more accurate, they said. "The problem was the Fish and Wildlife Service ignored all the other published data," Hoback said. The result of combining these maps, according to Leasure and Hoback, would be an analysis showing the beetle population to be more spread out and far safer from agriculture than it actually is.
- The two scientists and the agency may have been able to iron out those issues if Fish and Wildlife did not insist on completing the analysis as soon as possible, the scientists say. A "compressed timeline" would "guard from any perception of biases," one Fish and Wildlife ecologist told them.

Fish and Wildlife's treatment of the beetle researchers seems to be another instance of the Trump administration putting business ahead of science, according to the Center for Biological Diversity. "They squashed viewpoints from scientists that they didn't agree with or that didn't line up with the preordained conclusion," said Noah Greenwald, endangered species director at the environmental nonprofit, to which Leasure turned after his work went awry with the agency.

However, Fish and Wildlife strongly disagrees with that interpretation of events. The agency told The Post that it "determined the record does not support" their allegations and that the "decision-making processes" behind the assessment "are robust and are designed to use the best available science." The agency is still working on an assessment of the beetle in order to decide whether it should remain listed under the Endangered Species Act, and it's unclear whether they will ultimately use the scientists' data.

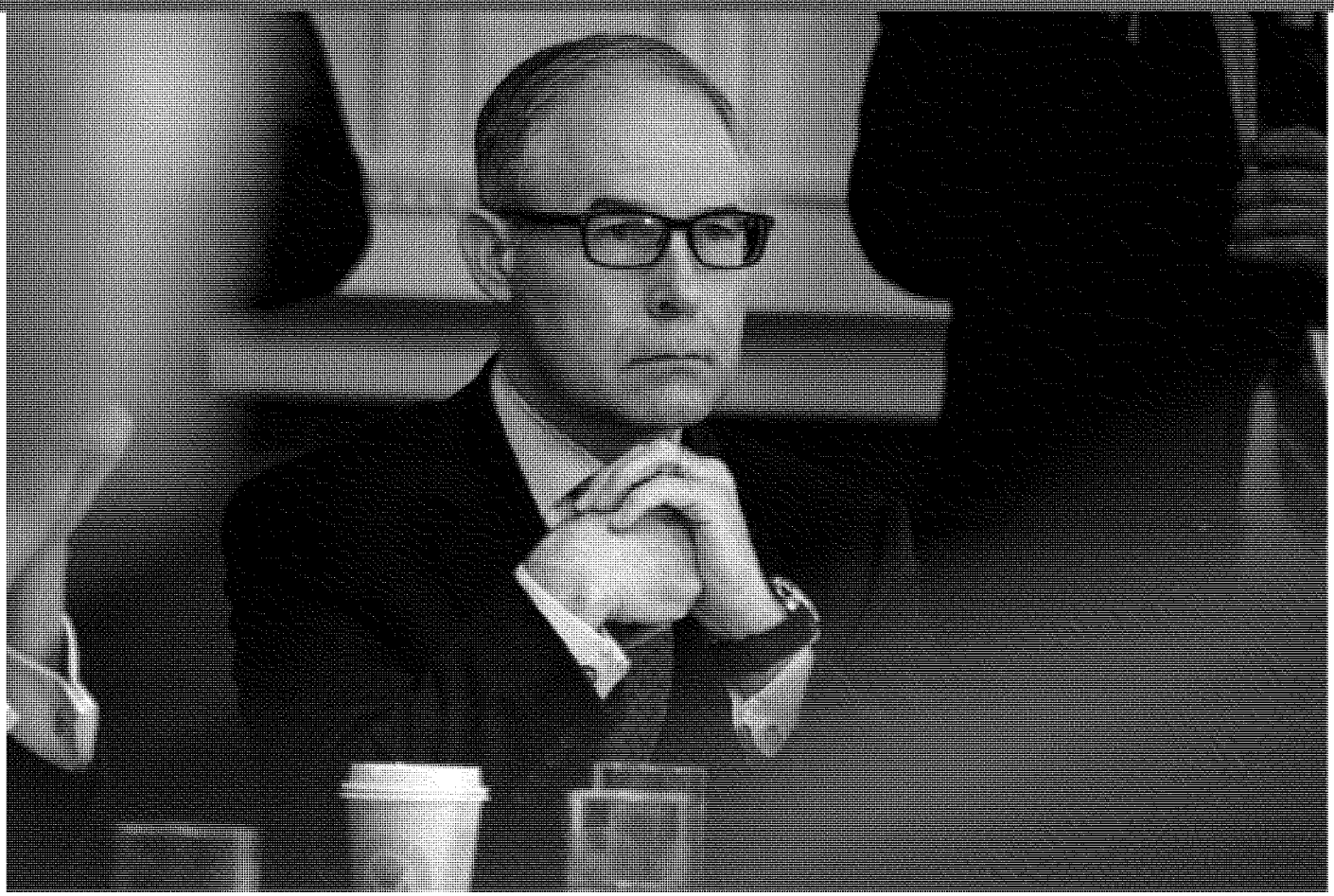
And lobbyists for industries working around the species say it is due time to reassess the beetle's endangered status since its range has ballooned 100-fold since getting federal protection."The [Fish and Wildlife] Service should be expending its time on imperiled species," said Sam McDonald, IPAA's director of government relations. "The American burying beetle isn't one of them."

The energy and agricultural industries care about the endangered status of the shiny, orange-spotted insect because farmers in Nebraska and oilmen in Oklahoma have to try to avoid killing it while developing land or potentially face penalties.

Once living nearly everywhere in the continental United States east of the Rockies, the beetle now exists only a few corners of the country. A filing earlier this year hinted the agency is preparing to upgrade the beetle from endangered to merely threatened.

Read the whole story here:

You are reading **The Energy 202,** our must-read tipsheet on energy and the environment.



Former Environmental Protection Agency administrator Scott Pruitt. (AP Photo/Evan Vucci, File)

— Everyone is getting into podcasting: The Environmental Protection Agency's inspector general is set to release a report Tuesday on former agency chief Scott Pruitt's security detail, along with an accompanying podcast describing the findings. The agency said in May that the 24-7 protection for Pruitt cost taxpayers nearly $3.5 million during his first year in the role. The OIG said in April it would examine Pruitt's protection following a request from Sen. Sheldon Whitehouse (D-R.I.). The watchdog office has been putting out podcasts for big reports since at least 2013.

U.S. EPA OIG

✓@EPAoig

We expect to issue a report on September 4, 2018, about the EPA Administrator's Protective Service Detail. This report will be accompanied by a podcast. Follow @EPAoig or subscribe at http://go.usa.gov/xq564
3:41 PM - Aug 29, 2018
Contact the Office of Inspector General | US EPA
The Contact Page of the United States Environmental Protection Agency's Office of Inspector General.
epa.gov

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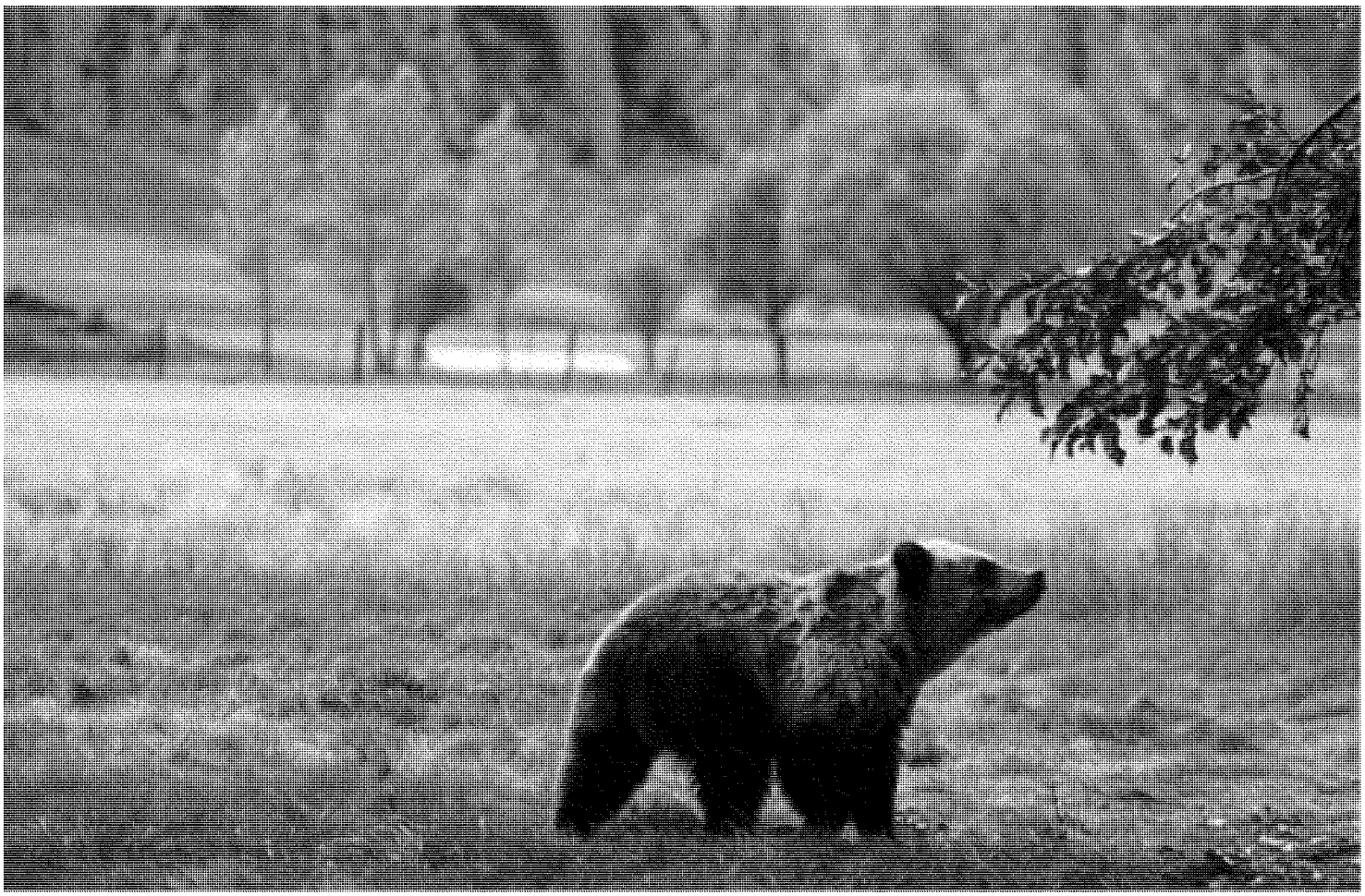
The internal watchdog also announced in a memo on Friday that it would assess how the agency handles concerns about scientific integrity, saying it would review the "extent and type of employee concerns, if any, with scientific integrity," in order to "determine whether the EPA's Scientific Integrity Policy is being implemented as intended." The office noted that the audit was "self-initiated" and not requested by any specific lawmaker.

— Trump tries a centrist EPA nominee: After Michael Dourson, the president's first pick to lead the agency's chemical safety office, withdrew his nomination, Trump is shifting course with a centrist nominee, The Post's Juliet Eilperin and Brady Dennis report. Trump will nominate Alexandra Dapolito Dunn, the EPA Region 1 Administrator, who previously served as the executive director and general counsel for the Environmental Council of States and in the same role at the Association of Clean Water Administrators. "Dunn appears unlikely to stir nearly the same level of political resistance as Dourson, whose nomination in July 2017 drew widespread criticism from environmental and public health advocates," Eilperin and Dennis report.

Heavy equipment is seen at a site where sections of the Dakota Access pipeline were being buried near the town of St. Anthony in Morton County, N.D. (Tom Stromme/The Bismarck Tribune via AP)

— Corps says no environmental risk to Dakota Access pipeline: The U.S. Army Corps of Engineers said Friday it completed a court-ordered review of the environmental impact of the Dakota Access oil pipeline, saying the review found no significant risks, the Associated Press reports. "The Corps said in its summary filed with the court Friday that the chances of an oil spill are low and any impacts to hunting and fishing 'will be of limited scope and duration,'" per the report. "On the environmental justice issue, the agency said minority populations, including the tribe, and low-income groups are not at greater risk of 'adverse human health or environmental effects.'"

— Trump taps new Parks chief: Raymond David Vela, the current head of Wyoming's Grand Teton National Park, has been picked to lead the National Park Service, a permanent role that has been vacant since days before Trump took office. If confirmed, the 28-year- career parks veteran would be the first Hispanic to head the agency, the Associated Press reports.



A grizzly bear cub searches for fallen fruit beneath an apple tree a few miles from the north entrance to Yellowstone National Park in Gardiner, Mont. (Alan Rogers/The Casper Star-Tribune via AP, file)

— Grizzly ruling: Two days before the first grizzly bear hunts in decades were set to begin outside Yellowstone National Park, a federal judge last week blocked and postponed hunting to consider lawsuits challenging the administration's removal of endangered species protections for the bears, The Post's Karin Brulliard and Nick Mott report. USFWS had removed protections from Yellowstone grizzlies last year after its numbers recovered, but conservation groups have filed several lawsuits challenging that assessment.

THERMOMETER

A motorist on Highway 101 watches flames from the Thomas fire leap above the roadway north of Ventura, Calif. (AP Photo/Noah Berger, File)

— Climate change could render many of Earth's ecosystems unrecognizable: According to research out last week in the journal Science, 20,000 years of global fossil and temperature records signal the Earth's ecosystems could face a major transformation, much like (but faster than) the transformation at the end of the last ice age, The Post's Sarah Kaplan reports. The study's lead author says it's even hard for him to wrap his head around it. "It is concerning to me to think about how much change and how rapidly the change is likely to happen, and how little capacity we have to predict the exact course… which creates very large challenges for all of us out there who are trying to manage wildfire, fish, water, soil, endangered species — all those different ways in which natural ecosystems affect us," he told Kaplan.

Floodwaters from Tropical Storm Harvey surround homes in Port Arthur, Texas. (AP Photo/Gerald Herbert, File)

— Harvey one year later: Low-income and minority residents are struggling the most in the recovery following Hurricane Harvey last year, in part because of inequality that played a part even before the storm hit. "In many low-income neighborhoods around Houston, it feels like Harvey struck not last year but last month," the New York Times reports. "Some of Houston's most vulnerable and impoverished residents remain in the early stages of their rebuilding effort and live in the shadows of the widespread perception that Texas has successfully rebounded from the historic flooding…. No local, state or federal agency has been tracking how many people remain displaced after Harvey. It is unclear how many residents are struggling to complete repairs or have had their recovery stall."

A lobster fishing boat heads out to sea at sunrise off shore from Portland, Maine. (AP Photo/Robert F. Bukaty, File)

— Man, it's a hot one:

- A month-long "marine heat wave" on the surface of the Gulf of Maine in August at times saw sea surface temperatures as high as 11 degrees warmer than normal in the "normally chilly waters," The Post's Steven Mufson reports, part of a shift that could affect sea life. "We've set 10 daily temperature records this summer, after setting 18 this winter," the Gulf of Maine Research Institute's Andrew Pershing said. The institute said the waters have warmed more than three times the global average in the last three decades and at seven times the average in the last 15 years.
- Meanwhile, the National Oceanic and Atmospheric Administration is mapping the heat in Washington and Baltimore, and The Post's Terrence McCoy notes if the research mirrors earlier studies about Washington, it will show that "wealthier neighborhoods, which often have a lot of trees, yards and parks, will be cooler than poorer neighborhoods, which often don't." The research comes "at a time when cities like Washington are beginning to grapple with the prospect of an increasingly hot future, the result of climate change and the unforeseen consequences of urban development," McCoy writes.
- How much hotter, on average, is your hometown now compared to when you were born? The New York Times has an excellent new interactive feature that gives you the answer.

Tropical Storm Gordon troubles Florida

Tropical Storm Gordon formed Sept. 3 over the southern tip of Florida with heavy rain and 45mph winds. (Tony Gozet/Ron Schwartz via Storyful)

— Storm watch: Tropical Storm Gordon, which formed on Monday over Florida's southern tip, is likely to move toward the Gulf Coast of Louisiana, Mississippi and Alabama. The storm is expected to make landfall by Tuesday night or Wednesday and could strengthen into a Category 1 before it hits, The Post's Brian McNoldy reports.

Meanwhile, hurricane warnings were posted Monday for areas in the central Gulf Coast. Two oil rigs in the Gulf of Mexico were evacuated and shut down ahead of the imminent impact of the tropical storm, forcing oil prices to sharply increase on Tuesday, Reuters reports.

A firefighting airplane drops fire retardant at the Holy Fire near Lake Elsinore, in Orange County, California, on August 7, 2018. (David McNew/AFP/Getty Images)

— California measure passes on wildfire liability: A bill passed in the final hours of the California state legislative session on Friday would save the state's largest utility, Pacific Gas and Electric Co. from bankruptcy as it calls for passing liability costs to ratepayers following the state's devastating wildfires. The bill heads for California Gov. Jerry Brown's (D) desk, who is expected to sign the bill, the Wall Street Journal reports, noting that is "unlikely to end controversy over how much PG&E customers should pay for what critics call the utility's failure to invest in maintenance and safety measures in a state prone to severe fire risk." As wildfires rage in California, so too has a debate over who should pay for them as they worsen due to climate change and lack of fire-prevention funding.

In this April 29, 2015 photo, a home sits within view of the Watts Bar Nuclear Plant cooling towers near Spring City, Tenn. (AP Photo/Mark Zaleski)

— Nuclear's costly barrier: A new study from the Massachusetts Institute of Technology suggests the value of nuclear energy as a low-carbon emission power generator that can combat climate change is the only way that nuclear energy can compete in the electricity marketplace. Otherwise, without any cost reduction, nuclear energy is too pricey to compete with cheaper renewable or natural gas power sources, Bloomberg News reports. "The study casts doubt on whether President Donald Trump's attempts to rescue money-losing U.S. reactors while undoing climate policies can succeed," per the report. "A more straightforward path to supporting the nuclear industry would be to follow the lead of other countries that have put a price on emissions."

Kuka robots work on Tesla Model X in the Tesla factory in Fremont, Calif. (Mason Trinca for The Washington Post)

— Electric future: The long-anticipated release of Mercedes-Benz's electric SUV Tuesday is expected to be the start of an ambush of competition for Tesla, which has thus far dominated the upscale electric car market, Reuters reports. But BMW, along with Volkswagen's Audi and Porsche divisions, are following not far behind. "The Germans' combined market share will surpass Tesla's to reach 11.8 percent in 2020 before increasing further to about 19 percent three years later," Reuters reports.

DAYBOOK

Today

- Judge Brett M. Kavanaugh's confirmation hearings begin before the Senate Judiciary Committee.
- The House Rules Committee holds a hearing on legislation regarding small-scale liquefied natural gas.
- The Energy Department holds a Grid Modernization Initiative Peer Review.

Coming Up

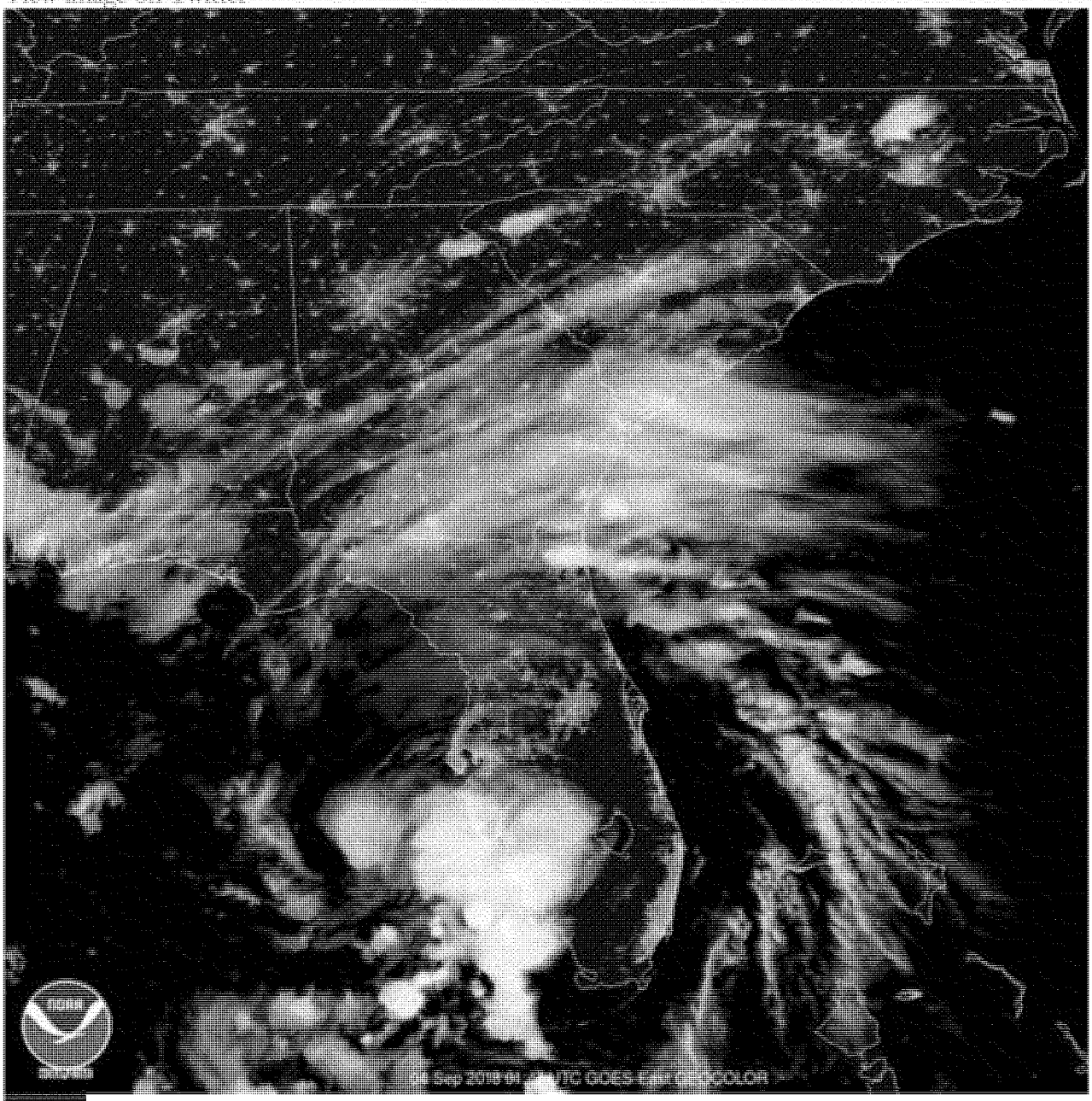
- The Senate Committee on Commerce, Science, and Transportation holds an executive session on various legislative measures and nominations on **Wednesday**.
- The Senate Commerce, Science and Transportation Committee holds an executive session on various legislative measures and nominations on **Wednesday**.

- The Environmental Protection Agency holds a PFAS community engagement in Leavenworth, Kan. on **Wednesday**.
- House Energy and Commerce Subcommittee on the Environment holds a hearing on perfluorinated chemicals on **Thursday**.
- The Senate Environment and Public Works holds a hearing on the nomination of Harold B. Parker to be the federal cochairperson of the Northern Border Regional Commission on **Thursday**.
- The Bipartisan Policy Center and The Hill hold an event on bipartisan climate solutions with Sen. Sheldon Whitehouse (D-R.I.) and Rep. Brian Fitzpatrick (R-Pa.) on **Thursday**.
- The American Enterprise Institute holds an event on implementing the Paris agreement on **Thursday**.
- The United States Energy Association holds a membership briefing on **Thursday**.
- The House Transportation and Infrastructure Subcommittee on Water Resources on Environment holds a hearing on water resources on **Friday**.

EXTRA MILEAGE

— Tropical Storm Gordon as NOAA's satellites see it:

View image on Twitter



BuzzFeed Storm
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Night time satellite image shows Tropical Storm #Gordon developing in the Gulf with 60 mph winds
https://www.buzzfeednews.com/article/skbaer/hurricane-warning-gordon-mississippi-alabama …
10:04 PM - Sep 3, 2018

22

See BuzzFeed Storm's other Tweets
Twitter Ads info and privacy

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Dino Grandoni Energy & environmental reporter for @washingtonpost and newsletter writer for @PowerPost. Follow
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The Washington Times: Scott Pruitt's security detail not properly justified, EPA's IG report concludes
https://www.washingtontimes.com/news/2018/sep/4/scott-pruitt-security-detail-not-properly-justifie/
By Gabriella Muñoz, 9/4/18
An internal investigation found that the Environmental Protection Agency did not properly justify spending $3.5 million in a security detail for former administrator Scott Pruitt, according to a new inspector general report released on Tuesday.
"Failure to properly justify the level of protective services provided to the Administrator has allowed costs to increase from $1.6 million to $3.5 million in just 11 months," the report read.
The audit also pointed out that the legally questionable security detail did not have an approved standard for operation that explained how it determined the necessary level of security for the EPA administrator.
More than $100,000 in additional costs were incurred because security officials worked overtime.
Democrat Rep. Don Beyer said the revelations in this report are a direct reflection on President Trump.
"The Pruitt saga illustrates how sorely real oversight is needed as a check on the President, and how the GOP-led Congress has acted as a rubber stamp for the Trump Administration's worst excesses," he wrote in a statement.
Mr. Beyer was among the Democrats who called for a criminal investigation into the scandals surrounding Mr. Pruitt's tenureat the EPA.
Mr. Pruitt left his role as head of the EPA in July, amid a myriad of scandals related to misuse of federal funds and connections.
Mr. Trump praised Mr. Pruitt when he announcing his resignation.
"He'll go on to great things, and he's going to have a wonderful life, I hope," the president said. "But he felt that he did not want to be a distraction for an administration that he has a lot of faith in."
Tuesday's report is expected to be one of several inquiries into Mr. Pruitt's activity in office.
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The New York Times: Pruitt's Spending on Security More Than Doubled in 11 Months, E.P.A. Investigator Says
https://www.nytimes.com/2018/09/04/climate/pruitt-epa-security-report.html
By Lisa Friedman **and** Coral Davenport**, 9/4/18**
WASHINGTON — The cost of the security services to protect Scott Pruitt, the former head of the Environmental Protection Agency, more than doubled in Mr. Pruitt's first 11 months on the job due to a failure to justify his requests for protection, according to a report released Tuesday by the E.P.A.'s inspector general.
The cost to taxpayers of protecting the E.P.A. chief grew from $1.6 million spent on security for one of his Obama-era

predecessors, Gina McCarthy, to $3.5 million for Mr. Pruitt, the inspector general found.
The report concluded that the E.P.A. administrator's protective service detail, which provides physical protection and escorts to the E.P.A. chief, has no final, standard approved operating procedures addressing the level of protection required for the administrator.
Mr. Pruitt's security went well beyond that of his predecessors and drew sharp criticism. He received round-the-clock protection, according to documents previously released by the E.P.A. inspector general, from a security detail that ultimately grew to a team of more than 20 people, costing about twice as much as his predecessors Lisa P. Jackson and Gina McCarthy. Mr. Pruitt's entourage accompanied him on official travel, but the full-time protection also accompanied him on personal trips including those to his home state of Oklahoma as well as on a family vacation to Disneyland, the Rose Bowl and college basketball games. Those revelations led the E.P.A. inspector general to launch its investigation in April.
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Politico: Watchdog says EPA did not justify Pruitt security spending
https://www.politico.com/story/2018/09/04/pruitt-spending-inspector-general-report-806408
By Alex Guillen, 9/4/18

EPA failed to properly analyze the threats made against former Administrator Scott Pruitt before dramatically expanding his security detail and incurring sharply higher costs, the agency's inspector general said in a report today.

Decisions about Pruitt's security were made "based on management decisions rather than being supported by a threat analysis," the Office of Inspector General report said. "As a result, the costs of providing increased security services to Administrator Pruitt have more than doubled compared to the costs of services provided to Administrator [Gina] McCarthy."

The office that oversees the administrator's security detail "has expressed a commitment to prepare policies and procedures and perform regularly scheduled threat analysis," the OIG report said.

Pruitt's expansion of his security team was at the heart of several of his major scandals. Trump administration officials said the unprecedented round-the-clock protection and first-class plane travel were necessary because of threats made against Pruitt and his family. But that increased protection cost $3.5 million in Pruitt's first year, more than double what his predecessor spent in her final year.

The report on Pruitt's security detail is the first of what is expected to be a string of inquiries into his actions. Other probes being conducted by EPA's inspector general include Pruitt's trip to Morocco to promote natural gas and his other travels, his $50-a-night condo rental, large raises given to top aides, a $43,000 secure phone booth and a meeting with a coal mining group.

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The Hill: EPA failed to properly justify Pruitt security costs, watchdog says
http://thehill.com/policy/energy-environment/404905-epa-failed-to-properly-justify-pruitt-security-costs-watchdog-says
By Timothy Cama and Miranda Green, 9/4/18

The Environmental Protection Agency (EPA) didn't fully justify why it needed to significantly ramp up security efforts for embattled former Administrator Scott Pruitt that lead to millions of dollars in extra costs, the agency's internal watchdog office said.

In a wide-ranging report released Tuesday, the EPA's Office of Inspector General (OIG) found that the costs for Pruitt's detail grew to $3.5 million for his first 11 months, more than double his predecessor's costs, and the EPA never documented why it was necessary.

"Failure to properly justify the level of protective services provided to the Administrator has allowed costs to increase from $1.6 million to $3.5 million in just 11 months," the OIG, led by Inspector General Arthur Elkins, wrote in the report.

The report concluded it was an "undocumented decision" and "an inefficient use of agency resources."

Auditors also questioned whether the agency has the authority to provide a round-the-clock security detail for the administrator, noting that the EPA didn't provide a legal finding that it has the law enforcement authority to do so until June, after months of prodding by the OIG.

Pruitt resigned from the EPA in July, after a rocky 17-month tenure laced with five months of controversy over his compliance with ethics rules and over spending of taxpayer money. His ballooning security costs, including his decision to have unprecedented 24/7 security protection, were central to the scandals.

In its own statement, the EPA defended its decisions regarding Pruitt's security.

"Because persons intending harm often do not make threats, EPA believes — based on DOJ's report, 'Protective Intelligence & Threat Assessment Investigations,' Secret Service practices and real-life scenarios such as the recent attack on the Republican Congressional baseball team and the shooting of Representative [Gabby] Giffords — that a threat analysis cannot be the sole source of information used to determine if protective services are provided or the level of protection," EPA spokesman Michael Abboud said in a statement.

"Accordingly, there is no support for the OIG's insinuation that expenditures for protective services carried out before a threat analysis was conducted were not justified."

While the EPA routinely asserted throughout Pruitt's tenure that the security detail was justified due to a number of threats made against the administrator, the OIG found that the EPA never conducted a true threat analysis to determine the need for increased security.

Instead, the agency relied on statistical details related to the number of threats received against Pruitt and his family.

"The report did not assess the potential danger presented by any of these threats. This information is considerably narrower in scope and only an element of what would be contained as part of a threat analysis as defined by the U.S. Department of Homeland Security or GAO," the watchdog's report found.

The Trump administration requested a round-the-clock security detail for Pruitt before he was even confirmed by the Senate, and the detail started on his first day.

Auditors said that premeditated decision, done without a threat analysis, represents an "inefficient use of agency resources."

The EPA agreed to mitigate four of the 12 recommendations made by the OIG regarding the agency's failures with Pruitt's security.

The round-the-clock detail was just one ramped-up security decision made under Pruitt. The former administrator also used security to justify frequent first-class flights, keeping his calendar secret, having his office swept for surveillance bugs and buying tactical pants and other gear, among other measures.

The Tuesday report is the first in what is expected to be a series of OIG reports that look into many of the controversies that embattled Pruitt, which additionally include his decision to rent a $50 a night condo from the wife of a prominent energy lobbyist, and his prolific use of first class business travel during his first year heading the agency.

Andrew Wheeler, the EPA's current acting administrator, requested the the 24/7 security detail be eliminated just a week after taking office, the report said. Instead, he uses the "portal-to-portal" method, only utilizing a security detail when he travels and when he commutes from home to work, which was the standard practice before Pruitt.

A representative for Pruitt did not respond to a request for comment Tuesday.

-Updated 10:55 a.m.

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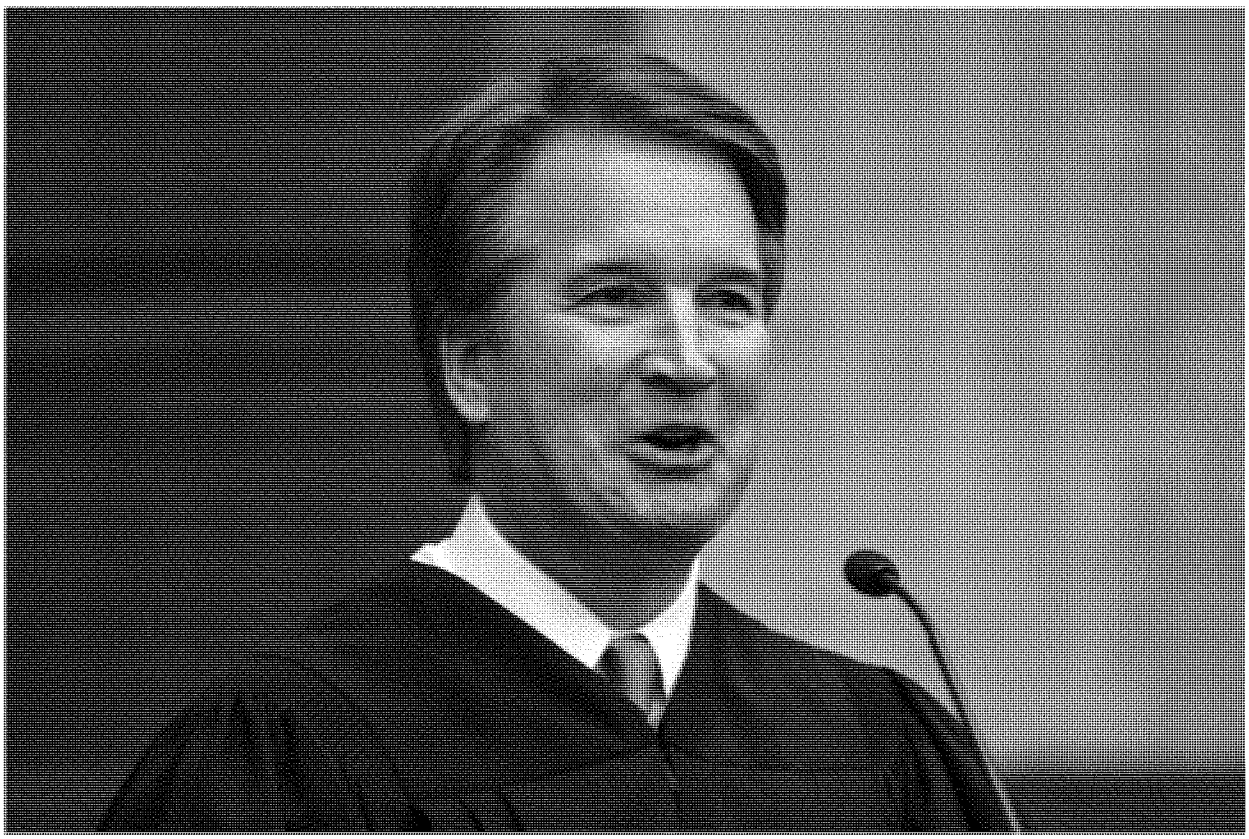
Wall Street Journal: The Kavanaugh Hazing
Democrats fear the High Court will no longer be a liberal legislature.
https://www.wsj.com/articles/the-kavanaugh-hazing-1536015642
By The Editorial Board Sept. 3, 2018 7:00 p.m. ET



America is about to get its first extended look at Supreme Court nominee Brett Kavanaugh in his confirmation hearing before the Senate Judiciary Committee. PHOTO: J. SCOTT APPLEWHITE/ASSOCIATED PRESS

The Senate Judiciary Committee opens confirmation hearings for Supreme Court nominee Brett Kavanaugh on Tuesday, and don't expect the "bipartisanship" that everyone extolled at John McCain's memorial services last week. Democrats are out to tarnish the nominee even if they fail to defeat him, and the main goal is to drive voters to the polls to elect a Democratic Congress in November.

Toward that end, you will hear that the 53-year-old judge will join four other conservatives on the High Court eager to eviscerate the rights of Americans. You will hear they want to require back-alley abortions, deny contraception to women, end gay marriage, strip voting rights from minorities, empower corporations to crush workers, and remove constitutional checks and balances on Donald Trump so he can reign supreme.

Have we missed anything?

The hyperbole of the attacks is self-refuting. No Court with Chief Justice John Roberts as the swing vote is going to overturn precedents willy-nilly, even if an originalist interpretation of the Constitution suggests that it should. The Court has other things to consider, such as how deeply precedents have become embedded in law and social practice.

Potomac Watch Podcast
A Contentious Start to the Kavanaugh Hearings
00:00 / 19:26

A classic example is the *Miranda* warning when police arrest a criminal suspect. Justice William Rehnquist was a critic of that 1966 decision, but in 2000 he refused a chance to overturn the ruling because the warning had been universally in use for so

long. Likewise, a conservative Court will not overturn thousands of legal same-sex marriages.
The real reason Democrats are furious about a Court with five conservatives is that it may no longer be an engine of progressive policy. If liberals want to guarantee a minimum income or a right to suicide, they will have to persuade voters and pass it democratically. No longer will five or six Justices be able to find such rights in the "penumbras" and "emanations" of the Constitution.

Or at least that is our hope. No one can know how a Supreme Court Justice will rule, and some Justices change as the decades go by. Sandra Day O'Connor began as a conservative but moved left over the years on race and other issues. Some conservatives fear that Judge Kavanaugh, as a denizen of the Beltway, will also be pulled left by the forces of liberal social conformity.

He will suddenly have a new set of courtiers, and the media will treat him like one of B.F. Skinner's pigeons. They'll assail him as they now do Justices Clarence Thomas or Samuel Alito when he rules the way they dislike, while rewarding him as they did former Justices Anthony Kennedy and O'Connor if he moves their way. Judge Laurence Silberman on the D.C. Circuit Court of Appeals calls this "the Greenhouse effect," after a liberal reporter who covered the Court.

Our sense from reading Judge Kavanaugh's essays and opinions—he wrote more than 300 on the D.C. Circuit—is that he has the personal and constitutional grounding to stand up to such hazing. There is also now enough of a conservative counterculture in the Federalist Society and courts that he will get some reinforcement for originalist rulings.

On this point, one question is what Judge Kavanaugh thinks about issues that divide legal conservatives these days. Is he closer to J. Harvie Wilkinson of the Fourth Circuit who roundly criticized the *Heller* gun-rights ruling as conservative activism? Or is he more like Justice Thomas in a willingness to revisit doctrines that prevailed before the era of liberal judicial activism of the 1960s? GOP Senators might try to elicit some insight from Judge Kavanaugh on these questions this week.
By the way, readers can ignore the Democratic protests about the GOP failure to produce more documents from Judge Kavanaugh's tenure in George W. Bush's White House counsel's office. The Trump Administration decided to withhold some 101,000 document pages entirely under executive privilege and allow Senators and their staff to view 147,000 or so in a secure room on Capitol Hill.

Minnesota Senator Amy Klobuchar said Sunday that this is "not normal." She must be running for President, because the process is similar to how the Obama White House handled documents related to Elena Kagan. We're told no Democratic Senators had bothered to look at the documents by Monday. Judiciary Chairman Chuck Grassley also said he'd support Senator Klobuchar's request to make some of those documents public if she wishes. She has not done so—which suggests how little of political consequence is in those pages.

As long as Republicans stay united, they can confirm Judge Kavanaugh without a Democratic vote. But if it looks as if confirmation is assured, don't be surprised if Minority Leader Chuck Schumer gives a pass to some of the Democrats running for re-election in conservative states this year. Mr. Schumer wants to show he is fighting as hard as possible to defeat Judge Kavanaugh, but he wants to be Majority Leader even more.

Appeared in the September 4, 2018, print edition.

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The Hill: EPA ordered to enforce Obama chemical plant safety rule
http://thehill.com/policy/energy-environment/404942-epa-ordered-to-enforce-obama-chemical-plant-safety-rule
By Timothy Cama, 9/4/18

A federal court has ordered the Environmental Protection Agency (EPA) to start enforcing a major Obama administration regulation on the safety of chemical plants and similar facilities.

The Court of Appeals for the District of Columbia Circuit made the order Friday after environmental groups and Democratic state attorneys general asked the judges to skip the traditional 52-day waiting period to enforce their Aug. 17 ruling, which found that the Trump administration improperly delayed the regulation.

Judges Judith Rogers and Robert Wilkins did not explain their brief order Friday accepting the litigants' arguments.

"Petitioners and the public have a strong interest in the court's mandate issuing promptly, due to the serious and irreparable harm and imminent threats to public health and safety that EPA's Delay Rule is causing," the groups and attorneys general wrote in their Aug. 24 petition.

The Obama administration's EPA wrote the rule to try to prevent and mitigate chemical plant disasters, like the 2013 West, Texas, fertilizer plant explosion that killed 15. It beefed up requirements for disaster planning and for post-incident investigations, among other changes.

It was due to start taking effect in March 2017, but the Trump administration has delayed implementing it while it reconsiders major aspects of the rule. The EPA proposed earlier this year to eliminate some of the most substantial provisions, but that rollback has not been made final.

In its decision last month, the D.C. Circuit Court said the EPA didn't follow the Clean Air Act in delaying the regulation.

"Because EPA has not engaged in reasoned decisionmaking, its promulgation of the delay rule is arbitrary and capricious," the judges said.

After the Friday ruling that the EPA must start enforcing the rule, business groups and Republican attorneys general immediately asked the court to hold off, saying they weren't given sufficient time to rebut the arguments by the environmental groups.

"The court never gave industry intervenors notice of its decision to grant petitioners' motion before the running of this 10-day period and thereby violated Federal Rule of Appellate Procedure 27(a)(3)(A)," write the business groups, led by the Chamber of Commerce.

"The court should accordingly rescind the order and recall its mandate to give industry intervenors the opportunity to exercise their right to respond."

The EPA said in its own brief response that it agrees with the business groups and wants the court to undo its order.

To: Abboud, Michael[abboud.michael@epa.gov]; Block, Molly[block.molly@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
Cc: AO OPA Media Relations[AO_OPA_Media_Relations@epa.gov]
From: Agarwal, Ilena[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=DA61841DC43F4A9F8BFD3223AD9C230D-AGARWAL, IL]
Sent: Mon 10/29/2018 7:31:05 PM (UTC)
Subject: Highlights 10/29/2018

EPA Stories:

Heartland Institute: FEDERAL COURT ORDERS EPA TO BAN PESTICIDE
A federal appeals court ordered the U.S. Environmental Protection Agency (EPA) to proceed with a ban on the pesticide Chlorpyrifos. A federal appeals court ordered the U.S. Environmental Protection Agency (EPA) to impose a ban on the pesticide chlorpyrifos. Arguing research indicates chlorpyrifos poses a danger to human health, environmental activists filed petitions asking EPA to ban the pesticide, which the agency proposed doing in 2016. In 2017, under then-new EPA administrator Scott Pruitt, the agency reversed course, denying the petitions and deciding not to ban chlorpyrifos. In announcing the decision, Pruitt noted farmers have used chlorpyrifos safely for decades and that in 2016, under President Barack Obama, EPA's own science advisory panel found the main study environmental groups cited in their petition to ban the pesticide was seriously flawed.

BANGOR DAILY NEWS: Trump's EPA Wants To Rewrite Standards For Tribal Waters In Maine
The U.S. Environmental Protection Agency wants to rewrite its own water quality standards for the Maine rivers where members of the Penobscot Nation and Houlton Bands of Maliseets have sustenance fishing rights. After unsuccessfully negotiating with Maine's Department of Environmental Protection, the federal agency in December 2016 imposed stricter criteria for the Penobscot and the Meduxnekeag rivers. The Trump administration wants to revisit the stricter standards promulgated by Obama-era officials for the rivers that flow through or around tribal lands in Penobscot and Aroostook counties, according to documents filed in federal court in Maine. U.S. District Judge Jon Levy will hold a hearing at 10 a.m. Tuesday at the Edward T. Gignoux U.S. Courthouse in Portland on the EPA's motion to stay a pending lawsuit over the standards so Trump appointees can, tribal members fear, rewrite them.

The Ring of Fire: The EPA Has Completely Stopped Doing Their Job
EPA has almost completely stopped doing their job this time last year, which means that our air is getting dirtier, our water is more polluted, and our overall health is deteriorating. Ring of Fire's Mike Papantonio and Peter Mougey discuss this issue. Video Link: https://youtu.be/_DTWutcuGcg
Transcript: Mike Papantonio: EPA has almost completely stopped doing their job this last year, which means that our air is getting dirtier, our water is more polluted, and our overall health is deteriorating. The agency has cut way back in holding corporate polluters accountable. That's bad news for everybody in this country, except Corporate America that has pumped so much money into this to make sure that this happens.

E&E News: Gains elusive for GOP governor after embrace of coal, Trump
MURPHYSBORO, Ill. — The most significant energy policy adopted in the past decade in Illinois is one Gov. Bruce Rauner (R) isn't boasting about during his run for re-election. At least not in some parts of the state. In and around Chicago, Rauner touts his signing of the Future Energy Jobs Act (FEJA), which provides more than $200 million a year in nuclear subsidies for two Exelon Corp. plants and will spur 4,300 megawatts of wind and solar energy development in the state (Energywire, Dec. 2, 2016). E&E News features, analysis and updates on the midterm elections. Click here to view the series. But the law did nothing for the coal industry in southern Illinois. And it wasn't mentioned in August when Rauner addressed the Illinois Basin Coal and Mining Expo in Marion, Ill., where he was introduced by Alliance Resource Partners LP CEO Joe Craft, a close ally of President Trump.

Phy.org: Coal power plant regulations neglect a crucial pollutant
Coal power plant regulations neglect a crucial pollutant. Cleaning up or replacing coal-fired power plants that lack sulfur pollution controls could help Texans breathe cleaner, healthier air, according to researchers at Rice University. A study led by environmental engineer Daniel Cohan analyzed models that measure the effects of emissions from 13 coal plants in Texas. Along with their conclusions on the modeling systems themselves, they found residents downwind of coal plants would be far better off today had the state focused on cutting particle-forming sulfur dioxide emissions in addition to those that cause ozone. "Texas has more unscrubbed coal plants than anywhere in the country and it's causing a substantial amount of air pollution damage and impacts on our health," Cohan said. "What I found eye-opening in this study is that most of the health damage is coming from particulate matter, but most of Texas' focus on air pollution has been on ozone smog.

AP: EPA Turns to Judge for Lead-Testing at 9 NW Indiana Homes
The U.S. Environmental Protection Agency is seeking access to nine properties within a Superfund site in northwestern Indiana that have never been tested for lead or arsenic contamination. EPA Turns to Judge for Lead-Testing at 9 NW Indiana Homes— The U.S. Environmental Protection Agency is seeking access to nine properties within a Superfund site in northwestern Indiana that have

never been tested for lead or arsenic contamination. The EPA says in court filings that the East Chicago properties may be tainted with lead or arsenic at levels that may pose a threat to human health and the environment. The agency says it hasn't been able to get permission from property owners to test the soil. The Post-Tribune reports the nine plots are within the U.S.S. Lead Superfund site, a portion of which once housed a lead smelter.

BC Heights: Obama EPA Head Talks Trump Environmental Policy

Gina McCarthy, former head of the Environmental Protection Agency (EPA) during the Obama administration, came to speak at Boston College on Tuesday in the wake of recent rollbacks by the Trump Administration of many Obama-era EPA policies. McCarthy served as head of the EPA from July 2013 to January 2017. Her term began with an especially contentious confirmation battle—a sign of increasing political divisiveness over the topic of climate change and the environment. She was introduced by Joseph Manning, BC '14. He highlighted that the effects of climate change are no longer theoretical, but emphasized that there is still hope for the future. Manning lauded McCarthy's innovative achievements as head of the EPA.

Chemical Watch: Senator criticizes TSCA implementation as a 'remarkable disaster'

The implementation of the amended TSCA under the Trump administration has been a "remarkable disaster" according to one of the architects of the 2016 legislation that updated the law. Speaking at a 19 October forum hosted by Harvard's public health school, Senator Tom Udall (D–Arizona) said passage of the Frank R Lautenberg Chemical Safety for the 21st Century Act put in place a law that began the process of fixing "a chemical safety law that was broken". But despite the new law being strong, the Trump administration had been trying to "roll back what TSCA is trying to do". This, Mr Udall said, undermined its very purpose: to implement a system to protect science and public health. What is important, he said, "isn't just the law, it's the implementation of the law, and it's the regulations that specifically focus in on the science and the public health – making sure we get all of it right." And he added his constituents perceive that "the agency has been captured by the industry" and lobbyists.

National Stories:

NYT: The Hate Poisoning America

What is going on in this country? Can't we be safe in our homes, in our schools, in our most sacred places? Once again, Americans are left to ask each other these sorts of questions, after a gunman burst into the Tree of Life Synagogue in Pittsburgh on the Jewish Sabbath and opened fire on families in the contemplation of their faith. Armed with a semi-automatic rifle and three handguns, he killed 11 people and wounded six more, including four police officers. "Jews must die," he was said to have shouted. The attack came a day after a man was arrested in Florida for mailing pipe bombs to politicians and journalists across the country. In both cases, the suspects had nourished their animus online, on social media platforms where they could easily connect with people who shared their hatreds. Violent crime remains at historic lows across the United States. But by various indexes, hate appears to be on the rise. Over the past two years, anti-Semitic attacks have more than doubled, according to the Anti-Defamation League, which says it believes Saturday's attack was the deadliest against Jews in American history. After the attack on Tree of Life, Rabbi Marvin Hier, the founder and dean of Simon Wiesenthal Center, told The Times, "I'm afraid to say that we may be at the beginning of what has happened to Europe, the consistent anti-Semitic attacks."

Military to Deploy 5,000 Troops to Southern Border

Deployment numbers are increased from initial estimates of 800 troops, in anticipation of migrant caravan The U.S. military plans to deploy 5,000 troops to the southwest U.S. border in anticipation of a caravan of would-be asylum seekers and migrants currently moving northward in Mexico, U.S. officials said Monday. The new figure is a major increase from initial estimates of 800 troops and would represent a military force equal to about one-third the number of customs officials currently working at the border. The military sent about 2,000 National Guard troops to the area earlier this year. "This is an invasion of our Country and our Military is waiting for you!" President Trump wrote on Twitter on Monday morning, without directly mentioning troop numbers. With midterm elections just over one week away, Mr. Trump has seized on the migrant caravan as a potent political issue to rally his supporters. The president on Monday repeated his previous assertion that gang members and criminals were hiding among the migrants.

Heartland Institute: FEDERAL COURT ORDERS EPA TO BAN PESTICIDE

https://www.heartland.org/news-opinion/news/federal-court-orders-epa-to-ban-pesticide

By Kenneth Artz- OCTOBER 29, 2018

A federal appeals court ordered the U.S. Environmental Protection Agency (EPA) to proceed with a ban on the pesticide Chlorpyrifos.

A federal appeals court ordered the U.S. Environmental Protection Agency (EPA) to impose a ban on the pesticide chlorpyrifos.

Arguing research indicates chlorpyrifos poses a danger to human health, environmental activists filed petitions asking EPA to ban

the pesticide, which the agency proposed doing in 2016.

In 2017, under then-new EPA administrator Scott Pruitt, the agency reversed course, denying the petitions and deciding not to ban chlorpyrifos. In announcing the decision, Pruitt noted farmers have used chlorpyrifos safely for decades and that in 2016, under President Barack Obama, EPA's own science advisory panel found the main study environmental groups cited in their petition to ban the pesticide was seriously flawed.

The federal appeals court said Pruitt's decision was unjustified, ruling the relevant law requires EPA to proceed with the ban.

In a two-to-one decision, on August 9, a three judge panel of the Ninth Circuit Court of Appeals ruled EPA violated provisions established in the 1938 Federal Food, Drug, and Cosmetic Act requiring the agency to ban any pesticide found to harm human health if it is ingested on food.

'No Sound Science' Behind Ban

Angela Logomasini, a senior fellow at the Competitive Enterprise Institute and a policy advisor to The Heartland Institute, which publishes Environment & Climate News, says Pruitt was on solid scientific ground when he halted the Obama-era decision to ban the pesticide.

"EPA did not argue the science at the court," said Logomasini. "They made a procedural argument for reversing the ban, which the court rejected. Maybe EPA should have argued for reversing the ban on the merits, on which point they should prevail because there is no sound science supporting the activists' claims of health problems related to chlorpyrifos.

"As commonly used, chlorpyrifos is a low-risk pesticide, yet based on a single study, activists claimed it causes birth defects and developmental problems," Logomasini said. "Despite EPA's science advisory board saying the study was highly flawed and not useful for drawing conclusions, Obama's EPA proposed banning chlorpyrifos anyway, a decision EPA, under Trump, tried to reverse."

'Quite Crazy' Order

Chlorpyrifos' manufacturer, Dow Chemical, is asking the full court to hear an appeal of the panel's split decision, says Logomasini.

"The court ordering EPA to issue a ban seems to me quite crazy and is certainly not based upon the science," Logomasini said. "My understanding is Dow Chemical Company, the manufacturer, is asking a larger panel or the full court to review the decision, which came from a somewhat activist three-judge panel, in the hope reason will prevail."

EPA appealed the decision on September 25, asking the entire Ninth Circuit court to hear the case, putting the ban on hold. The U.S. Department of Agriculture supported EPA's appeal.

"The costs of an incorrect decision on chlorpyrifos are expected to be high and would cause serious impacts to American farmers working to feed, fuel and clothe the United States and the world," Secretary of Agriculture Sonny Perdue said in a statement. "For some crops and target pests, chlorpyrifos is the only line of defense, with no viable alternatives."

BANGOR DAILY NEWS: Trump's EPA Wants To Rewrite Standards For Tribal Waters In Maine

http://www.mainepublic.org/post/trump-s-epa-wants-rewrite-standards-tribal-waters-maine#stream/0
By JUDY HARRISON - • October 29, 2018

The U.S. Environmental Protection Agency wants to rewrite its own water quality standards for the Maine rivers where members of the Penobscot Nation and Houlton Bands of Maliseets have sustenance fishing rights.

After unsuccessfully negotiating with Maine's Department of Environmental Protection, the federal agency in December 2016 imposed stricter criteria for the Penobscot and the Meduxnekeag rivers.

The Trump administration wants to revisit the stricter standards promulgated by Obama-era officials for the rivers that flow through or around tribal lands in Penobscot and Aroostook counties, according to documents filed in federal court in Maine.

U.S. District Judge Jon Levy will hold a hearing at 10 a.m. Tuesday at the Edward T. Gignoux U.S. Courthouse in Portland on the EPA's motion to stay a pending lawsuit over the standards so Trump appointees can, tribal members fear, rewrite them. Maine sued the EPA in 2014 over what were then proposed standards alleging that once enacted, the rules would create a double standard for water quality in Maine — one for tribal waters and another for the rest of the state.

Historically, Maine's tribal members have consumed fish and other food sources from the Penobscot, Meduxnekeag and other rivers at much higher rates than the general public, according to court documents. The intent of the higher standards in tribal waters is to decrease pollutants, including mercury and dioxins, that make higher-than-average fish consumption unhealthy.

Maine estimated a fish consumption rate of 1.14 ounces per day for native populations, court documents said. The EPA found that rate was inaccurate and adopted water quality standards to protect the health of tribal members at a consumption rate of 10 ounces of fish per day.

Lawyers for the tribes support the current standards and oppose the proposed stay and a reconsideration of the rules.

"The agency's motion does not attempt to cloak the fact that the decision to reconsider its position is entirely politically motivated," Kaighn Smith, the Portland attorney representing the Penobscots, said in the tribe's response to the motion to stay.

Attorneys for the Maliseets agreed. Jane G. Steadman, a Seattle attorney representing the Maliseets, said in her response opposing the stay that since Trump's election, the EPA already reviewed the standards and supported them.

"[The] petition to reconsider the February 2015 decisions and [water quality standards], and EPA's second review of the voluminous administrative records supporting them, caused a seven-month stay of this case," she said. "Following that review, the Trump administration determined in December 2017 not to change a single comma."

The state supports the stay but wants the stricter standards vacated until new ones can be written. The EPA has asked that the current standards remain in place until new rules can be promulgated. The tribes also want the current rules to remain in place if Levy issues a stay.

Towns along the Penobscot River, whose officials have expressed concern over the higher standards, are represented by the Federal Water Quality Coalition. In March, it filed a friend-of-the-court brief supporting the state's position but, as of Friday, had not taken a stand on whether a stay should be issued.

There is no timeline under which the judge must issue his decision.

The Ring of Fire: The EPA Has Completely Stopped Doing Their Job

https://trofire.com/2018/10/29/the-epa-has-completely-stopped-doing-their-job/
By Mike Papantonio - October 29, 2018

EPA has almost completely stopped doing their job this time last year, which means that our air is getting dirtier, our water is more polluted, and our overall health is deteriorating. Ring of Fire's **Mike Papantonio** and **Peter Mougey** discuss this issue.

Video Link: https://youtu.be/_DTWutcuGcg

Transcript:

Mike Papantonio: EPA has almost completely stopped doing their job this last year, which means that our air is getting dirtier, our water is more polluted, and our overall health is deteriorating. The agency has cut way back in holding corporate polluters accountable. That's bad news for everybody in this country, except Corporate America that has pumped so much money into this to make sure that this happens.

Peter, every time I pick up ... Every week, there's another story about people being exposed to radiation because of pollution or toxins in their drinking water because of pollution, because of corporate conduct. The air that children are breathing in some of these cities are so bad that they've actually done the studies and they say well, it's coming from these three corporations. We know where it's coming from. It's called externalizing cost. Right?

Peter Mougey: Right.

Mike Papantonio: A corporation ...

Peter Mougey: Passing the costs on to the taxpayer.

Mike Papantonio: Yeah. A corporation doesn't want to spend the money to clean the air, to do the air cleaning before ... on top of the stack. They don't want to spend the money cleaning the toxins before they go in the river. I saw a story just this week where an entire community is now exposed to radiation because the companies that were involved wouldn't do their job. What is your take on the cutbacks that we're starting to see?

Peter Mougey: The whole story starts with Scott Pruitt who's now the head of the DEA. He's the former AG from Oklahoma that was responsible for single-handedly trying to shut down the organization that he's now running. Can you imagine? Let's get this guy that does even think-

Mike Papantonio: Talk about that more. You're not just ... That's not just ... He really wanted, he really wanted to shut it down.

Peter Mougey: He filed state actions. as a state governmental representative filed state actions Oklahoma trying to minimize and shrink the DEA and said this is our fight. We want to get rid of the DEA. He tried to take over the battle and then you take that guy and have him run the DEA which is designed to protect us from , as you mentioned, the radiation, the accidental discharges, passing all this pollution, sending it down the rivers.

And so we're now surprised which we shouldn't be that the number of enforcement actions has decreased, the number of criminal fines if you take out the AG, I'm sorry, the Volkswagen fine, everything's on the way down. Why is that surprising?

Mike Papantonio: We're going to be like Beijing here. The last time I was in Beijing, honestly people were having to wear masks. They have oxygen bars there to where you can go in and actually be able to breathe fresh oxygen.

Peter Mougey: I love this. Hold on, bear with me. $2.98 billion in fines in 2017. $2.98 billion in fines from the EPA and now 2.8 of those came from Volkswagen. So if you take out the Volkswagen fines they've actually done nothing.

Mike Papantonio: Well actually there's been 30 to 40% fewer criminal enforcement actions here.

Peter Mougey: Exactly.

Mike Papantonio: And that's just since Pruitt's taken over.

Peter Mougey: Yeah.

Mike Papantonio: And so what-

Peter Mougey: This trend's going to continue.

Mike Papantonio: Yeah.

Peter Mougey: It's going to get worse and worse and what you're going to see is more cleanup problems because nobody's watching. There's no watchdog.

Mike Papantonio: Here's the point. What people miss, they say well this doesn't really bother me because I didn't live in that neighborhood. It passes on to taxpayers.

Peter Mougey: Sure it does.

Mike Papantonio: What ends up happening is the company says, I don't really want to pay for all this. I can increase my bonus if I can keep costs down. I can make more money for the corporation if I don't do what I know I'm supposed to do because taxpayers when everything hits, taxpayers are going to have to pay for it.

Peter Mougey: That's state and federal. I mean the super-fund sites are passed on to the federal taxpayers. I mean there are small

communities that have super-fund sites that you would never expect. Not even just industrial heavy cities but the super-fund sites where they partition off the area and the federal government has to come in and clean them up because the company's taken out all the profits and passed it along to the taxpayer to clean up later, generations later.

Mike Papantonio: There's a great movie. I'm not saying it's great just because I'm in it but it is a very good movie. It's called "The Devil We Know" and it's about the trial, it's about the case I tried up in Columbus Ohio where DuPont was dumping just thousands and thousands, millions of gallons of toxins into the Ohio River and it caused cancer clusters all up through there.

It's a great movie. It'll be released I think the Toronto Film Festival is the release date and I think that's next month. It's called "The Devil We Know." Go take a look at the trailer. It's very well done.

E&E News: Gains elusive for GOP governor after embrace of coal, Trump

https://www.eenews.net/stories/1060104559
Jeffrey Tomich: Monday, October 29, 2018

MURPHYSBORO, Ill. — The most significant energy policy adopted in the past decade in Illinois is one Gov. Bruce Rauner (R) isn't boasting about during his run for re-election.

At least not in some parts of the state.

In and around Chicago, Rauner touts his signing of the Future Energy Jobs Act (FEJA), which provides more than $200 million a year in nuclear subsidies for two Exelon Corp. plants and will spur 4,300 megawatts of wind and solar energy development in the state (Energywire, Dec. 2, 2016).

CONTINUING COVERAGE
Campaign 2018 logo
E&E News features, analysis and updates on the midterm elections. Click here to view the series.

But the law did nothing for the coal industry in southern Illinois. And it wasn't mentioned in August when Rauner addressed the Illinois Basin Coal and Mining Expo in Marion, Ill., where he was introduced by Alliance Resource Partners LP CEO Joe Craft, a close ally of President Trump.

Although Rauner didn't tout FEJA, much as he's avoided connecting himself to many of Trump's policies, he made sure to let miners and executives know he's aligned with the president when it comes to coal.

"We've had a heck of a strong headwind against our coal industry in Illinois for a long time," the governor said, according to a recording of the Aug. 8 speech. "The good news is I think we've got a friend now in the White House."

The politics of energy have long been tricky to navigate in bifurcated Illinois, a state where urban Chicago and rural southern Illinois are distinct in many ways — from politics to culture to Major League Baseball allegiances.

Energy is no different, with wind farms and Exelon nuclear reactors powering the PJM Interconnection's bulk power grid north of Interstate 80 and coal still the workhorse fuel downstate on the Midcontinent Independent System Operator grid (though little of the coal burned in Illinois actually comes from local mines).

While energy isn't a key issue in the Nov. 6 election, it's one of the few topics where Rauner has clung to Trump — at least in southern Illinois. That's unsurprising given that Trump carried many counties in the region with more than 70 percent of the vote in the 2016 presidential election.

But the governor, who trails Democratic challenger J.B. Pritzker by a wide margin according to recent polls, has gotten little help in return. In fact, even in the southern part of the state, Rauner and Pritzker were running even, according to poll results last month from the Paul Simon Public Policy Institute at Southern Illinois University.

Another sign came Saturday evening when Trump stopped in southern Illinois to hold a rally for Rep. Mike Bost (R), who's in a tight race against Democrat Brendan Kelly.

During his hourlong speech, the president invited Reps. Rodney Davis and Randy Hultgren onto the stage and urged the crowd

packed into a hangar to re-elect the Illinois Republican congressmen.

Trump even plugged John Cox, the Republican candidate for governor in California.

But the president didn't invite the governor on stage. In fact, he didn't even acknowledge Rauner, who watched the rally from the bleachers wearing a motorcycle vest and baseball cap.

Pritzker nonetheless criticized his opponent in a tweet: "It's only fitting that Bruce Rauner closes out his four years of failing the people of Illinois by running to Donald Trump's side for a last-ditch photo op."

Comparisons between Rauner and Trump on energy and the environment are part of the political narrative for the governor's supporters and critics alike.

Phil Gonet, executive director of the Illinois Coal Association, acknowledged he wasn't happy with FEJA, which his group describes as an "Exelon bailout." But the governor has otherwise delivered on his campaign promises to the coal industry, he said.

Gonet, a member of Rauner's transition team, said the industry asked for more staffing in the state Department of Natural Resources' Office of Mines and Minerals to process permits. Even with the state facing a historic budget crunch, Rauner delivered, he said.

"That's turned around 180 degrees," Gonet said.

The governor also extended a sales tax exemption for mining machinery and equipment, which is worth about $10 million a year, according to the association.

Rauner's EPA
Other changes are harder to quantify. Gonet said the mining industry has a much-improved relationship with state regulators than under previous administrations. Rauner himself touted the "pro-business, pro-job creators" he's installed at Illinois agencies, including Illinois EPA.

"They don't bend over backward to help us," he said, "but they're fair."

That's where Rauner's critics disagree. They point to a pending rulemaking at the Illinois Pollution Control Board that would allow the state's largest operator of coal-fired power plants more freedom to run its dirtier, more profitable generating units (Energywire, Oct. 5).

The rule was proposed by Illinois EPA and its director, Alec Messina, following months of private negotiations with the plants' owner, Dynegy Inc.

Ill. Gov Bruce Rauner meets miners. Photo credit: @BruceRauner/Twitter
Rauner met with miners on a tour of Alliance Resource Partners LP's Hamilton County coal mine in August. @BruceRauner/Twitter

Environmental groups raised alarm when Messina, a former executive director and lobbyist for the Illinois Environmental Regulatory Group — a trade group that represents utilities, refiners, manufacturers and other industrial companies on environmental matters — was named head of the state EPA, where he'd also previously worked as general counsel under ex-Gov. Rod Blagojevich (D).

The rule change sought by Messina at Dynegy's request only confirmed those concerns.

"Governor Rauner and his Illinois EPA director, Alec Messina, have been close allies of the Illinois coal industry," said Howard Learner, executive director of the Chicago-based Environmental Law & Policy Center. "The backroom deal between Illinois EPA and Dynegy to weaken the clean air standards in Illinois is Exhibit 1."

Learner also cited a decline in enforcement actions against polluters. Earlier this year, the Chicago Tribune reported a sharp drop in the number of cases referred to Attorney General Lisa Madigan's office for enforcement compared with previous administrations.

A Madigan (D) spokeswoman Friday confirmed that the 59 total cases referred by Illinois EPA through the end of September remained well below the average number from previous administrations.

Illinois EPA Chief Legal Counsel John Kim didn't return a call Friday seeking comment.

Jack Darin, director of the Illinois chapter of the Sierra Club, said the rule is an example of Rauner "following the Trump playbook" by appointing agency heads who have cozy relationships with the fossil fuel industry and empowering them to roll back regulations.

Meanwhile, he gave Rauner little credit for his role in FEJA and said the governor hasn't done enough to help the state realize the economic potential for wind and solar energy in Illinois.

"That he turns a blind eye to one of the fastest-growing segments of the global economy to pay lip service to the coal industry really is an echo of what we're hearing from the Trump administration," Darin said.

Not surprisingly, the Sierra Club is backing Pritzker, the billionaire heir to the Hyatt Hotels Corp. family fortune, who has vowed to honor the Paris climate accord and to "take steps" to put Illinois on a path to 100 percent clean energy.

When it comes to the downstate coal industry, Pritzker pledged to work with communities affected by the move away from fossil fuels, including a vow to raise the minimum wage to $15 an hour and protecting pensions and health care.

Rauner, meanwhile, has sought to rally support from the coal industry by identifying Pritzker and his family as key allies and funders of President Obama and Hillary Clinton and "a core part of the war on coal."

"That guy Pritzker is totally, totally into the war on coal," he told miners and executives in his August speech.

But John Jackson, a visiting professor of political science at Southern Illinois University, Carbondale, said Rauner's pro-coal rhetoric doesn't reverberate as loudly as it once did downstate.

That's because the mining industry employs a fraction of the number of miners it used to due to loss of market share to natural gas and renewable energy and the mechanization of the mining industry.

"Coal in southern Illinois is still an important cultural factor, but it is no longer an important economic factor," Jackson said.

Phy.org: Coal power plant regulations neglect a crucial pollutant

https://phys.org/news/2018-10-coal-power-neglect-crucial-pollutant.html
October 29, 2018 by Mike Williams, Rice University

Coal power plant regulations neglect a crucial pollutant

Cleaning up or replacing coal-fired power plants that lack sulfur pollution controls could help Texans breathe cleaner, healthier air, according to researchers at Rice University.

A study led by environmental engineer Daniel Cohan analyzed models that measure the effects of emissions from 13 coal plants in Texas. Along with their conclusions on the modeling systems themselves, they found residents downwind of coal plants would be far better off today had the state focused on cutting particle-forming sulfur dioxide emissions in addition to those that cause ozone.

"Texas has more unscrubbed coal plants than anywhere in the country and it's causing a substantial amount of air pollution damage and impacts on our health," Cohan said. "What I found eye-opening in this study is that most of the health damage is coming from particulate matter, but most of Texas' focus on air pollution has been on ozone smog. It's a real dichotomy where the standard we violate is ground-level ozone, but the biggest cause of damage is particulate matter."

The study appears in the Journal of the Air & Waste Management Association.

Three of the state's coal plants have closed in 2018, but the effects of all 13 are represented in data collected from 2012 to 2017 and used by Cohan and co-authors Brian Strasert, a Rice alumnus now at GSI Environmental in Houston, and undergraduate student Su Chen Teh.

The researchers wrote that as coal power gets more expensive and natural gas and renewables like wind and solar energy advance,

companies seem more likely to close plants based solely on economic considerations.

They also point out the state missed an opportunity to accelerate the benefits that would have come with enforcement of the Obama-era regional haze plan. That would have cut emissions of sulfur dioxide, a contributor to airborne particulate matter—invisible particles less than 2.5 microns in diameter—at eight of the highest-emitting plants. Instead, in 2017, the Environmental Protection Agency replaced the plan with a cap-and-trade program.

"That doesn't mean the plants will get worse," Cohan said. "It just means the plants that should have been forced to clean up or close down have gotten a get-out-of-jail-free card."
The researchers noted that according to EPA statistics, Texas power plants emit more than twice as much sulfur dioxide as second-ranked Missouri. The problem, Cohan said, is that even when particulate levels meet current standards, they are still health hazards, especially to those directly downwind of the plants.

"We know the higher the particulate matter levels, the more people die, both on a short-term correlation – when particulate matter levels are high one day, death rates are higher over the next few days – and also over long-term studies," he said. "When epidemiologists study people across 10 or 20 years, they find that life expectancies are better in places that have very low levels of particulate matter than places that have high levels.

"Particulate matter is the deadliest of all air pollutants, and it's not just causing deaths in the way that you might think," Cohan said. "It's not only by respiratory diseases, but it's also causing increases in rates of heart attacks and strokes. These particles are small enough to pass through the alveoli and enter the bloodstream. That lets them cause damage on all aspects of our bodily systems.

"That was really striking to me," he said. "Because Texas meets the particulate matter standard, it hasn't prioritized cleaning up sulfur anywhere near the extent that it's cleaning up nitrogen pollution. We're allowing plants to emit levels of pollution that haven't been allowed since the 1970s. They're still operating today, because the state and EPA have failed since 2009 to finalize a regional haze plan."

Cohan said the EPA continues to take comments on its plan for Texas.

The paper also showed that recent, simple atmospheric models that help researchers quickly compute the health effects from pollution compare favorably with a more complicated state-of-the-art model. "That suggests we can take easier approaches to more quickly estimate the impacts of these plants," Cohan said.

In time, he said, coal plants seem likely to close either because air pollution standards will be enforced across the board or because renewables like wind and solar make them unprofitable.

"The key message of our paper," Cohan said, "is that delay has very real costs for us in Texas."

AP: EPA Turns to Judge for Lead-Testing at 9 NW Indiana Homes

https://www.usnews.com/news/best-states/indiana/articles/2018-10-28/epa-turns-to-judge-for-lead-testing-at-9-nw-indiana-homes
Oct. 28, 2018, at 10:11 a.m

The U.S. Environmental Protection Agency is seeking access to nine properties within a Superfund site in northwestern Indiana that have never been tested for lead or arsenic contamination.

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EAST CHICAGO, Ind. (AP) — The U.S. Environmental Protection Agency is seeking access to nine properties within a Superfund site in northwestern Indiana that have never been tested for lead or arsenic contamination.

The EPA says in court filings that the East Chicago properties may be tainted with lead or arsenic at levels that may pose a threat to human health and the environment. The agency says it hasn't been able to get permission from property owners to test the soil.

The Post-Tribune reports the nine plots are within the U.S.S. Lead Superfund site, a portion of which once housed a lead smelter.

Exposure to even low levels of lead can permanently damage a child's developing brain, affecting their IQ, ability to pay attention

and academic achievement.

Information from: Post-Tribune, http://posttrib.chicagotribune.com/

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BC Heights: Obama EPA Head Talks Trump Environmental Policy

https://bcheights.com/2018/10/28/obama-epa-head-talks-trump-environmental-policy/
October 28, 2018 Scott Baker

Gina McCarthy, former head of the Environmental Protection Agency (EPA) during the Obama administration, came to speak at Boston College on Tuesday in the wake of recent rollbacks by the Trump Administration of many Obama-era EPA policies.

McCarthy served as head of the EPA from July 2013 to January 2017. Her term began with an especially contentious confirmation battle—a sign of increasing political divisiveness over the topic of climate change and the environment.

She was introduced by Joseph Manning, BC '14. He highlighted that the effects of climate change are no longer theoretical, but emphasized that there is still hope for the future. Manning lauded McCarthy's innovative achievements as head of the EPA.

"[She] figured out how public policy can be used to better the lives of future generations," he said. "During McCarthy's tenure, EPA initiatives cut pollution, protected water resources, reduced greenhouse gas emissions, and strengthened chemical safety regulations that helped better protect Americans, particularly those who are most vulnerable."

McCarthy spoke with a hopeful tone, often underscoring the need to keep fighting for action to be taken to prevent climate change. From the outset, she expressed the optimism she has for the future, thanks to the current generation of college students—especially women.

"I couldn't have been more excited about ... the way in which this school is preparing a generation of young women to be the leaders of the future," she said.

Although McCarthy was a political appointee under a president who was a part of the Democratic Party, she stressed her bipartisan efforts. Giving a short history of her professional career, she noted her work for six governors before moving on to the EPA—five of whom were Republicans. McCarthy also recognized Theodore Roosevelt, Richard Nixon, and George H.W. Bush as Republican proponents of a clean environment—she claimed the nature of environmental issues are non-partisan.

"Human beings, no matter whether you're Democrats or Republicans, actually enjoy breathing clean air," she said.

McCarthy then turned to the actions of the EPA under the Trump administration, denouncing the current practices of the agency. The administration's attempts to roll back numerous policies and regulations McCarthy worked to implement has been widely publicized. McCarthy, however, worried more about how the administration has been trying to accomplish this.

"I worry much less about the rollbacks then I do what they're trying to change" she said, "Which is to diminish our understanding and our appreciation for real facts and real science.

"[There is] some false premise that if we care about the environment and we accept climate change as fact, then we have to then cower in the corner with no lightbulb and a sweater. Give me a break!" she said. "Move! Act! That's what we do in the United States!"

McCarthy framed environmental action through a frame of social justice. She pointed out statistics showing how the poor and other marginalized members of society are the ones suffering most from the effects of climate change.

"Over nine million people every year die [...] from exposure to pollution," she said. "But the vast majority of that damage is in low and middle-income countries. And the vast majority of people dying are women and children. That is not social justice. Pollution is not an equal-opportunity killer."

McCarthy condemned the politicization of climate science—the issue even divides families—so she said staying focused on climate change being a matter of fact that requires constant work from U.S. citizens and further analysis from scientists is what will begin the process of improving the dialogue surrounding the issue.

McCarthy demanded that people keep fighting for their values and against the inaction of the federal government.

“The only political will that ever mattered to me or that I ever that made a difference in the world was the political will that started at the grassroots level,” she said. “Tough it up. Get over it. We have to keep working.”

Chemical Watch: Senator criticizes TSCA implementation as a 'remarkable disaster'

Forum focuses on 'conflict' between science and policy at EPA
https://chemicalwatch.com/71271/senator-criticises-tsca-implementation-as-a-remarkable-disaster
Lisa Martine Jenkins- 29 October 2018 / TSCA, United States

People - Senator Tom Udall
The implementation of the amended TSCA under the Trump administration has been a "remarkable disaster" according to one of the architects of the 2016 legislation that updated the law.

Speaking at a 19 October forum hosted by Harvard's public health school, Senator Tom Udall (D–Arizona) said passage of the Frank R Lautenberg Chemical Safety for the 21st Century Act put in place a law that began the process of fixing "a chemical safety law that was broken".

But despite the new law being strong, the Trump administration had been trying to "roll back what TSCA is trying to do". This, Mr Udall said, undermined its very purpose: to implement a system to protect science and public health.

What is important, he said, "isn't just the law, it's the implementation of the law, and it's the regulations that specifically focus in on the science and the public health – making sure we get all of it right."

And he added his constituents perceive that "the agency has been captured by the industry" and lobbyists.

The senator’s comments came during a discussion on conflicts between science and policy at the EPA, with former agency administrators Gina McCarthy and William Ruckelshaus and Harvard environmental law professor, Wendy Jacobs.

The hour-long event also saw concerns raised over the administration's attitude to science and its recent controversial science 'transparency' proposal.

Mr Udall said that the subcommittee on which he sits – Commerce, Science and Transportation – is particularly focused on how the agency is "disregarding science in terms of coming up with regulations and protecting public health".

Commenting on the science 'transparency' proposal, Ms McCarthy said "changing the rules of the road" will impact the EPA's ability to make well-informed decisions.

"The courts give such deference to the EPA on their science and analytics, so it's extremely disconcerting to have [the transparency proposal] in the mix," she said.

But, she added, she has "a hard time believing that some of the fundamental changes on transparency are going to be successful".

NYT: The Hate Poisoning America

After Pittsburgh, Americans need to ask more of their leaders, and of each other.
Oct. 28, 2018

What is going on in this country? Can’t we be safe in our homes, in our schools, in our most sacred places? Once again, Americans are left to ask each other these sorts of questions, after a gunman burst into the Tree of Life Synagogue in Pittsburgh on the Jewish Sabbath and opened fire on families in the contemplation of their faith.

Armed with a semi-automatic rifle and three handguns, he killed 11 people and wounded six more, including four police officers. "Jews must die," he was said to have shouted.

The attack came a day after a man was arrested in Florida for mailing pipe bombs to politicians and journalists across the country. In both cases, the suspects had nourished their animus online, on social media platforms where they could easily connect with people who shared their hatreds.

Violent crime remains at historic lows across the United States. But by various indexes, hate appears to be on the rise. Over the past two years, anti-Semitic attacks have more than doubled, according to the Anti-Defamation League, which says it believes Saturday's attack was the deadliest against Jews in American history.

After the attack on Tree of Life, Rabbi Marvin Hier, the founder and dean of Simon Wiesenthal Center, told The Times, "I'm afraid to say that we may be at the beginning of what has happened to Europe, the consistent anti-Semitic attacks."

"If it is not nipped in the bud," he said, in a remark that should make every American pause and think, "I am afraid the worst is yet to come."

Anti-Semitic claims have acquired new energy online, to the point that Mark Zuckerberg, the founder of Facebook, recently cited one — that the Holocaust never actually happened — as an example of offensive but good-faith argument on his social-media platform. "I think there are things that different people get wrong," Mr. Zuckerberg said in an interview with the journalist Kara Swisher. "I don't think that they're intentionally getting it wrong." He subsequently clarified that he "absolutely didn't intend to defend the intent of people who deny" that, within living memory, Hitler's Germany killed six million Jews as part of a systematic campaign to kill them all.

The suspect in the Pittsburgh killings, Robert Bowers, had found a home for his hate on Gab, a new social network that bills itself as a guardian of free speech, unlike somewhat less permissive platforms like Twitter. There his online biography read, "Jews are the children of Satan," a statement of personal values that he evidently expected to earn him not opprobrium but followers.

Alongside anti-Semitism, anti-black hatred appears to be rising. It has been expressed recently not only in incidents in which white Americans have harassed black Americans for gardening, coming home, swimming, working or campaigning for public office, but in deadly attacks like the one by a bigot who shot two black people at a Kentucky grocery last week, after he tried but failed to enter a black church.

And time and again, Americans have seen videos of nativists angrily accosting dark-skinned people they believed to be immigrants. Mr. Bowers's hatred of American Jews was apparently motivated in part by the generosity and empathy many of them have shown for non-Jewish refugees of conflicts worldwide. In their humanity, he found cause to dehumanize them. "It's the filthy EVIL jews Bringing the Filthy EVIL Muslims into the Country!!" he wrote online, according to The Times.

What can be done? Certainly, common-sense gun safety regulation might make attacks like the one on Tree of Life synagogue less deadly — universal background checks, red-flag laws that take guns away from the mentally unstable, bans on high-capacity weapons like the AR-15 rifle that the alleged killer wielded.

Measures like these would help contend with the hardware of hate. It is far harder to disable the software, the ideas that now spread so readily. Though Facebook should do much more to reject the lies and hate of its users, Mr. Zuckerberg is right to bridle at the notion that he should set himself up as the Grand Censor of American or global debate.

"These issues are very challenging," he said after the uproar over his comments about not policing Holocaust denial, "but I believe that often the best way to fight offensive bad speech is with good speech."

That this may sound platitudinous doesn't make it wrong. Good speech may not be enough in itself, but that doesn't mean that American society couldn't benefit from much more of it today, particularly from its leaders.

So it was reassuring to hear President Trump condemn the attack in Pittsburgh, as he did the pipe bombs. And it was disappointing to see him immediately head back out on the campaign trail, as he did on Saturday, to disparage his opponents and critics all over again.

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Go beyond the headlines and behind the curtain with Frank Bruni's candid reflections on politics, culture, higher education and

more every week.

As a candidate and as president Mr. Trump has failed to consistently, unequivocally reject bigotry, and he has even encouraged violence at some of his rallies. He has adopted a temporizing moral equivalency in the face of anti-Semitic hate, most notoriously after neo-Nazis and white supremacists marched in Charlottesville last year, chanting "Jews will not replace us." Mr. Trump blamed "both sides" for the ensuing chaos, in which a young woman was killed, run down by a driver sympathetic to the marchers.

Mr. Trump is also setting a low, coarsening standard for how Americans should speak to and about one another. He has urged his supporters to think of his critics as traitors and enemies. Some Democratic leaders appear to be concluding that they will be suckers if they don't adopt similar smashmouth tactics.

The suspects in Pittsburgh, Florida and Kentucky are responsible for their own actions. Maniacs have always existed in dark crevices of American life, and no amount of public condemnation will ever stop them from developing poisonous ideas. But in this harrowing time, more good speech, from more good people, can remind other Americans of the sorts of values that have, so far, managed to contain the divisions in their country, of the moral imagination and empathy that Mr. Bowers evidently so feared.

Military to Deploy 5,000 Troops to Southern Border

Deployment numbers are increased from initial estimates of 800 troops, in anticipation of migrant caravan

By Nancy A. Youssef in Washington and Alicia A. Caldwell in Los Angeles- Updated Oct. 29,

The U.S. military plans to deploy 5,000 troops to the southwest U.S. border in anticipation of a caravan of would-be asylum seekers and migrants currently moving northward in Mexico, U.S. officials said Monday.

The new figure is a major increase from initial estimates of 800 troops and would represent a military force equal to about one-third the number of customs officials currently working at the border. The military sent about 2,000 National Guard troops to the area earlier this year.

"This is an invasion of our Country and our Military is waiting for you!" President Trump wrote on Twitter on Monday morning, without directly mentioning troop numbers.

With midterm elections just over one week away, Mr. Trump has seized on the migrant caravan as a potent political issue to rally his supporters.

The president on Monday repeated his previous assertion that gang members and criminals were hiding among the migrants. The White House has provided no evidence that such people are in the caravan. Many of the people in the caravan have said they are fleeing violence, poverty and political instability.

The U.S. and federal law-enforcement officials said troops are likely to be deployed to ports of entry, at least in initial phases of the U.S. military mission, which the Pentagon has named Operation Faithful Patriot.

U.S. troops later expect to support border officials by doing things like building tents, providing medical support and helping staff command and control centers.

Under the latest plans, about 1,800 troops will go to Texas, 1,700 to Arizona and 1,500 to California. The troops will be drawn from about 10 U.S. Army installations and consist largely of military police and engineers, one of the U.S. officials said. U.S. Marines also will be deployed, the U.S. official said.

Some already have begun to deploy to the area and most are expected to serve there until mid-December, a Pentagon official said.

Officials said that troops are being deployed now in the event that more of the migrants hitch rides on cars or a train to reach the border faster than their current walking pace.

The caravan, with several thousand migrants on foot, is still more than 1,000 miles away from the U.S. in Southern Mexico. The closest stretch of the U.S. border with Mexico is in the Rio Grande Valley of South Texas, the busiest U.S. spot for illegal border crossings.

It is unknown where the migrants might try to cross. At the rate the caravan is going, it will take another three weeks of walking to

reach Texas. The California border would add at least another 10 days of walking.

The additional troops would mean that the number of U.S. forces deployed for the border operation would be greater than those currently in Syria and Iraq, and roughly half of those deployed in Afghanistan.

But it wasn't immediately clear how many of the deployed troops would be stationed at border locations.

During previous border operations under Presidents Bush and Obama, many troops carried out support roles from afar, an administration official said. During Operation Jump Start in 2007, for example, 6,000 troops were deployed, but only about 3,500 were in the field in the four border states, the official said.

A Pentagon spokesman called any figures about troop deployments "premature."

Customs and Border Protection Commissioner Kevin McAleenan said Friday that the agency wasn't considering plans to have troops enforce immigration law.

Mr. McAleenan said his agency is updating longstanding plans to deal with a mass migration situation, including possible temporary holding and processing facilities.

He said officials will devise plans to ensure "we can secure the ports (of entry) to prevent a large group from coming at one time," Mr. McAleenan said.

Earlier this year, officials from the Department of Homeland Security, including Mr. McAleenan and Secretary Kirstjen Nielsen, publicly encouraged would-be asylum seekers to ask for refuge at ports of entry, saying that was the only legal way to apply for asylum at the U.S. border. Crossing the border illegally is a federal misdemeanor.

Since the spring, foreigners have routinely had to wait days or weeks to cross the border and ask for asylum at border crossings from San Diego to Brownsville, Texas, forcing them to stay in shelters in Mexico. Plans include an expansion of metering how many asylum seekers are allowed into each port daily.

Customs and Border Protection also is considering what to do about people who have been waiting in Mexico, as directed by U.S. border officials, should the president temporarily bar asylum seekers from the border.

Thousands of migrants from Central America have been walking toward the U.S. through Mexico after pushing past border authorities in Honduras and Guatemala.

On Sunday, a 26-year-old Honduran man died in a violent clash with Mexican and Guatemalan authorities as a second group of migrants sought to cross the border.

Mexico has offered to let caravan members apply for asylum in that country and obtain work permits and have children enrolled in local schools.

Nearly 2,000 people have filed for asylum in Mexico, according to Mexican Interior Minister Alfonso Navarrete. Many thousands of others have decided to march on toward the U.S.

Officials said they didn't have a cost estimate for the latest planned troop deployment. But two previous operations in 2007 and 2010 that deployed active duty troops and National Guard members cost $1.35 billion, according to the Government Accountability Office and the Department of Defense.

The GAO's 2011 report also found that deploying troops to the border presented a number of challenges, including Homeland Security's difficulties integrating National Guard troops into operations and Defense Department concerns over the lack of a comprehensive strategy to secure the border.

Defense Department officials "expressed concerns about the absence of a comprehensive strategy for southwest border security and the resulting challenges to identify and plan a [Defense Department] role," the report said.

Some of the troops deploying for the current operation will be from the 89th Military Police Brigade from Fort Hood, Texas, according to a Pentagon website detailing the unit's schedule. Members of the brigade were at a military exercise at Fort Knox, Ky.,

and received orders to deploy to the southwest border over the weekend.

Message

From: Hewitt, James [hewitt.james@epa.gov]
Sent: 7/27/2018 3:14:57 PM
To: Konkus, John [konkus.john@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Block, Molly [block.molly@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]
Subject: Acting Andrew Wheeler Interview/Media Avail Clips
Attachments: Acting Andrew Wheeler Interview Clips.docx

All,

Please see attached and pasted below clips from interviews/media avails with Administrator Wheeler. Let me know if I missed anything.

James

Acting Andrew Wheeler Interview/Media Avail Clips

Bloomberg: He Lobbied for Coal. Now He's In the Trump Administration, and Watching His Words
Andrew Wheeler used to lobby the Trump administration to take emergency action to keep coal-fired power plants up and running. But now that the administration is actively developing plans for shoring up the plants, Wheeler has to keep mum. As the No. 2 official at the Environmental Protection Agency, Wheeler says he is recusing himself from broad government deliberations over the issue, including at least one recent meeting of top administration officials. "As soon as I saw that pop up on my calendar, I told my admins I can't participate in that," Wheeler said in an interview Wednesday. Any materials on the issue also are steered to another official representing the EPA in those discussions, Wheeler said. "I am not participating at all in that."

The Washington Post: Incoming EPA chief: 'This is the right job for me.'
In some ways, Andrew Wheeler — former Environmental Protection Agency career staffer, Republican Senate aide, energy lobbyist — could hardly be more different from the man he is replacing as head of the EPA. Where Scott Pruitt was a career politician who enjoyed the limelight, Wheeler has worked behind the scenes on energy and environmental law. Pruitt filled his time at the agency by traveling the country, speaking to groups of industry executives and praising President Trump. As the EPA's deputy administrator, Wheeler has spent much of his short tenure meeting with career staffers and delving into the policy weeds at the agency's headquarters.

The Wall Street Journal: Acting EPA Chief Plans to Stick With Trump's Priorities
The acting head of the Environmental Protection Agency said Friday he plans to stick with President Donald Trump's priorities, including changing the Clean Power Plan, de-emphasizing climate-change initiatives and improving how the agency deals with polluters and environmental crises. The agency's new chief, the former coal and energy lobbyist and ex-EPA staffer Andrew Wheeler, said in an interview that the agency won't shift from the direction established by Scott Pruitt, who resigned the post a day earlier amid a series of allegations of ethics and spending lapses. "If the environmentalists think [Mr. Trump is] going to make promises and we're going to do the opposite, then there's not a lot of common ground to work on," Mr. Wheeler said. "I'm going to continue to move forward with those" priorities Mr. Pruitt laid out on behalf of Mr. Trump.

New York Times: 'You Can't Lead Unless You Listen,' New E.P.A. Chief Says, Signaling Break From Pruitt
The Environmental Protection Agency's new boss, Andrew R. Wheeler, has unlocked the entrance to the third-floor administrator's suite — which had been closed tight during the tenure of his predecessor, Scott Pruitt. Mr. Wheeler, who started Monday after Mr. Pruitt's resignation, has also reduced his security detail and provided faster public updates to his daily schedule of events. And on Wednesday, in remarks to agency employees, Mr. Wheeler — who spent four years himself as an E.P.A. staff member in the 1990s — told them he wants their advice. That is a stark difference from Mr. Pruitt, who was known to be deeply suspicious of the agency's career staff. "When it comes to leadership, you

can't lead unless you listen," Mr. Wheeler told a room of about 200 employees on Wednesday.

Washington Examiner: New EPA Chief Andrew Wheeler Is A 'Different Person' Than Scandal-Plagued Scott Pruitt
Andrew Wheeler wants you to know he's a different person than the man he has just replaced as head of the Environmental Protection Agency. He hopes that his attention for detail and appreciation for transparency will allow him to more successfully pursue President Trump's deregulatory agenda. "I am not faulting anything my predecessor did," Wheeler, the acting administrator of the EPA, told the *Washington Examiner* last week in an interview on his first day in the spacious, wood-paneled office that Scott Pruitt used to occupy.

Washington Examiner: Andrew Wheeler Aims to Complete Trump's Deregulatory Agenda at EPA
Andrew Wheeler, acting administrator of the Environmental Protection Agency, has a lot of work ahead of him to complete the deregulatory agenda that his recently departed predecessor, Scott Pruitt, started. Wheeler says he's ready to make a lasting impact, whether or not he is confirmed as EPA's permanent leader. "Of course we are absolutely implementing Presidents Trump's agenda," Wheeler told the W*ashington Examiner* in an interview at EPA headquarters on his third day in the top job. "We can protect the air, we can protect the water, and still deregulate at the same time. I don't expect to change everything in the brief tenure that I will

E&E News: Transcript of E&E News' Interview with Andrew Wheeler
Acting EPA Administrator Andrew Wheeler sat down with E&E News for an interview at the end of his first week on the job. Since taking charge of the agency after Scott Pruitt's resignation, Wheeler has been taking calls from lawmakers and meeting with EPA staff. He's already made subtle changes to how the agency operates, from posting online his daily calendar to opening up a hallway leading to his office that his predecessor once kept closed. Pruitt's agenda of regulatory rollbacks will likely remain at EPA under Wheeler's watch. The acting chief, however, has no plans to revive a "blue team, red team" debate exercise on climate science, which Pruitt once heralded. He also wouldn't delve into "parsing the numbers" on how much humans contribute to climate change.

Pittsburgh Post-Gazette: Acting U.S. EPA administrator wants to 'depoliticize' environmental issues
Andrew Wheeler, the acting U.S. Environmental Protection Agency administrator, seems intent on setting a new tone for the embattled agency, but not a new direction for the industry-friendly Trump administration. Mr. Wheeler, 53, who took the helm of the agency July 9 after Scott Pruitt resigned amid several ethics investigations, said he will continue the "aggressive" deregulatory course set by his predecessor, although without the rancor. "I would love to depoliticize environmental issues. I think we can find common ground with Democrats," he said, citing past bipartisan support for a diesel engine emission regulation, industrial site reclamation and the cleanup of abandoned mine sites. "There are definitely things we can do to clean up the environment in a bipartisan fashion and I want to reach out and work with those people who want to work with us."

Pittsburgh Post Gazette Editorial Board: Eyes on the EPA: A Washington insider takes over, prescribing basics
The Environmental Protection Agency has three goals: to keep the air clean, to maintain our waterways, and to regulate these things in a way that creates jobs. This is according to Andrew Wheeler, the Environmental Protection Agency's new acting administrator who many expect will be appointed to the job permanently. He knows Washington well, having started his career at the EPA before working as a Senate staffer. More recently, he was a lobbyist for the coal industry, which tarnishes him in the minds of many. In a meeting with the Post-Gazette's editorial board, Mr. Wheeler described his vision of an EPA that goes back to basics. This includes tackling the agency's long list of "Superfund sites," polluted areas that require significant cleanup efforts. He said he believes in climate change and that human activity has contributed to it.

The Associated Press: Opposing California, New EPA Head Calls for Single U.S. Fuel Efficiency Standard
The acting head of the Environmental Protection Agency said Tuesday that the United States needs a single standard for fuel efficiency for cars and trucks, signaling a possible showdown with California and other states that could throw the car market into turmoil. Andrew Wheeler spoke to a small group of reporters at EPA headquarters, ahead of a Trump administration proposal that's expected to freeze some future Obama-era mileage goals. The Trump administration also has said it's looking at challenging California's authority to set its own, tougher mileage standards. "What we don't want to see is two different standards for the country," Wheeler said, calling for a "50-state solution" to disputes over mileage

standards. A program for steadily increasing fuel efficiency rules was a key part of the Obama administration's effort to combat climate-changing emissions from fossil fuel.

Reuters: EPA to keep pursuing biofuel changes under new leadership: Wheeler
The U.S. Environmental Protection Agency's acting administrator said on Tuesday he would follow up the work of his predecessor to overhaul the nation's biofuel policy, including pursuing changes strongly opposed by the powerful corn lobby like counting ethanol exports toward annual biofuels quotas. The biofuel industry had been hoping that Andrew Wheeler would drop some of former Administrator Scott Pruitt's overhaul efforts, which were aimed at helping the oil industry, and instead prioritize the interests of farmers in the U.S. heartland to expand domestic markets for corn-based fuel. Wheeler said the agency was open to changes sought by the biofuel industry, but only if it made concessions too. "When everyone is complaining about the program, we need to look at ways to change the program," he said.

Omaha World-Herald: New EPA chief aims to balance ethanol, oil interests; he could pursue changes to ethanol mandate
Acting Environmental Protection Agency chief Andrew Wheeler said this week that he could pursue changes to the federal ethanol mandates that have been such an economic driver for corn belt states such as Nebraska and Iowa. "When everybody's complaining about a program from every side, then we ought to take a look and figure out if there's a way to make the program better, and I'm certainly open to trying to make the program better," Wheeler told reporters. Wheeler stressed that the agency must ensure it's following both the letter and spirit of the law. He rejected making changes to ethanol policy in piecemeal fashion. Wheeler's predecessor, Scott Pruitt, angered ethanol producers and their lawmakers with his attempts to overhaul the Renewable Fuel Standard. The RFS requires a certain amount of ethanol and other biofuels be used every year.

The Progressive Farmer: Sorghum Oil Approved for RFS
Acting EPA Administrator Andrew Wheeler on Tuesday announced his agency had approved sorghum oil as a feedstock under the Renewable Fuel Standard as an advanced biofuel and biodiesel product. EPA, sorghum industry leaders, senators and congressmen held a roundtable discussion late Tuesday afternoon to talk about the importance of the decision for ethanol plants and sorghum producers. A Texas producer told Wheeler that the decision would help motive more farmers to grow sorghum, which takes less water than crops such as corn. The National Sorghum Producers pushed for more than two years to get sorghum oil as part of the Renewable Fuel Standard. EPA initially proposed the rule last December, noting in its proposed assessment that, as a biodiesel product, distillers sorghum oil had the potential to reduce greenhouse-gas emissions 82% compared to a petroleum diesel product. That achieves EPA's threshold to be considered an advanced biofuel.

South Coast Today: In New Bedford visit, acting EPA chief says he buys climate change but seeks to deregulate
Scott Pruitt's temporary replacement as head of the U.S. Environmental Protection Agency, Andrew Wheeler, believes humans contribute to climate change but considers environmental deregulation one of his top priorities, he said Wednesday. He spoke on the New Bedford waterfront, outside an EPA plant that removes water from contaminated sediment as part of the New Bedford Harbor Superfund cleanup. Wheeler said he will continue to implement Pruitt's policies, which are the policies of President Donald Trump. Asked about his top priorities for the EPA nationally, Wheeler said that when Trump asked him earlier this month to assume the role of acting administrator, the president told him, "Keep cleaning up the air, keep cleaning up the water and continue to deregulate in order to create jobs." "I think we can do all three," he said.

WBSM: Top EPA Administrator Recognizes New Bedford As Success Story
Top brass from the U.S. Environmental Protection Agency (EPA) paid a visit to the Whaling City on Wednesday to recognize accomplishments made by the agency in the reduction of risks to human and environmental health in areas across the country contaminated by hazardous materials. Acting Administrator of the EPA Andrew Wheeler and Regional Administrator Alexandra Dunn joined Mayor Jon Mitchell at the dewatering facility to celebrate the one year anniversary of the agency's Superfund Task Force Report, and to also present the 2018 update to the report. Wheeler says he chose to celebrate the 2018 update in New Bedford as a way to also recognize the city as a "Superfund success story."

USA Today: Trump administration to freeze Obama-era fuel standards for cars, light trucks

The Trump administration will formally lay out a plan as early as next week to revisit strict fuel-economy standards that had been set in motion under President Barack Obama, according to Andrew Wheeler, the new acting head of the Environmental Protection Agency. Automakers, state officials, environmentalists and federal regulators had agreed in 2012 to increase vehicle efficiency to an average 34.5 mpg by 2016 across the fleet of American cars and trucks, with the standard then slated to rise yearly until it hits 54.5 mpg by the end of 2025. In an interview Thursday with USA TODAY, Wheeler argued that Obama acted prematurely when he increased the fuel-efficiency requirements before leaving office in 2017 and that the issue needs further review. "They jumped the gun," Wheeler said. "It was a political attempt to try to move up the process and what we're doing is taking the deliberative process of looking at the midyear review the way it was originally intended to be done."

Bloomberg

https://www.bloomberg.com/news/articles/2018-06-27/former-coal-lobbyist-silenced-as-trump-weighs-power-plant-help

He Lobbied for Coal. Now He's In the Trump Administration, and Watching His Words

By Jennifer Dlouhy, 6/27/2018

Andrew Wheeler used to lobby the Trump administration to take emergency action to keep coal-fired power plants up and running.

But now that the administration is actively developing plans for shoring up the plants, Wheeler has to keep mum. As the No. 2 official at the Environmental Protection Agency, Wheeler said he is recusing himself from broad government deliberations over the issue, including at least one recent meeting of top administration officials.

"As soon as I saw that pop up on my calendar, I told my admins I can't participate in that," Wheeler said in a June 27 interview. Any materials on the issue also are steered to another official representing the EPA in those discussions, Wheeler said. "I am not participating at all in that."

Wheeler drew scrutiny for his lobbying past and his previous work as a Senate staffer to quash climate change legislation even before his April 12 confirmation to be deputy EPA administrator. But more than two months into the job, Wheeler is under even closer examination now as the most likely immediate successor to Scott Pruitt, should the embattled EPA administrator leave his post.

Wheeler Set Up Murray Meeting

Wheeler, a former energy and environment lobbyist with Faegre Baker Daniels, previously represented one of the nation's top advocates for a possible emergency government intervention in the nation's power markets: coal mogul Robert E. Murray.

Wheeler arranged at least one meeting last March between the Murray Energy Corp. chief executive and Energy Secretary Rick Perry to press for a host of regulatory actions, according to newly disclosed correspondence. Murray presented Perry with a four-page "action plan" recommending more than a dozen steps the Trump administration should take, including exiting the Paris climate agreement and repealing a landmark EPA finding that greenhouse gas emissions endanger public health.

By August, with Wheeler's help, the mining executive also was aggressively pushing President Donald Trump and top administration officials to take emergency action to keep coal power plants operated by one of Murray Energy's biggest customers online. Although the administration rebuffed Murray's initial entreaties, Trump's National Security Council is now debating whether the government should invoke wartime powers to stem closures of coal and nuclear power plants—and how to tailor the intervention, including potentially forcing grid operators to buy electricity from the stations.

Wheeler allows that he "probably could" get involved with the issue now, under the strict terms of a recusal statement that allows him to sometimes participate in particular matters of general applicability. "But," he said, "I'm not going to."

"I had lobbied on that issue last year, and if I lobbied on something, I don't think it's appropriate for me to participate," he said.

Wheeler Draws on EPA Past
Wheeler, who previously worked at the EPA on toxic chemicals, is leaning on that past as he tries to win trust with career employees at the agency, amid staff cutbacks and concerns the EPA is retreating from the fight against climate change. He is working in tandem with Pruitt to accelerate permitting and said he wants to boost the way EPA talks to communities about potential perils.

The EPA has to get better at telling affected communities about potential risks in straightforward, easy-to-understand ways— erring on the side of speed, even if the agency must correct information later on—Wheeler said.

The EPA is holding a series of hearings on perfluoroalkyl and polyfluoroalkyl substances and their effects as water contaminants amid concerns that the chemicals are more toxic than previously thought.

"I don't think the agency historically has done a consistent job of describing what the risk is that Americans face," Wheeler said, citing statements about air quality in New York after the 2001 terrorist attacks and the integrity of drinking water in Flint, Michigan. Wheeler said the burden falls disproportionately on the poor, "who often live the closest to facilities."

The Washington Post

https://www.washingtonpost.com/news/energy-environment/wp/2018/07/06/incoming-epa-chief-this-is-the-right-job-for-me/?utm_term=.723e82f62cde

Incoming EPA chief: 'This is the right job for me.'
By Juliet Elperin and Brady Dennis, 7/6/2018

In some ways, Andrew Wheeler — former Environmental Protection Agency career staffer, Republican Senate aide, energy lobbyist — could hardly be more different from the man he is replacing as head of the EPA.

Where Scott Pruitt was a career politician who enjoyed the limelight, Wheeler has worked behind the scenes on energy and environmental law. Pruitt filled his time at the agency by traveling the country, speaking to groups of industry executives and praising President Trump. As the EPA's deputy administrator, Wheeler has spent much of his short tenure meeting with career staffers and delving into the policy weeds at the agency's headquarters.

But this much is clear: Wheeler intends to pursue many of the regulatory rollbacks Pruitt put in motion and to carry out Trump's promises of a more efficient, less powerful EPA. A day after the president asked for Pruitt's resignation amid a flurry of ethics scandals, the EPA's acting administrator spoke with The Washington Post about what comes next. The interview has been edited for length and clarity:

Washington Post: How do you feel arriving as administrator under these circumstances? And what's the message you're giving to employees who have been through a tumultuous time?

Andrew Wheeler: I sent out an all-hands statement to all the employees yesterday evening. One, thanking the administrator for his service, and then telling everybody that it's work as usual — we're all working together — and that I share the core mission of the agency, which is to protect public health and the environment.

WP: Can you expand a little on that and what you're going to do in terms of continuing the policies that Scott Pruitt put in motion? As you can imagine, Democrats and environmentalists are making the argument that you're an even more skilled deregulator.

Wheeler: A more skilled deregulator?

WP: Do you reject that notion?

Wheeler: I don't get that notion. I'll have to think about that. I've actually seen a lot of things about me in print the last day or two. But I would say that the agenda for the agency was set out by President Trump. And Administrator Pruitt has been working to implement that. I will try to work to implement the president's agenda as well. I don't think the overall agenda is going to change that much, because we're implementing what the president has laid out for the agency. He made several campaign promises that we are working to fulfill here. But there will probably be a little bit of difference in the way Administrator Pruitt and I will talk about some issues. There have already been some differences in how I've talked to EPA employees since I've been here.

You know, I had the benefit of having the longest confirmation process for a deputy administrator in EPA history. So I had some time to think about what I wanted to do as the deputy. I took a hard look at the major criticisms that the agency has received over the last 20 some years. What can be changed? What can be fixed? What can be put in a different direction? And how does all that fit under cooperative federalism, return to rule of law and getting back to basics of the agency?

Since I've been here, I've been going around talking to groups of career employees. I've been to three of our regions, and I've been to our Research Triangle Park lab in North Carolina. I've talked about what I want to try to accomplish on behalf of the administration, on behalf of the president. I really think we need to provide more certainty to the American public. And I look at certainty in three different areas. The first is certainty on permits. The second is certainty on enforcement actions. And the third — the one that's most important to me — is certainty on risk communication.

WP: As you know well, one of the criticisms of Mr. Pruitt was a lack of transparency in who he was meeting with and what he was doing with his time at the agency. Do you plan to put in place mechanisms to be more transparent, in letting the public be aware of the work that's being done?

Wheeler: I'm not going to criticize my predecessor in any way. But I will answer by saying this: I cut my teeth as a career employee here at the EPA in the early '90s working on the Community Right-to-Know Act. And I believe that my time on the Hill and in the legislation I worked on — how I addressed all statutes, how I addressed all laws — was that the more information we make available to the American public, the more transparency we have, the better our decisions will be. The more open we are, the better it is for everyone.

That's how I cut my teeth on environmental law. And that's been part of my core beliefs in the agency and how I look at environmental issues. The more transparent we are, the better understood our decisions will be.

WP: On climate change, that's been a key issue. As staff director, one of the things you did working with [Senate Environment and Public Works Committee Chairman James M.] Inhofe was, while he talked a lot about questioning climate science, you expanded what he talked about to really include things like the economic costs of these regulations. Can you talk a little about how you see your approach to climate, as well as science, including the changes we've seen to the Scientific Advisory Board?

Wheeler: Sure. There are a couple questions embedded in that. You're right, when I went over to the Senate, I personally focused more on the cost side on the climate debate — the cost-benefit and the different aspects of the legislation.

I did do my undergraduate work in biology. I do not consider myself to be a scientist, and I've always deferred to career scientists on issues of science. I've done that in the two and a half months I've been here, and I'll continue to do that. On the Science Advisory Board, I think it's important to be very transparent, and I think it's important to make sure people who serve on the science advisory boards don't have conflicts of interest.

While I was not here last year when the Science Advisory Board was reconfigured . . . I understand the desire to make sure that the people serving on the board weren't also benefiting from science grants from the agency. I do think that's

important to make sure that there are not conflicts of interest. Hopefully, you saw my recusal statement where I did not seek any waivers, and I don't plan to seek any waivers. I think it's important to make sure that we address conflicts of interest very openly and upfront.

WP: Can you summarize where you stand on climate change and, more importantly, EPA's role in dealing with that problem?

Wheeler: I do believe climate change is real. I do believe that people have an impact on the climate. What's the most important — and I'm glad you asked it that way — is the second half of your question is, what is EPA's role there?

I think our role is to follow the statutes that are provided to us by Congress. And I think that the statutory directives are very small. My criticism of the Obama administration's Clean Power Plan was that it was outside the four corners of the Clean Air Act. And I think the fact that the Supreme Court took the unprecedented move of issuing a stay showed the fact that the law probably would not have held up in court. So I think as we move forward on a potential replacement for the Clean Power Plan, you're going to see us taking a hard look at what the act says and the authorities the act gives us, and we'll put something forward that follows the law.

I know that there's a number of senators that would like us to go much further, but of course environmental organizations would love us to go much further. But you're not going to see the EPA, at least under my direction, make up a lot as we go along. We're going to follow the law that Congress has given us.

WP: To follow up on that, do you hold that, for example, the "endangerment finding" [that created the basis for regulating carbon dioxide as a pollutant] is settled law? Or would you say that there's also an open question about whether that is a proper interpretation of the Clean Air Act?

Wheeler: On the endangerment finding, I was very critical of the method that the agency used to come up with the endangerment finding, that they did not do independent analysis, that they relied upon the [Intergovernmental Panel on Climate Change]. And that was litigated; it was taken to the U.S. Circuit Court, and the Circuit Court upheld the EPA position. So I consider that to be settled law. There would have to be a major, compelling reason to try to ever reopen that. I don't think that's an open question at this point.

WP: Before coming to the EPA in recent years, you worked as a lobbyist for some of the industries that you'll now be responsible for regulating. How will you approach regulating those industries, many of which are heavily invested in what comes out of EPA?

Wheeler: You're right, I did work for a number of different industries, a number of different companies. I did not lobby the EPA for at least the last two years. In fact, our communications team today has tried to press me to remember how long ago it was that I actually lobbied the EPA, and I can't remember. It's been at least three or four years, maybe longer. The only EPA issue that I've actually lobbied on the last couple of years was the Energy Star program, and that was on behalf of a client who was fighting to keep the integrity of the EPA program intact. It was to defeat a Senate Republican amendment that wanted to do away with third-party certification.

So, I mean, anybody could take a look at any one of my clients and say, "Well, you might be biased this way or you might be biased that way." I've spent a career working on multiple issue areas and multiple sides of different issues. Having started my career at EPA, having worked on the Hill for two different members who didn't agree on every issue, and then working in the private practice, where I've worked on behalf of different clients — I don't think I'm biased.

I certainly have no fiduciary arrangements with any of my former clients or my former law firm. I don't benefit financially from anything like that. And I think there's been enough distance on the EPA issues that I've worked on in the past where I don't believe I have bias in any particular way on any of these issues. But I think the experience that I've had working as a consultant, working on the Hill, working as a career employee of the agency, has really prepared me well for this job at this point in my life.

WP: For someone who is so often described as low-profile, this doesn't seem the type of job that you can really avoid the spotlight. How do you feel about that part of it?

Wheeler: I really did not seek this job out, to be acting administrator. I was very content being the deputy. So I'm going to have to deal with that. But I have been in D.C. now for over 25 years. I realize that I'm walking into a job that's going to be a lot more high-profile than I would have wanted. But I really do think [that] my background, at this point in time, that this is the right job for me.

The Wall Street Journal

https://www.wsj.com/articles/new-epa-chief-plans-to-stick-with-trumps-priorities-1530919299

Acting EPA Chief Plans to Stick With Trump's Priorities

By Timothy Puko and Heidi Vogt, 7/6/2018

The acting head of the Environmental Protection Agency said Friday he plans to stick with President Donald Trump's priorities, including changing the Clean Power Plan, de-emphasizing climate-change initiatives and improving how the agency deals with polluters and environmental crises.

The agency's new chief, the former coal and energy lobbyist and ex-EPA staffer Andrew Wheeler, said in an interview that the agency won't shift from the direction established by Scott Pruitt, who resigned the post a day earlier amid a series of allegations of ethics and spending lapses.

"If the environmentalists think [Mr. Trump is] going to make promises and we're going to do the opposite, then there's not a lot of common ground to work on," Mr. Wheeler said. "I'm going to continue to move forward with those" priorities Mr. Pruitt laid out on behalf of Mr. Trump.

The White House on Thursday elevated Mr. Wheeler from deputy administrator after Mr. Pruitt resigned in the middle of more than a dozen ethics investigations.

Many in the business community and the GOP have welcomed the EPA's direction in the Trump era, after maintaining that the agency under President Barack Obama was excessive in its regulatory regimen and stifled business. Environmentalists cheered Mr. Pruitt's departure and have been harshly critical of Mr. Wheeler as a replacement, citing his past work for energy companies.

Mr. Wheeler spent his initial weeks at the agency going to meet career staff in headquarters and at regional offices in part to emphasize how the agency can get better at core Trump administrative initiatives, namely more clarity of permitting and enforcement and better communications with the public.

Mr. Wheeler also said he would like to ratchet down the political rhetoric surrounding the EPA.

"You might see a shift in terms of how I talk about some things," he said. "I have thought for years environmental issues need to be depoliticized. In 1991 when I came to town they were not as politicized as they are today. And I would love to return to that."

Jeff Holmstead, a former EPA official under George W. Bush, said Mr. Wheeler's decades in Washington and experience with the regulatory process mean he may avoid some of Mr. Pruitt's "missteps."

"I think Andy will be much more focused in shepherding these regulatory reforms through EPA as opposed to being out and giving speeches and making press appearances," Mr. Holmstead said.

Environmental groups say Mr. Wheeler isn't much of an improvement over Mr. Pruitt.

"Like Pruitt, this veteran coal lobbyist has shown only disdain for the EPA's vital mission to protect Americans' health and our environment. Make no mistake: we'll fight Wheeler's pollution agenda with the same vigor as we did Pruitt's," Ana Unruh Cohen, head of government affairs at the Natural Resources Defense Council, said in a statement.

At the top of Mr. Wheeler's list of priorities, the acting chief said, is giving businesses and the public more certainty on how long it will be before they get decisions on environmental permitting and enforcement.

"I just think we owe it to American business to get those resolved in a shorter time period," he said. "I'm not suggesting we let these people off the hook or that people won't pay fines. But we should be able to give more certainty on the time period."

Mr. Wheeler's other major priority is better communication from the agency about risks to the public. He cited the agency's failings after the Sept. 11 terrorist attacks, a mine breach in Colorado and the water crises in Flint, Mich., as inspiration for better people with accurate, up-to-date information on health risks.

Mr. Trump came into office promising sweeping changes to the agency. That led to several overhauls from Mr. Pruitt, who started rollbacks on power-plant pollution rules, vehicle-emissions limits, and EPA's power over streams and lakes.

Mr. Wheeler said that he does believe in climate change, but that there are legal limits to what EPA can do about it. And he said he shared the administration's philosophy—long held by many Republicans—of a more narrow view of EPA authority.

Mr. Wheeler referred to his time as limited, but declined to say whether he would take the agency's top role permanently if asked. He would need to be confirmed by the Senate if he were nominated. The Senate confirmed him for the deputy post in April with a 53-45 vote.

"I'm not going to decline or accept a job I haven't been offered," Mr. Wheeler said about taking the post full time. "The president asked me to step in as the acting administrator for the foreseeable future. I don't know how long that will be, but that's up to him."

Among others who might be considered: Donald Van der Vaart, formerly North Carolina's top environmental regulator; Bryan Shaw, environmental regulator in Texas and Mr. Holmstead, who said he had no comment on whether he would consider the position.

The New York Times

https://www.nytimes.com/2018/07/11/us/politics/epa-andrew-wheeler.html?rref=collection%2Fbyline%2Feric-lipton&action=click&contentCollection=undefined&region=stream&module=stream_unit&version=latest&contentPlacement=4&pgtype=collection

'You Can't Lead Unless You Listen,' New E.P.A. Chief Says, Signaling Break From Pruitt

By Eric Lipton, 7/11/2018

The Environmental Protection Agency's new boss, Andrew R. Wheeler, has unlocked the entrance to the third-floor administrator's suite — which had been closed tight during the tenure of his predecessor, Scott Pruitt. Mr. Wheeler, who started Monday after Mr. Pruitt's resignation, has also reduced his security detail and provided faster public updates to his daily schedule of events.

And on Wednesday, in remarks to agency employees, Mr. Wheeler — who spent four years himself as an E.P.A. staff member in the 1990s — told them he wants their advice. That is a stark difference from Mr. Pruitt, who was known to be deeply suspicious of the agency's career staff.

"When it comes to leadership, you can't lead unless you listen," Mr. Wheeler told a room of about 200 employees on Wednesday.

Even as he has shown no sign of veering from Mr. Pruitt's course on environmental policy, Mr. Wheeler so far appears to be ushering in a change in style. His agency's interactions with the public, and its own employees, seem to be returning to a posture more consistent with past Republican and Democratic administrations after Mr. Pruitt's contentious and scandal-plagued tenure.

For example, the agency has returned to issuing regular notices of the administrator's public appearances and upcoming policy announcements, and it has assured journalists that not only conservative news media will be invited to these events. The agency also intends to hold policy briefings to explain changes it is rolling out on matters like the Clean Power Plan, President Barack Obama's signature climate change regulation that Mr. Wheeler will seek to rewrite, and other new policies.

The drive to roll back Obama-era clean air and clean water regulations has not changed under Mr. Wheeler, nor has his commitment, he said, to try to give states more power to handle enforcement matters, as Mr. Pruitt had championed.

For example, the agency made clear on Wednesday that it does not intend to reverse an order made late Friday — Mr. Pruitt's final day — that created a loophole for so-called super polluting trucks, a move that environmental groups called illegal and will almost certainly challenge in court.

The move — which will allow a significant expansion of the manufacturing of trucks that produce up to 55 times as much air pollution as trucks with modern emissions controls — will "avoid undue hardship to members of the regulated community," Molly Block, an E.P.A. spokeswoman, said Wednesday in a statement.

But Mr. Wheeler, in his remarks on Wednesday from a room named after Rachel Carson, a marine biologist who helped start the modern environmental movement in the United States 56 years ago with her book "Silent Spring," made clear that he realizes that he has to overcome some preconceptions about his background. He worked for the past nine years as a lobbyist whose clients included Murray Energy, a coal company, with a long list of matters pending before the E.P.A.

As his remarks were broadcast live on the internet and transmitted to agency regional offices around the country, Mr. Wheeler told E.P.A. employees that he is proud of the work he did on behalf of Murray Energy. His grandfather, Mr. Wheeler said, was a coal miner during the Great Depression, and one of the issues he worked on for Mr. Murray, he said, was a bill intended to ensure that retired miners received health care benefits.

"I did work for a coal company, and I'm not at all ashamed of the work I did," Mr. Wheeler said. "As employees of the agency, you need to know that about me."

John Konkus, an E.P.A. spokesman, said in a statement said Mr. Wheeler did not lobby the agency when he worked for Murray Energy, and has not lobbied it at all in the past two years.

Mr. Wheeler, who had served as the agency's deputy administrator since April, also took on the other elephant in the room: the abrupt departure of Mr. Pruitt amid a crush of ethics scandals regarding his spending, management of the agency and use of government resources.

Noting that he has been through agency transitions before, Mr. Wheeler said, "I want you to know I understand how stressful that can be."

He pledged to consult with the agency's staff on policy changes — a promise that agency employees said they would be carefully watching.

"My instinct will be to defend your work, and I will seek the facts from you before drawing conclusions," Mr. Wheeler said.

One of the starkest signs of the shift is the continued departure of some of Mr. Pruitt's top aides, such as Jahan Wilcox, who is returning to Republican Party politics, and who earned a reputation for his confrontational approach to interacting with the news media, calling one reporter for The Atlantic "a piece of trash," and threatening to call the police after reporters declined to leave an event Mr. Pruitt was at in North Dakota.

Tamue Gibson, a biologist who has worked at the E.P.A. for 16 years, said she felt Mr. Wheeler's speech was a drastic improvement from Mr. Pruitt's and said she left encouraged by his attitude toward the agency and its work.

"He understands our role as being vital to the world," she said. "We're very optimistic."

Not everyone was impressed. Denise D. Morrison, the head of the federal employees union, called Mr. Wheeler's remarks "a superficial attempt to plug the leaks and quell the dissent."

William K. Reilly, a former administrator of the E.P.A. under President George Bush, said he thought Mr. Wheeler could be an effective leader as long as he continued to distinguish himself from his predecessor.

"He really needs to show that 'I am not Pruitt. I am not going to embarrass you by my personal behavior. You may not like some of the decisions that I make, but they will be made responsibly and with respect for process,'" Mr. Reilly said. "I think if he does that, he can probably be successful."

Washington Examiner

https://www.washingtonexaminer.com/policy/energy/new-epa-chief-andrew-wheeler-is-a-different-person-than-scandal-plagued-scott-pruitt

New EPA Chief Andrew Wheeler Is A 'Different Person' Than Scandal-Plagued Scott Pruitt

By Josh Siegel, 7/17/2018

Andrew Wheeler wants you to know he's a different person than the man he has just replaced as head of the Environmental Protection Agency. He hopes that his attention for detail and appreciation for transparency will allow him to more successfully pursue President Trump's deregulatory agenda.

"I am not faulting anything my predecessor did," Wheeler, the acting administrator of the EPA, told the *Washington Examiner* last week in an interview on his first day in the spacious, wood-paneled office that Scott Pruitt used to occupy.

"I am a different person. I approach my job differently, and we both came at this from different backgrounds. I've always believed the more information we put out to the public on the decisions, and what constitutes the decisions at the agency, it makes for better rules and better policy. So I have always been a transparent person, and that's just the way I approach things."

Wheeler, like Pruitt, is eager to implement Trump's regulatory rollbacks at EPA. His EPA will soon release rewritten, weakened replacements of Obama administration rules affecting carbon dioxide emissions from coal power plants, the fuel efficiency of cars, and the agency's control over waterways.

"Of course, we are implementing Presidents Trump's agenda," Wheeler said.

But he's distinguishing himself in other ways, unlocking the doors to his third-floor administrator office, which Pruitt kept closed, providing proactive updates of his daily schedule, and allowing the public to keep eyes on him during events, such as his opening address to EPA career employees.

Wheeler himself is a former EPA career staffer, Republican Senate aide, and, yes, a lobbyist who represented a major coal company. But he says he's other things, too, an outdoorsman who "cares a lot about the environment" and is most proud of his college job being the nature conservation director at Boy Scout summer camp.

On his third day in office, Wheeler spoke to the *Washington Examiner* about where he came from and what happens next. The interview transcript below has been edited for length and clarity:

Washington Examiner: You told me a few weeks ago you weren't seeking this job. You are in it now. What's it been like the first few days?

Wheeler: It's been … I don't know if I really want to say that or not. It's been a little overwhelming. We have a great team here, both political and career, and I have gotten a lot of support from all of the career employees I have seen [whom] I run into in the halls, emails from a lot of them.

I have just gotten a good outpouring of support from a lot of people and it's been really gratifying.

Washington Examiner. You've made light of the "coal lobbyist" tag that people are giving you. Now that you have a clean slate and can define yourself, what should people know about you?

Wheeler: I care a lot about the environment. I really do. I practice it in my personal life. I go hiking. I go camping. I go fishing occasionally — not as much anymore. I like the outdoors. And I have a tremendous respect for the agency and the mission of the agency.

And I think we can protect the air, we can protect the water, and still deregulate at the same time. We have to transform to the 21st century and a lot of the apparatus we are using is still in the 20th century.

I don't expect to change everything in the brief tenure that I will have here, but I hope to put the agency on the glide path to looking at things differently. And that's why I am talking about risk communication when I go everywhere in the agency. We have to do a better job at communicating the risk people face in their daily lives.

Washington Examiner. Conservatives who support the deregulatory agenda at EPA were concerned about the pace under Pruitt and on how thorough he was. These same people are saying you are uniquely positioned to advance things. How can you advance the agenda?

Wheeler: Part of my background, having worked here at the agency in the Bush administration and the Clinton administration, having worked on the Hill during Clinton and Bush and then lobbied during Obama, I have seen the change in administrations. I have seen the change in priorities, and the change in regulatory approaches.

So I understand that what we do needs to be lasting, and we need to make sure we get it right. So I am going to be very cognizant of that. I am going to be very cognizant in our rule-makings that we follow the law and that our regulations can stand up to legal challenges. Because the American people needs that certainty.

We can't just keep pingponging back and forth every time there is a change in administration or there is a change in the court make-up. We have to be able to have regulations that follow the laws that Congress has given us, and they need to be sound, and we need to move forward to protect the environment. But a lot depends on the statutes that we have.

Washington Examiner: Turning to policy, I am assuming your priorities are the big three that people know about: the Clean Power Plan, CAFE (fuel efficiency standards), and WOTUS (Waters of the U.S.)?

Wheeler: We are doing so much more than that. I would put WOTUS in there. I would put the Clean Power Plan in there. I would also put our Superfund reform efforts. I would also put what we are doing to implement the new TSCA (Toxic Substances Control Act). Every one of our offices are really busy. It would be hard for me to point to what is the one or two things.

Of course, we are implementing President Trump's agenda. President Trump made it very clear on the campaign that he wanted to repeal the Clean Power Plan, repeal WOTUS, and replace them with something that actually followed the letter of the law, and we are working to do that. And those are certainly two presidential priorities that we are doing.

Washington Examiner: As you talk about creating durable policy, do you believe you can satisfy that while also doing something to address climate change? Is there a way to follow the letter of the law while also helping combat climate change?

Wheeler: It's interesting because the CO2 emissions have already decreased significantly since the Obama administration put out the CPP (Clean Power Plan), which was never implemented.

What we are focusing on, and what our replacement regulation will focus on, is what is in the law itself? I really believe the Obama administration went outside the four corners of the Clean Air Act, which is why the Supreme Court took the unprecedented move to issue a stay for that regulation. What we are trying to do is make sure the replacement follows the Clean Air Act and follows the law.

I am sure we will be criticized by some members of Congress who would prefer us to go further and some environmental groups who would prefer us to go further, but frankly we don't have that authority under the Clean Air Act to do what everybody would like us to do.

So we will protect the environment, we will make the air cleaner, the air is getting cleaner. The water is getting cleaner. We are following the laws and making sure the environment is sound and gets cleaner.

At the end of the day, and I think of this every single day, the mission of the agency is to protect public health and the environment.

Washington Examiner: Have you thought at all about the Supreme Court, and how it's going to be solidly conservative and how if stuff gets over there, you have a court that will probably empathize with your view of the statute? Is that something you have to take into account?

Wheeler: We of course take the the courts into account, but we got the stay with the old Supreme Court. So I don't think this change will impact that decision that much since we already got five justices who supported issuing a stay on the Obama regulation (Clean Power Plan).

And listening to them, and listening to them in other court cases, we are designing regulations that follow the letter of the law of the statutes. So hopefully they would be upheld by any Supreme Court 9-0 because we are following what the Clean Air Act tells us to do.

Washington Examiner: On CAFE standards, what is your message to California officials who might see a fresh start with you, who might see you as more of a figure they can work with than Pruitt?

Wheeler: I am happy to work with California on this. We really want a 50-state solution. We don't want to go to court over this.

The Obama administration put out a proposal in the 11th hour on the way out the door that we had to take a separate look at it. It's just good public policy. It was supposed to be a midterm review. They did it, what, a year after they issued the original? You can't regulate that way. You have to follow what was laid out.

So we are taking a look at the midyear review. We are going to move forward. And we are working with the Department of Transportation, our federal partner there. And we really want to work with California. We really want to come to a conclusion that will not require either of us going to court.

Washington Examiner: What happened with the "glider rule"? [the EPA recently decided to at least temporarily allow for the expansion of the manufacturing of so-called "super polluting trucks" that the Obama administration had sought to restrict]. That was one where overwhelmingly people did not quite understand [your decision on that].

Wheeler: What we announced on Friday was an enforcement discretion while the agency continues to look at that issue. Part of the problem there is you had a company [the main producer of glider trucks, Fitzgerald Glider Kits] that was basically on the verge of going out of business while we tried to decide what we are doing.

In an instance like that, it's important not to jump in. It's important not to wait too long to come to a decision, while, at the same time, real world market forces are taking shape.

The regulatory process sometimes can be slow. We don't want unintended consequences in the private sector while they wait for a decision from the agency.

Washington Examiner: You supported and were involved with the decision to allow the production of these glider [trucks] in the meantime?

Wheeler: I knew about the decision. I am aware of the discussions. There are still ongoing discussions internally on what the the appropriate move is. We have a proposed regulation out and want to make sure we get that right. There has been no decision yet on that regulation.

Washington Examiner: Where are you on the RFS (renewable fuel standard)?

Wheeler: I will follow the law and the intent of the law. I would love to see if we can work out a compromise between the ethanol industry and the oil refining industry, but we will do that within the bounds of the law. We will implement the RFS, both the statute and the letter and intent of the law.

Washington Examiner: You are someone who has been in environmental policy your whole life. EPA was your first job. Why did you get into environmental policy?

Wheeler: What brought me to environmental policy? Wow. I am an Eagle Scout. I am very proud of that. When I was in college I worked summers in a Boy Scout summer camp. I was a nature conservation director. That, so far... I am going to reserve judgment on this job, but so far in my life, being the nature conservation director at the Boy Scout summer camp was my favorite job ever.

It only paid... I think I made $1,000 for the entire summer. This is only my third day as acting administrator. I am going to withhold judgment on this. But so far that is my favorite job and has influenced me throughout my life and career.

Washington Examiner: Clearly we have all observed in your first few days you are trying to paint some distinctions between yourself and Pruitt, around the importance of transparency. Why are you going about it in that way? Why is that the right approach?

Wheeler: I am not faulting anything my predecessor did. I am a different person. I approach my job differently, and we both came at this from different backgrounds. When I worked at EPA in the early 1990s I cut my teeth on the Community Right to Know Act. I've always believed the more information we put out to the public on the decisions, and what constitutes the decisions at the agency, it makes for better rules and better policy. So I have always been a transparent person, and that's just the way I approach things.

Washington Examiner

https://www.washingtonexaminer.com/policy/energy/andrew-wheeler-aims-to-complete-trumps-deregulatory-agenda-at-epa

Andrew Wheeler Aims to Complete Trump's Deregulatory Agenda at EPA

By Josh Siegel, 7/17/2018

Andrew Wheeler, acting administrator of the Environmental Protection Agency, has a lot of work ahead of him to complete the deregulatory agenda that his recently departed predecessor, Scott Pruitt, started.

Wheeler says he's ready to make a lasting impact, whether or not he is confirmed as EPA's permanent leader.

"Of course we are absolutely implementing Presidents Trump's agenda," Wheeler told the W*ashington Examiner* in an interview at EPA headquarters on his third day in the top job. "We can protect the air, we can protect the water, and still

deregulate at the same time. I don't expect to change everything in the brief tenure that I will have here, but I hope to put the agency on the glide path to looking at things differently."

Conservative legal and environmental experts say Wheeler, EPA's No. 2 official until Pruitt resigned this month due to various ethics scandals, could serve as a more disciplined, understated, professional — and effective — leader of EPA.

If true, that would help the agency overcome critics who say the EPA under Pruitt had little to show for his campaign to rewrite rules combating climate change, and little hard evidence of its necessity.

"On the regulatory front, they haven't accomplished nearly as much as they could have by this point," said Jeff Holmstead, a former deputy administrator of the EPA in the George W. Bush administration. "They did a good job of getting started on these issues, but even a lot of Pruitt supporters would say Andy may be the right person to do all the hard regulatory work still in front of the agency. This is the role Andy has always looked forward to having, and I think he is going to be able to get an awful lot done in the next few years."

Wheeler is a career conservative Senate staffer, lawyer, and lobbyist with EPA experience and bipartisan relationships, whereas Pruitt was a former attorney general of Oklahoma who had sued the EPA multiple times and had ambitious political goals.

"This sounds like a criticism of Pruitt," Holmstead said. "He was not very sophisticated about the realities of the regulatory process and the realities of doing things that are legally defensible and durable. Andy won't waste his time taking on issues just to satisfy a particular constituency. He will want to do things that are sensible and lead to meaningful long-term reforms."

For supporters eager to restrain President Obama's environmental agenda, time is running short.

So far, the Trump administration has targeted at least 45 environmental rules, including 25 at the EPA, according to a rollback tracker by Harvard Law School's energy and environment program.

These actions would delay, weaken or repeal various regulations on air, water and climate change, and transform how the EPA uses science to make its regulatory decisions.

But at least six of Pruitt's actions have been overturned by the courts, according to the New York Times.

"A lot of the things Pruitt proposed and Andrew will presumably continue are defective not because Pruitt failed to do his homework, but because the proposals themselves are very hard to justify," said Joe Goffman, executive director of the Harvard Environmental and Energy Law Program, who was the lead attorney at the EPA during the Obama administration.

The EPA has also yet to propose replacements for three of the biggest Obama-era regulations that President Trump has vowed to target, although the agency is expected to act this summer.

They are rules affecting carbon dioxide emissions from coal power plants, the fuel efficiency of cars, and the agency's control over waterways.

These proposed rules would still have to face a lengthy public comment period, and then be finalized.

"We are now looking at not getting these rules repealed and replaced by end of first Trump's first term," said Myron Ebell, director of the Center for Energy and Environment at the free-market Competitive Enterprise Institute, who led the EPA's transition team for Trump. "If they don't get it done in the first term and there isn't a second Trump term, they can be repealed again and put back the way they were under Obama."

Wheeler says he's not worried about pace, and he won't neglect the process.

"Part of my background having worked here at the agency, having worked on the Hill, I have seen the change in administrations," Wheeler said. "I have seen the change in priorities and change in regulatory approaches. So I understand what we do needs to be lasting and we need to make sure we get it right. So I am going to be very cognizant in our rule-makings that we follow the law and that our regulations can stand up to legal challenges. Because the American people need that certainty."

Below is a status update on the three most high-profile aspects of the EPA's deregulatory agenda, what's left for Wheeler to do, and how his approach to the issues may differ from Pruitt's.

1. Weakening the Clean Power Plan

The EPA is in the process of repealing and replacing the Clean Power Plan, Obama's signature initiative to combat climate change, with a narrower rule more friendly to industry.

"President Trump made it very clear on the campaign that he wanted to repeal the Clean Power Plan, repeal WOTUS (more on that below) and replace them with something that actually followed the letter of the law, and we are working to do that," Wheeler said.

The 2015 Clean Power Plan, which was never implemented because of a Supreme Court stay, required states to reduce carbon dioxide emissions 32 percent below 2005 levels by 2030, by shifting away from coal plants.

The Trump administration says Obama based the Clean Power Plan on an expansive and illegal interpretation of the Clean Air Act.

Under the rule, the EPA gave each state a goal for reducing emissions and encouraged broad ways to meet those targets, such as moving away from coal to natural gas, and transitioning to wind and solar power.

Earlier this month, the EPA sent the new rule to the White House for review.

"What we are are trying to do is make sure the replacement follows the Clean Air Act," Wheeler said. "I am sure we will be criticized by some members of Congress who would prefer us to go further and some environmental groups who would prefer us to go further. But frankly, we don't have that authority under the Clean Air Act to do what everybody would like us to do."

Although Wheeler would not release details, experts expect the rewritten rule to regulate power plants on a plant-by-plant basis, and give more discretion to states. For example, the EPA could mandate heat rate improvements in power plants, which would burn coal more efficiently by creating more electricity per unit of coal.

"I am sure they will be looking at things that can be done at a plant to reduce its CO2 emissions rate," Holmstead said. "That has been done for other pollutants under the Clean Air Act and is more legally defensible."

2. Working with California on fuel-efficiency rules

The EPA is working with the Transportation Department to weaken strict fuel-efficiency rules established by Obama, recently submitting a proposal to the White House.

Automakers had urged Trump to ease Obama's standards, arguing they are too tough to meet with drivers favoring bigger, less fuel-efficient cars as gasoline prices have fallen. But now they worry his administration is going too far.

The Trump administration, with Pruitt leading EPA, was considering a proposal to freeze fuel-efficiency and greenhouse gas emissions targets at 2020 levels through 2025.

The EPA also is weighing challenging California over a waiver it has under the Clean Air Act that allows it to set its own, stricter air pollution rules. California is leading a coalition of states suing the Trump administration for rejecting the Obama standards.

Wheeler said he is committed to reaching a compromise with California to maintain a single national program, with all states using the same standards.

That would appease automakers, who fear facing a patchwork of regulations preventing them from selling the same cars in every state.

"I am happy to work with California on this," Wheeler said. "We really want a 50-state solution. We don't want to go to court over this."

3. Shrinking the Waters of the U.S. rule

The EPA is aiming to shrink Obama's Waters of the U.S. rule, commonly referred to as WOTUS.

WOTUS expanded the EPA's jurisdiction over waterways by broadening the definition of "navigable waters" protected under the Clean Water Act to include drainage ditches and livestock watering holes. Farmers, ranchers, and developers said the rule violated their property rights, forcing them to protect the streams and tributaries that flow through their land.

Pruitt initially tried to repeal the rule with a skimpy, 11-page proposal, but late last month, the EPA produced additional documents. Several states, led by New York, have sued the EPA for delaying implementation of Obama's WOTUS rule.

"The original proposal just wasn't meaty enough to satisfy the legal obligations," Holmstead said. "They will come up with a much more robust proposal."

EPA sent its draft replacement rule to the White House for review last month.

Under the proposal, the EPA and the Army Corps would enforce the water regulations under the older, limited definition of waterways, which included primarily large bodies of water like rivers.

"This fight will go to the Supreme Court," Goffman said.

E&E News

https://www.eenews.net/eenewspm/stories/1060089083/search?keyword=wheeler

Transcript of E&E News' Interview with Andrew Wheeler

By Robin Bravender and Kevin Bogardus, 7/13/2018

Acting EPA Administrator Andrew Wheeler sat down with E&E News for an interview at the end of his first week on the job.

Since taking charge of the agency after Scott Pruitt's resignation, Wheeler has been taking calls from lawmakers and meeting with EPA staff. He's already made subtle changes to how the agency operates, from posting online his daily calendar to opening up a hallway leading to his office that his predecessor once kept closed.

Pruitt's agenda of regulatory rollbacks will likely remain at EPA under Wheeler's watch. The acting chief, however, has no plans to revive a "blue team, red team" debate exercise on climate science, which Pruitt once heralded. He also wouldn't delve into "parsing the numbers" on how much humans contribute to climate change.

Wheeler, who was with lobby firm Faegre Baker Daniels Consulting before joining the agency this April as deputy administrator, is also trying to ensure he avoids conflicts of interest with his past lobbying work and said he wouldn't meet with his most famous former client, coal giant Murray Energy Corp., as well as others. He did note he had lobbied on EPA issues in the past, although he couldn't say when exactly, and called himself a former "energy and environment lobbyist."

Wheeler also described how he would manage the agency, saying he values the staff's work and wants to maintain EPA's technical expertise. He also touched on his personal security — one of Pruitt's hallmarks at EPA — saying his protective detail has the appropriate level of security and it would be "expensive" to tear down the secure phone booth installed in the administrator's office, which he hasn't used yet.

Below is a lightly edited transcript of E&E News' interview with Wheeler.

How is your first week going?

I think it's gone all right. It's been a little crazy. ... I had a full calendar for the next couple weeks, and Administrator Pruitt had a full calendar, and so we tried to combine the calendars, and then plus there's a lot of additional things that I needed to do this week, like the all hands meeting Wednesday. And I've talked to probably a dozen congressmen and senators that wasn't on either one of our calendars, so it's been triage on the calendar side.

At Wednesday's meeting, the career staffers here were excited that the hallway outside the administrator's office was open. Do you intend to keep that hallway open?

I intend to keep it open. I guess it was probably in one of your publications, I read an anonymous EPA employee complaining about that a few weeks ago in an article, saying how they used to walk through it all the time and if they had outside visitors, they would show them the hallway. I was going to talk to Administrator Pruitt about it, but then when I took over, I just went ahead and opened it up, because it should be open. Employees should be able to walk through there.

Is that part of a broader transparency push on your part, or was it as simple as opening the doors to a hallway?

To me, it was as simple as opening the doors to the hallway. ... But I think that kind of goes to my underlying transparency, my own personality there.

You have said you believed in climate change. Do you think that human emissions are the driving factor there?

I think human emissions contribute to climate change. I'm not going to put a number. If you say the driving factor, then that's assuming it's a certain number. ... I'm not going to get into the parsing the numbers.

Are you going to pursue plans for a "red team" climate debate?

No.

Why not?

I don't believe Administrator Pruitt was pursuing that any longer, either. In fact, he and I didn't discuss that since I've been here, but I don't see the point of it at this point in time. We're moving forward on replacement for the [Clean Power Plan], we've sent a proposal over to [the White House Office of Management and Budget], so we're moving forward on that front, and I think it's more important to focus on the regulatory side.

On the Clean Power Plan replacement, I wonder if you can speak very broadly on the parameters of what you'd like to do.

I want to follow the Clean Air Act. I don't think the Obama proposal or regulation followed the Clean Air Act. I think that's why the Supreme Court took the unprecedented move to issue the stay, so we're sticking within the four corners of the statute.

On the policy barring active EPA grant recipients from serving on the EPA advisory committees, do you plan to continue that?

I do. I haven't really looked at that, but fundamentally, I believe we've been meaning to make sure that people who serve on those boards don't have a conflict of interest. It's my understanding that's what that policy was trying to get to, making sure that you don't have somebody on the advisory board recommending that the EPA go down a path where they're already doing their research and getting money from the EPA. I am very careful on conflict of interest, which is why I did not seek any waivers at all for any of my lobbying conflicts. I have recusals in place, and I did not seek any waivers. I said during my confirmation process I did not anticipate seeking any waivers. I haven't, and I still don't anticipate any waivers being necessary. I want to make sure I don't have any conflicts of interest, and I think the people who serve on our science boards shouldn't have a conflict of interest.

Since you did lobby for the coal industry, how do you ensure that there aren't conflicts of interest there given that there's so much that you do that deals with coal?

I did not lobby the EPA on behalf of my coal client for — our press guys were actually asking me last week how long has it been. I'm not even sure how long it's been. It's been a minimum three or four years. I don't remember the last time I lobbied EPA on behalf of a coal issue. And it's been, the last coal issue, the EPA coal issue that I lobbied Congress was to support the [Congressional Review Act] on the Clean Power Plan, and that was outside the two-year look-back that the ethics officials take into consideration. But I haven't lobbied at all for almost a year now. But as I said in my speech Wednesday, the No. 1 issue I lobbied on behalf of the coal company in the last four or five years was the Miners Protection Act, which was to shore up the pensions and the health care benefits for the coal miners. I lobbied a Department of Interior issue for the coal industry, for the coal company. But I've gone through all of this with our career ethics people, and they don't see any conflicts. I will not meet with my former client, and I am not meeting with my former law firm. I'm not meeting with any of my former clients that I've worked on over the last two years.

You were referring to Bob Murray of Murray Energy?

Bob Murray, Murray Energy, but my other clients as well. I'm not meeting with any of my former clients, and I'm not meeting with anyone from my law firm.

Do you remember the last time you did lobby EPA and what it was about?

My last meeting at the EPA was not a lobbying meeting. It was on behalf of a company that just wanted more information about one of the programs. So that wasn't lobbying. I honestly don't remember. It could have been on behalf of South Coast Air Quality Management District because I did come in and meet with Gina McCarthy with them, but that was when she was assistant administrator for air. I lobbied some EPA issues. I did lobby the Department of Interior, and I lobbied at [the White House Office of Information and Regulatory Affairs], but at OIRA, those were Interior or Department of Labor issues. I don't even remember the last time that I lobbied an EPA issue with the administration.

Do you intend to follow through with the "secret science" policy that would require that EPA only rely on studies for rulemaking where the data has been made public?

That was proposed before I got here. I'm going to take a hard look at it. But I cut my teeth at the agency working on the Community Right-to-Know Act, and I really fundamentally believe the more information we put out to the public as far as what we're basing our regulations on, the better our regulations will be. I think it's important to get all that information out. At the same time, there's HIPAA requirements to make sure that you're not disclosing personal information about individuals involved in studies, and I want to make sure we safeguard that, but other agencies do that. FDA publishes the information they use as the basis for their regulations. Yes, I want to move forward with that. I don't know if the final is going to look exactly like the proposal. We're receiving comments, the comment period is still open and we can't prejudge any of that. But fundamentally, I do believe that the more information you put out to the public, the better the regulatory decisions will be and the better understood the regulatory decisions will be by the public.

What would you say to EPA scientists who have felt concerned under this administration about their work perhaps being censored or not being valued by agency leadership?

I'm telling them every day that I value their work. When I went down to [Research Triangle Park] I spent a day down there. This was my first visit off the main campus. I did that on purpose, and I met with a lot of the researchers and I'm excited about the work that they're doing. A day after I got back, I met with my counterpart from Canada [the deputy minister of environment and climate change], and I invited him to go back to RTP with me, I said you really ought to see what our scientists are doing down there.

On the renewable fuel standard, how do you balance the priorities of farmers and the oil and gas sector?

Our responsibility is to follow the letter of the law. The balancing between the two is done in crafting the legislation and any changes to the program, fundamental changes have to be done legislatively. We're going to follow both the letter and the spirit of the RFS program. There are issues, I would love to see more stability in the [renewable identification number] market, but we want to make sure that the one thing this administration has done and Administrator Pruitt and our team and Bill Wehrum over in the air office have done is gotten the [renewable volume obligation] numbers out in time. The previous administration, I think, was two years behind at one point. So we're committed to doing that and that brings a lot of stability to the marketplace and that's what we want to provide on the RFS program: stability.

There was a round of buyouts last year, and the Trump administration and the Trump White House has proposed budget cuts for EPA. How much do you think EPA needs to be downsized and where?

My biggest concern on the EPA personnel side is taking a look at the people who are eligible to retire. I think about almost a third of our workforce is eligible to retire over the next five years. My concern is to make sure that we have — that we maintain — the technical expertise that we need and that we recruit people to step in with the right technical expertise so that we don't have any gaps or holes in the EPA personnel. So that's my biggest issue, and that's how I'm looking at the personnel side. Our acting Deputy Administrator Henry Darwin, who's working a lot on the management side, is looking into these. He and I have sat down and talked about the issue and the problem with so many retirees coming up. We do not have a full-time human resource director, a permanent human-resource director. We are recruiting for that. Henry and I and the chief of staff sat down with the chief of staff at [the Office of Personnel Management] about three or four weeks ago to try to get some additional help on the recruiting side because we really need to have somebody in here who can take a hard look at what our needs are and to make sure that we're looking out. I want to make sure that we don't have huge gaps five years from today.

Do you think EPA should be eliminated and its authority delegated to the states?

Do I think that EPA should be eliminated? No.

Do you consider yourself to be an environmentalist?

Yes.

Why do you say that?

I've always considered myself to be an environmentalist. I'm an Eagle Scout. I go hiking, I go camping, I've always done that. My favorite job I've ever had in my life was being the nature conservation director at a Boy Scout summer camp when I was in college in Ohio. The camp was right outside of Dayton, Ohio. I'm reserving judgment on this job to see if this will be my new favorite. But so far that was my favorite, although it only paid $1,000 for the entire summer. Actually I think the third summer I did it was $1,500. ... I did it three summers when I was in college. ... It included the tent and the mess hall, if you can call that room and board. It was fun. The most fun I've had at a job.

Do you have a 24/7 personal security detail?

I have the appropriate level of security that the security detail says I need at this point. And if I go into too much detail, if I publicize that I don't have 24/7, then that could create a security issue. ... I would think if I announce to the world that I don't have 24/7, then people might start showing up in the middle of the night.

Have you used the secure phone booth?

Have I used it? No, I have not used it yet.

What are your plans for it? Do you have any plans for it yet? Have you given it any thought?

It's there. It would be expensive to tear it apart, I don't see any sense in tearing it apart. And in this day and age, I don't know what the assessment was for the need of it. I did look into the cost of the booth after I got here. Administrator Pruitt asked me to look over the expenses for his office and in doing that I decided the best way would be to pick a case study and take a look at it to see how the decisions were made. So I looked at how the decisions were made on the spending for the booth.

When the cost of the security detail came out recently, there was a commitment to release the cost figures for payroll and travel expenses for the administrator's security detail every quarter. Do you want to keep that policy disclosing those figures going forward every quarter?

I'd have to talk to the security detail to see if that's a security issue. I don't know and I didn't realize that commitment had been made.

Administrator Pruitt issued a memo that basically top officials would sign off on any expenses of $5,000 or more, including you as deputy administrator at the time. Are you going to keep that process in place?

Yes, I am keeping that in place and the acting deputy, Henry Darwin, and the CFO [chief financial officer] and the chief of staff. Two of the three of them will sign off on any expenses over $5,000.

Senior career employees who worked in the administrator's office were demoted or reassigned after reportedly raising questions about spending decisions made by the office. Do you plan to review those personnel decisions at all?

I have not taken a look at those issues. I know several of those people are no longer here.

Generally, there have been claims of retaliation against whistleblowers.

If there's any active investigations along those lines, I'd have to defer to those investigations and what may come out of those, and I can't prejudge something like that. ... But I take accusations of retaliation very seriously, and I would want a full investigation of those.

Can you talk about your long-term career goals? Do you have any plans to run for office? Political aspirations?

No, I do not have any political aspirations. I haven't thought beyond being acting administrator. No, I have no political aspirations at all.

What don't we know about you yet? We know you've been a coal lobbyist. What else should we know about you?

You know I've been an energy and environment lobbyist.

Any pets?

I do not have any pets. I'm allergic to cats and dogs. I love dogs.

Any hobbies?

I enjoy camping and hiking. I'm going hiking tomorrow with a couple of friends. I like being outdoors. I love traveling. I enjoy cooking, including baking. I've baked a few cakes since I've been here for staff.

Can we see the secure phone booth?

It is in a storage closet, and it does not look that impressive. It looks like a phone booth. I've not used it yet.

The Pittsburgh Post Gazette
http://www.post-gazette.com/news/environment/2018/07/16/Acting-U-S-EPA-administrator-Andrew-Wheeler-wants-to-depoliticize-environmental-issues/stories/201807160182

Acting U.S. EPA administrator wants to 'depoliticize' environmental issues

By Dan Hopey, 7/16/18

Andrew Wheeler, the acting U.S. Environmental Protection Agency administrator, seems intent on setting a new tone for the embattled agency, but not a new direction for the industry-friendly Trump administration.

Mr. Wheeler, 53, who took the helm of the agency July 9 after Scott Pruitt resigned amid several ethics investigations, said he will continue the "aggressive" deregulatory course set by his predecessor, although without the rancor.

"I would love to depoliticize environmental issues. I think we can find common ground with Democrats," he said, citing past bipartisan support for a diesel engine emission regulation, industrial site reclamation and the cleanup of abandoned mine sites. "There are definitely things we can do to clean up the environment in a bipartisan fashion and I want to reach out and work with those people who want to work with us."

Mr. Wheeler said he will continue the focus EPA had under Mr. Pruitt on toxic Superfund site cleanups, improving public water supply infrastructure and chemical safety reviews.

But Mr. Wheeler said he has also told his assistant administrators at the agency that nothing has changed in terms of the administration's environmental agenda.

"When [the president] called me to be the acting administrator, he said keep cleaning up the air and cleaning up the water and keep deregulating. He said we can do all three, and I agree with him," said the low-key Mr. Wheeler, who spoke with members of the Post-Gazette editorial board Monday after touring a shale gas well site in Washington County and meeting with the Chamber of Commerce there.

He said he was impressed with the "innovative work" he saw at the shale gas drilling site and pledged to "restructure" EPA programs to address those changes.

"We have to keep up with that innovation, one to make sure they're still protecting the environment and not causing any environmental issues with that innovation," Mr. Wheeler said. "And two, we also have to keep up to make sure we're not standing in their way. We have a responsibility there as well. If they're inthe 21st century on energy and manufacturing and we're still in the 20th century on protection, there's a problem there. So we have to innovate."

Mr. Wheeler, who spent four years working for the EPA under presidents George H.W. Bush and Bill Clinton in the early 1990s and more recently was a registered coal industry lobbyist, said his goal is to make the EPA's permitting and enforcement programs more efficient and certain.

He said management changes at an EPA enforcement office in Colorado have reduced the average time to produce an inspection report from 280 to 60 days. He said the agency's goal is to reduce the time for enforcement decisions, which can sometimes take several years, to one year.

"I don't think that's fair to American businesses," he said. "Again, as I said to employees, I'm not saying let people off the hook. I'm not saying we reduce fines. But we reach a decision faster."

Mr. Wheeler, a native of Hamilton, Ohio, near Cincinnati, said he also wants the agency to do a better job of informing Americans about the environmental risks from day-to-day exposures and from big impact events, such as the 9/11 destruction of the World Trade Center towers in New York City in 2001, the chemical contamination of the Elk and

Kanawha rivers caused by a leaking storage tank near Charleston, W.Va., in 2014, and the toxic levels of lead in the Flint, Mich., water supply, also in 2014.

"If you live near an oil refinery, near a steel or chemical plant, we need to be able to tell people who surround those areas what is the risk that they face, what are the risks their families and their children face." The agency hasn't done a good job of that, he said. "And if the risk assessment changes, we need to go back and explain what is new risk they face."

While Mr. Wheeler, unlike Mr. Pruitt, said he believes "climate change is real and that people have an impact on the climate," he also criticized the Obama administration for trying to control greenhouse gas emissions through the Clean Power Plan, which was stayed by the U.S. Supreme Court in 2016. He also said the agency has little legal authority to act on the issue.

"The Clean Power Plan went outside the four corners of the Clean Air Act. I will only, can only, implement law that Congress gives us," he said. "We now have a replacement for the Clean Power Plan at [Office of Management and Budget] for review. I'm sure there are conservatives who will criticize us. They didn't want us to do anything. We'll also be criticized from the environmental side because we aren't doing enough. But I'm doing what the law tells us we can do."

Mr. Wheeler said the EPA's new air quality data, which will be released next week, shows that since the 1970s air pollution in the U.S. has been reduced 74 percent.

"No other country has the record we do on environmental protection," he said. "And I think it's important we continue that, that we continue improving air quality."

Mr Pruitt, a former Oklahoma attorney general, resigned July 5. He was under investigation by the EPA's inspector general's office, according to the New York Times, for his frequent first-class travel to Oklahoma, his 24-hour security staff, unauthorized pay raises for political appointees, his handling of emails and for retroactively altering his public schedule records. He was also criticized for a low-cost lodging arrangement with a lobbyist in Washington D.C., spending $43,000 for construction of a secure phone booth in his EPA office, and asking EPA staffers to help his wife secure a Chick-fil-A franchise and his daughter get an internship in the White House.

Mr. Pruitt and his media office also had a rocky and confrontational relationship with the press, refusing to release basic information about his meeting schedule and agency actions, delaying responses to Freedom of Information Act requests from news organizations and even blocking reporters from attending agency events, but Mr. Wheeler said that's not his style.

He said he began posting his work and meeting calendar the day after he became administrator and resumed distribution of media advisories.

"We didn't do that the last go around, and did it before," he said, referring to the change in agency media actions during Pruitt's tenure. "We did a press availability at the Washington County Chamber of Commerce earlier today. And in my career have a history of talking to a lot of reporters and talking to them on the record for years.

"When I worked in the Senate I held a press briefing before every hearing, more than 100. I intend to do the same type of thing in this role."

The Pittsburgh Post Gazette Editorial Board

http://www.post-gazette.com/opinion/editorials/2018/07/23/Eyes-on-the-EPA-A-Washington-insider-takes-over-prescribing-basics/stories/201807180035

Eyes on the EPA: A Washington insider takes over, prescribing basics

By Editorial Board, 7/23/18

The Environmental Protection Agency has three goals: to keep the air clean, to maintain our waterways, and to regulate these things in a way that creates jobs.

This is according to Andrew Wheeler, the Environmental Protection Agency's new acting administrator who many expect will be appointed to the job permanently. He knows Washington well, having started his career at the EPA before working as a Senate staffer. More recently, he was a lobbyist for the coal industry, which tarnishes him in the minds of many.

In a meeting with the Post-Gazette's editorial board, Mr. Wheeler described his vision of an EPA that goes back to basics. This includes tackling the agency's long list of "Superfund sites," polluted areas that require significant cleanup efforts. He said he believes in climate change and that human activity has contributed to it.

Perhaps more important is what Mr. Wheeler's vision excludes: namely, the drama and spectacle of the tenure of his predecessor Scott Pruitt. The EPA should earn headlines for preventing the next Flint water crisis — not for its administrator's predilection for ordering custom soundproof offices that cost taxpayers $43,000.

All of this should be welcomed. As we argued at the time of Mr. Pruitt's resignation, the new EPA leader should be someone not just with mangerial experience, but a deep respect for science and a commitment to running the agency according to its mission.

Mr. Wheeler meets those criteria. In addition, he is a low-key, affable figure, unlike the confrontational, abrasive, ideological Mr. Pruitt. He seems like someone who will listen, not act on dogma alone. Time will tell if this is the case.

An important test will be the acting administrator's focus on deregulation and business. As he proclaimed his commitment to cleaning the air and water, Mr. Wheeler made his first major decision last week, easing Obama-era regulations on the disposal of coal ash from power plants. Environmentalists were not pleased.

Whether you agree with it, the Trump administration's decision to adopt a minimalist view of the EPA — in which the agency focuses on bread-and-butter work like tackling Superfund sites rather than lofty Obama-era goals like promoting renewable fuel requirements — is a choice the executive is entitled to make.

Mr. Wheeler's approach portends some benefits. He spoke of working more closely with the states, of better communicating with communities about the environmental risks that they face and of contributing "certainty" — or predictability — to the regulatory environment.

Nevertheless, the acting administrator should be cautious in how he enacts this agenda. Blunt-force deregulation — for example, rolling back Obama-era rules merely for the sake of it — risks creating more uncertainty for business if it is so radical that future administrations are likely to undo much of it.

Instead, Mr. Wheeler's legacy will be far more influential if he can shape EPA regulation in a way that stands the test of time and the test of future administrations that are more trigger-happy when it comes to environmental policy.

Dramatically slashing regulations upon entering office is one way to grab headlines, as Mr. Pruitt learned. But working with business and local communities to craft thoughtful environmental policy that could last for decades will earn Mr. Wheeler lasting respect.

The Associated Press

http://amp.timeinc.net/time/5347862/epa-andrew-wheeler-fuel-efficiency-california

Opposing California, New EPA Head Calls for Single U.S. Fuel Efficiency Standard

By Ellen Knickmeyer,7/27/18

The acting head of the Environmental Protection Agency said Tuesday that the United States needs a single standard for fuel efficiency for cars and trucks, signaling a possible showdown with California and other states that could throw the car market into turmoil.

Andrew Wheeler spoke to a small group of reporters at EPA headquarters, ahead of a Trump administration proposal that's expected to freeze some future Obama-era mileage goals. The Trump administration also has said it's looking at challenging California's authority to set its own, tougher mileage standards.

"What we don't want to see is two different standards for the country," Wheeler said, calling for a "50-state solution" to disputes over mileage standards.

A program for steadily increasing fuel efficiency rules was a key part of the Obama administration's effort to combat climate-changing emissions from fossil fuel.

California has had the authority under the half-century-old Clean Air Act to set its own standards, with a special rule allowing the state to curb its chronic smog problem. More than a dozen states follow California's standards, making for a significant part of the country's car market.

Wheeler said he was committed to sitting down with California officials after the Trump administration releases its proposals, expected as soon as this week.

"We certainly want to work with the state of California to make sure they're comfortable with the direction the government wants to go," he said.

A draft of the EPA proposal obtained last spring by Democratic Sen. Tom Carper of Delaware said the Trump administration was considering freezing the fuel standard at 2020 levels for the next five years. Under the proposal, the fleet of new vehicles would have to average roughly 30 mpg in real-world driving, and that wouldn't change through at least 2025.

The Obama administration had proposed tougher standards — 36 mpg by 2025. California and automakers agreed to the rules in 2012, setting a single national fuel economy standard.

California has joined 16 other states and the District of Columbia to sue the EPA to try to block any weakening of the standards.

Trump named Wheeler, then the environmental agency's deputy administrator, as acting head after Administrator Scott Pruitt resigned this month amid unrelenting ethics scandals.

Wheeler spoke favorably about two policy issues inherited from Pruitt. One was an initiative to bolster consideration of costs in making some regulatory decisions. The other was a sweeping proposal to change what science the EPA considers in making regulations by giving the agency's chief the option to disregard scientific studies if the underlying data supporting it is not made public. Supporters say that would increase transparency in EPA rulemaking.

Public hearings on the proposals have drawn mainly opponents, including scientists and health officials who say the change would throw out bedrock public-health studies that draw on confidential data on individual patients.

"I very much believe in both of those" as far as transparency and consideration of costs and benefits go, Wheeler said.

On the broader rule, "I think we can balance two competing public policy goals" for patient confidentiality and transparency, he said. "There's got to be a way of threading that needle," he said.

Crafting the final form of the rule on studies would happen after the period for public comment ends, Wheeler said. "I'm not positive what the final regulation" will look like, he added.

Wheeler pledged to work with all sides in a policy issue that bedeviled Pruitt — a dispute between corn growers and oil and gas refiners over how much corn-based ethanol that refineries have to blend with petroleum.

Reuters

http://kdal610.com/news/articles/2018/jul/24/epa-wants-50-state-fix-for-auto-efficiency-seeks-biofuel-reforms/

EPA to keep pursuing biofuel changes under new leadership: Wheeler

By Jarrett Renshaw, 6/27/2018

The U.S. Environmental Protection Agency's acting administrator said on Tuesday he would follow up the work of his predecessor to overhaul the nation's biofuel policy, including pursuing changes strongly opposed by the powerful corn lobby like counting ethanol exports toward annual biofuels quotas.

The biofuel industry had been hoping that Andrew Wheeler would drop some of former Administrator Scott Pruitt's overhaul efforts, which were aimed at helping the oil industry, and instead prioritize the interests of farmers in the U.S. heartland to expand domestic markets for corn-based fuel.

Wheeler said the agency was open to changes sought by the biofuel industry, but only if it made concessions too.

"When everyone is complaining about the program, we need to look at ways to change the program," he said.

The comments at a briefing with reporters were among the first by Wheeler on such policy issues since Pruitt resigned as EPA administrator earlier this month in the face of ethics controversies.

Efforts to bring the rival corn and oil groups together around an overhaul to the Renewable Fuel Standard failed under Pruitt, but Wheeler said his decades of experience in Washington could make a difference.

The RFS requires refiners to blend increasing amounts of biofuels like corn-based ethanol into the nation's fuel supply each year, or purchase blending credits from those that do. The policy has helped farmers by creating a 15 billion-gallon market for ethanol, but has rankled some refining companies that say it costs them a fortune.

Wheeler also said the agency wanted a "50-state solution" to the nation's vehicle emissions standards, as the EPA opens the door to weakening Obama-era efficiency targets over the objections of California.

President Donald Trump's administration is expected as early as Thursday to propose revoking California's power to set state vehicle emissions rules, setting up what is likely to be a protracted legal battle between the state and Washington.

"We don't want to see two different standards for the country," Wheeler said.

Wheeler said he met last week with Mary Nichols, the head of California' Air Resource Board, and shared the administration's opinion.

Standards set under former President Barack Obama called for roughly doubling by 2025 the average fuel efficiency of new vehicles sold in the United States to about 50 miles (80 km) per gallon - something the Trump administration has called too onerous for the auto industry but which proponents said could help spur innovation in clean technologies.

ETHANOL DEAL

On biofuels, Wheeler said the agency would keep pursuing changes to the U.S. Renewable Fuel Standard that Pruitt sought, including counting ethanol exports toward the nation's annual biofuels blending quotas.

Such a move would reduce costs for the refining industry by effectively lowering the domestic biofuel blending quota, and anger the corn lobby by undermining U.S. demand.

He added that the agency could also look at changes that would help the biofuel industry, like expanding the sale of higher-ethanol gasoline blends and by requiring some refiners to blend more ethanol to compensate for volumes lost under an EPA waiver program for small refiners.

Reallocating the volumes would be a concession to the corn industry, which has said the waiver program undermines demand for corn-based ethanol.

But Wheeler said any of those changes would need to come as a package deal, and would not be adopted piecemeal.

Under the RFS, refineries up to 75,000 barrels per day can seek exemptions from the law each year if they can prove compliance would cause them financial hardship.

The EPA issued data this month that said it granted 48 such waivers for the years 2016 and 2017, representing some 2.25 billion gallons of biofuels, significantly higher than under Obama.

The surge in waivers has caused the cost of compliance credits to plummet, saving refiners hundreds of millions of dollars. Wheeler said the lower credit costs should lead to fewer exemptions in the future.

"If credits cause a hardship, it would only make sense the lower credit costs reduce the hardship," Wheeler said.

Omaha World-Herald

https://www.omaha.com/money/agriculture/new-epa-chief-aims-to-balance-ethanol-oil-interests-he/article_d2bcfd6d-f482-5909-9093-0ecb1d04efc7.html

New EPA chief aims to balance ethanol, oil interests; he could pursue changes to ethanol mandate

By Joseph Morton, 6/26/2018

Acting Environmental Protection Agency chief Andrew Wheeler said this week that he could pursue changes to the federal ethanol mandates that have been such an economic driver for corn belt states such as Nebraska and Iowa.

“When everybody’s complaining about a program from every side, then we ought to take a look and figure out if there’s a way to make the program better, and I’m certainly open to trying to make the program better,” Wheeler told reporters.

Wheeler stressed that the agency must ensure it’s following both the letter and spirit of the law. He rejected making changes to ethanol policy in piecemeal fashion.

Wheeler’s predecessor, Scott Pruitt, angered ethanol producers and their lawmakers with his attempts to overhaul the Renewable Fuel Standard. The RFS requires a certain amount of ethanol and other biofuels be used every year.

The refineries responsible for using ethanol have asked for relief, saying the mandates are an economic burden on them, while ethanol interests say President Donald Trump needs to make good on campaign trail commitments to support biofuels.

Now both sides are looking to get a read on Wheeler.

The new administrator discussed his RFS views before a Tuesday announcement that the agency was finalizing approval of renewable fuels derived from sorghum, a move welcomed by the Nebraska Farm Bureau.

The administrator was joined at the announcement by Pawnee City, Nebraska, sorghum farmer Don Bloss, who said he hopes that new rule will encourage plants in Nebraska to use sorghum and increase demand for the crop.

Also at the announcement was Sen. Deb Fischer, R-Neb., who said more Nebraska farmers are raising sorghum.

“With depressed commodity prices, tight margins and uncertainty surrounding international trade, our farmers are feeling anxious,” Fischer said.

In that environment, the RFS provides much-needed certainty for farmers and biofuels producers, she said, noting Nebraska's 25 ethanol plants and their annual production capacity of more than 2 billion gallons.

Corn growers and ethanol producers viewed Pruitt as trying to undermine ethanol's economic success story, however, and were particularly alarmed by his granting of refinery waivers that reduced the amount of ethanol blended into the fuel supply.

Wheeler offered a general defense of such exemptions, saying they are part of the law. He said it was a shock to the system because the previous administration had not implemented the waiver program.

The agency will look at ways to provide more transparency to the waiver program, he said. But he also suggested that there could still be a deal struck between refiners and ethanol interests.

Asked about the biggest difference between himself and Pruitt on the issue, Wheeler cited his long history with the RFS.

Sen. Chuck Grassley, R-Iowa, said Wheeler has made pro-ethanol statements, but so did Pruitt before his confirmation. Still, Grassley said, "Wheeler does not seem to have the ties to an oil state that Pruitt had."

And Monte Shaw, executive director of the Iowa Renewable Fuels Association, also sounded cautiously optimistic.

"Mr. Wheeler is viewed as someone with less of a personal agenda here. Time will tell."

The Progressive Farmer

https://www.dtnpf.com/agriculture/web/ag/news/business-inputs/article/2018/07/24/sorghum-growers-see-opportunity-now

Sorghum Oil Approved for RFS

By Chris Clayton, 6/24/2018

Acting EPA Administrator Andrew Wheeler on Tuesday announced his agency had approved sorghum oil as a feedstock under the Renewable Fuel Standard as an advanced biofuel and biodiesel product.

EPA, sorghum industry leaders, senators and congressmen held a roundtable discussion late Tuesday afternoon to talk about the importance of the decision for ethanol plants and sorghum producers. A Texas producer told Wheeler that the decision would help motive more farmers to grow sorghum, which takes less water than crops such as corn.

The National Sorghum Producers pushed for more than two years to get sorghum oil as part of the Renewable Fuel Standard. EPA initially proposed the rule last December, noting in its proposed assessment that, as a biodiesel product, distillers sorghum oil had the potential to reduce greenhouse-gas emissions 82% compared to a petroleum diesel product. That achieves EPA's threshold to be considered an advanced biofuel.

"This pathway for sorghum oil reaches far beyond the farmer," said Tom Willis, NSP board director and CEO of Conestoga Energy. "This is an avenue for creating jobs in rural America we so desperately need, and it helps provide energy security from a renewable water-conserving source."

Tim Lust, CEO of the National Sorghum Producers, said the ruling would allow some ethanol plants in the Plains to get back into using sorghum as a feedstock because they will be able to sell their oil as well.

"Certainly, this is a win-win for the environment," Lust said. "Sorghum is a water-sipping crop."

EPA also noted that distillers sorghum oil right now "is still a relatively niche product" with the potential to produce 12 million to 21 million gallons of biofuels from the oil annually. Still, there are nine ethanol plants already extracting oil from sorghum and other facilities will be able to do the same.

Bob Dinneen, president of the Renewable Fuels Association, said he hoped the action would signal that Wheeler would deal with the backlog of other pathways for renewable fuels to qualify for advanced biofuels or cellulosic products, "which will help expand the market for low-carbon biofuels and meaningfully contribute to RFS compliance in the near term," Dinneen said.

South Coast Today

http://www.southcoasttoday.com/news/20180725/in-new-bedford-visit-acting-epa-chief-says-he-buys-climate-change-but-seeks-to-deregulate

In New Bedford visit, acting EPA chief says he buys climate change but seeks to deregulate

By Jennette Barnes, 6/25/2018

Scott Pruitt's temporary replacement as head of the U.S. Environmental Protection Agency, Andrew Wheeler, believes humans contribute to climate change but considers environmental deregulation one of his top priorities, he said Wednesday.

He spoke on the New Bedford waterfront, outside an EPA plant that removes water from contaminated sediment as part of the New Bedford Harbor Superfund cleanup.

Wheeler said he will continue to implement Pruitt's policies, which are the policies of President Donald Trump.

Asked about his top priorities for the EPA nationally, Wheeler said that when Trump asked him earlier this month to assume the role of acting administrator, the president told him, "Keep cleaning up the air, keep cleaning up the water and continue to deregulate in order to create jobs."

"I think we can do all three," he said.

Wheeler, who once worked as coal lobbyist, said he believes the Obama administration's Clean Power Plan, which sought to reduce emissions from coal-fired power plants, exceeded the confines of the Clean Air Act.

"What I'm trying to do is ... exactly what Congress has given us the authority to do," he said.

When Wheeler was appointed, the Natural Resources Defense Council issued a statement saying he has shown disdain for the EPA's mission.

Wheeler said any differences between him and Pruitt will involve how he talks about things, such as communicating to the public the agency's support for state and local governments and communicating to people who live near Superfund sites.

Wheeler is a lawyer who has been in Washington for decades and worked for the EPA early in his career.

He visited New Bedford to celebrate the one-year anniversary of recommendations from the Superfund Task Force established by Pruitt. According to the EPA, the recommendations aimed to expedite cleanups and promote redevelopment, among other goals.

The EPA is in the midst of a massive cleanup of polychlorinated biphenyls deposited in the harbor from historical manufacturing. A $366.25 million settlement in 2012 from AVX Corp., formerly Aerovox, dramatically accelerated the timeline.

Alexandra Dunn, New England regional EPA administrator, said the cleanup is now expected to be finished within the next five years.

Wheeler said the harbor is a perfect example of local, state and federal governments working together to clean up a site for re-use, and that he hopes to use it as a model for projects across the country.

WBSM

http://wbsm.com/top-epa-administrators-recognize-new-bedford-as-success-story/

EPA Administrator Recognizes New Bedford A Success Story

By Tim Dunn, 6/25/2018

Top brass from the U.S. Environmental Protection Agency (EPA) paid a visit to the Whaling City on Wednesday to recognize accomplishments made by the agency in the reduction of risks to human and environmental health in areas across the country contaminated by hazardous materials.

Acting Administrator of the EPA Andrew Wheeler and Regional Administrator Alexandra Dunn joined Mayor Jon Mitchell at the dewatering facility to celebrate the one year anniversary of the agency's Superfund Task Force Report, and to also present the 2018 update to the report.

Wheeler says he chose to celebrate the 2018 update in New Bedford as a way to also recognize the city as a "Superfund success story."

"With over 1,300 Superfund sites across the country, some of those sites have been languishing for decades and contamination is seeping into the land and water. We owe it to the American public to get these sites cleaned up and back to use," said Wheeler. "Today, we are proud to present the 2018 update to the Superfund Task Force Report, which highlights the numerous accomplishments achieved by EPA's hardworking employees. That work is of course in conjunction with the hardworking employees of the states and the local communities, and there's not a better Superfund example than New Bedford here today."

New Bedford is the nation's leading commercial fishing port in terms of the dollar value of the harbor's annual catch, and like the waterways of many cities is highly contaminated with polychlorinated biphenyls and other heavy metals, according to Dunn. Dunn also announced at the event that the EPA has been able to expedite the entire cleaning of New Bedford Harbor, and expects completion within five years.

"New Bedford Harbor is a resource. It's an 18,000 acre urban estuary. It has sediment highly contaminated with polychlorinated biphenyls and heavy metals. In the last nine months, for example, our cleanup north of Coggeshall Street has removed over 43,000 tons of highly contaminated harbor sediment," Dunn explained. "We have been closely with the City of New Bedford on many redevelopment options that will come as our cleanup advances into economic benefits to the community."

Mayor Mitchell spoke of the city's frequent interactions with the EPA over the years, something he says is tied to New Bedford's industrial past. Mitchell argues that not only has New Bedford been a maritime powerhouse for generations, but it also has a history of being a center of manufacturing, leading to the vast amount of contamination in the harbor today.

"The harbor holds the dubious distinction of being America's first marine Superfund site, and we have a number of other sites across the city," stated Mitchell. "The good news is that we're here today not to talk so much about the past, but about the present and the future. As much as New Bedford has had these challenges, New Bedford has also rolled up its sleeves in cooperation with our friends in the Commonwealth of Massachusetts DEP, but also the Environmental

Protection Agency in Region 1 across presidential administrations over many years. We believe that from environmental liabilities come environmental assets."

Wheeler, who was nominated by President Donald Trump January and confirmed as Deputy Administrator of the EPA in April, has been the acting head of the EPA for only a matter of weeks. He was named Acting Administrator after the resignation of former Administrator Scott Pruitt.

"I think this is the perfect example of the federal government, the state government, and the local government, the Mayor and his people here, working together to get a site cleaned up for reuse," said Wheeler. "I can't think of a better example of all three levels of government working cooperatively together. I hope that we can model this in projects all across the country."

USA Today

https://www.usatoday.com/story/news/politics/2018/07/26/trump-epa-freeze-obama-era-fuel-standards-cars-light-trucks/840816002/

Trump administration to freeze Obama-era fuel standards for cars, light trucks

By Ledge King, 6/26/2018

The Trump administration will formally lay out a plan as early as next week to revisit strict fuel-economy standards that had been set in motion under President Barack Obama, according to Andrew Wheeler, the new acting head of the Environmental Protection Agency.

Automakers, state officials, environmentalists and federal regulators had agreed in 2012 to increase vehicle efficiency to an average 34.5 mpg by 2016 across the fleet of American cars and trucks, with the standard then slated to rise yearly until it hits 54.5 mpg by the end of 2025.

In an interview Thursday with USA TODAY, Wheeler argued that Obama acted prematurely when he increased the fuel-efficiency requirements before leaving office in 2017 and that the issue needs further review.

"They jumped the gun," Wheeler said. "It was a political attempt to try to move up the process and what we're doing is taking the deliberative process of looking at the midyear review the way it was originally intended to be done."

EPA is expected to make a joint announcement with the Department of Transportation offering alternatives to the scheduled fuel-efficiency standards. The decision will revisit mpg standards set to kick in after 2021 and won't affect fuel efficiency increases already being phased in over the next three years.

Wheeler, who took over from embattled former EPA Administrator Scott Pruitt earlier this month, said the announcement is "probably coming out next week."

"We're proposing a list of options. We have a preferred option but I don't want to get ahead of the actual proposal before it goes out," he said.

The move is likely to be welcomed by U.S. automakers but will set up a fight with environmental groups and California, the most populous state and a leader in fuel efficiency.

President Donald Trump has long made clear he wanted to revisit the Obama-era mileage policies and in April, Pruitt said the administration would begin the process but he gave no details.

The Alliance of Automobile Manufacturers had sought a withdrawal of the higher fuel standards, arguing they would impose hefty costs and limit consumer options.

Anticipating a retreat from tougher standards, Tom Carper of Delaware, the top Democrat on the Senate Environment and Public Works Committee, said last week during a Capitol Hill hearing he fears the Trump administration "is looking to snatch defeat from the jaws of victory instead of working responsibly to achieve consensus."

The decision is not expected to directly address a related but separate issue of whether the EPA will revoke the waiver California received under the Clean Air Act to impose tougher fuel efficiency rules on cars and light trucks.

But environmentalists say the issues are tied to each other. They worry a decision to scrap the Obama-era standards would make it tougher for California to demand better gas mileage from carmakers.

Auto manufacturers are divided on the best course of action.

“Our priorities for modernizing the standards include the need for one national set of requirements where California and the federal government come to a nationwide agreement," according to a statement from General Motors. "We look forward to reviewing the proposed standards once public and are committed to working with all parties to help achieve these goals.”

A Ford spokesperson pointed to a recent column from CEO Jim Hackett and Chairman Bill Ford saying, “We support increasing clean car standards through 2025 and are not asking for a rollback.”

Fiat Chrysler declined comment.

A spokesman for the Alliance of Automobile Manufacturers said he wanted to see the proposal before commenting.

James Hewitt
Environmental Protection Agency
Press Secretary
(202) 578-6141

Message

From: Knickmeyer, Ellen [EKnickmeyer@ap.org]
Sent: 7/5/2018 8:27:33 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]
CC: Biesecker, Michael [MBiesecker@ap.org]; Bridis, Ted [TBridis@ap.org]
Subject: Comment re Dravis saying Jackson directed staffers to expunge Pell meeting from records?

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Message

From: Knickmeyer, Ellen [EKnickmeyer@ap.org]
Sent: 6/6/2018 2:24:00 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]
CC: Biesecker, Michael [MBiesecker@ap.org]; Feldman, Carole [CFeldman@ap.org]; Bridis, Ted [TBridis@ap.org]
Subject: Payments to Mr. Pruitt's wife

Hi, Jahan,
We're seeing in Mr. Pruitt's travel vouchers that he flew to New York on Sept. 15 to speak to Concordia's annual summit.

The Washington Post reports that Concordia paid Mr. Pruitt's wife $2,000 for helping with logistics of that same summit.

Can you tell me if there were any other payments from organizations to Mr. Pruitt's spouse or family for events he attended?

Did the EPA ask the EPA ethics officers about that and other arrangements in advance? Can you provide the documentation on that if so?

Need today, please.

Thank you,
Ellen

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Message

From: Kevin Bogardus [kbogardus@eenews.net]
Sent: 6/8/2018 5:20:24 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Block, Molly [block.molly@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Press [Press@epa.gov]
Subject: RE: House Democrats Seek Criminal Investigation of Scott Pruitt
Attachments: ATT00001.txt

Thanks again for your help, Jahan. Below is what I have from EPA in the story. Please let me know who Administrator Pruitt's outside counsel is so I contact them. Thanks again.

Asked for comment on the House Democrats' letter, an EPA spokesman referred E&E News to Pruitt's outside counsel, who could not be reached before publication of this story.

-Kevin

From: Kevin Bogardus
Sent: Friday, June 08, 2018 1:06 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Press <Press@epa.gov>
Subject: RE: House Democrats Seek Criminal Investigation of Scott Pruitt

Many thanks, Jahan. Who is that?

-Kevin

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, June 08, 2018 1:05 PM
To: Kevin Bogardus <kbogardus@eenews.net>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Press <Press@epa.gov>
Subject: RE: House Democrats Seek Criminal Investigation of Scott Pruitt

I would refer you to Administrator Pruitt's outside counsel.

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Friday, June 8, 2018 12:59 PM
To: Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Block, Molly <block.molly@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>; Press <Press@epa.gov>
Subject: FW: House Democrats Seek Criminal Investigation of Scott Pruitt

Hey guys,

It's Kevin Bogardus with E&E News.

Does EPA have any response to the below?

Please let me know now. My apologies for the time crunch. Thank you for your help.

Kevin Bogardus
E&E News reporter
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202-737-5299 (f)

Follow me @KevinBogardus

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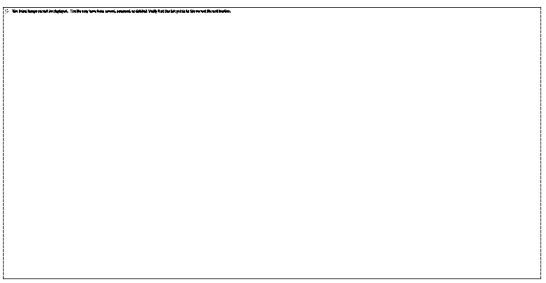
From: Fritschner, Aaron [mailto:Aaron.Fritschner@mail.house.gov]
Sent: Friday, June 08, 2018 12:12 PM
Subject: House Democrats Seek Criminal Investigation of Scott Pruitt



FOR IMMEDIATE RELEASE:
June 8, 2018

CONTACT:
Aaron Fritschner (202) 225-4376

House Democrats Seek Criminal Investigation of Scott Pruitt

In letter to FBI and Justice Department, Representatives point to potential criminal violations of public corruption statutes

June 8, 2018 (Washington, D.C.) – Rep. Don Beyer (D-VA) today led a group of US Representatives asking the Federal Bureau of Investigation (FBI) and Department of Justice (DOJ) to open a criminal investigation into EPA Administrator Scott Pruitt for potential violation of corruption laws. The letter was signed by Reps. Beyer, Gerald Connolly (D-VA), Jamie Raskin (D-MD), Ted Lieu (D-CA), Ruben Gallego (D-AZ), and Pramila Jayapal (D-WA).

The members wrote:

"We write you with grave concerns that Environmental Protection Agency (EPA) Administrator Pruitt has used his public office and official, taxpayer-funded resources for the personal gain of himself and his family, in violation of federal law.

This week's revelation that Administrator Pruitt used his public office – including both his position and EPA staff – to attempt to get his wife a Chick-fil-A franchise is the latest in a string of unethical spending and management decisions that have given rise to twelve federal investigations. Administrator Pruitt directly, and admittedly, used EPA resources to

attempt to secure a job for his wife.

...

Pruitt later made another attempt to secure his wife a job using his position at the EPA. Pruitt reportedly approached Matthew Swift, the chief executive of Concordia, a New York nonprofit. Swift later paid Marlyn Pruitt $2,000, plus travel expenses, to help with logistics for the group's annual conference in September – a conference at which Administrator Pruitt spoke.

...

Despite Pruitt's testimony to the contrary before Congress, documents from the firm of Pruitt's lobbyist-landlord showed that he lobbied the EPA several times on behalf of clients. Companies represented by the firm of Pruitt's landlord also benefitted from EPA decisions during Pruitt's stay in the townhouse—the extent of which we still do not fully know.

...

At the very least, we know that federal ethics laws bar public officials from using their position or staff for private gain. Administrator Pruitt has certainly done just that. Further, his actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison.

We formally request that the FBI open an investigation into Administrator Scott Pruitt's conduct to assess whether he broke the law, including criminal statutes prohibiting public corruption."

Full text of the letter follows, and a signed copy is available here.

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, NW
Washington, DC 20535

The Honorable John P. Cronan
Acting Assistant Attorney General
U.S. Department of Justice, Criminal Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Director Wray and Acting Assistant Attorney General Cronan:

We write you with grave concerns that Environmental Protection Agency (EPA) Administrator Pruitt has used his public office and official, taxpayer-funded resources for the personal gain of himself and his family, in violation of federal law.

This week's revelation that Administrator Pruitt used his public office – including both his position and EPA staff – to attempt to get his wife a Chick-fil-A franchise is the latest in a string of unethical spending and management decisions that have given rise to twelve federal investigations. Administrator Pruitt directly, and admittedly, used EPA resources to attempt to secure a job for his wife.

E-mails released to the Sierra Club under Freedom of Information Act requests showed that Sydney Hupp, then a scheduler for Administrator Pruitt, contacted Chick-fil-A's Chief Executive Officer Dan Cathy in May 2017 per Pruitt's request to set up a meeting regarding a "potential business opportunity." When Pruitt spoke with

Chick-fil-A, he revealed then that the "business opportunity" was a request that his wife become a Chick-fil-A franchisee.[1]

Following these reports, Administrator Pruitt seemingly confirmed to a reporter that he had in fact used his office to help his wife become a Chick-fil-A franchisee. When asked to explain the reports, Pruitt responded:

> *"...look, my wife is an entrepreneur herself, I love, she loves, we love Chick-Fil-A as a, as a franchise of faith, and it's one of the best in the country, and so, that's something we were very excited about... So, and we need more of them in Tulsa and we need more of them across the country... So anyway it's an exciting time."*[2]

Pruitt later made another attempt to secure his wife a job using his position at the EPA. Pruitt reportedly approached Matthew Swift, the chief executive of Concordia, a New York nonprofit. Swift later paid Marlyn Pruitt $2,000, plus travel expenses, to help with logistics for the group's annual conference in September – a conference at which Administrator Pruitt spoke.

Further, Administrator Pruitt agreed to a meeting with Swift the week after the event in September, met with Swift again in February, and planned a number of other meetings—some disclosed, but a number of undisclosed meetings as well—stemming from the conference his wife organized for Concordia.[3] It remains unclear whether the EPA under Administrator Pruitt has taken actions that might benefit these organizations and companies since those meetings.

April reports revealed that Administrator Pruitt had worked out a special deal on condominium rent with the wife of an industry lobbyist who represents companies regulated by the EPA and who was an active contributor to his political career. Pruitt had been paying just $50/night for a Capitol Hill condominium, and only for the nights he used a bedroom in the townhouse, a sum well below the market value.[4] Pruitt's daughter also stayed in the townhouse in a separate room, at no added cost.

Despite Pruitt's testimony to the contrary before Congress, documents from the firm of Pruitt's lobbyist-landlord showed that he lobbied the EPA several times on behalf of clients.[5] Companies represented by the firm of Pruitt's landlord also benefitted from EPA decisions during Pruitt's stay in the townhouse—the extent of which we still do not fully know.[6] The townhouse is also a known GOP fundraiser site, and several fundraisers were held during the timeframe that Administrator Pruitt was staying there. Pruitt did not report the details of this concerning arrangement to ethics counsel at the EPA, nor to the public, beforehand.

---

[1] Eilperin, Dennis, and Dawsey, "Scott Pruitt Enlisted an EPA Aide to Help His Wife Find a Job – with Chick-fil-A," *Washington Post*, June 5, 2018, accessed here: https://www.washingtonpost.com/national/health-science/scott-pruitt-enlisted-an-epa-aide-to-help-his-wife-find-a-job--at-chick-fil-a/2018/06/05/b798e4e4-5eac-11e8-9ee3-49d6d4814c4c_story.html?utm_term=.b110ece5cc23

[2] Jessica Smith on Twitter: https://twitter.com/JessicaASmith8/status/1004421219888848897

[3] According to the Sierra Club e-mails, Pruitt met with Nate Morris, CEO of Rubicon Global, a Georgia-based waste and recycling company, financier T. Boone Pickens and Andrew Littlefair, co-founders of natural gas transportation company Clean Energy, and Concordia leadership council members George Logothetis, a Greek shipping magnate, among others. https://www.politico.com/newsletters/morning-energy/2018/06/06/rfs-changes-on-hold-243068

[4] Lipton, Eric, "Pruitt Had a $50-a-Day Condo Linked to Lobbyists. Their Client's Project Got Approved," *The New York Times,* April 2, 2018, accessed here: https://www.nytimes.com/2018/04/02/climate/epa-pruitt-pipeline-apartment.html

[5] Biesecker, Michael, "Lobbyist Tied To EPA Chief's Condo Tried To Influence Agency," *Associated Press*, June 2, 2018, https://www.apnews.com/374e522f4a5b47e58db436f7c43832cd

[6] Visser, Nick, "EPA Reportedly Approved Pipeline Project Linked to Lobbyist Renting Room to Pruitt," *The Huffington Post*, April 3, 2018, accessed here: https://www.huffingtonpost.com/entry/scott-pruitt-pipeline-project-apartment_us_5ac307bbe4b04646b64577c3

At the very least, we know that federal ethics laws bar public officials from using their position or staff for private gain.[7] Administrator Pruitt has certainly done just that. Further, his actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison.

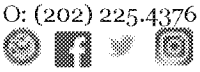
We formally request that the FBI open an investigation into Administrator Scott Pruitt's conduct to assess whether he broke the law, including criminal statutes prohibiting public corruption.

Sincerely,

Cc: The Honorable AnnaLou Tirol, Acting Chief, Public Integrity Section, U.S. Department of Justice, Public Integrity Section, 950 Pennsylvania Avenue, NW, Washington, DC 20530

###

Aaron Fritschner
Communications Director
Office of Congressman Don Beyer
O: (202) 225.4376 | M: Ex. 6



[7] 5 C.F.R. § 2635.702 provides that "An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations". Accessed here: https://www.law.cornell.edu/cfr/text/5/2635.702

Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 5/23/2018 6:42:53 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]
CC: Knickmeyer, Ellen [EKnickmeyer@ap.org]; Bridis, Ted [TBridis@ap.org]
Subject: RE: Today's closed PFAS meeting

Below is a statement from Peter Grevatt, EPA's Director of Ground Water and Drinking Water:

"The first day of EPA's National Leadership Summit was open to a wide range of groups, including the press, and allowed the opportunity for stakeholders to present concerns and discuss the most pressing needs in addressing PFAS and protecting public health. Both state and federal officials had the expectation that the second day of the Summit would be a government-to-government discussion between federal and state co-regulators who are working together to address this important issue."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, May 23, 2018 12:43 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Cc: Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: Today's closed PFAS meeting

Jahan,

Please provide your statement on why today's meeting on PFAS regulations is closed press.

Thanks,

Michael

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, two thirds of the world's population reads, sees or hears news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 6/4/2018 1:01:02 PM
To: Knickmeyer, Ellen [EKnickmeyer@ap.org]; Feldman, Carole [CFeldman@ap.org]
CC: Press [Press@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: RE: Pruitt hotel room paid for by ACC
Attachments: RE_ speaker request form - ACC BOD meeting 11_9 Kiawah Island SC.pdf

We had this discussion in the fall and we told the Associated Press that all expenses were paid for by EPA. It should also be noted in your story that both Gina McCarthy and Lisa Jackson spoke at the council board meetings during the Obama administration. Additionally, Pruitt did not spend the night at the conference and career ethics officials approved his speaking engagement (see attachment), which should also be noted in your story.

- **"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM.**" – EPA spokesman, Jahan Wilcox

Additionally, we issued these statement as well last year:

- **"This was part of Administrator Pruitt's back-to-basics tour as he met with as many stakeholders as possible. Administering the Toxic Substances Control Act (TSCA), amended by the 2016 Lautenberg Chemical Safety Act, is one of EPA's core function."** – EPA spokesman, Jahan Wilcox

- **"All expenses were paid for by EPA."** – EPA spokesman, Jahan Wilcox

BACKGROUND …

"Travel and lodging expenses for Pruitt, four aides and his security team will be borne by taxpayers." (The Associated Press, 11/05/17)

"The EPA on Thursday said the government is paying for the group's expenses." (The Washington Post, 11/02/17)

"Previous EPA administrators Gina McCarthy and Lisa Jackson spoke at council board meetings during the Obama administration, she said." (The Post and Courier, 11/03/17)

From: Bridis, Ted [mailto:TBridis@ap.org]
Sent: Sunday, June 3, 2018 1:25 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>; Knickmeyer, Ellen

<EKnickmeyer@ap.org>; Press <Press@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re: Pruitt hotel room paid for by ACC

Thank you for answering our inquiry factually, Jahan, but the continuing digs are unnecessary and unprofessional behavior from a civil servant.

For the record, AP hasn't moved Michael off covering EPA, nor do we intend to, and we dispute that Michael (or our questions) are anti-Trump.

On Jun 3, 2018, at 1:12 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Michael -

If you read the email, I said you are an anti-Trump reporter, not the questions. Folks know you are a dishonest reporter and it could be why the Associated Press moves you from beat to beat.

In the past five months, we have done extensive interviews with the New York Times, CBS News, Bloomberg, Reuters and other outlets in Washington.

Here is our statement:

> **"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM."**

Jahan

On Jun 3, 2018, at 12:33 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Jahan,

There are emails from October written by EPA staff saying that the ACC would be paying for the administrator's room. There have been other previously reported examples by AP and other news organizations where he accepted hotel rooms and other gifts from industry groups and corporate interests. This is an issue of great public interest, considering there are a dozen ongoing federal investigations into the adminsrator's spending and conduct.

It is not "anti-Trump" for The Associted Press to ask questions about these issues, as is every other major media organization in Washington. We will continue to do so.

MIchael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>

Sent: Sunday, June 3, 2018 9:37 AM
Subject: Re: Pruitt hotel room paid for by ACC
To: Feldman, Carole <cfeldman@ap.org>, Biesecker, Michael <mbiesecker@ap.org>, Knickmeyer, Ellen <eknickmeyer@ap.org>
Cc: Press <press@epa.gov>, Ferguson, Lincoln <ferguson.lincoln@epa.gov>

I remember the conversation very well and as always you couldn't accurately report the situation (standard problem for anti-Trump reporters like yourself). It took numerous tries for you to comprehend our statement. I have full confidence you will find a way to mislead the folks who pay for AP's service.

> **"Administrator Pruitt did not spend the night at the American Chemistry Council's conference. His outbound flight left on November 9, 2017 at 5:20 AM and his return flight departed on November 9, 2017 at 12:00 PM."** EPA spokesman, Jahan Wilcox

On Jun 2, 2018, at 4:09 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

> Jahan,
>
> AP has reviewed EPA documents that indicate the American Chemistry Council picked up the tab for Administrator Pruitt's hotel room on Nov. 8 at Kiawah resort in South Carolina. You might remember that we had an email exchange about the trip on Nov. 3, during which you provided in the record comment that the EPA employees going on the trip would be staying at government expense for $135 a night, within the limit allowed under federal reimbursement rules.
>
> Did EPA ethics officials review and clear in advance the administrator's acceptance of a free hotel room from an industry trade group actively engaged in lobbying his agency? If so, please provide documentation they cleared his acceptance of the gift.
>
> Also, please feel free to clarify your earlier statement that EPA employees were staying for $135 a night, which in the case of the administrator does not appear to have been accurate.
>
> We are planning to work on this through the weekend.
>
> Thanks,
>
> MIchael
>
> The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby

notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

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Message

From: Dan Vergano [dan.vergano@buzzfeed.com]
Sent: 6/8/2018 4:24:50 PM
To: Press [Press@epa.gov]
Subject: BuzzFeed News: Request for Comment: House Democrats Seek Criminal Investigation of Scott Pruitt
Attachments: ATT00001.txt

To: Press Office
From BuzzFeed News

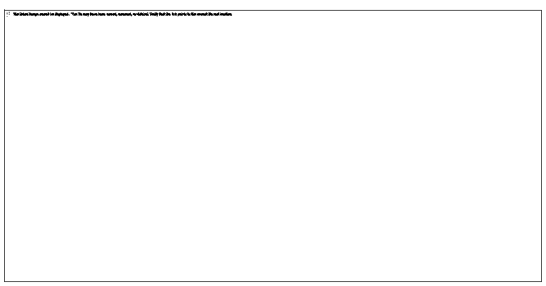
We wonder if the administrator, or anyone in his office can respond to this request for an FBI investigation of his office from some members of Congress. We would like to get the administrator's response in a news story publishing this afternoon. Can update as needed.

Any help appreciated,

Dan Vergano
Buzzfeed News
202 625 4563

Dan Vergano | Science Desk (DC) | 202 629 4563
BuzzFeed News
1630 Connecticut Ave. 7th Floor, Washington DC 20009
Public PGP Key -- http://tinyurl.com/glfk7xo
Send secure tips -- contact.buzzfeed.com

---------- Forwarded message ----------
From: **Fritschner, Aaron** <Aaron.Fritschner@mail.house.gov>
Date: Fri, Jun 8, 2018 at 12:12 PM
Subject: House Democrats Seek Criminal Investigation of Scott Pruitt
To:



FOR IMMEDIATE RELEASE:

June 8, 2018

CONTACT:

Aaron Fritschner (202) 225-4376

House Democrats Seek Criminal Investigation of Scott Pruitt

In letter to FBI and Justice Department, Representatives point to potential criminal violations of public corruption statutes

June 8, 2018 (Washington, D.C.) – Rep. Don Beyer (D-VA) today led a group of US Representatives asking the Federal Bureau of Investigation (FBI) and Department of Justice (DOJ) to open a criminal investigation into EPA Administrator Scott Pruitt for potential violation of corruption laws. The letter was signed by Reps. Beyer, Gerald Connolly (D-VA), Jamie Raskin (D-MD), Ted Lieu (D-CA), Ruben Gallego (D-AZ), and Pramila Jayapal (D-WA).

The members wrote:

"We write you with grave concerns that Environmental Protection Agency (EPA) Administrator Pruitt has used his public office and official, taxpayer-funded resources for the personal gain of himself and his family, in violation of federal law.

This week's revelation that Administrator Pruitt used his public office – including both his position and EPA staff – to attempt to get his wife a Chick-fil-A franchise is the latest in a string of unethical spending and management decisions that have given rise to twelve federal investigations. Administrator Pruitt directly, and admittedly, used EPA resources to attempt to secure a job for his wife.

...

Pruitt later made another attempt to secure his wife a job using his position at the EPA. Pruitt reportedly approached Matthew Swift, the chief executive of Concordia, a New York nonprofit. Swift later paid Marlyn Pruitt $2,000, plus travel expenses, to help with logistics for the group's annual conference in September – a conference at which Administrator Pruitt spoke.

...

Despite Pruitt's testimony to the contrary before Congress, documents from the firm of Pruitt's lobbyist-landlord showed that he lobbied the EPA several times on behalf of clients. Companies represented by the firm of Pruitt's landlord also benefitted from EPA decisions during Pruitt's stay in the townhouse—the extent of which we still do not fully know.

...

At the very least, we know that federal ethics laws bar public officials from using their position or staff for private gain. Administrator Pruitt has certainly done just that. Further, his actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison.

We formally request that the FBI open an investigation into Administrator Scott Pruitt's conduct to assess whether he broke the law, including criminal statutes prohibiting public corruption."

Full text of the letter follows, and a signed copy is available here.

The Honorable Christopher A. Wray

Director

Federal Bureau of Investigation

935 Pennsylvania Avenue, NW

Washington, DC 20535

The Honorable John P. Cronan

Acting Assistant Attorney General

U.S. Department of Justice, Criminal Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Dear Director Wray and Acting Assistant Attorney General Cronan:

We write you with grave concerns that Environmental Protection Agency (EPA) Administrator Pruitt has used his public office and official, taxpayer-funded resources for the personal gain of himself and his family, in violation of federal law.

This week's revelation that Administrator Pruitt used his public office – including both his position and EPA staff – to attempt to get his wife a Chick-fil-A franchise is the latest in a string of unethical spending and management decisions that have given rise to twelve federal investigations. Administrator Pruitt directly, and admittedly, used EPA resources to attempt to secure a job for his wife.

E-mails released to the Sierra Club under Freedom of Information Act requests showed that Sydney Hupp, then a scheduler for Administrator Pruitt, contacted Chick-fil-A's Chief Executive Officer Dan Cathy in May 2017 per Pruitt's request to set up a meeting regarding a "potential business opportunity." When Pruitt spoke with Chick-fil-A, he revealed then that the "business opportunity" was a request that his wife become a Chick-fil-A franchisee.[1]

Following these reports, Administrator Pruitt seemingly confirmed to a reporter that he had in fact used his office to help his wife become a Chick-fil-A franchisee. When asked to explain the reports, Pruitt responded:

> *"...look, my wife is an entrepreneur herself, I love, she loves, we love Chick-Fil-A as a, as a franchise of faith, and it's one of the best in the country, and so, that's something we were very excited about... So, and we need more of them in Tulsa and we need more of them across the country... So anyway it's an exciting time."*[2]

Pruitt later made another attempt to secure his wife a job using his position at the EPA. Pruitt reportedly approached Matthew Swift, the chief executive of Concordia, a New York nonprofit. Swift later paid Marlyn Pruitt $2,000, plus travel expenses, to help with logistics for the group's annual conference in September – a conference at which Administrator Pruitt spoke.

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At the very least, we know that federal ethics laws bar public officials from using their position or staff for private gain.[7] Administrator Pruitt has certainly done just that. Further, his actions related to his wife's employment and the quid-pro-quo condo situation with industry lobbyists may have crossed a line into criminal conduct punishable by fines or even by time in prison.

We formally request that the FBI open an investigation into Administrator Scott Pruitt's conduct to assess whether he broke the law, including criminal statutes prohibiting public corruption.

Sincerely,

Cc: The Honorable AnnaLou Tirol, Acting Chief, Public Integrity Section, U.S. Department of Justice, Public Integrity Section, 950 Pennsylvania Avenue, NW, Washington, DC 20530

###

Aaron Fritschner

Communications Director

Office of Congressman Don Beyer

O: (202) 225.4376 | M: Ex. 6

[1] Eilperin, Dennis, and Dawsey, "Scott Pruitt Enlisted an EPA Aide to Help His Wife Find a Job – with Chick-fil-A," *Washington Post*, June 5, 2018, accessed here: https://www.washingtonpost.com/national/health-science/scott-pruitt-enlisted-an-epa-aide-to-help-his-wife-find-a-job--at-chick-fil-a/2018/06/05/b798e4e4-5eac-11e8-9ee3-49d6d4814c4c_story.html?utm_term=.b110ece5cc23

[2] Jessica Smith on Twitter: https://twitter.com/JessicaASmith8/status/1004421219888848897

[3] According to the Sierra Club e-mails, Pruitt met with Nate Morris, CEO of Rubicon Global, a Georgia-based waste and recycling company, financier T. Boone Pickens and Andrew Littlefair, co-founders of natural gas transportation company Clean Energy, and Concordia leadership council members George Logothetis, a Greek shipping magnate, among others. https://www.politico.com/newsletters/morning-energy/2018/06/06/rfs-changes-on-hold-243068

[4] Lipton, Eric, "Pruitt Had a $50-a-Day Condo Linked to Lobbyists. Their Client's Project Got Approved," *The New York Times,* April 2, 2018, accessed here: https://www.nytimes.com/2018/04/02/climate/epa-pruitt-pipeline-apartment.html

[5] Biesecker, Michael, "Lobbyist Tied To EPA Chief's Condo Tried To Influence Agency," *Associated Press*, June 2, 2018, https://www.apnews.com/374e522f4a5b47e58db436f7c43832cd

[6] Visser, Nick, "EPA Reportedly Approved Pipeline Project Linked to Lobbyist Renting Room to Pruitt," *The Huffington Post*, April 3, 2018, accessed here: https://www.huffingtonpost.com/entry/scott-pruitt-pipeline-project-apartment_us_5ac307bbe4b04646b64577c3

[7] 5 C.F.R. § 2635.702 provides that "An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations". Accessed here: https://www.law.cornell.edu/cfr/text/5/2635.702

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 6/4/2018 6:15:51 PM
To: Knickmeyer, Ellen [EKnickmeyer@ap.org]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]; Feldman, Carole [CFeldman@ap.org]
Subject: RE: Millan Hupp emails-real estate

Lincoln,

Reupping these questions from this morning, which have not yet received any response.

Did Pruitt pay for the mattress, and if so how much?

Did hotel staff deliver the mattress deliver the mattress to Pruitt's home?

What was the model, size and value of the mattress?

Did EPA ethics officials review the purchase of the mattress as a potential violation of the gift ban?

Also, please say whether the mattress the administrator might have purchased was new or used. There are very specific DC city codes about the resale of used mattresses.

Thanks,

Michael

From: Knickmeyer, Ellen
Sent: Monday, June 04, 2018 2:10 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Subject: RE: Millan Hupp emails-real estate

Thanks, Lincoln.

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Sent: Monday, June 04, 2018 2:09 PM
To: Knickmeyer, Ellen <EKnickmeyer@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Subject: RE: Millan Hupp emails-real estate

"We are working diligently with EPA's IG and are in full cooperation in providing them with the necessary documents and witnesses." – Jahan Wilcox, EPA Spokesman

---

From: Knickmeyer, Ellen [mailto:EKnickmeyer@ap.org]
Sent: Monday, June 4, 2018 11:46 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Biesecker, Michael <MBiesecker@ap.org>;

Feldman, Carole <CFeldman@ap.org>
Subject: Millan Hupp emails-real estate

Hi, all,
Emails released from the Sierra Club FOIA show Millan Hupp using EPA emails during the work day to correspond with realtor John Walker, apparently on finding a place for Mr. Pruitt.

That conflicts with both Ms. Hupp's interview with the House oversight committee, that she didn't use work emails for the house-shopping for Mr. Pruitt, and Mr. Pruitt's to the congressional committees that she did that on personal time.

Could you please explain and give comment on that?

All best,
Ellen
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Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 5/23/2018 5:00:36 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]
CC: Knickmeyer, Ellen [EKnickmeyer@ap.org]; Bridis, Ted [TBridis@ap.org]
Subject: RE: Today's closed PFAS meeting

Michael –

Please see statement below. We'll have another statement regarding today's meeting specifically, shortly.

"The National Leadership Summit on PFAS scheduled is not a federal advisory committee event. The purpose of this event is for EPA's state, tribal, and federal government partners and national organizations to share a range of individual perspectives on the Agency's actions to date and path forward on PFOA/PFAS. The Agency looks forward to hearing from all stakeholders on these crucial issues." – Jahan Wilcox, EPA Spokesman

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, May 23, 2018 12:43 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Cc: Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: Today's closed PFAS meeting

Jahan,

Please provide your statement on why today's meeting on PFAS regulations is closed press.

Thanks,

Michael

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 5/22/2018 7:53:30 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Press [Press@epa.gov]; Knickmeyer, Ellen [EKnickmeyer@ap.org]; Bridis, Ted [TBridis@ap.org]
Subject: EPA statement?
Attachments: ATT00001.txt

Jahan,

The White House just said EPA had issued a statement on today's issue with media access to the PFAS summit. Would you be so kind as to send it to us? We would like to include it in our story.

Thanks so much,

Michael

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 6/8/2018 3:51:38 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Press [Press@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Knickmeyer, Ellen [EKnickmeyer@ap.org]
Subject: Time sensitive request for comment
Attachments: ATT00001.txt

Lincoln, Jahan,

A group of House Democrats issued a letter today formally asking FBI Director Chris Wray and DOJ Criminal Division chief John Cronan to launch a criminal anti-corruption investigation of EPA administrator Scott Pruitt.

Five Democratic lawmakers with oversight of EPA allege Pruitt repeatedly violated federal anti-corruption laws by seeking to leverage his government position for personal gain. As evidence, they cite Pruitt's $50-a-night lease of a Capitol Hill condo tied to a lobbyist seeking to influence the agency, directing an EPA aide to contact a senior Chick-fil-A executive as part of an effort to land his family a franchise, and a $2,000 payment to his wife from organizers of a conference the administrator then attended at taxpayer expense.

Any comment from the administrator?

Thanks in advance,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Message

From: Dearen, Jason H. [JDearen@ap.org]
Sent: 6/8/2018 3:01:17 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]; Knickmeyer, Ellen [EKnickmeyer@ap.org]
Subject: RE: Associated Press Request

Thanks Enesta.

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Friday, June 08, 2018 11:00 AM
To: Dearen, Jason H. <JDearen@ap.org>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: Re: Associated Press Request

Jason,

On background: The EPA and the Department of the Army are working through a two-step process to consider revisions to the definition of "waters of the United States," consistent with the President's February 2017 Executive Order. Consulting with our state and tribal partners in developing a new rule to define waters of the United States has been a top priority for the agencies. The agencies have received incredible feedback through several rounds of discussions with state, local government, tribal governments, and stakeholders, and is considering this important input. As Administrator Pruitt has outlined, the agencies expect to deliver a proposed step two rule that would revise the definition of "waters of the United States" to the Office of Management and Budget shortly. The agencies will issue the proposal for public comment after the interagency review process is complete.

On Jun 5, 2018, at 3:26 PM, Dearen, Jason H. <JDearen@ap.org> wrote:

Hi Jahan,
Jason Dearen from The AP here. I'm working on a story about the wetlands mitigation banking market and how the president's WOTUS executive order may affect it. I had two questions for you:

1. Is there an update on when a new rule may be proposed to carry out the president's Waters of the US executive order from February 2017?
2. Is the EPA looking into how narrowing the definition of what constitutes a federal waterway under the Clean Water Act, as the president has ordered, would affect the wetlands mitigation banking industry?

My deadline is COB Thursday.

Many thanks,
Jason Dearen/AP

Jason Dearen – Correspondent
The Associated Press - Gainesville, Florida
T 352.213.9949
Twitter: @JHDearen
Email: jdearen@ap.org

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 6/4/2018 3:09:58 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]; Knickmeyer, Ellen [EKnickmeyer@ap.org]
Subject: RE: Request for comment
Attachments: ATT00001.txt

Lincoln,

The mattress issue raises several questions:

Did Pruitt pay for the mattress, and if so how much?

Did hotel staff deliver the mattress deliver the mattress to Pruitt's home?

What was the model, size and value of the mattress?

Did EPA ethics officials review the purchase of the mattress as a potential violation of the gift ban.

Thanks,

Michael

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Sent: Monday, June 04, 2018 11:07 AM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: RE: Request for comment

"We are working diligently with Chairman Gowdy and are in full cooperation in providing the Committee with the necessary documents, travel vouchers, receipts and witnesses to his inquiries." EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, June 4, 2018 10:15 AM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: Request for comment

Lincoln,

The Associated Press is preparing to publish excerpts from Milan Hupp's transcribed interview with staff from the House Oversight committee, in which she says that Administrator Pruitt directed her to perform a number of personal tasks for him during work hours, including searching for an apartment, booking personal travel and seeking to secure him a used mattress from the Trump International Hotel.

Please provide on the record response, including clarifying whether the administrator obtained and paid for the mattress in question.

Thanks,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 6/2/2018 5:38:18 PM
To: Feldman, Carole [CFeldman@ap.org]; Knickmeyer, Ellen [EKnickmeyer@ap.org]; Bridis, Ted [TBridis@ap.org]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Williams & Jensen filings
Attachments: ATT00001.txt

Jahan,

Thanks for getting back to us. I'd like to add your quote to our story, but you'll need to provide some context to have it make sense. We don't have anything in our story about Hart requesting a meeting with Pruitt.

Also, please address my question from last night: Does Mr. Pruitt still stand by his recent Congressional testimony in light of the new lobbying disclosures?

Thanks,

Michael

From: Feldman, Carole
Sent: Saturday, June 02, 2018 1:33 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: Fwd: Williams & Jensen filings

Sent from my iPad

Begin forwarded message:

> **From:** "Wilcox, Jahan" <wilcox.jahan@epa.gov>
> **Date:** June 2, 2018 at 10:40:28 AM EDT
> **To:** "CFeldman@ap.org" <CFeldman@ap.org>
> **Cc:** Press <Press@epa.gov>
> **Subject: Re: Williams & Jensen filings**

> **"This meeting involving Coca Cola and their clean water steward did not occur. The request was submitted and it went unfilled."** – EPA spokesman, Jahan Wilcox

> Sent from my iPhone
>
> On Jun 1, 2018, at 8:36 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
>
> > Jahan,

Please provide the agency's response to the new Williams and Jensen filings showing Steven Hart lobbied EPA in 2017 on behalf of Coca-Cola, Puerto Rico's financial oversight board and Smithfield Foods.

Also, Administrator Pruitt repeated his claim during his congressional testimony last month that Hart had not lobbied EPA. Does Mr. Pruitt still stand by his testimony in light of the new disclosures?

Thanks,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
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Message

From: Bridis, Ted [TBridis@ap.org]
Sent: 6/6/2018 4:15:19 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Feldman, Carole [CFeldman@ap.org]; Biesecker, Michael [MBiesecker@ap.org]; Knickmeyer, Ellen [EKnickmeyer@ap.org]
CC: Press [Press@epa.gov]
Subject: RE: Question ...
Attachments: ATT00001.txt

Jahan,

Thank you for pointing out the tweet. We are looking into this, in Washington and in Oklahoma. You can help us. What can you tell us about any increased security presence at the home in Tulsa? Was that actually a correct vicinity for Mr. Pruitt's property? Is the concern anticipatory, or has anyone who saw the tweet and who didn't already know the location of the home actually turned up there? Has EPA been in touch with local police, Secret Service or any other federal agency about this? Is any member of Mr. Pruitt's family still regularly at that home? Is there sufficient protection around the home?

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, June 06, 2018 11:43 AM
To: Bridis, Ted <TBridis@ap.org>; Feldman, Carole <CFeldman@ap.org>; Biesecker, Michael <MBiesecker@ap.org>; Knickmeyer, Ellen <EKnickmeyer@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: Question ...

Ted –

Your news organization has covered the increased security costs. You said this past weekend, that your investigative reporter who has covered the EPA since Mr. Trump took office is not anti-Trump. This tweet has now been deleted. Does the Associated Press find threats against a federal official newsworthy and will you be writing on this?

From: Wilcox, Jahan
Sent: Wednesday, June 6, 2018 10:59 AM
To: 'Feldman, Carole' <CFeldman@ap.org>; 'Knickmeyer, Ellen' <EKnickmeyer@ap.org>; 'Bridis, Ted' <TBridis@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Subject: Question ...

Since the Associated Press has spent an extensive amount of their resources covering security costs at EPA, we were curious if you are reporting on Occupy Wall Street's tweet that occurred on June 4, 2018?

Security for EPA chief comes at a steep cost to taxpayers. "Environmental Protection Agency chief Scott Pruitt's concern with his safety came at a steep cost to taxpayers as his swollen security detail blew through overtime budgets and at times diverted officers away from investigating environmental crimes." (The Associated Press, 04/08/18)

https://twitter.com/OccupyWallStNYC/status/1003656873810120704

https://twitter.com/AriFleischer/status/1003658415032406022

Ari Fleischer
@AriFleischer

Follow

In case you're questioning why this guy needs security...

Occupy Wall Street @OccupyWallStNYC
We are paying the price for years coz the leader of the @EPA is more interested in cultivating major donor$$$$ than in the health of the environment. (he lives at E. 29th and South Utica in Tulsa if you want to take yr pitchfork to him directly) #ClassWar nytimes.com/2018/06/02/us/...

11:23 AM - 4 Jun 2018 from Bedford, NY

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 5/22/2018 10:42:10 PM
To: Bridis, Ted [TBridis@ap.org]; Biesecker, Michael [MBiesecker@ap.org]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Press [Press@epa.gov]; Knickmeyer, Ellen [EKnickmeyer@ap.org]
Subject: RE: EPA statement?

"Last night, the Associated Press was told we were at capacity and a livestream would be available. The AP reporter showed up at EPA but refused to leave the building after being asked to do so. When we were made aware of the incident, we displaced stakeholders to the overflow room who flew to Washington for this meeting so that every member of the press could have a seat." – EPA spokesman, Jahan Wilcox

---

From: Bridis, Ted [mailto:TBridis@ap.org]
Sent: Tuesday, May 22, 2018 6:16 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Biesecker, Michael <MBiesecker@ap.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: RE: EPA statement?

Jahan,

It's a false claim that Ms. Knickmeyer tried to "push through the security entrance." She did not attempt to pass through the entrance. She was engaged professionally in a conversation ***at*** the security entrance, asking security staff in vain to speak with you or someone else from the press office about being allowed to cover the event inside.

We assume you have security cameras covering that entrance, and Ms. Knickmeyer has video of the incident that we can release publicly if necessary to refute your statement. We expect you to correct this falsehood, as you have occasionally asked us to correct a handful of factual mistakes in our hundreds of news articles we have produced covering EPA.

Issuing such a false statement belies what Mr. Ferguson and Deputy Administrator Wheeler told Ellen earlier today, that EPA hopes we can maintain a productive and professional relationship going forward. We hope that continues to be the case and look forward to working with them.

Rgds,
Ted Bridis, news editor
Investigative
The Associated Press
1100 13th St. NW, Suite 700
Washington, DC 20005-4076
(202) 641-9462, voice
Ex. 6 cell
https://www.ap.org/tips

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Tuesday, May 22, 2018 6:02 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Cc: Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: RE: EPA statement?

"Last night, the Associated Press was told we were at capacity and a livestream would be available, but proceeded to push through the security entrance. When we were made aware of the incident we displaced stakeholders to the overflow room who flew to Washington for this meeting so that every member of the press could have a seat." – EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, May 22, 2018 5:56 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: RE: EPA statement?

Jahan,

I understand you have put out another statement. Please provide.

Michael

From: Biesecker, Michael
Sent: Tuesday, May 22, 2018 4:03 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: RE: EPA statement?

Jahan,

My understanding is that additional reporters were allowed in this afternoon. If the room was at capacity, where did you guys find the extra room? Did you change rooms for the afternoon session?

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Tuesday, May 22, 2018 4:00 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: RE: EPA statement?

"This was simply an issue of the room reaching capacity, which reporters were aware of prior to the event. We were able to accommodate 10 reporters and provided a livestream for those we could not accommodate."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, May 22, 2018 3:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Press <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>; Bridis, Ted <TBridis@ap.org>
Subject: EPA statement?

Jahan,

The White House just said EPA had issued a statement on today's issue with media access to the PFAS summit. Would you be so kind as to send it to us? We would like to include it in our story.

Thanks so much,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 6/2/2018 12:35:51 AM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Press [Press@epa.gov]
Subject: Williams & Jensen filings
Attachments: ATT00001.txt

Jahan,

Please provide the agency's response to the new Williams and Jensen filings showing Steven Hart lobbied EPA in 2017 on behalf of Coca-Cola, Puerto Rico's financial oversight board and Smithfield Foods.

Also, Administrator Pruitt repeated his claim during his congressional testimony last month that Hart had not lobbied EPA. Does Mr. Pruitt still stand by his testimony in light of the new disclosures?

Thanks,

Michael

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

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M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 6/8/2018 6:28:45 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Press [Press@epa.gov]
CC: Knickmeyer, Ellen [EKnickmeyer@ap.org]
Subject: RE: Time sensitive request for comment
Attachments: ATT00001.txt

Trying again. Can you guys confirm whether Paul Rauser is Pruitt's outside lawyer. He has not returned messages for the last month, so we don't have confirmation from him he is representing Pruitt. It looks kind of silly to our readers for EPA to refer requests for comment to Pruitt's outside legal counsel but then refuse to say who that is.

From: Biesecker, Michael
Sent: Friday, June 08, 2018 12:50 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Cc: Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: RE: Time sensitive request for comment

Would you please provide the name of who that is?

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Friday, June 08, 2018 12:49 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>
Cc: Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: RE: Time sensitive request for comment

I would refer you to Administrator Pruitt's outside counsel.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, June 8, 2018 12:44 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: RE: Time sensitive request for comment

Link to the letter here: https://beyer.house.gov/uploadedfiles/letter_to_fbi_and_doj_-_pruitt_criminal_investigation_-_6.8.18_signed.pdf

---

From: Biesecker, Michael
Sent: Friday, June 08, 2018 11:52 AM
To: 'Ferguson, Lincoln' <ferguson.lincoln@epa.gov>; Press <Press@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: Time sensitive request for comment

Lincoln, Jahan,

A group of House Democrats issued a letter today formally asking FBI Director Chris Wray and DOJ Criminal Division chief John Cronan to launch a criminal anti-corruption investigation of EPA administrator Scott Pruitt.

Five Democratic lawmakers with oversight of EPA allege Pruitt repeatedly violated federal anti-corruption laws by seeking to leverage his government position for personal gain. As evidence, they cite Pruitt's $50-a-night lease of a Capitol Hill condo tied to a lobbyist seeking to influence the agency, directing an EPA aide to contact a senior Chick-fil-A executive as part of an effort to land his family a franchise, and a $2,000 payment to his wife from organizers of a conference the administrator then attended at taxpayer expense.

Any comment from the administrator?

Thanks in advance,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
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Message

From: Knickmeyer, Ellen [EKnickmeyer@ap.org]
Sent: 6/7/2018 4:57:32 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]
Subject: RE: Sarah Greenwalt

Thanks, Lincoln.

From: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Sent: Thursday, June 07, 2018 12:56 PM
To: Knickmeyer, Ellen <EKnickmeyer@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: RE: Sarah Greenwalt

Ellen -

Wanted to give you the following statement with respect to Sarah Greenwalt's departure:

"I have had the pleasure of working with Sarah for the last several years both while serving as attorney general in Oklahoma and here at EPA. Sarah has been a tremendous leader within the agency, overseeing the start of the WOTUS rewrite as well as playing a vital role in our international relations. While her work ethic, dedication and friendship will be missed at the Agency, I know she will find success in her future endeavors in Oklahoma." – Administrator Scott Pruitt

On background: Sarah Greenwalt's last day at EPA is Wednesday, June 13. She is returning to Oklahoma to serve as General Counsel to the Oklahoma Workers' Compensation Commission.

Statement from Sarah Greenwalt:

"It has been an honor and privilege to serve at EPA alongside some of the most dedicated and hardworking public servants. I want to thank Administrator Pruitt for the opportunity to journey with him over the past six years, and I will always admire his visionary leadership and tenacity. While I will deeply cherish my time serving in the Trump Administration, I am excited for the opportunity to return to my home state to once again serve the people of Oklahoma."

From: Knickmeyer, Ellen [mailto:EKnickmeyer@ap.org]
Sent: Thursday, June 7, 2018 9:36 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Biesecker, Michael <MBiesecker@ap.org>
Subject: Sarah Greenwalt

Hi, all,

Can you please get back to me this morning on whether or not Sarah Greenwalt is also leaving EPA, as multiple news organizations are reporting? Can you also tell me why you didn't respond to this yesterday?

Best,
Ellen

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 6/4/2018 2:42:00 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]; Knickmeyer, Ellen [EKnickmeyer@ap.org]
Subject: RE: Request for comment
Attachments: ATT00001.txt

Pinging again.

From: Biesecker, Michael
Sent: Monday, June 04, 2018 10:15 AM
To: 'Ferguson, Lincoln' <ferguson.lincoln@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; 'Press' <Press@epa.gov>; Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: Request for comment

Lincoln,

The Associated Press is preparing to publish excerpts from Milan Hupp's transcribed interview with staff from the House Oversight committee, in which she says that Administrator Pruitt directed her to perform a number of personal tasks for him during work hours, including searching for an apartment, booking personal travel and seeking to secure him a used mattress from the Trump International Hotel.

Please provide on the record response, including clarifying whether the administrator obtained and paid for the mattress in question.

Thanks,

Michael

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Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 10/11/2018 9:16:29 PM
To: Biesecker, Michael [MBiesecker@ap.org]
CC: Press [Press@epa.gov]
Subject: RE: EPA Hits 13-Year High in Deleting Superfund Sites

Michael: The membership is made up of EPA managers and technical staff from across the various program offices who are subject matter experts in specific areas: enforcement, remedy selection, deletions, etc.

Here's the agenda for the most recent meeting held on 10/9/18:

1. Quarterly Report
    i. Next quarterly report will cover August – September accomplishments
    ii. Quarterly accomplishment write-up due October 19 for October 31 posting on SFTF webpage
    iii. Completed recommendations will show as "complete"
    iv. Combined recommendations will show as one

2. Recommendations completed thus far in Year 2
    i. Will communicate completion via quarterly report

3. Annual Report
    i. Due at the end of July 2019
    ii. Reminder to start thinking about case studies to help us tell the story of the work of the SFTF

4. Performance Measures for SFTF

5. Feedback/Updates/Questions from team members
    i. Reminder to post final documents to SFTF SharePoint site and if pertinent to SFTF web page
    ii. Recommendation 40 - Risk Communication
    iii. Upcoming internal/external meetings

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, October 11, 2018 4:34 PM
To: Konkus, John <konkus.john@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: EPA Hits 13-Year High in Deleting Superfund Sites

John,

Could you please provide a list of who is currently on the task force and an agenda for its most recent meeting?

Thanks,

Michael

From: Konkus, John <konkus.john@epa.gov>
Sent: Thursday, October 11, 2018 4:31 PM

To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: EPA Hits 13-Year High in Deleting Superfund Sites

Michael,

"The fact is these Superfund sites had been languishing on the NPL, in some cases for decades, and that was hurting communities across the country. It took the leadership of the Trump Administration to move them off the list and back into productive use. Since January 2017, EPA has worked on these sites and many others and that work has achieved a 13-year high in NPL site deletions. The task force is made up of EPA staff and it's constantly working every day to restore EPA's Superfund program to its rightful place at the center of the Agency's core mission to protect human health and the environment." – EPA Spokesperson

Thank you,

John Konkus

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, October 11, 2018 4:29 PM
To: Konkus, John <konkus.john@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: EPA Hits 13-Year High in Deleting Superfund Sites

Still hoping to get a response on this, even if it's to decline coment.

From: Biesecker, Michael
Sent: Thursday, October 11, 2018 12:15 PM
To: Konkus, John <konkus.john@epa.gov>
Cc: Knickmeyer, Ellen <EKnickmeyer@ap.org>
Subject: FW: EPA Hits 13-Year High in Deleting Superfund Sites

John,

EPA records indicate cleanup work at all 18 of these sites was completed prior to President Trump taking office. Can you point me to any physical work that occurred at these sites since inauguration day to support Acting Administrator Wheeler's contention that these deletions are a "remarkable accomplishment" that cleaning up contaminated lands is a top priority for the Trump administration?

Also, who are the current members of the Superfund Task force? When was the last time the task force met?

Thanks,

Michael

EPA Hits 13-Year High in Deleting Superfund Sites

WASHINGTON (October 10, 2018) – Today, the U.S. Environmental Protection Agency (EPA) announced that in Fiscal Year (FY) 2018, the Agency deleted all or part of 22 sites from Superfund's National Priorities List (NPL), the largest number of deletions in one year since FY 2005 and a significant increase over the past few years.

"Under President Trump, EPA is deleting Superfund sites from the National Priorities List at the fastest pace in more than a decade," **said EPA Acting Administrator Andrew Wheeler.** "This remarkable accomplishment is proof that cleaning up contaminated lands and returning them to safe and productive use is a top priority of the Trump EPA."

Under the Trump Administration, the Superfund program has reemerged as a priority to fulfill and strengthen the Agency's core mission of protecting human health and the environment. In May 2017, EPA launched the Superfund Task Force to provide recommendations for improving and expediting site cleanups and promoting redevelopment.

Site deletions have been a major focus of the Superfund Task Force. The Task Force reviewed existing policies and procedures related to deleting sites from the NPL and issued several recommendations. In addition, the Superfund program began providing the EPA administrator's office with monthly updates on upcoming deletions. Through these and other actions, EPA deleted 18 sites and portions of four more sites in FY 2018, a significant increase over the three full or partial deletions in FY 2016.

Another significant Task Force achievement in FY 2018 was increasing the annual number of sites returned to communities for redevelopment. By redeveloping Superfund sites, communities are able to reuse thousands of acres of formerly contaminated land, often strengthening local economies. Many sites that EPA has designated as ready for reuse in previous years now host parks, business districts, renewable energy facilities, wildlife habitat, neighborhoods, and farms. In FY 2018, EPA committed to increase the number of NPL sites that achieved sitewide ready for anticipated use (SWRAU) by roughly 25 percent over the previous year. Through focused management attention and improved program practices, EPA achieved this goal: 51 sites reached SWRAU in FY 2018, the highest total since FY 2013.

The 18 sites EPA completely deleted from the NPL are:

1. C & D Recycling in Foster Township, Pennsylvania;
2. Davenport and Flagstaff Smelters in Sandy, Utah;
3. Davis Timber Company in Hattiesburg, Mississippi;
4. Dorney Road Landfill in Upper Macungie Township, Pennsylvania;
5. Eureka Mills in Eureka, Utah;
6. Frontier Hard Chrome, Inc. in Vancouver, Washington;
7. Fulton Terminals in Fulton, New York;
8. Hatheway & Patterson in Mansfield, Massachusetts;
9. Nutting Truck & Caster Co. in Faribault, Minnesota;
10. Old Esco Manufacturing in Greenville, Texas;
11. Old Southington Landfill in Southington, Connecticut;
12. Ordnance Works Disposal Areas in Morgantown, West Virginia;
13. Reasor Chemical Company in Castle Hayne, North Carolina;
14. Recticon/Allied Steel Corp. in East Coventry Township, Pennsylvania;
15. Union Chemical Co., Inc. in South Hope, Maine;
16. Vancouver Water Station #1 Contamination in Vancouver, Washington;
17. Vancouver Water Station #4 Contamination in Vancouver, Washington; and

18. Whitehouse Oil Pits in Whitehouse, Florida.

The four sites EPA partially deleted are:

1. Naval Industrial Reserve Ordnance Plant in Fridley, Minnesota;
2. Omaha Lead in Omaha, Nebraska;
3. Pacific Coast Pipe Lines in Fillmore, California; and
4. Peters Cartridge Factory in Kings Mills, Ohio.

Background

The NPL includes the nation's most serious hazardous waste sites. The list serves as the basis for prioritizing EPA Superfund cleanup funding and enforcement actions. EPA deletes sites from the NPL when no further cleanup is required to protect human health or the environment.

One of EPA's goals for the Superfund program is to return sites to communities for productive use. EPA encourages site reuse throughout the cleanup process, as appropriate, to maximize redevelopment opportunities. Superfund deletions can aid redevelopment efforts by offering a clear signal to developers and financial institutions that Superfund cleanup is complete.

In coming years, EPA will continue its focus on deleting sites through training and sharing information about the most effective approaches for moving sites to deletion.

EPA is scheduled to conclude implementing the Superfund Task Force recommendations in 2019.

For more information about EPA's Superfund Task Force:
https://www.epa.gov/superfund/superfund-task-force

Additional information about EPA's NPL deletions can be viewed at:
https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-state

To search for information about these and other NPL sites, please visit:
https://www.epa.gov/superfund/search-superfund-sites-where-you-live

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 5/15/2018 12:56:01 AM
To: Feldman, Carole [CFeldman@ap.org]; Bridis, Ted [TBridis@ap.org]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Hey Carol
Attachments: ATT00001.txt

Jahan,

If you want to dispute the IG's statement that Administrator Pruitt asked for and received 24-hour security protection, you are welcome to do so on the record. We will consider adding your additional comment to the story.

Michael

From: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Date: May 14, 2018 at 7:37:12 PM EDT
To: "CFeldman@ap.org" <CFeldman@ap.org>
Cc: Press <Press@epa.gov>
Subject: Hey Carol

The first line of Michael's story says Pruitt demanded around-the-clock protection and that's a lie.

The Washington Post got their reporting right. See below:

https://www.washingtonpost.com/news/energy-environment/wp/2018/05/14/scott-pruitt-requested-and-received-247-security-starting-on-his-first-day-at-epa/

This is just another example proving that Michael is a partisan, anti-Trump employee, who writes for the Associated Press. And it's clear the Associated Press likes that Michael deliberately misleads readers to further his liberal agenda.

Best,

Jahan

On May 14, 2018, at 4:50 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Jahan,

Does "this particular decision" refer to 24-hour-a-day protection from the security detail? Are you saying that Elkins' statement that Pruitt requested and received the enhance protection on his first day at EPA is incorrect?

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Monday, May 14, 2018 4:32 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: OIG letter to Senate about Security

"As the report says, EPA's Office of Inspector General does not determine security assessments. EPA's Protective Service Detail handles security decisions and this particular decision was made before Administrator Pruitt arrived at EPA." – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, May 14, 2018 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: OIG letter to Senate about Security

Jahan,

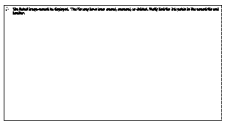
Seeking your response to the following letter from the IG: https://www.epa.gov/sites/production/files/2018-05/documents/ig_response_to_carper_05-14-18.pdf

In the past, you have said the enhanced security for Administrator Pruitt was triggered by unprecedented threats. This letter says the administrator demanded and received 24-hour-a-day security starting on his very first day in office. Can you clarify?

Also, the letter says Nino Perrotta is under investigation. Could you please provide comment?

Thanks,

Michael



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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 5/14/2018 8:50:09 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Feldman, Carole [CFeldman@ap.org]
CC: Press [Press@epa.gov]
Subject: RE: OIG letter to Senate about Security
Attachments: ATT00001.txt

Jahan,

Does "this particular decision" refer to 24-hour-a-day protection from the security detail? Are you saying that Elkins' statement that Pruitt requested and received the enhance protection on his first day at EPA is incorrect?

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Monday, May 14, 2018 4:32 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: OIG letter to Senate about Security

"As the report says, EPA's Office of Inspector General does not determine security assessments. EPA's Protective Service Detail handles security decisions and this particular decision was made before Administrator Pruitt arrived at EPA." – EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, May 14, 2018 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: OIG letter to Senate about Security

Jahan,

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Thanks,

Michael

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/26/2018 5:51:03 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Threats against Pruitt
Attachments: ATT00001.txt

Thanks for referring me to the CBS article. I'm asking the agency to provide a copy to AP.

I also request again that you direct me to any example of where someone has been charged or arrested for making threats against administrator Pruitt, since the agency has said AP's prior reporting was false.

From: Abboud, Michael <abboud.michael@epa.gov>
Sent: Thursday, April 26, 2018 1:45 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Threats against Pruitt

Hey Michael you can find the document in this link below.

https://www.cbsnews.com/news/here-are-some-of-the-threats-made-against-epa-administrator-scott-pruitt/

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, April 26, 2018 1:38 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Threats against Pruitt

Liz, Jahan,

Administrator Pruitt read today from an Aug. 2017 assessment of threats against himself and Gina McCarthy. He said he would provide a copy to the committee.

Would EPA please provide a copy to AP? We have asked the OIG's office, but they won't discuss the document or make it public.

Also, in the "research document" EPA provided to lawmakers prior to the hearing, the agency stated:

"ON APRIL 6, 2018 THE ASSOCIATED PRESS FALSELY CLAIMED THEIR WERE NO THREATS AGAINST ADMINISTRATOR PRUITT ... On April 6, 2018, The Associated Press Falsely Reported That There Are No Threats Against Administrator Pruitt Because No Arrests Or Charges Have Been Filed."

AP never reported there had been no threats against the administrator. In fact, we have repeatedly quoted Jahan saying there have been "unprecedented" threats against him.

Given your often stated concern for accuracy in the public record, I am sure you will correct this false mischaracterization of what AP reported. Further, I again request that you direct me to any example of where someone has been charged or arrested for making threats against administrator Pruitt.

Thanks,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/23/2018 9:41:53 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: Requests for EPA comment

Trying again.

From: Biesecker, Michael
Sent: Monday, April 23, 2018 4:02 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>
Cc: 'Bowman, Liz' <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Requests for EPA comment

Jahan,

Wanted to get your response to the Dems release below. In the past, you have indicated that EPA security issued the pub sweep, which was routine. The documents described in today's letter say that Administrator Pruitt requested the sweep and question whether the contractor tied to Nino Perrotta's firm was qualified.

You said on March 6: "We looked at a couple of different vendors and career administrative officials approved the same vendor that the Office of the Inspector General used and other offices within EPA."

I'm not able to find any EPA spending with Steinmetz Associates beyond the sweep of the administrator's office. Is there another business entity under which we should be looking? How long ago were the other EPA bug sweeps by Steinmetz to which you referred?

Also, still awaiting comment on the June meeting between Pruitt and Steven Hart. How does this squire with the administrator's public comments that Hart had no business with EPA? Please provide on the record comment about whether there were other undisclosed meetings between the administrator and the lobbyist/landlord.

Thanks,

Michael

From: DemPress (EPW)
Sent: Monday, April 23, 2018 3:18 PM
To: DemPress (EPW) <DemPress_DemPress@epw.senate.gov>
Subject: RELEASE: Top Senate, House Democrats Send New Documents to Chairman Gowdy Regarding Pruitt's Office Security Sweep

UNITED STATES CONGRESS

FOR RELEASE: April 23, 2018
CONTACT:
Christine Brennan (Carper) – (202) 224-8832
Rich Davidson (Whitehouse) – (202) 228-6291
Aryele Bradford (Cummings) – (202) 226-5181
Jamie Smith (Connolly) – (202) 225-1492
Aaron Fritschner (Beyer) – (202) 225-4376

Top Senate, House Democrats Send New Documents to Chairman Gowdy Regarding Pruitt's Office Security Sweep

Letter raises questions regarding Pruitt's security spending and phone booth

WASHINGTON, DC – Today, U.S. Senators Tom Carper (D-Del.), top Democrat on the Environment and Public Works Committee, and Sheldon Whitehouse (D-R.I.) and Representatives Elijah E. Cummings (D-Md.), top Democrat on the House Oversight and Government Reform Committee, Gerry Connolly (D-Va.) and Don Beyer (D-Va.) sent a letter to Oversight Committee Chairman Trey Gowdy (R-S.C.) transmitting new documents that they have obtained regarding the security sweep of his office performed prior to construction.

The lawmakers wrote, **"Documents provided to us from within EPA indicate that as of March 2017, the Administrator's office was not cleared for classified communications. The phone booth, which was installed months later, appears to be a 'privacy booth' installed by a vendor that describes itself as a 'manufacturer and distributor of acoustical products' whose mission is 'to solve sound and noise control problems to improve every environment of your life.' Even if the phone booth itself is authorized to receive top secret communications, that would mean classified information is being received in an otherwise not-secured location, preventing the Administrator from discussing it with any other cleared person. EPA already has two Sensitive Compartmented Information Facilities (known as 'SCIFs') in its Washington DC headquarters which do not suffer from this infirmity."**

The letter continues, "**In addition, we are providing unclassified but non-public documents that also cast doubt on EPA's spending on enhanced security measures and the process used for obtaining them. Senators Carper and Whitehouse have previously written to EPA with concerns that Pasquale 'Nino' Perrotta, the Acting Special Agent in Charge of Administrator Pruitt's security detail, improperly directed a contract to his business partner Edwin Steinmetz…These new documents raise serious questions about EPA's security expenditures. They also raise questions about the role Mr. Perrotta played selecting Mr. Steinmetz for a security sweep, particularly after being advised by EPA officials that such sweeps are governed by National Security Council regulations."**

"Given the latest developments and these new documents, we believe these and related matters are ripe for additional document requests to EPA and that Administrator Pruitt should testify about all of these matters immediately," the Democrats concluded.

The full text of the letter to Chairman Gowdy can be found below, and in PDF form here.

April 23, 2018

The Honorable Trey Gowdy
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

We write to update you on some troubling developments regarding Environmental Protection Agency (EPA) Administrator Scott Pruitt's security spending and personnel decisions and to provide you documents we have obtained that shed further light on these matters.

Last week, the Government Accountability Office (GAO) concluded that the expenditure of $43,000 to construct a soundproof phone booth in the Administrator's office violated both Section 710 of the Financial Services and General Government Appropriations Act of 2017 and the Antideficiency Act. Administrator Pruitt informed members of Congress that he needed a "secure phone line" in his office in order to communicate with the White House.[1]

EPA claimed to GAO that the phone booth "not only enables the Administrator to make and receive phone calls to discuss sensitive information, but it also enables him to use this area to make and receive classified telephone calls (up to the top secret level) for the purpose of conducting agency business."[2]

Documents provided to us from within EPA indicate that as of March 2017, the Administrator's office was not cleared for classified communications. The phone booth, which was installed months later, appears to be a "privacy booth"[3] installed by a vendor that describes itself as a "manufacturer and distributor of acoustical products" whose mission is "to solve sound and noise control problems to improve every environment of your life."[4]

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In addition, we are providing unclassified but non-public documents that also cast doubt on EPA's spending on enhanced security measures and the process used for obtaining them. Senators Carper and Whitehouse have previously written to EPA with concerns that Pasquale "Nino" Perrotta, the Acting Special Agent in Charge of Administrator Pruitt's security detail, improperly directed a contract to his business partner Edwin Steinmetz.[6]

- In an email dated February 27, 2017, a senior official in the Facilities Management and Services Division of the Office of Administration and Resources Management (OARM) wrote that "the Administrator made a request through his personal security detail…who reached out to OARM for support in doing a 'sweep' of the Administrator's office." The official wrote that "the National Security Council provides a number of regulations regarding TSCMs for the Federal Government and its

---

[1] *EPA Chief Sweeps Office for Bugs, Installs High-Tech Locks,* USA Today (Dec. 19, 2017) (online at www.usatoday.com/story/news/politics/2017/12/19/epa-chief-sweeps-office-bugs-installs-high-tech-locks/965315001/).
[2] Letter from Government Accountability Office to Senator Tom Carper et al. (Apr. 16, 2018) (online at www.gao.gov/assets/700/691272.pdf).
[3] USASpending.gov, *Acoustical Solutions, LLC EP17H000248* (effective date Aug. 30, 2017) (online at www.usaspending.gov/#/award/14262726).
[4] *About Us,* Acoustical Solutions (online at https://acousticalsolutions.com/about-us/).
[5] Letter from Government Accountability Office to Senator Tom Carper et al. at p. 6-7.
[6] Letter from Senator Tom Carper and Senator Sheldon Whitehouse to EPA Administrator Scott Pruitt (Mar. 6, 2018) (online at https://www.whitehouse.senate.gov/news/release/ whitehouse-carper-raise-red-flags-about-epa-contract-with-business-partner-of-pruitts-security-chief).

employees."[7] That same day, Mr. Perrotta responded, writing, "Please wait on any further movement on this thanks! The front office will advise shortly."

- On or about March 3, 2017, an electronic sweep of Administrator Pruitt's office was conducted under a contract awarded to Edwin Steinmetz, who is a partner with Mr. Perrotta in the Sequoia Security Group. We have been informed that this contract may have been paid for through the use of an EPA credit card without first obtaining the required pre-approval. The non-public documents we are providing today include Mr. Steinmetz's March 3, 2017, "Technical Surveillance Countermeasures Privacy Protection Audit." His report found that "no covert surveillance devices were present."

- EPA's Office of Homeland Security provided a copy of the Steinmetz report to a senior TSCM technical expert in the federal intelligence community (outside EPA). Based in part on information received from that expert, EPA's Office of Homeland Security concluded in late April 2017 that the sweep was "very basic and cursory" and "did not employ the equipment, proper certification, or necessary processes to be approved by the USG for certifying a USG facility or space for classified information systems or classified discussion."

- EPA Office of Homeland Security officials transmitted its report to seven EPA officials, including John Reeder, Reginald Allen, John Martin, and Mario Caraballo. Each of these named individuals reportedly has been reassigned or otherwise retaliated against for questioning Administrator Pruitt's spending or security measures.[8]

These new documents raise serious questions about EPA's security expenditures. They also raise questions about the role Mr. Perrotta played selecting Mr. Steinmetz for a security sweep, particularly after being advised by EPA officials that such sweeps are governed by National Security Council regulations.

In our view, the documents provided to us may constitute evidence of a "violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety."[9] As such, any adverse personnel action against a person providing this information to Congress is prohibited under the Whistleblower Protection Act, and it is in our shared interest that these rights be protected.

Given the latest developments and these new documents, we believe these and related matters are ripe for additional document requests to EPA and that Administrator Pruitt should testify about all of these matters immediately. We thank you for your prompt attention and look forward to working with you.

###

[7] TSCM refers to "technical surveillance countermeasures," the process of bug-sweeping or electronic countersurveillance.

[8] *EPA Removes Staffer Whose Report Questioned Pruitt's Security Needs: Report,* The Hill (Apr. 10, 2018) (online at http://thehill.com/policy/energy-environment/382529-epa-removes-staffer-whose-report-questioned-pruitts-security-needs); *E.P.A. Officials Sidelined After Questioning Scott Pruitt*, New York Times (Apr. 5, 2018) (online at www.nytimes.com/2018/04/05/business/epa-officials-questioned-scott-pruitt.html).

[9] 5 U.S.C. 2302(b)

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/18/2018 7:07:30 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Feldman, Carole [CFeldman@ap.org]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Jahan,

Will EPA release Minoli's full evaluation of whether the ticket followed federal gift rules?

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, April 18, 2018 3:04 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

If the administrator needed to fly in premium class seats due to security concerns, as both he and the agency have claimed, then why did he fly coach when the agency wasn't paying?

"The same security procedures are followed whether Administrator Pruitt is on official or personal travel." – Jahan Wilcox, EPA Spokesman

Did the administrator consult with EPA ethics counsel before accepting a companion pass from Wagner, a federal employee who is his subordinate? If so, did he receive a waiver allowing him to accept the airfare as a gift?

"A companion pass enables one person who has a ticket for a flight to then buy a second, or, companion, ticket for $5.60 in fees. In the instances where the Administrator flew on a companion ticket, he has paid the $5.60 fee for the second ticket he used plus one-half of the cost of Mr. Wagner's ticket. EPA's ethics officials were asked whether any additional steps needed to be taken to ensure full compliance with the ethics requirements and are consulting with the Office of Government Ethics on the response." – Kevin Minoli, Principal Deputy General Counsel

---

From: Wilcox, Jahan
Sent: Wednesday, April 18, 2018 2:28 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; 'Feldman, Carole' <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Responses will be coming shortly.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, April 18, 2018 1:42 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Questions regarding Pruitt coach flights to Tulsa

Liz, Jahan,

AP is preparing to report that EPA records confirm that Administrator Pruitt flew in coach-class seats to Oklahoma on at least two occasions last year when the agency wasn't paying for his ticket. Both instances were for legs of EPA-funded trips on which Ken Wagner was traveling with the administrator.

You'll remember that AP reported earlier this month that an EPA official said Pruitt flew home on weekend trips for Oklahoma Sooners football games using a companion pass obtained with Wagner's frequent flyer miles. Ethics experts say that is a potential violation of federal ethics rules barring officials from accepting gifts from their subordinates that have a market value of more than $10.

Please provide on the record response to two questions:

1) If the administrator needed to fly in premium class seats due to security concerns, as both he and the agency have claimed, then why did he fly coach when the agency wasn't paying?

2) Did the administrator consult with EPA ethics counsel before accepting a companion pass from Wagner, a federal employee who is his subordinate? If so, did he receive a waiver allowing him to accept the airfare as a gift?

I'm writing on deadline, so a quick response would be appreciated.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
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Public Key

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 4/23/2018 8:33:17 PM
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: Requests for EPA comment

Ignore. He came to us for comment after his story.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, April 23, 2018 4:02 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Requests for EPA comment

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To: DemPress (EPW) <DemPress_DemPress@epw.senate.gov>
Subject: RELEASE: Top Senate, House Democrats Send New Documents to Chairman Gowdy Regarding Pruitt's Office Security Sweep

UNITED STATES CONGRESS

FOR RELEASE: April 23, 2018

CONTACT:
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Rich Davidson (Whitehouse) – (202) 228-6291
Aryele Bradford (Cummings) – (202) 226-5181
Jamie Smith (Connolly) – (202) 225-1492
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The letter continues, "**In addition, we are providing unclassified but non-public documents that also cast doubt on EPA's spending on enhanced security measures and the process used for obtaining them. Senators Carper and Whitehouse have previously written to EPA with concerns that Pasquale 'Nino' Perrotta, the Acting Special Agent in Charge of Administrator Pruitt's security detail, improperly directed a contract to his business partner Edwin Steinmetz…These new documents raise serious questions about EPA's security expenditures. They also raise questions about the role Mr. Perrotta played selecting Mr. Steinmetz for a security sweep, particularly after being advised by EPA officials that such sweeps are governed by National Security Council regulations."**

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April 23, 2018

The Honorable Trey Gowdy
Chairman
Committee on Oversight and Government Reform
U.S. House of Representatives
Washington, D.C. 20515

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[1] *EPA Chief Sweeps Office for Bugs, Installs High-Tech Locks,* USA Today (Dec. 19, 2017) (online at www.usatoday.com/story/news/politics/2017/12/19/epa-chief-sweeps-office-bugs-installs-high-tech-locks/965315001/).
[2] Letter from Government Accountability Office to Senator Tom Carper et al. (Apr. 16, 2018) (online at www.gao.gov/assets/700/691272.pdf).
[3] USASpending.gov, *Acoustical Solutions, LLC EP17H000248* (effective date Aug. 30, 2017) (online at www.usaspending.gov/#/award/14262726).
[4] *About Us,* Acoustical Solutions (online at https://acousticalsolutions.com/about-us/).
[5] Letter from Government Accountability Office to Senator Tom Carper et al. at p. 6-7.
[6] Letter from Senator Tom Carper and Senator Sheldon Whitehouse to EPA Administrator Scott Pruitt (Mar. 6, 2018) (online at https://www.whitehouse.senate.gov/news/release/ whitehouse-carper-raise-red-flags-about-epa-contract-with-business-partner-of-pruitts-security-chief).

employees."[7] That same day, Mr. Perrotta responded, writing, "Please wait on any further movement on this thanks! The front office will advise shortly."

- On or about March 3, 2017, an electronic sweep of Administrator Pruitt's office was conducted under a contract awarded to Edwin Steinmetz, who is a partner with Mr. Perrotta in the Sequoia Security Group. We have been informed that this contract may have been paid for through the use of an EPA credit card without first obtaining the required pre-approval. The non-public documents we are providing today include Mr. Steinmetz's March 3, 2017, "Technical Surveillance Countermeasures Privacy Protection Audit." His report found that "no covert surveillance devices were present."

- EPA's Office of Homeland Security provided a copy of the Steinmetz report to a senior TSCM technical expert in the federal intelligence community (outside EPA). Based in part on information received from that expert, EPA's Office of Homeland Security concluded in late April 2017 that the sweep was "very basic and cursory" and "did not employ the equipment, proper certification, or necessary processes to be approved by the USG for certifying a USG facility or space for classified information systems or classified discussion."

- EPA Office of Homeland Security officials transmitted its report to seven EPA officials, including John Reeder, Reginald Allen, John Martin, and Mario Caraballo. Each of these named individuals reportedly has been reassigned or otherwise retaliated against for questioning Administrator Pruitt's spending or security measures.[8]

These new documents raise serious questions about EPA's security expenditures. They also raise questions about the role Mr. Perrotta played selecting Mr. Steinmetz for a security sweep, particularly after being advised by EPA officials that such sweeps are governed by National Security Council regulations.

In our view, the documents provided to us may constitute evidence of a "violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety."[9] As such, any adverse personnel action against a person providing this information to Congress is prohibited under the Whistleblower Protection Act, and it is in our shared interest that these rights be protected.

Given the latest developments and these new documents, we believe these and related matters are ripe for additional document requests to EPA and that Administrator Pruitt should testify about all of these matters immediately. We thank you for your prompt attention and look forward to working with you.

###

[7] TSCM refers to "technical surveillance countermeasures," the process of bug-sweeping or electronic countersurveillance.

[8] *EPA Removes Staffer Whose Report Questioned Pruitt's Security Needs: Report,* The Hill (Apr. 10, 2018) (online at http://thehill.com/policy/energy-environment/382529-epa-removes-staffer-whose-report-questioned-pruitts-security-needs); *E.P.A. Officials Sidelined After Questioning Scott Pruitt*, New York Times (Apr. 5, 2018) (online at www.nytimes.com/2018/04/05/business/epa-officials-questioned-scott-pruitt.html).

[9] 5 U.S.C. 2302(b)

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/21/2018 9:20:10 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: Steven Hart meeting with Scott Pruitt

Liz,

AP will be following up on the disclosure by a spokesman for Steven Hart that he was at the meeting Administrator Pruitt and Smithfiled Foods. That would appear to contradict The administrator's past statements that Hart had not lobbied him at EPA. Do you have comment to provide?

Thanks,

Michael

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/20/2018 10:56:50 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Press [Press@epa.gov]
Subject: Steven Hart departure from lobbying firm

Does Administrator Pruitt have any response of reaction to the early retirement of Steven Hart over the condo lease? He's previously described Hart as a personal friend.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Environmental Defense Fund [takeaction@edf.org]
Sent: 4/17/2018 7:23:39 PM
To: Press [Press@epa.gov]
Subject: [EDF Activist Briefing] How your activism defeated a key piece of Trump's agenda (and more)

Manage email or unsubscribe

Your April EDF Activist Briefing is here, with everything you need to know about the fight for a better environmental future that happened in the past month.

This month, we try to keep track of EPA Administrator Scott Pruitt's growing list of scandals, clean car standards come under attack, and your activism delivers a critical win on Capitol Hill.

Pruitt Scandal Watch

Amid an administration chock-full with serious ethical questions, Scott Pruitt stands out. The latest proof:

- Attacks on journalists and media
- A $120,000 trip to Italy to visit the Pope
- Newly disclosed totals of $68,000 for other travel
- Raises of tens of thousands of dollars given to close associates
- A loophole exploited to exempt EPA employees with industry tie from an ethics pledge
- A refusal to cooperate on a probe into his $43,000 secret phone booth
- News that he rented a condo far below market rate from the wife of a top oil and gas lobbyist (and then didn't even pay the rent on time)

But Pruitt has defiantly resisted accountability. A new story reveals that he reassigned or demoted at least five officials at EPA who raised concerns about his spending and replaced the man who wouldn't let him use sirens to bypass traffic congestion. And White House and EPA officials are now saying he lied to Fox viewers.

Pruitt also missed a deadline to turn over documents regarding his first class travel to the House Oversight and Government Reform Committee.

Despite the scandals dogging Pruitt, Republicans blocked an attempt by Democrats to put a stop to his first-class flight habits.

One conservative magazine says the Trump administration's message to taxpayers in light of overspending and questionable ethics is clear: **"We don't care."**

A growing number are calling for Pruitt's resignation or dismissal, including Republican and Democratic leaders, Former Republican EPA Administrators, newspapers in Houston, Charleston, and Miami, among others, and a coalition of environmental and public health organizations who recently launched a #BootPruitt campaign.

Read more: **The potential EPA chief who may be even worse than Pruitt**

Industry's best friend

Pruitt's ethical scandals have dominated headlines, but even more dangerous are the transformations EPA has undergone since Pruitt took the helm. In Pruitt's Dirty Politics, the New Yorker recounts how Scott Pruitt has turned the EPA into the fossil-fuel industry's best friend.

Here are a few of Pruitt's recent gifts to industry:

- Donors to his Oklahoma groups are now lobbying EPA and reaping the benefits.
- Secrecy, luxury travel, and handpicked audiences shaped Pruitt's attempted rollback of clean-water rules.
- A coal executive that raised more than $1 million for President Trump's presidential campaign was granted a meeting with Pruitt last year.

Pruitt is far from the only member of the Trump administration cozy with industry. Big oil rented out space at the Trump International Hotel in Washington in advance of an in-person meeting with the President.

In fact, **nearly half of the President Trump's EPA political**

appointees have industry ties. So it should come as no surprise that his most recent appointment taps a chemical company lawyer to lead EPA's Superfund office.

The House, too, is handing out gifts to industry, with two bills passed last month to weaken and delay pollution standards.

Read more: The very real implications of political cronyism on our health and the environment

EPA on a roll: Clean car standards at risk

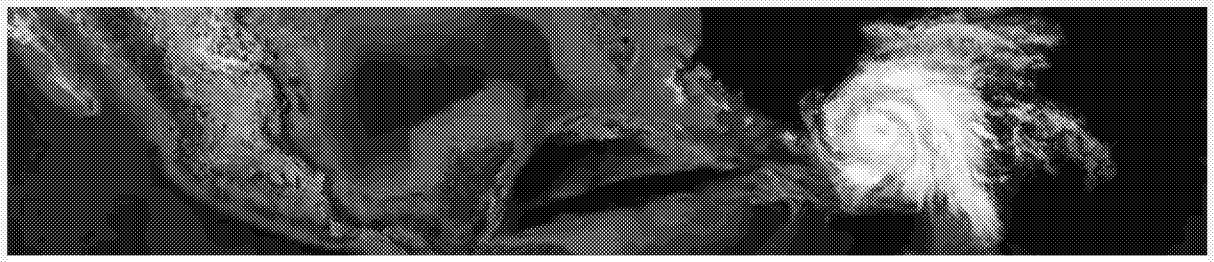
EPA and the Trump Administration are reportedly considering a dramatic rollback of existing clean car standards that were put in place to limit greenhouse gas emissions and save Americans money at the gas pump.

The announcement sets up a likely fight with California, which has been granted for decades the ability to set its own standards. But could the Administration and California strike a deal behind closed doors?

Continuing his habit of making moves favorable to recent associates, Pruitt met with the automakers affected by emissions standards earlier in the week.

Not all businesses will benefit. Clean car makers like Tesla stand to take a hit. One report says the lower fuel standards threaten US energy dominance, while another says it gives China the upper hand.

Read more: 5 reasons why weakening fuel standards is a bad idea



Trump's "War on Science" rages on

Under Pruitt, EPA is actively undermining the science that helps protect us from dangerous pollutants. A pending policy would allow EPA to ignore ways people are exposed to chemicals in an upcoming risk analyses of some chemicals.

Administrator Pruitt is also looking to push forward rules that would kneecap science and safeguards at EPA. Scientists say an effort by Pruitt to increase "transparency" is a thinly veiled attack on science.

White House Chief of Staff John Kelly may have shut down Pruitt's "red team, blue team" false equivalency exercise, but Pruitt may have a Plan B.

The Washington Post reported that Interior Department political appointees complained that career scientists were "going outside their wheelhouse" by *making scientific observations on climate change*.

And it's not just at EPA and the Interior where climate change skeptics are taking over. Look no farther than Donald van der Vaart, potential nominee to lead the White House's Council on Environmental Quality.

Over at FEMA, mentions of "climate change" were dropped from its strategic plan.

Fight back: "Adopt" an EDF scientist and get a free hardback copy of *DDT Wars: Rescuing Our National Bird, Preventing Cancer, and Creating the Environmental Defense Fund*

The Americans harmed by unchecked pollution

NPR offered us a harrowing look at the residents of America's "Cancer Alley," where residents are over 700 times more likely to be diagnosed with cancer than the average American. The culprit? A neighboring chemical company.

Lax environmental regulations and insufficient funding put Americans across the country at risk:

- A report by the Associated Press this week revealed the extent to which the people of Houston were exposed to dangerous chemicals during the fallout of Hurricane Harvey.
- An analysis of American waterways showed that industrial facilities are exceeding pollution limits at a frightening rate with little accountability to show for it.
- Hazardous levels of dangerous coal ash waste could be leaching into drinking water. Evidence of such leaks has already been found in Iowa, Nebraska, Arkansas, Georgia, Montana, Washington, Michigan, and Florida.

So it bears asking: **"What will poisoned communities do without the EPA to protect them?"**

Read more: EPA programs to protect us are under attack by the Trump Administration

See you in court

The Trump administration's careless and sloppy maneuvering frequently lands them in court defending the indefensible.

A federal court ruled last month that the Trump administration broke the law when it missed a deadline to implement an ozone pollution

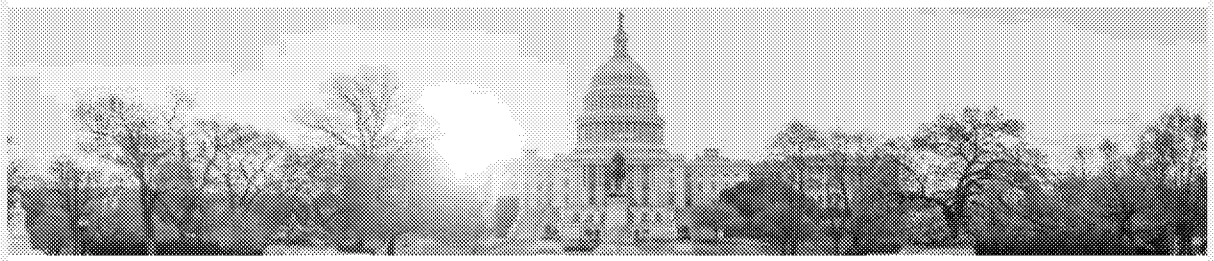
rule. EPA now has until April 30 to publish the findings for nearly all of the rest of the country.

States are threatening to sue Trump's EPA over delays in the enforcement of a landfill pollution rule.

EDF recently filed suit against EPA for failing to release information about conversations EPA had with the Heartland Institute regarding efforts to attack climate science.

We also joined with other organizations to file a separate suit against EPA, challenging a rule put out without notice that would allow thousands of polluters to turn off certain pollution controls and avoid complying with Clean Air Act provisions in place since 1995.

Donate: Your gift to EDF's Climate Legal Defense Fund is 100% tax-deductible



Congress defies Trump by refusing to cut EPA's budget

A budget for 2018 that passed the House and Senate this week resoundingly rejected the Trump administration's attempts to gut public health and environmental protections.

While the administration had targeted EPA for a cut of nearly a third, the agency saw all programs maintain level funding, with an increase given to programs dedicated to improving drinking water and cleaning up toxic waste sites. The budget was widely seen as a rebuke to Trump's agenda.

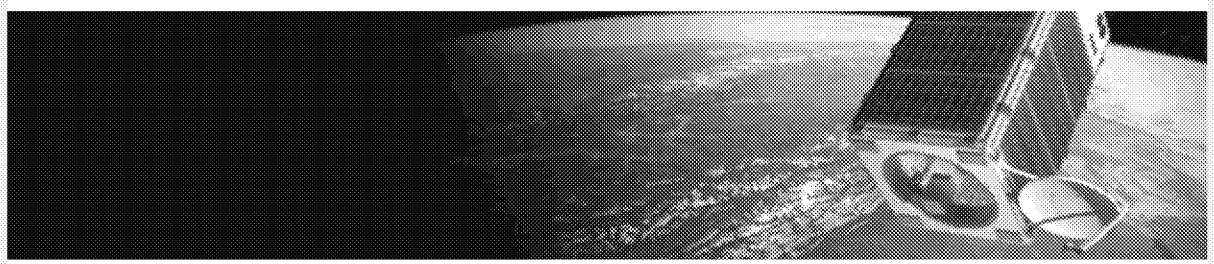
Read more: How a groundswell of citizen action saved EPA

Other climate news

150 million. That's how many lives could be saved with strong climate policies according to one study. 140 million. On the flip side, that's how many people stand to be displaced by climate change by 2050 if serious action isn't taken, according to the World Bank.

Exxon, Shell, and Chevron—three of the biggest energy producers in the world—are expected to confirm the scientific consensus around climate change as part of a court case.

New research shows that half of all US coal plants would lose money without regulation. But don't expect Trump to let the market decide when it comes to coal. The night after attending a private dinner hosted by the top lobbyist at FirstEnergy, a major US coal producer that recently filed for bankruptcy, Trump said he would look into emergency aid to bail out the struggling company.



EDF goes to space

We saved the biggest news for last: EDF is launching a first-of-its-kind satellite into space to monitor and detail methane emissions across the globe. The project, named MethaneSAT was revealed during a TED talk by EDF President Fred Krupp as part of the Audacious Project.

Watch: EDF President Fred Krupp announces our audacious plan

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/24/2018 5:39:50 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: FW: RELEASE: Carper, Whitehouse Raise New Questions about Pruitt Security Chief's Side Gig

EPA reaction?

From: Davidson, Richard (Whitehouse) <Richard_Davidson@whitehouse.senate.gov>
Sent: Tuesday, April 24, 2018 1:34 PM
To: Davidson, Richard (Whitehouse) <Richard_Davidson@whitehouse.senate.gov>
Subject: RELEASE: Carper, Whitehouse Raise New Questions about Pruitt Security Chief's Side Gig

FOR IMMEDIATE RELEASE
April 24, 2018

Contact:
Rich Davidson, (Whitehouse), 202-228-6291
Christine Brennan (Carper), (202) 224-8832

Carper, Whitehouse Raise New Questions about Pruitt Security Chief's Side Gig

Washington, DC – Today, Senators Tom Carper (D-DE) and Sheldon Whitehouse (D-RI) asked the EPA's Designated Agency Ethics Official Kevin Minoli to detail his office's approval of outside employment for Administrator Scott Pruitt's head of security, Pasquale "Nino" Perrotta, and other EPA employees. The Senators point out that the authorization EPA used to defend Perrotta's side job appears to violate EPA's regulations governing outside employment. Not only has the authorization expired, it does not reflect Perrotta's new position directing the administrator's personal security detail or the kind of work his company, Sequoia Security Group, does for its clients.

"Mr. Perrotta's duties at EPA have changed significantly since 2013" when Perrotta obtained approval, the Senators write. "As *The New York Times* reported, and as we have confirmed through interviews with current and former EPA staff, Mr. Perrotta was named acting Special Agent in Charge just last year, and was elevated from a GS-13 to a GS-15 pay grade. The *Times* also reported that Mr. Perrotta 'played a central role in approving Mr. Pruitt's regular use of first-class flights,' 'pushed for the construction of a $43,000 surveillance-proof booth in Mr. Pruitt's office in Washington,' and 'pressed, unsuccessfully, for a bulletproof vehicle for Mr. Pruitt and a bulletproof desk for his security detail.' This reporting has also been confirmed by people with knowledge who have spoken with our staffs. Mr. Perrotta did not perform any of these functions for prior EPA administrators, so they plainly constitute a 'change in the nature and scope of the duties or services' he performs."

Whitehouse and Carper raised concerns about Perrotta's side business in a March 6 letter to Pruitt after discovering that a company run by another principal at Sequoia, Edwin Steinmetz, was among the contractors who swept Pruitt's office for "hidden listening devices and bought sophisticated biometric locks for additional security" at the EPA. The Senators reiterate those concerns to the EPA's top ethics official. "Not only does the nature and scope of Mr. Perrotta's business appear to have changed since 2013, but he now does work for private clients that closely aligns with his work for EPA and it appears he directed some of that work to one of his business associates, Edwin Steinmetz," the Senators add.

Full text of the Senators' letter is below. A PDF copy is available here.

April 24, 2018

Kevin Minoli
Principal Deputy General Counsel
Designated Agency Ethics Official
Environmental Protection Agency
1200 Pennsylvania Avenue NW, 2310A
Washington, D.C. 20460

Dear Mr. Minoli,

On March 6, 2018, we wrote to EPA Administrator Scott Pruitt requesting information about whether Pasquale "Nino" Perrotta, the Acting Special Agent in Charge of the Administrator's personal security detail, had been properly cleared by EPA officials to be a "principal" in Sequoia Security Group, a security firm Mr. Perrotta claims he founded. We specifically asked for:

- All requests for approval of outside employment by Mr. Perrotta, including supporting documentation and any other information relevant to the requirements of 5 C.F.R. 6401.103.
- All approvals given by EPA for his outside employment, including any guidance about or limitations to those approvals in any form.
- All financial disclosures made by Mr. Perrotta during his employment at EPA. If Mr. Perrotta did not make financial disclosures for any period of his employment at EPA, please provide an explanation of those gaps.[1]

While we have not yet received a response to our letter, EPA has been able to release the attached "Approval of Request for Outside Activity/Employment" in response to an article about Perrotta in the *New York Times*.[2] If this document is EPA's basis for claiming that Mr. Perrotta has been cleared, under EPA regulations, to run a private security consulting firm while running the Administrator's personal security detail, it is insufficient on its face for at least three reasons.

First, the approval states that it "is effective for a period of five (5) years." That five-year limitation is required by 5 CFR 6401.103(d). Mr. Perrotta's approval was issued on March 5, 2013, so it has expired.

Second, 5 CFR 6401.103(d) also states, "[i]f there is a change in the nature or scope of the duties or services performed or the nature of the employee's business, the employee must submit a revised request for approval." Mr. Perrotta's duties at EPA have changed significantly since 2013. As *The New York Times* reported, and as we have confirmed through interviews with current and former EPA staff, Mr. Perrotta was named acting Special Agent in Charge just last year, and was elevated from a GS-13 to a GS-15 pay grade. The *Times* also reported that Mr. Perrotta "played a central role in approving Mr. Pruitt's regular use of first-class

[1] Letter from Senator Tom Carper and Senator Sheldon Whitehouse to EPA Administrator Scott Pruitt (Mar. 6, 2018) (available at https://www.whitehouse.senate.gov/news/release/whitehouse-carper-raise-red-flags-about-epa-contract-with-business-partner-of-pruitts-security-chief).
[2] Kenneth P. Vogel, Eric Lipton, and Lisa Friedman, "At E.P.A., Pruitt's 'Sheriff' Clashed With Critics of Spending," *The New York Times*, Apr. 12, 2018 (available at https://www.nytimes.com/2018/04/12/climate/epa-scott-pruitt-pasquale-perrotta.html).

flights," "pushed for the construction of a $43,000 surveillance-proof booth in Mr. Pruitt's office in Washington," and "pressed, unsuccessfully, for a bulletproof vehicle for Mr. Pruitt and a bulletproof desk for his security detail." This reporting has also been confirmed by people with knowledge who have spoken with our staffs. Mr. Perrotta did not perform any of these functions for prior EPA administrators, so they plainly constitute a "change in the nature and scope of the duties or services" he performs.

Third, it appears that Mr. Perrotta has failed to keep EPA apprised of the nature and scope of his business. When he sought authorization for this outside employment in 2013, Mr. Perrotta represented to the agency that he expected to be "self-employed" "to provide consulting to 2-3 clients, for approximately 3-6 hours per week" related to cybersecurity and "denial of service insurance." He did not mention that his self-employment would be establishing a firm, the Sequoia Security Group, that currently lists six officers and advisors. The firm offers a far broader range of services than originally disclosed, including investigation, executive protection, risk and crisis management, cyber security, corporate compliance, security vulnerability and threat assessments, and technical surveillance countermeasures.[3] Not only does the nature and scope of Mr. Perrotta's business appear to have changed since 2013, but he now does work for private clients that closely aligns with his work for EPA and it appears he directed some of that work to one of his business associates, Edwin Steinmetz.

Based on the facts we know, we seek to understand how your office has evaluated and monitored authorizations it provides under 5 CFR 6401.103 for Mr. Perrotta and perhaps others at EPA as well. So that we may better understand whether EPA is following its own policies and regulations, we request copies of all requests for and approvals or denials of outside employment processed by your office since January 21, 2009, along with supporting documentation. Our staffs would be pleased to work with your office to establish a procedure for reviewing these documents that does not improperly infringe upon the privacy rights of EPA employees.

We request the courtesy of a response no later than May 4, 2018.

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[3] http://sequoiasecuritygroup.com/service.html

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/17/2018 5:34:43 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Pace, Julie [JPace@ap.org]; Feldman, Carole [CFeldman@ap.org]
CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Pruitt email addresses and FOIA

Yes, Jahan, I am aware of AP's earlier reporting.

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Tuesday, April 17, 2018 1:33 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Pruitt email addresses and FOIA

Below are our two statements.

- **CAREER EPA EMPLOYEE: "When EPA receives a FOIA request concerning the Administrator's emails, all accounts associated are searched before we respond to that request."** – Steve Fine, Acting Chief Information Officer

- **"The EPA maintains three email accounts which are attributed to Administrator Pruitt: two are used by staff for calendaring and public correspondence; the third is used by the Administrator. A fourth email account was created for use by the Administrator but was superseded and never used beyond three test emails. When we receive a FOIA request all accounts are searched before we respond to the FOIA request."** - EPA spokesman, Jahan Wilcox

Also will AP be including that Lisa Jackson used an email account under the name Richard Windsor, which you reported on in 2013? http://www.sandiegouniontribune.com/sdut-emails-of-top-obama-appointees-remain-a-mystery-2013jun04-story.html

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, April 17, 2018 12:33 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Pruitt email addresses and FOIA

Jahan,

AP will be writing on Chairman Barrasso's letter to Administrator Pruitt asking him to affirm that all four epa.gov email addresses assigned to him are searched in response to FOIA requests.

Could you please provide comment on the senator's letter and whether all four addresses are searched? I read prior comments from you that one of them was only used to send test emails, but never actually used by the administrator.

Thanks,

Michael

AP

ASSOCIATED PRESS

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Investigative Reporter
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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/16/2018 7:58:06 PM
To: Press [Press@epa.gov]
Subject: White House Report & Top Stories - Monday 16 April

Inquiries

247wallst.com (Nick Gulley) – **NAAQS nonattainment tables**

Agri-Pulse (Steve Davies) – **Latest pesticide review schedules**

Associated Press (Michael Biesecker) - **Ethics waiver for new Deputy Administrator Wheeler**

Associated Press (Michael Biesecker); Bloomberg News (Jen Dlouhy); CNN (Sophie Tatum); CQ Roll Call (Elvina Nawaguna); E&E News (Kevin Bogardus); The Hill (Timothy Cama); New York Times (Lisa Friedman); Politico (Anthony Adragna); Washington Post (Brady Dennis) – **Rep. Gowdy's investigation.**

ABC News (Stephanie Ebb); Argus (Chris Knight); Associated Press (Michaeld Biesecker); Bloomberg (Jen Dlouhy); Buzzfeed (Zahra Hirji); CBS News (Jacqueline Alemany); CNN (Greg Wallace); CNS Virginia (Brandi Buchman); CQ Roll Call (Elvina Nawaguna); EE News (Kevin Bogardus); Federal News Radio (Jory Heckman); The Hill (Miranda Green); Huffington Post (Alexander Kaufman); Law 360 (Juan Carlos Rodriguez); Los Angeles Times (Evan Halper); NBCNews.com (Ethan Sacks); NGI/Intelligence Press (David Bradley); NPR (Ayesha Rascoe); New York Daily News (Terence Cullen); New York Times (Lisa Friedman); Politico (Alex Guillen); ThinkProgress (Mark Hand); Vox (Umair Irfan); S&P Global (Annalee Armstrong); Wall Street Journal (Heidi Vogt); Washington Post (Brady Dennis) – **GAO report on Administrator's secure phone booth**

ABC News (Stephanie Ebbs); Bloomberg News (Jen Dlouhy); CNN (Greg Wallace); CQ Roll Call (Elvina Nawaguna); Buzzfeed (Zahra Hirji); EE News (Kevin Bogardus); The Hill (Timothy Cama); Politico (Alex Guillen); Washington Examiner (John Siciliano) – **IG report on Administratively Determined (AD) salary raises under SDWA special authority**

Bloomberg News (Jen Dlouhy) – **Agency's use of secure room for information-sharing**

Buzzfeed (Daniel Wagner) – **Administrator Pruitt's relationships with the payday and short-term lending industries in Oklahoma**

CNN (Rene Marsh); New York Times (Lisa Friedman) – **Administrator's Security Detail**

California High School Student (Tiffany Wong) – **Major agency goals under the present Administrator and Administration.**

E&E News (Kevin Bogardus) – **Ronald Reagan Building flooding**

Environmental & Law Policy Center (John Agada) – **Discussion on aquifer-to-surface pollution**

The Hill (Miranda Green) – **Confirmation of OIG's Nino Perrotta investigation**

The Hill (Timothy Cama); Inside EPA (Dawn Reeves) – **Request for interview with Deputy Administrator Wheeler**

Inside EPA (David LaRoss) – **Waters of the US rule step 1 proposal**

The Intercept (Sharon Lerner) – **Administrator Pruitt's Tulsa's campaign office.**

Insider (Caroline Praderio) – **Bedbugs**

New York Times (Lisa Friedman) – **Comment on high number of investigations of the Administrator**

One America News Network (Emerald Robinson) – **Agency's scientific expert selection criteria**

Politico (Annie Snider) – **Status of proposed rule on costs and benefits of rulemaking process**

SP Global Platts (Meghan Gordon) – **Double-checking RFS ethanol waivers for compliance year 2017**

Star Tribune (Minneapolis, MN; Jim Spencer) – **Impact of RFS waivers on farmers.**

Washington Examiner (John Siciliano) **– Latest GHG emissions report**

Washington Post (Juliet Eilperin) – **Administrator's car leasing practices**

Administrator's secure phone booth

AP
https://apnews.com/1d6889c3a8cf4bad80479655197d3504/GAO-says-EPA-violated-spending-law-on-Pruitt's-privacy-booth
GAO says EPA violated spending law on Pruitt's privacy booth

Bloomberg
https://www.bloomberg.com/news/articles/2018-04-16/epa-chief-s-43-000-secure-phone-found-to-break-spending-laws
Pruitt's $43,000 Secure Phone Booth Is Found to Break Spending Laws

CNN
https://www.cnn.com/2018/04/16/politics/pruitt-soundproof-booth/index.html
GAO: $43,000 soundproof booth for EPA head violated law

Daily Caller
http://dailycaller.com/2018/04/16/scott-pruitt-secure-phone-booth/
GAO: Pruitt's $43,000 Secure Phone Booth Would Be Legal Had EPA Done One Thing

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060079177/search?keyword=EPA
Agency's handling of Pruitt phone booth broke law — GAO

The Hill
http://thehill.com/business-a-lobbying/383351-watchdog-epa-violated-law-with-administrators-soundproof-booth
GAO: EPA violated law with Pruitt's soundproof booth

New York Times
https://www.nytimes.com/2018/04/16/climate/scott-pruitt-phone-booth.html?rref=collection%2Ftimestopic%2FEnvironmental%20Protection%20Agency
Scott Pruitt's $43,000 Phone Booth Broke the Law, Congressional Auditors Say

Wall Street Journal
https://www.wsj.com/articles/epas-43-000-phone-booth-for-scott-pruitt-broke-the-law-oversight-body-says-1523900239?mod=searchresults&page=1&pos=1

Administrator's Security Detail

Politico
https://www.politicopro.com/energy/article/2018/04/epa-watchdog-investigator-says-he-did-not-socialize-with-pruitt-security-chief-1031646
EPA watchdog: Investigator says he did not socialize with Pruitt security chief

Administrator's Travel

Washington Post
https://www.washingtonpost.com/news/posteverything/wp/2018/04/16/scott-pruitts-travel-could-leave-him-with-a-big-tax-bill/?utm_term=.417280279089
Scott Pruitt's travel could leave him with a big tax bill

AO Staff Administratively Determined Raises

Bloomberg
https://www.bloomberg.com/news/articles/2018-04-16/epa-chief-of-staff-approved-raises-for-top-aides-report-finds
EPA Chief of Staff Approved Raises for Top Aides, Report Finds

Rep. Gowdy's Investigation

The Hill
http://thehill.com/homenews/house/383257-gowdy-mocks-pruitt-over-travel-spending-maybe-he-should-become-a-monk-instead
Gowdy mocks Pruitt's travel spending: Maybe he should become 'a monk' instead

Mother Jones
https://www.motherjones.com/politics/2018/04/house-republicans-just-ramped-up-their-investigation-of-epa-administrator-scott-pruitt/
House Republicans Just Ramped Up Their Investigation of EPA Administrator Scott Pruitt

Washington Post
https://www.washingtonpost.com/blogs/right-turn/wp/2018/04/15/ethics-and-the-epa-how-one-government-office-helped-turn-up-the-heat-on-scott-pruitt/?utm_term=.7b73d4e4de0f
Ethics and the EPA: How one government office helped turn up the heat on Scott Pruitt

Administrator – Other

The New Yorker
https://www.newyorker.com/news/daily-comment/how-did-scott-pruitt-get-himself-into-this-mess
How Did Scott Pruitt Get Himself Into This Mess?

Washington Times
https://www.washingtontimes.com/news/2018/apr/15/scott-pruitt-gets-support-from-conservatives/
Scott Pruitt gets support from conservatives

Cheers, R.

Robert Daguillard
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U.S. Environmental Protection Agency

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+ Ex. 6 (M)

Message

From: Feldman, Carole [CFeldman@ap.org]
Sent: 4/3/2018 12:27:40 AM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Biesecker, Michael [MBiesecker@ap.org]; Bowman, Liz [Bowman.Liz@epa.gov]; Pace, Julie [JPace@ap.org]; Press [Press@epa.gov]
Subject: Re: Fuel economy announcement

Jahan,
We would like to cover it in person. Is there a reason you're not releasing the location?
Thanks,
Carole

Sent from my iPhone

On Apr 2, 2018, at 6:40 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

You can watch it here: www.epa.gov/live.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, April 2, 2018 5:32 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Feldman, Carole <CFeldman@ap.org>
Subject: RE: Fuel economy announcement

Jahan,

Still hoping for a straight answer on this. It shouldn't be a secret if the head of a federal cabinet agency is appearing at an official even organized with taxpayer funds.

Michael

From: Biesecker, Michael
Sent: Monday, April 02, 2018 3:39 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: RE: Fuel economy announcement

OK, Jahan. So what's the word?

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Monday, April 02, 2018 3:25 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
Subject: RE: Fuel economy announcement

Will handle.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, April 2, 2018 3:12 PM
To: Press <Press@epa.gov>
Subject: Fuel economy announcement

For planning purposes, is the appearance by Administrator Pruitt at a Virginia car dealership for tomorrow still on? Details?

AP Video would like to be there for national television distribution.

<image001.jpg>

<image002.jpg>

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 3/29/2018 2:01:23 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: Scheraga memo on climate change talking points

Thanks.

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Thursday, March 29, 2018 9:52 AM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Scheraga memo on climate change talking points

You can attribute it to me: **Enesta Jones, EPA spokesperson**

On Mar 29, 2018, at 9:43 AM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Enesta,

AP's editorial policy doesn't allow us to use anonymous quotes unless the speaker has a specific reason they can't be quoted by name, such as fear of retribution, etc. OK to attribute this to you?

Thanks,

Michael

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Thursday, March 29, 2018 9:40 AM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Scheraga memo on climate change talking points

Michael,

From an EPA spokesperson: "The talking points were developed by the Office of Public Affairs. The Agency's work on climate adaptation continues under the leadership of Dr. Scheraga."

On Mar 29, 2018, at 9:39 AM, Biesecker, Michael <MBiesecker@ap.org> wrote:

You guys are OK with AP reporting that you refused to comment on this?

From: Biesecker, Michael
Sent: Wednesday, March 28, 2018 1:53 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Scheraga memo on climate change talking points

Liz, Jahan,

AP will be reporting on the memo signed by Joel Scheraga sent within EPA providing talking points about climate change approved by the Office of Public Affairs. It contains two talking points that appear to directly contradict the 2017 consensus of 13 federal agencies (including EPA) that the scientific evidence global warming is being driven by human activities is "unambiguous":

"Human activity impacts our changing climate in some manner. The ability to measure with precision the degree and extent of that impact, and what to do about it, are subject to continuing debate and dialogue."

"While there has been extensive research and a host of published reports on climate change, clear gaps remain including our understanding of the role of human activity and what we can do about it."

Please provide on-the-record comment about what the source or sources are for the OPA's contention that there are "clear gaps" in understanding the role of man-made emissions.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Investigative Reporter
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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 3/29/2018 1:50:29 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: Re: Scheraga memo on climate change talking points

They just did thx ng

Sent from my iPhone

On Mar 29, 2018, at 9:40 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Nancy can you have the 2nd floor get back to Michael.
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Thursday, March 29, 2018 9:39 AM
> **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** RE: Scheraga memo on climate change talking points
>
> You guys are OK with AP reporting that you refused to comment on this?
>
> **From:** Biesecker, Michael
> **Sent:** Wednesday, March 28, 2018 1:53 PM
> **To:** 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** Scheraga memo on climate change talking points
>
> Liz, Jahan,
>
> AP will be reporting on the memo signed by Joel Scheraga sent within EPA providing talking points about climate change approved by the Office of Public Affairs. It contains two talking points that appear to directly contradict the 2017 consensus of 13 federal agencies (including EPA) that the scientific evidence global warming is being driven by human activities is "unambiguous":
>
> *"Human activity impacts our changing climate in some manner. The ability to measure with precision the degree and extent of that impact, and what to do about it, are subject to continuing debate and dialogue."*
>
> *"While there has been extensive research and a host of published reports on climate change, clear gaps remain including our understanding of the role of human activity and what we can do about it."*
>
> Please provide on-the-record comment about what the source or sources are for the OPA's contention that there are "clear gaps" in understanding the role of man-made emissions.
>
> Thanks,
>
> Michael

Michael Biesecker
Investigative Reporter
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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 4/13/2018 10:29:18 PM
To: Biesecker, Michael [MBiesecker@ap.org]; jpace@ap.org; CFeldman@ap.org
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: Re: Request for comment

"We have responded to Chairman Gowdy's inquiries and we will continue to work with him." EPA spokesman, Jahan Wilcox

On Apr 13, 2018, at 6:16 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Please provide comment on House oversight's demand for interviews with five Pruitt aides.

Thanks,

Michael

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 4/2/2018 12:47:07 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Pace, Julie [JPace@ap.org]; Feldman, Carole [CFeldman@ap.org]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: Pruitt condo
Attachments: Evaluation of Lease Agreement2018-03-30-152600.pdf

See attachment along with the two statements below.

"As EPA career ethics officials stated in a memo, Administrator Pruitt's housing arrangement for both himself and family was not a gift and the lease was consistent with federal ethics regulations." – EPA spokesman, Jahan Wilcox

"I don't conclude that this is a prohibited gift at all. It was a routine business transaction and permissible even if from a personal friend." - EPA Career Senior Counsel for Ethics, Justina Fugh (03/29/18)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Sunday, April 1, 2018 7:54 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Pruitt condo

Jahan,

Please provide on-the-record responses to the following

1) On what basis is EPA determining that $1,500 a month is a market rate for a two bedroom in that neighborhood?

2) Since Administrator Pruitt was only paying for nights he occupied the unit, did his actual payments total $1,500 for any of the months included in the six month rental period?

3) Did Administrator Pruitt or his daughter make additional payments to cover her use of the second bedroom?

4) Did EPA pay for the the use of the downstairs unit in the building by the administrator's security detail, or was that also covered by Pruitt's $50 a night?

5) Did EPA pay for security enhancements to the property (Electronic locks on doors, surveillance camera on the front of the building, etc.)?

6) What was the cost of the door and installation after the March 2017 incident where Pruitt's security detail busted into the unit?

7) It does not appear the units at 223 C St have been publicly advertised for rent since the property last sold 5 years ago. How did Administrator Pruitt come to rent the property from the Harts? Did they offer it to him, or did he ask them?

Thanks,

MIchael

Thanks,

MIchael

Get Outlook for iOS

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Friday, March 30, 2018 6:13:44 PM
To: Biesecker, Michael; Pace, Julie; Feldman, Carole
Cc: Bowman, Liz; Press
Subject: RE: Pruitt condo

Wanted to make sure you saw the attached memo and statement from EPA:

"As EPA career ethics officials stated in a memo, Administrator Pruitt's housing arrangement for both himself and family was not a gift and the lease was consistent with federal ethics regulations." – EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, March 30, 2018 1:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt condo

Seeking comment once again, including on whether the administrator's daughter was staying in the second room.

From: Biesecker, Michael
Sent: Thursday, March 29, 2018 3:57 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; 'Wilcox, Jahan' <wilcox.jahan@epa.gov>
Subject: RE: Pruitt condo

Checking back on this.

From: Biesecker, Michael
Sent: Thursday, March 29, 2018 1:55 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Pruitt condo

Liz, Jahan,

AP will be reporting on administrator Pruitt's occupancy of the condo at 223 C St. NE in Capitol Hill and who owns that property. Can you provide any comment on Pruitt's relationship with the Harts and how he came to live at their property? Also, does he pay a market-rate rent?

This issue is going to receive a high level of scrutiny. I would urge you to provide on the-record comment.

Happy to talk by phone if that is your preference,

Michael

AP

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Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Block, Molly [block.molly@epa.gov]
Sent: 4/24/2018 7:42:47 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Pruitt event on "secret science"

Just wanted to reup this in your inbox to make things easier for you.

From: Block, Molly
Sent: Tuesday, April 24, 2018 3:22 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Pruitt event on "secret science"

See attached.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, April 24, 2018 2:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Pruitt event on "secret science"

Could you please provide a copy of whatever the administrator just signed?

Thanks,

Michael

AP

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/7/2018 2:09:36 AM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Pace, Julie [JPace@ap.org]; Feldman, Carole [CFeldman@ap.org]
CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Requests for comment

Jahan,

The quote you provided attributes information to EPA's IG, who is Arthur Elkins. But you have also included a quote from a CNN interview in November from an Assistant IG, whom I don't know if he has authority to speak for the office. Can you clarify whom you are attributing the information to?

Thanks,

MIchael

Get Outlook for iOS

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Friday, April 6, 2018 9:25:37 PM
To: Biesecker, Michael; Pace, Julie; Feldman, Carole
Cc: Press; Bowman, Liz
Subject: RE: Requests for comment

We missed this inquiry. Can you please update your story with our statement:

On-The-Record ... **"According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and his family. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats."** – EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "'We have at least four times -- four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats -- 'I'm going to put a bullet in your brain' -- to implied threats -- 'if you don't classify this particular chemical in this particular way, I'm going to hurt you,'' Sullivan told CNN in an interview. 'Then there's implied threats -- like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family.'' (CNN, 11/28/17)

According to Patrick Sullivan, threats have nearly doubled against Pruitt. "In an interview with E&E News, Patrick Sullivan, EPA's assistant IG for investigations, said the watchdog opened roughly 70 threat probes in fiscal 2017, including cases and complaints related to EPA facilities and personnel. That surpassed the total of about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." (E&E

News, 01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with Bloomberg News. "What's really disappointing to me as it's not just me -- it's family.'" (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached -- vulgar language, people were being somewhat aggressive towards him -- and so the special agent in charge provided documentation -- a memo -- to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator.'" (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (Bloomberg, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (Bloomberg, 02/15/18)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, April 6, 2018 12:20 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Requests for comment

Didn't get a response to these questions yesterday. I remain hopeful you will provide on the record comment about the reasons for the administrator's upsized security detail, which has included 20 full-time staff and additional officers that have rotated in from around the country. We are preparing to report on the total cost of the administrator's security precautions.

From: Biesecker, Michael
Sent: Thursday, April 05, 2018 1:06 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Requests for comment

Thanks for getting back to me Liz.

I also want to confirm something else with you: EPA has said previously on background that Administrator Pruitt's 24-hour security detail and use of premium class airfare were initiated following unprecedented threats to his security, including an incident last March where a person yelled at him in an airport to "Stop f-ing up the environment." Is all that accurate?

Also, without divulging specific details about his security arrangements, can you all provide any more on the nature of the threats against him? Have there been threats of violence? Have any investigations initiated into individuals who made threats against him?

We have searched state and federal court records and cannot find any instances of individuals being charged with communicating threats against Pruitt. Can you point me to any?

Thanks,

Michael

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Thursday, April 05, 2018 12:55 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Requests for comment

Hi Michael – Here is our statement on Samantha: "After serving for over a year as EPA's head of policy, Samantha Dravis has decided to pursue other opportunities. She has been integral in the Agency's successful implementation of the President's environmental agenda and the Agency wishes her success in her future endeavors."

I understand that Kevin Minoli has a statement on the new memo, which he can share with you directly.

Thank you,

Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, April 5, 2018 8:38 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Requests for comment

Jahan, Liz,

Please provide comment on the resignation of Samantha Dravis and Kevin Minoli's letter saying he wasn't given full info Pruitt's living arrangement before issuing the earlier memo you distributed.

Thanks,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/16/2018 4:35:04 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: GAO report on Pruitt's soundproof booth

Michael,

Can you actually provide on-the-record response on behalf of the agency to the specific conclusion reached by GAO general counsel Thomas Armstrong:

EPA violated section 710 of the Financial Services and General Government Appropriations Act, 2017 when it failed to notify the Committees on Appropriations of the House of Representatives and Senate prior to obligating in excess of $5,000 to install a soundproof privacy booth for the office of the Administrator during his period of appointment. Because EPA used its appropriations in a manner specifically prohibited by law, EPA violated the Antideficiency Act. EPA should report its Antideficiency Act violation as required by law.

Thanks,

Michael

From: Abboud, Michael <abboud.michael@epa.gov>
Sent: Monday, April 16, 2018 12:30 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: GAO report on Pruitt's soundproof booth

Hey Michael, see below and attached.

"The GAO letter 'recognized the…need for employees to have access to a secure telephone line' when handling sensitive information. EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," **Liz Bowman, EPA spokesperson.**

At the top of page 7, the GAO explains: "EPA's failure to make the necessary notification is the only subject of this opinion. However, we recognize the requirement to protect classified material and the need for employees to have access to a secure telephone line when handling such information in the course of conducting official agency business. After making the required notification, section 710 would have presented no bar to EPA's activities."

Specifically, with regard to what GAO was investigating, OGC has responded, "Specifically, I have not identified any violation of section 710 of the Financial Services and General Government Appropriations Act, 2017 or the Antideficiency Act."

Additional Background:

- Every year the operations and maintenance for the HQ structures is **approximately $6 million.**

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, April 16, 2018 12:15 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: GAO report on Pruitt's soundproof booth

Please provide any on the record response from the agency.

Thanks,

Michael

AP

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Michael Biesecker
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Public Key

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/24/2018 7:42:16 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Pruitt event on "secret science"

Ah, got it from Molly. Thanks.

From: Biesecker, Michael
Sent: Tuesday, April 24, 2018 3:41 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Pruitt event on "secret science"

Asking again.

From: Biesecker, Michael
Sent: Tuesday, April 24, 2018 2:28 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; 'Wilcox, Jahan' <wilcox.jahan@epa.gov>
Cc: 'Press' <Press@epa.gov>
Subject: Pruitt event on "secret science"

Could you please provide a copy of whatever the administrator just signed?

Thanks,

Michael

AP

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Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
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Message

From: Dearen, Jason H. [JDearen@ap.org]
Sent: 9/10/2017 7:17:53 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Mosaic New Wales Sinkhole

Thanks Amy. Much appreciated.
Jason

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Sunday, September 10, 2017 3:18 PM
To: Dearen, Jason H.
Cc: Press
Subject: Re: Mosaic New Wales Sinkhole

Jason - Here is our statement that can be attributed to an EPA spokesperson --

"EPA is co-located with, and actively working with our state and federal partners at the Florida Emergency Operations Center and this includes working directly beside our Florida Department of Environmental Protection (DEP) colleagues. DEP is actively monitoring all of the facilities that maintain gypsum stacks and they were proactive in communicating with these facilities ahead of the storm, including the New Wales Mosaic Site, which is a Florida Department of Environmental Protection lead response/repair issue. Like the various other facilities identified for post landfall assessment by the Hazardous Assessment Response Team and other response teams, these facilities will be properly assessed to ensure there are no potential adverse impacts to human health and the environment."

Thanks,

Amy

On Sep 10, 2017, at 11:32 AM, Dearen, Jason H. <JDearen@ap.org> wrote:

> Hi there,
> Jason Dearen with The AP here. I'm writing about the New Wales Phosphorous mine waste stack in the Tampa, Florida area that was damaged with a sinkhole last year, sending polluted water into the Floridan Aquifer. Repairs on the sinkhole in the waste pile have not been completed, and the site is in the path of Irma.
>
> My questions:

-Can EPA discuss any efforts the agency has taken to check on the status of the sinkhole repairs?
-Is the agency monitoring this site along with the Superfund sites in Florida for damage by Irma, or is it leaving that to the state of Florida?

My deadline is 4 p.m. today, Sunday.

Best,
Jason Dearen/AP
352-213-9949

AP

Jason Dearen -- Correspondent
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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 9/9/2017 8:42:57 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: EPA Hurricane Irma Update for Saturday, September 9, 2017

Thanks

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Saturday, September 09, 2017 4:43 PM
To: Biesecker, Michael
Cc: Bowman, Liz; Press
Subject: Re: EPA Hurricane Irma Update for Saturday, September 9, 2017

They were removed from the site.

On Sep 9, 2017, at 4:38 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Liz,

We would like to update our story with the new information. Could you please clarify what EPA means by the three barrel's being "secured." Does that mean they were removed to a different location, or were they staked to the ground? What exactly do you mean?

Thanks,

Michael

From: USEPA Press Office [mailto:press@epa.gov]
Sent: Saturday, September 09, 2017 4:06 PM
To: Biesecker, Michael
Subject: EPA Hurricane Irma Update for Saturday, September 9, 2017

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

EPA Hurricane Irma Update for Saturday, September 9, 2017

WASHINGTON –EPA is continuing preparations for Hurricane Irma, which is expected to hit Florida, serviced by EPA Region 4. Irma has already made landfall in Puerto Rico and the U.S. Virgin Islands, covered by EPA Region 2.

The Agency continues securing and assessing Superfund sites; compiling data for regulated facilities; granting fuel waivers to help stabilize prices at the pump and ensure emergency vehicles have access to fuel; and, preparing for infrastructure assessments and environmental sampling following the storm.

As of September 9, 2017, the following information is available:

REGIONAL OPERATIONS CENTERS

? **Region 4**: The Region has approximately 44 personnel involved in emergency response efforts. In addition, seven people are deployed to Florida, including Regional Administrator Trey Glenn to the State Emergency Operations Center in Tallahassee, Fla.

? Staff is also embedded in three south Florida Emergency Operations Centers (EOCs) in Palm Beach County, Broward County and Miami-Dade County and will remain for the duration of the storm.

? EPA is in the process of forming field teams for deployment to affected as early as possible considering health and safety. On Scene Coordinators from Region 5 are also deploying to be part of these teams.

? **Region 2**: About 61 personnel are currently involved in hurricane efforts and assessment teams are deploying to Puerto Rico and the U.S. Virgin Islands as soon as possible considering health and safety.

? This includes four On Scene Coordinators and two Community Involvement Coordinators to the U.S. Virgin Islands and four On Scene Coordinators and two Community Involvement Coordinators to Puerto Rico to assess regulated facilities, identify community outreach needs and conduct hazardous waste and debris assessments.

? These efforts are being augmented by professional staff in EPA Region 2's Caribbean Environmental Protection Division (CEPD).

RISK MANAGEMENT PLANS (RMPS)

? EPA is communicating with the Risk Management Program (RMP) and Facility Response Plan (FRP) bulk oil facilities to ensure they are secure and identify any vulnerabilities.

? EPA's Remedial program is currently performing desk-top triage of all remedial sites in Region 4 coastal states.

? EPA Region 4 is preparing a Site-Specific Data Management Plan for the incident.

FUEL WAIVERS AND ENFORCEMENT ACTIONS

? This week, EPA extended a low-volatility conventional gasoline waiver through September 26th in 38 states and the District of Columbia.

? EPA also issued Red-Dye Diesel fuel waiver for vehicles used for emergency response and evacuations.

? On Friday, EPA announced that it would exercise its enforcement discretion to allow emergency and backup electric generating units in Monroe County, Florida to operate without meeting all pollution controls in order to facilitate the supply of needed electricity during and after Hurricane Irma.

? This "no action assurance" letter was issued at the request of the Florida Department of Environmental Protection in response to the extreme risk posed by Hurricane Irma to the primary backup source of electricity for the Keys.

? EPA policy allows the agency to issue no action assurances in cases where it is necessary to avoid extreme risks to public health and safety and where no other mechanism can adequately address the matter.

REGION 2 SUPERFUND SITES

? EPA assessed 23 Superfund and oil sites in Puerto Rico and U.S Virgin Islands to evaluate their vulnerabilities prior to Hurricane Irma hitting.

? As of today, EPA Region 2 has conducted post-hurricane assessments of seven of these facilities and sites and found no significant damage.

? A complete list of Superfund and oil sites has been generated to prioritize post-hurricane visits.

? A list of other regulated facilities was also created to conduct pre- and post-storm facility coordination and assessment.

? EPA teams will focus on immediate threats from hazardous substance releases and oil spills, orphan hazardous containers, household hazardous waste, contaminated debris, and drinking water/wastewater issues.

REGION 4 SUPERFUND SITES

? The EPA Region 4 Remedial program has completed rapid assessment (desk-top triage) of all 90 remedial sites in within the state of Florida.

? The EPA Region 4 Emergency Response Program secured three drums of Investigation Derived Waste (IDW) at the Anodyne site in Miami yesterday. Drums contained drill cutting (dirt and rocks) and purge water produced during installation of monitoring well the previous week.

? EPA has been working throughout the week to evaluate 80 sites from Miami to North Carolina. As of today, with the storm's path continuing to shift, EPA is evaluating additional potentially affected areas in Florida, Alabama and Tennessee.

? If any site in the path of the storm is found to pose an immediate threat to nearby populations, EPA will immediately alert local officials.

? If cleanup activity is on-going at a site, EPA will instruct the on-site contractor to secure the site immediately. This includes evacuating personnel, ceasing all activity, and securing equipment and other potentially harmful materials. If no activity is currently

occurring at the site, the site is considered secured but remains closely monitored.

? After the storm passes, floodwaters recede, and it is deemed safe to enter a site, EPA remedial managers and contractors conduct rapid assessments of sites based on priority to identify any damage and initiate cleanup plans if necessary.

For information and updates from EPA, visit: www.epa.gov/hurricane-irma.

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States
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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 9/8/2017 9:06:28 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: Questions regarding Florida superfund sites

My deadline was 5, so please don't go past 6.

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 08, 2017 5:06 PM
To: Biesecker, Michael
Cc: Bowman, Liz; Press
Subject: Re: Questions regarding Florida superfund sites

I hope so, doing my best. Will keep you updated.

On Sep 8, 2017, at 5:03 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

> OK, 6 p.m.
>
> ---
>
> **From:** Graham, Amy [mailto:graham.amy@epa.gov]
> **Sent:** Friday, September 08, 2017 4:59 PM
> **To:** Biesecker, Michael
> **Cc:** Bowman, Liz; Press
> **Subject:** Re: Questions regarding Florida superfund sites
>
> An hour
>
> On Sep 8, 2017, at 4:55 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
>
> > Do you have an ETA for getting back to us?
> >
> > ---
> >
> > **From:** Graham, Amy [mailto:graham.amy@epa.gov]
> > **Sent:** Friday, September 08, 2017 4:51 PM
> > **To:** Biesecker, Michael
> > **Cc:** Bowman, Liz; Press
> > **Subject:** Re: Questions regarding Florida superfund sites
> >
> > Michael - I am working to get you a response
> >
> > Sent from my iPhone
> >
> > On Sep 8, 2017, at 3:51 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
> >
> > > Liz,
> > >
> > > We haven't heard back on some of our detailed questions in recent days, but your media releases speak in general about what the agency is doing to prepare for Irma's arrival. EPA says the agency has dozens of staff working to help secure Superfund sites in the Southeast, work that

includes evacuating personnel, securing equipment and safeguarding harmful materials.

"If no activity is currently occurring at the site, the site is considered secured but remains closely monitored," EPA said.

AP reporters have visited five sites in the Miami area over the last three days, all of them in flood plains. We plan to visit more before the storm's arrival. (Don't worry, we haven't trespassed).

Sites visited so far

--Miami Drum Services
--Florida Petroleum Processors
--Anodyne North Miami Beach
--Homestead Air Reserve Base
--Chemford Pompano Beach

We saw no personnel or activity at any of the sites. At Anodyne, there were three sealed steel drums labeled "IDW" sitting in the open behind a building. According to EPA documents, IDW is the designation for "investigation derived waste."

Can you tell us what is in these drums exactly, and whether this is hazardous IDW? Wouldn't hurricane winds present a serious risk from unsecured barrels? They weren't behind a fence or anything.

Did we miss EPA activity at these sites? Did you conclude these were secure and not in need of any further activity? Also, are there any ongoing community outreach efforts involving these sites?

Ronald Tolliver in Atlanta, identified as EPA's community involvement coordinator for the Miami drum site, told the AP he was not sure what the agency was doing to prepare the site or contact residents whose drinking water could be affected by serious flooding from Hurricane Irma.

Tolliver referred questions to the site's remedial project manager, in charge of managing the site for the EPA. However, the manager identified on EPA's public information website for the site was incorrect. Tolliver referred further questions to EPA's press office, who referred a reporter back to the agency's press releases.

We expect to publish our story later today. Could you back to us before 5 p.m. EDT?

Michael

<image001.jpg>

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-40

T 202-641-9445
M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/8/2017 7:52:44 PM
To: Biesecker, Michael [MBiesecker@ap.org]
CC: Press [Press@epa.gov]
Subject: RE: Superfund sites & storm surge

Michael,

Please see below for the answer to your inquiry. Thanks

The "1" represents "not in flood plain." To confirm this, we plotted 10 of the sites with a 1 in column O and none were in the vicinity of streams or rivers. Additionally, the dataset developed in 2011 includes all final-but-not-yet-deleted National Priorities List sites at the time of the analysis (1,316), and we'd expect that not all of them are in a floodplain.

Also, please note that the report was developed for EPA through our mission support contract. The report [was] prepared to inform and prioritize program adaptation efforts, and is not intended as an Agency publication.

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, August 31, 2017 11:37 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Dearen, Jason H. <JDearen@ap.org>
Subject: RE: Superfund sites & storm surge

Christie,

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Wednesday, August 30, 2017 6:54 PM
To: Biesecker, Michael; Dearen, Jason H.
Cc: Press
Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks,
Christie

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 9/8/2017 1:07:34 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Press [Press@epa.gov]
Subject: RE: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Thanks for your response, Liz. I forwarded that offer to Julie, who can inform Sally. But in the meantime, we still request an on-the-record interview with the administrator on this important topic.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, September 08, 2017 8:55 AM
To: Biesecker, Michael; Press
Subject: RE: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

I apologize, I meant Sally. Please excuse my error.

From: Bowman, Liz
Sent: Friday, September 8, 2017 8:38 AM
To: Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
Subject: RE: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Hi Michael – As I explained to Julie, we are open to her and Susan coming to meet with the Administrator. I am happy to work to facilitate that meeting. Thanks – Liz

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 8, 2017 8:24 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Fwd: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Liz,

The Associated Press requests an all-formats interview with Administrator Pruitt to discuss the agency's efforts to prepare in advance of Hurricane Irma, especially at Superfund sites.

It is clear EPA wants people to know assessing and securing that this is a top priority for the agency. AP has hundreds of member news organizations in the Southeast that distribute our text, audio and video to millions of people now in the storm's path. We continue to work to provide our readers specific details of those preparations.

We look forward to your response.

Thanks,

Michael

Michael Biesecker
The Associated Press
Washington, D.C.
202-641-9445 office
Ex. 6 mobile

mbiesecker@ap.org
Twitter: mbieseck

The AP, founded in 1846, has a global network of 240 bureaus, providing news in text, audio, video, graphics and photos to more than 15,000 news outlets with a daily reach of 1 billion people worldwide.

Sent from my iPhone

Begin forwarded message:

> **From:** "Krisher, Tom" <tkrisher@ap.org>
> **Date:** September 8, 2017 at 8:11:28 AM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>
> **Subject: FW: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path**
>
> Bloomberg is now the EPA press office? No mention of the AP story by name and only passing mention of the fact that they had no one to go into the sites near Houston.
>
> ---
>
> **From:** EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
> **Sent:** Friday, September 08, 2017 8:03 AM
> **To:** Krisher, Tom <tkrisher@ap.org>
> **Subject:** BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

BLOOMBERG

EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Jennifer Dlouhy
September 7, 2017
https://www.bloomberg.com/news/articles/2017-09-07/epa-chief-pledges-to-secure-toxic-sites-in-irma-s-storm-path

The Trump administration is applying lessons from Hurricane Harvey's drenching of southeast Texas as it secures toxic waste sites in the path of Hurricane Irma, U.S. environmental chief Scott Pruitt said.

The Environmental Protection Agency's main goal is to make sure there are "enough people on the ground" to quickly assess the integrity of at-risk chemical sites and respond to needs as the monster storm moves through, Pruitt said. Technical staff are already working to secure about 80 Superfund sites in Irma's path from Miami to North Carolina, including a former pesticide plant, military base and machine shop.

"Operationally, we've tried to make sure we apply the same type of approach we used in Texas," Pruitt, EPA's administrator, said in an interview Thursday. "Because of the area and the amount of population that's affected in Florida, we're trying to be even more aggressive." ...

Nearly 200 EPA personnel were deployed in Texas. The agency already has about 77 people working on Irma related efforts and another seven are on the way.

Back-to-back hurricanes hitting the U.S. threaten to strain the federal government's resources, prompting the Senate to pass a $15.25 billion relief bill Thursday, and renewing a debate about the size and scope of federal agencies. The Trump administration has proposed cutting nearly a third of the EPA's budget for the fiscal year that begins Oct. 1 and culling roughly 3,200 employees from the agency's 15,000-member workforce, a process that has already begun as hundreds of workers accept buyouts.

Pruitt stressed the EPA has not been hit by budget reductions yet, as Congress weighs how much to spend on the agency.

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1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: McDowell, Robin [RMcDowell@ap.org]
Sent: 9/8/2017 12:49:09 AM
To: Gray, David [gray.david@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: AP - Media Request

Thanks a lot

Sent from my iPhone

> On Sep 7, 2017, at 7:41 PM, Gray, David <gray.david@epa.gov> wrote:
>
>
>
> -----Original Message-----
> From: McDowell, Robin [mailto:RMcDowell@ap.org]
> Sent: Thursday, September 07, 2017 7:30 PM
> To: Gray, David <gray.david@epa.gov>
> Cc: Press <Press@epa.gov>
> Subject: Re: AP - Media Request
>
> Thanks David, do you know what they were doing?
> The potential responsible party has mobilized heavy equipment and is placing rock on different places on the armored cap to repair the defensive surface.
>
> And when do you expect divers might come to inspect the underwater portions of the cap for damage?
> Crews continue to surveying portions of the cap that are submerged and the EPA dive teams will survey the cap underwater if surface assessment from boats show it is needed.
>
>
> Has any water quality or sediment sampling been done at the site?
> The liner is in place and functional so we don't have any indication that the underlying waste materials have been exposed. If we find a breach in the exposed liner, we direct the responsible party to collect samples to determine if any materials have been released.
> Thanks again,
>
> Robin
>
> (And I'm just seeing that I wrote polls! Sorry. I need to be more careful with Siri).
>
> Sent from my iPhone
>
>> On Sep 7, 2017, at 5:48 PM, Gray, David <gray.david@epa.gov> wrote:
>>
>> We have people onsite but we make the PRP do and pay for the work.
>>
>> -----Original Message-----
>> From: McDowell, Robin [mailto:RMcDowell@ap.org]
>> Sent: Thursday, September 07, 2017 5:36 PM
>> To: Gray, David <gray.david@epa.gov>
>> Cc: Press <Press@epa.gov>
>> Subject: Re: AP - Media Request
>>
>> OK great, I heard there were some boats on the scene today and workers waiting through the waters with polls today. Where those not EPA?
>>
>> Sent from my iPhone
>>
>>> On Sep 7, 2017, at 5:34 PM, Gray, David <gray.david@epa.gov> wrote:
>>>
>>> The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; some areas that rock been displaced and liner is exposed. The potential responsible party has mobilized heavy equipment and is placing rock on different places on the armored cap to repair the defensive surface. The liner is in place and functional so we don't have any indication that the underlying waste materials have been exposed. If we find a breach in the exposed liner, we direct the responsible party to collect samples to determine if any materials have been released. Crews continue to surveying portions of the cap that are submerged and the EPA dive teams will survey the cap underwater when conditions allow. EPA is making plans for longer-term assessments at 41 Superfund sites in the impacted areas as the projects return to their normal remedial cleanups.
>>>
>>> -----Original Message-----

>>> From: McDowell, Robin [mailto:RMcDowell@ap.org]
>>> Sent: Thursday, September 07, 2017 3:49 PM
>>> To: Gray, David <gray.david@epa.gov>
>>> Subject: AP - Media Request
>>>
>>> Hi David,
>>>
>>> I'm a reporter with the Associated Press, writing now to ask you about the San Jacinto River Waste Pits Site. Do you have a minute to talk by either phone or email?
>>>
>>> Drone footage apparently shows damage to one of the caps and I was wondering if you have any information. As I'm sure you've heard, some stone material associated with the berms appear to have moved and it looks like lining on a part of the cap was pulled back.
>>>
>>> Are you at all concerned about this? What steps is the EPA taking to secure the site? Is it possible that toxins or pollutants have been released?
>>>
>>> Thanks very much for your help.
>>>
>>> Robin
>>>
>>>
>>> The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.
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Message

From: McDowell, Robin [RMcDowell@ap.org]
Sent: 9/8/2017 12:30:03 AM
To: Gray, David [gray.david@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: AP - Media Request

Thanks David, do you know what they were doing? And when do you expect divers might come to inspect the underwater portions of the cap for damage? Has any water quality or sediment sampling been done at the site?

Thanks again,

Robin

(And I'm just seeing that I wrote polls! Sorry. I need to be more careful with Siri).

Sent from my iPhone

> On Sep 7, 2017, at 5:48 PM, Gray, David <gray.david@epa.gov> wrote:
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> We have people onsite but we make the PRP do and pay for the work.
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> -----Original Message-----
> From: McDowell, Robin [mailto:RMcDowell@ap.org]
> Sent: Thursday, September 07, 2017 5:36 PM
> To: Gray, David <gray.david@epa.gov>
> Cc: Press <Press@epa.gov>
> Subject: Re: AP - Media Request
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> OK great, I heard there were some boats on the scene today and workers waiting through the waters with polls today. Where those not EPA?
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>>
>> -----Original Message-----
>> From: McDowell, Robin [mailto:RMcDowell@ap.org]
>> Sent: Thursday, September 07, 2017 3:49 PM
>> To: Gray, David <gray.david@epa.gov>
>> Subject: AP - Media Request
>>
>> Hi David,
>>
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>> Drone footage apparently shows damage to one of the caps and I was wondering if you have any information. As I'm sure you've heard, some stone material associated with the berms appear to have moved and it looks like lining on a part of the cap was pulled back.
>>
>> Are you at all concerned about this? What steps is the EPA taking to secure the site? Is it possible that toxins or pollutants have been released?
>>
>> Thanks very much for your help.
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>> Robin
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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 9/7/2017 8:13:02 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: FW: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Liz,

The statement below makes reference to the fact that EPA divers plan to inspect the underwater portions of the cap at the San Jacinto River Waste Pits Superfund site "when conditions allow." Two thirds of the cap is under the river, and it has had to have been repaired on at least six occasions following past high-flow events. Can you provide any additional detail about when the underwater inspection may occur?

Please also detail what water quality monitoring has occurred to date at San Jacinto or any of the other locations? Have any samples been collected at all? Results?

Though you provide details of the site conditions at San Jacinto, there's nothing about what was found at U.S. Oil Recovery. Could you please provide details from the initial assessment and what additional assessment is needed.

Any updates today from the five other sites that were not assessed as of yesterday?

AP also once again reiterates its requests over that last four days for information about EPA's air quality testing from the Arkema plant fire. We believe this information clearly belongs in the public domain and that its release is required under the Clean Air Act. It has now been a week since the initial round of monitoring was done by aircraft, according to your prior media releases.

Thanks in advance for your response to these matters of public interest,

Michael

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Wednesday, September 06, 2017 6:47 PM
To: Biesecker, Michael
Subject: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

CONTACT: press@epa.gov

EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Dallas (September 6, 2017) - Working together, the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) continue to coordinate with local, state and federal officials to address the human health and

environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas. TCEQ has 500 people assisting in response to this natural disaster and EPA has 185.

EPA has begun mobilizing Community Liaisons to the designated disaster counties for Hurricane Harvey. The liaisons will assist the county emergency operation centers in disseminating pertinent information on post flood hazards to municipalities, school districts, and citizens. EPA has now been deployed to the FEMA JFO Joint Information Center in Austin and additional EPA response personnel are being assigned to Beaumont/Port Arthur. This area was previously inaccessible due to lack of facilities. EPA has begun coordination with environmental justice advocates from Texas and Louisiana to provide an update on the impacted areas. EPA has been closely coordinating with the U.S. Coast Guard on a large oil spill in the Houston area, and with city and county officials on a benzene plume identified near the Manchester neighborhood.

As of Sunday, Sept. 3, the following information is available:

Drinking Water: To date, about 2,800 drinking water systems are potentially affected by Harvey have been contacted. Of those: 1,920 systems are fully operational, 168 have boil-water notices, and 50 are shut down. Both EPA and the TCEQ are contacting remaining systems to gather updated information of their status. EPA and the TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team (supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously monitor water systems. Assistance teams are in the field working directly with system operators to expedite getting systems back to operational status.

Waste Water and Sewage: Currently, 903 of approximately 1,219 wastewater treatment plants are fully operational and 34 are inoperable in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers are occurring, due to the historic flooding and are actively working to monitor facilities that have reported spills, conduct outreach and provide technical guidance to all other wastewater facilities in flood-impacted areas. EPA and TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team (supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously monitor wastewater systems. Assistance teams will be deployed to work directly with system operators to expedite getting systems back to operational status.

Flood Water: Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all

warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Critical Water Infrastructure: The agencies are continuing to work closely with dams. The larger dams are full in many cases and may be releasing water; the structures are secure at this time. There are 340 high- and significant-hazard dams in the impacted areas, and TCEQ has been able to make contact with 200 of these dam owners. Of these 200, only five dams have been damaged or have failed. We have also been notified that three low-hazard dams have damage. TCEQ is continuing to contact dams to get status updates.

Additional EPA/TCEQ updates include:

Superfund Sites: EPA and TCEQ continue to get updates about the status of specific sites from the parties responsible for ongoing cleanup of the sites. So far, TCEQ staff have assessed 12 of the 17 State Superfund sits in the affected areas. TCEQ anticipates completing the remaining 5 assessments by the end of the week depending on accessibility of those remaining sites.

EPA completed site assessments at 13 Superfund sites that have been flooded and/or experience possible damage to the storm. Of these sites, two (San Jacinto and U.S. Oil Recovery) require additional assessment efforts. Assessments of these sites will take several days to complete. The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; some areas that rock been displaced and liner is exposed. The potential responsible party has mobilized heavy equipment and is placing rock on different places on the armored cap to repair the defensive surface. The liner is in place and functional so we don't have any indication that the underlying waste materials have been exposed. If we find a breach in the exposed liner, we direct the responsible party to collect samples to determine if any materials have been released. Crews continue to surveying portions of the cap that are submerged and the EPA dive teams will survey the cap underwater when conditions allow. EPA is making plans for longer-term assessments at 41 Superfund sites in the impacted areas as the projects return to their normal remedial cleanups.

Air Quality Monitoring: One of the many preparations for Hurricane Harvey included EPA, TCEQ, and other monitoring entities temporarily shutting down several air monitoring stations from the greater Houston, Corpus Christi, and Beaumont areas. Since then, state and local authorities have been working to get the systems up and running again. As of Tuesday September 5, TCEQ air monitoring network is 100 percent operational in Corpus Christi, 88 percent in Houston, and 71 percent in Beaumont. The network is expected to be fully operational again by next week. Of the available air

monitoring data collected from Aug. 24-Sept. 2, all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning, and residents should not be concerned about air quality issues related to the effects of the storm.

An assessment by EPA of the Valero Refinery on Monday, September 5, 2017, confirmed that a tank at the facility did have a leak which occurred on August 26, 2017 from the Hurricane Harvey storm and flooding. EPA also confirmed Valero had taken action to respond to and repair the leak. Based on current site conditions including weather, repair actions by Valero, and air monitoring results, EPA's assessment could not confirm the tank was the source of the air release that led to complaints in the area immediately after the storm. EPA's air monitoring performed onsite and around the facility on September 5 does not indicate levels of concern for the community. EPA will continue air monitoring for additional sources in the area.

Fires at Arkema Facility in Crosby: The TCEQ has an open investigation into the Arkema incident that will include an evaluation of any impacts due to the fires at the site. Additionally, after the final notifications are received, the TCEQ will evaluate the reported emissions events to determine compliance with applicable rules, permit provisions, and notification and reporting requirements. The TCEQ and Harris County Pollution Control are coordinating post-event monitoring, sampling, and complaint response activities. The U.S. Chemical Safety Board has initiated an investigation, and law enforcement continues to limit access to the Arkema plant in Crosby. For more information regarding Arkema, please visit https://www.tceq.texas.gov/news/statement/statement-on-arkema-investigation

Refineries/Fuel Waivers: In addition to gasoline waivers for 38 states and D.C. and diesel waivers for Texas, EPA signed three No Action Assurance letters on Sept. 1 to help address fuel shortages. NAA will help expedite the distribution of existing gasoline supplies to both Texas and Louisiana, while the refineries work to re-start and resume normal operations. The waivers and NAA letters are effective until Sept. 15 and should allow for the distribution in Texas of 10 million or more gallons of fuel to consumers. TCEQ is working with EPA to consider an extension to the gasoline waivers through October 1st.

For additional information please visit the TCEQ's hurricane response page.

Visit The EPA's Newsroom

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Frederick, Lydia [Frederick.Lydia@epa.gov]
Sent: 9/7/2017 3:08:08 PM
To: Bohan, Suzanne [bohan.suzanne@epa.gov]; Buhl, Rick [Buhl.Rick@epa.gov]; Dew, Wendy [Dew.Wendy@epa.gov]; Harrison, Jennifer [Harrison.Jennifer@epa.gov]; Konkus, John [konkus.john@epa.gov]; McClain-Vanderpool, Lisa [Mcclain-Vanderpool.Lisa@epa.gov]; Mutter, Andrew [mutter.andrew@epa.gov]; Mylott, Richard [Mylott.Richard@epa.gov]; Press [Press@epa.gov]; regionalpress [regionalpress@epa.gov]; Thomas, Deb [thomas.debrah@epa.gov]
Subject: env. news for 9/7/17

Environmental Headlines – prepared by the Region 8 Librarians – September 7, 2017

Note: Many newspapers are beginning to adopt subscription policies to govern access to their online editions. In some cases, this involves the creation of a free user account; in others, paid subscription is necessary to view more than a set number of articles (usually 20) per month. If you have difficulty accessing the news articles you need, please contact the library (library-reg8@epa.gov or (303) 312-7226) for assistance. Please note that the new Region 8 intranet site does not allow access to older headlines; if you need assistance retrieving a news article from a previous week or month, please contact the library.

Colorado

Colorado school board feels forced to allow drilling under high school
http://www.denverpost.com/2017/09/06/adams-12-five-star-schools-concern-oil-gas-wells/

Can Denver cut its greenhouse-gas emissions by 80 percent? It will take 100 percent renewable energy
http://www.denverpost.com/2017/09/06/denver-greenhouse-gas-emissions-renewable-energy/

No containment yet for Routt County wildfires
http://www.denverpost.com/2017/09/07/routt-county-wildfires-no-containment/

Montana

DEQ grants wastewater permit to Montana company for proposed water bottling
http://mtstandard.com/news/state-and-regional/deq-grants-wastewater-permit-to-montana-company-for-proposed-water/article_35aa12a6-1b3a-5f15-8803-8277ff62afbc.html

'Hideous brown spiral of misery and despair' - aka smoke. Expect more.
http://helenair.com/news/state-and-regional/hideous-brown-spiral-of-misery-and-despair---aka/article_693dc2e7-42c5-51de-897d-d8d4d567bb28.html

Utah

After Moab spill, 'there was never any danger'; residents can use their water again
http://www.sltrib.com/news/environment/2017/09/07/after-moab-spill-there-was-never-any-danger-residents-can-use-their-water-again/

Utah air quality is getting worse and worse, thanks to wildfires in the north
http://www.sltrib.com/news/2017/09/06/utah-air-quality-is-getting-worse-and-worse-thanks-to-wildfires-in-the-north/

Wildfire smoke swamps the Utah, the West
http://www.deseretnews.com/article/865688239/Wildfire-smoke-swamps-Utah-the-West.html

State Will Blow EPA Deadline For Winter Pollution Plan
http://kuer.org/post/state-will-blow-epa-deadline-winter-pollution-cleanup-plan

Uintah Fire 70% contained; 119 homes to remain evacuated overnight
http://fox13now.com/2017/09/06/uintah-fire-evacuation-orders-lifted-for-certain-weber-county-areas/

Wyoming

Cameco cleared to resume transport of radioactive material after last year's leaks
http://trib.com/business/energy/cameco-cleared-to-resume-transport-of-radioactive-material-after-last/article_330e8177-913c-5442-80b9-1891c514b4b4.html

National

Trump Administration, States Headed for Showdown Over Fuel Rules
https://www.nytimes.com/reuters/2017/09/06/us/politics/06reuters-usa-autos-epa.html?_r=0

Aluminum Industry Requests Regulatory Certainty from EPA Regulators During Public Hearing
http://www.kfbb.com/story/36303054/aluminum-industry-requests-regulatory-certainty-from-epa-regulators-during-public-hearing

The Latest: EPA Says Houston-Area Oil Spill Cleaned Up
https://www.nytimes.com/aponline/2017/09/06/us/ap-us-harvey-the-latest.html

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lydia
****

Lydia G Frederick, MLS
Supervisory Librarian (Contractor, ASMS)

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Denver, CO 80202-1129

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(w) 303-312-6743

"Let your soul stand cool and composed before a million universes." Walt Whitman

Message

From: Gentile, Laura [Gentile.Laura@epa.gov]
Sent: 9/7/2017 4:56:54 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Jenkins, Lisa [Jenkins.Lisa@epa.gov]; Benjamin, Kent [Benjamin.Kent@epa.gov]; Mazerik, Mary [Mazerik.Mary@epa.gov]; Colip, Matthew [colip.matthew@epa.gov]; Klinger, Adam [Klinger.Adam@epa.gov]; Taylor, Trish [Taylor.Trish@epa.gov]; Siedschlag, Gregory [Siedschlag.Gregory@epa.gov]; StClair, Christie [StClair.Christie@epa.gov]; Press [Press@epa.gov]; Gray, David [gray.david@epa.gov]
Subject: Re: AP data journalist inquiring about EPA Superfund site map

confirming - No action required by OLEM

Laura Gentile
EOC Public Information Unit
Desk 202.250.8597
Cell Ex. 6

On Sep 7, 2017, at 12:53 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> Hi All, the EOC and Region 6 are on top of this inquiry. No action needed from OLEM at this time.
>
> + Laura for confirm
>
> On Sep 7, 2017, at 12:46 PM, StClair, Christie <StClair.Christie@epa.gov> wrote:
>
> Plus Enesta who was covering for me on OLEM yesterday, while I staffed the MTE hearing. She has the lead for OMR on this inquiry.
>
> ---
>
> **From:** Jenkins, Lisa
> **Sent:** Thursday, September 07, 2017 12:41 PM
> **To:** Benjamin, Kent <Benjamin.Kent@epa.gov>; Mazerik, Mary <Mazerik.Mary@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
> **Cc:** Klinger, Adam <Klinger.Adam@epa.gov>; Taylor, Trish <Taylor.Trish@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>
> **Subject:** RE: AP data journalist inquiring about EPA Superfund site map
>
> For the record, because this came from a reporter, Greg Siedschlag in OSRTI sent this on to Christine St. Clair, Adam Klinger, and Trish Taylor for them to handle. I have not responded directly back to the AP reporter, Angeliki Kastanis, per instructions from Greg. Someone will need to get back to her soon, if only to acknowledge we received the request.
>
> Thanks,
>
> Lisa
>
> ---
>
> **From:** OLEM.Cleanup
> **Sent:** Wednesday, September 06, 2017 1:19 PM
> **To:** Jenkins, Lisa <Jenkins.Lisa@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Mazerik, Mary <Mazerik.Mary@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
> **Subject:** FW: AP data journalist inquiring about EPA Superfund site map

From: Kastanis, Angeliki
Sent: Wednesday, September 6, 2017 1:16:53 PM (UTC-05:00) Eastern Time (US & Canada)
To: OLEM.Cleanup
Subject: AP data journalist inquiring about EPA Superfund site map

Hello,

My name is Angel Kastanis and I am a data journalist at the Associated Press. I am inquiring about the map found here: https://ofmpub.epa.gov/apex/cimc/f?p=CIMC:MAP:0::NO::P71_IDSEARCH:SF_SITE_ID|0400614

Is there anyway to get the spreadsheet that powers the map?

Would this be the most recent list of EPA Superfund sites?

Thank you,

//Angel

<image003.png>

<image004.png>

Angeliki Kastanis
Data Journalist

221 S. Figueroa St. Suite 300
Los Angeles, CA 90012

akastanis@ap.org
www.ap.org

T 213.346.3118
@angel_kastanis

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Message

From: Brown, Matthew [MBrown@ap.org]
Sent: 9/7/2017 4:29:06 PM
To: Press [Press@epa.gov]; StClair, Christie [StClair.Christie@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Gray, David [gray.david@epa.gov]
Subject: RE: AP query: Harvey-related spills

I'm following up on queries below regarding Harvey-related spills.
Please confirm receipt and let me know when I might expect some answers.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6
fax-406 896 8117

From: Brown, Matthew
Sent: Wednesday, September 06, 2017 3:47 PM
To: 'press@epa.gov'; 'stclair.christie@epa.gov'; 'graham.amy@epa.gov'; 'gray.david@epa.gov'
Subject: RE: AP query: Harvey-related spills

Greetings Christie, Amy, David:
Checking back in on questions below and adding two more:
-has EPA received any results of water sampling focused on industrial facilities and hazardous waste sites?

-has EPA been able to make any determinations as to the public health risk of any spills into floodwaters/onto land from crude oil, chemical releases, etc.?

-are there federal regulations governing what kind of flooding defenses/precautions are required of oil and other fuel storage tanks?

-Can you please tell me if the EPA is conducting any investigations into whether storage tanks (either at refineries/plants or oil production facilities) were properly secured for the storm?

-can you please provide details on all reports received by the EPA on chemical/oil/hazliquid/produced water spills as a result of Harvey, including source, volumes, cause, responsible party, etc? (realize this is a broad one so all guidance appreciated)

-broadly (and excepting the Crosby plant) has the EPA been able to assess whether the petrochemical/chemical industries were well prepared for the storm (perhaps compared to past events such as Katrina)?

Please reply to let me know this query has been received.

Matt Brown
mbrown@ap.org

Sent: Wednesday, September 06, 2017 11:55 AM
To: 'press@epa.gov'; 'stclair.christie@epa.gov'; 'graham.amy@epa.gov'; 'gray.david@epa.gov'
Subject: AP query: Harvey-related spills

Greetings-
Relative to oil and chemical spills caused by Hurricane Harvey, I'm hoping to get some details about the EPA's oversight of oil and other fuel/chemical storage tanks.
We're seeing that most spills reported to National Response Center and state Railroad Commission to date came from storage tank failures.

Some questions follow. Hoping to get answers at earliest chance as they become available. We would like to turn this story around today if possible but realize this is an ongoing event:
We have a couple dozen if not more storage tank failures reported and a handful of pipeline spills.

-has EPA received any results of water sampling focused on industrial facilities and hazardous waste sites?

-has EPA been able to make any determinations as to the public health risk of any spills into floodwaters/onto land from crude oil, chemical releases, etc.?

-are there federal regulations governing what kind of flooding defenses/precautions are required of oil and other fuel storage tanks?

-Can you please tell me if the EPA is conducting any investigations into whether storage tanks (either at refineries/plants or oil production facilities) were properly secured for the storm?

-can you please provide details on all reports received by the EPA on chemical/oil/hazliquid/produced water spills as a result of Harvey, including source, volumes, cause, responsible party, etc? (realize this is a broad one so all guidance appreciated)

-broadly (and excepting the Crosby plant) has the EPA been able to assess whether the petrochemical/chemical industries were well prepared for the storm (perhaps compared to past events such as Katrina)?

Thanks for your time and all help-
Matt Brown

AP

Matthew Brown
Associated Press Correspondent
PO Box 36300
Billings, MT 59107
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6
fax-406 896 8117

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Message

From: Causey, Adam [ACausey@ap.org]
Sent: 9/7/2017 3:21:05 AM
To: Gray, David [gray.david@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]; Lauer, Claudia [CLauer@ap.org]
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Thank you.

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Wednesday, September 06, 2017 10:21 PM
To: Bowman, Liz; Causey, Adam
Cc: Press; Lauer, Claudia
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Here is the corrected version.

This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the Houston Magellan facility. Cleanup of product outside of containment was completed on September 5, 2017. Product inside of the containment area is currently being collected.

From: Bowman, Liz
Sent: Wednesday, September 06, 2017 9:53 PM
To: Causey, Adam <ACausey@ap.org>
Cc: Press <Press@epa.gov>; Lauer, Claudia <CLauer@ap.org>; Gray, David <gray.david@epa.gov>
Subject: Re: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Apologize for the confusion, I am copying David Grey from the Region. He is best able to answer that.

Sent from my iPad

On Sep 6, 2017, at 9:06 PM, Causey, Adam <ACausey@ap.org> wrote:

> Liz, before we put a story on the wire, I want to make sure I completely understand what you're saying. Is there a difference between cleanup and collection? Because you said product "outside of the containment area is currently being collected." In the sentence before, you said the "cleanup of product outside of containment was completed on September 5, 2017." Should one of those be inside?
>
> Feel free to call me if that would be more convenient: 972-991-2100.
>
> Thanks,
> Adam

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, September 06, 2017 7:53 PM
To: Causey, Adam; Press
Cc: Lauer, Claudia
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

As the U.S. Coast Guard said, the cleanup was completed on the 5th.

From: Causey, Adam [mailto:ACausey@ap.org]
Sent: Wednesday, September 6, 2017 8:29 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Cc: Lauer, Claudia <CLauer@ap.org>
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Thanks, Liz. By product do you mean oil? And can you tell us how much has actually been cleaned up, and how much is left to clean up?

In regards to the containment area, is this a spill in water or underground? And is there a danger to drinking water either way?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, September 06, 2017 7:24 PM
To: Causey, Adam; Press
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the
Houston Magellan facility. Cleanup of product outside of containment was completed on September 5, 2017. Product outside of the containment area is currently being collected.

From: Causey, Adam [mailto:ACausey@ap.org]
Sent: Wednesday, September 6, 2017 8:13 PM
To: Press <Press@epa.gov>
Subject: FW: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Hi – forwarding email inquiry sent to Region 6 media contact David Gray. Any response will be appreciated.

Thanks,
Adam

From: Causey, Adam
Sent: Wednesday, September 06, 2017 6:58 PM
To: 'gray.david@epa.gov'
Cc: Lauer, Claudia
Subject: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Hi, David:

I tried calling the number listed for you on the EPA media contact page just now and left a message. The EPA press release below says the agency has been working with the U.S. Coast Guard on a "large oil spill." The Coast Guard tells us they had worked on the Magellan Oil Spill and that the cleanup of 2,500 gallons was completed Sept. 5, and that the incident was south of Houston.

Is this the same incident the release below is about? If not, can you please tell me which spill the EPA is coordinating on, what that coordination includes, what companies are involved and the status of the spill?

Thanks,
Adam

<image001.jpg>

Adam Kealoha Causey
Administrative Correspondent
Oklahoma City
405-996-1589
acausey@ap.org
@akcausey
www.ap.org

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From: Beelman, Maud
Sent: Wednesday, September 06, 2017 5:58 PM
To: Causey, Adam
Subject: FW: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Wednesday, September 06, 2017 5:47 PM
To: Beelman, Maud
Subject: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

CONTACT: press@epa.gov

EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Dallas (September 6, 2017) - Working together, the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas. TCEQ has 500 people assisting in response to this natural disaster and EPA has 185.

EPA has begun mobilizing Community Liaisons to the designated disaster counties for Hurricane Harvey. The liaisons will assist the county emergency operation centers in disseminating pertinent information on post flood hazards to municipalities, school districts, and citizens. EPA has now been deployed to the FEMA JFO Joint Information Center in Austin and additional EPA response personnel are being assigned to Beaumont/Port Arthur. This area was previously inaccessible due to lack of facilities. EPA has begun coordination with environmental justice advocates from Texas and Louisiana to provide an update on the impacted areas. EPA has been closely coordinating with the U.S. Coast Guard on a large oil spill in the Houston area, and with city and county officials on a benzene plume identified near the Manchester neighborhood.

As of Sunday, Sept. 3, the following information is available:

Drinking Water: To date, about 2,800 drinking water systems are potentially affected by Harvey have been contacted. Of those: 1,920 systems are fully operational, 168 have boil-water notices, and 50 are shut down. Both EPA and the TCEQ are contacting remaining systems to gather updated information of their status. EPA and the TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team (supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously monitor water systems. Assistance teams are in the field working directly with system operators to expedite getting systems back to operational status.

Waste Water and Sewage: Currently, 903 of approximately 1,219 wastewater treatment plants are fully operational and 34 are inoperable in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers are occurring, due to the historic flooding and are actively working to monitor facilities that have reported spills, conduct outreach and provide technical guidance to all other wastewater facilities in flood-impacted areas. EPA and TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team (supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously

monitor wastewater systems. Assistance teams will be deployed to work directly with system operators to expedite getting systems back to operational status.

Flood Water: Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Critical Water Infrastructure: The agencies are continuing to work closely with dams. The larger dams are full in many cases and may be releasing water; the structures are secure at this time. There are 340 high- and significant-hazard dams in the impacted areas, and TCEQ has been able to make contact with 200 of these dam owners. Of these 200, only five dams have been damaged or have failed. We have also been notified that three low-hazard dams have damage. TCEQ is continuing to contact dams to get status updates.

Additional EPA/TCEQ updates include:

Superfund Sites: EPA and TCEQ continue to get updates about the status of specific sites from the parties responsible for ongoing cleanup of the sites. So far, TCEQ staff have assessed 12 of the 17 State Superfund sits in the affected areas. TCEQ anticipates completing the remaining 5 assessments by the end of the week depending on accessibility of those remaining sites.

EPA completed site assessments at 13 Superfund sites that have been flooded and/or experience possible damage to the storm. Of these sites, two (San Jacinto and U.S. Oil Recovery) require additional assessment efforts. Assessments of these sites will take several days to complete. The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; some areas that rock been displaced and liner is exposed. The potential responsible party has mobilized heavy equipment and is placing rock on different places on the armored cap to repair the defensive surface. The liner is in place and functional so we don't have any indication that the underlying waste materials have been exposed. If we find a breach in the exposed liner, we direct the responsible party to collect samples to determine if any materials have been released. Crews continue to surveying portions of the cap that are submerged and the EPA dive teams will survey the cap underwater when conditions allow. EPA is making plans for longer-term assessments at 41 Superfund sites in the impacted areas as the projects return to their normal remedial cleanups.

Air Quality Monitoring: One of the many preparations for Hurricane Harvey included EPA, TCEQ, and other monitoring entities temporarily shutting down several air monitoring stations from the greater Houston, Corpus Christi, and Beaumont areas. Since then, state and local authorities have been working to get the systems up and running again. As of Tuesday September 5, TCEQ air monitoring network is 100 percent operational in Corpus Christi, 88 percent in Houston, and 71 percent in Beaumont. The network is expected to be fully operational again by next week. Of the available air monitoring data collected from Aug. 24-Sept. 2, all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning, and residents should not be concerned about air quality issues related to the effects of the storm.

An assessment by EPA of the Valero Refinery on Monday, September 5, 2017, confirmed that a tank at the facility did have a leak which occurred on August 26, 2017 from the Hurricane Harvey storm and flooding. EPA also confirmed Valero had taken action to respond to and repair the leak. Based on current site conditions including weather, repair actions by Valero, and air monitoring results, EPA's assessment could not confirm the tank was the source of the air release that led to complaints in the area immediately after the storm. EPA's air monitoring performed onsite and around the facility on September 5 does not indicate levels of concern for the community. EPA will continue air monitoring for additional sources in the area.

Fires at Arkema Facility in Crosby: The TCEQ has an open investigation into the Arkema incident that will include an evaluation of any impacts due to the fires at the site. Additionally, after the final notifications are received, the TCEQ will evaluate the reported emissions events to determine compliance with applicable rules, permit provisions, and notification and reporting requirements. The TCEQ and Harris County Pollution Control are coordinating post-event monitoring, sampling, and complaint response activities. The U.S. Chemical Safety Board has initiated an investigation, and law enforcement continues to limit access to the Arkema plant in Crosby. For more information regarding Arkema, please visit https://www.tceq.texas.gov/news/statement/statement-on-arkema-investigation

Refineries/Fuel Waivers: In addition to gasoline waivers for 38 states and D.C. and diesel waivers for Texas, EPA signed three No Action Assurance letters on Sept. 1 to help address fuel shortages. NAA will help expedite the distribution of existing gasoline supplies to both Texas and Louisiana, while the refineries work to re-start and resume normal operations. The waivers and NAA letters are effective until Sept. 15 and should allow for the distribution in Texas of 10 million or more gallons of fuel to consumers. TCEQ is working with EPA to consider an extension to the gasoline waivers through October 1st.

For additional information please visit the TCEQ's hurricane response page.

<image003.png>

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 9/6/2017 9:05:38 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Question regarding Superfund preperations for Florida

So far, Miami Drum, Homestead and Anodyne. We plan to visit more, both before and after the storm (assuming Irma lands in South Florida).

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, September 06, 2017 5:03 PM
To: Biesecker, Michael
Cc: Press
Subject: RE: Question regarding Superfund preperations for Florida

Which sites have you visited?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, September 6, 2017 4:18 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Question regarding Superfund preperations for Florida

Liz,

From EPA's release earlier today.

EPA's Regional office in Atlanta is taking precautions, including: reviewing inventory of, and understanding all sites of interest, in particular Superfund sites in Southern Florida. Initial assessment has approximately 22 current or former National Priorities List (NPL) sites within Florida's southernmost 100 miles. Region 4 is taking necessary actions to shore up these sites appropriately, work with parties responsible for their ongoing cleanups, and ensure that staff in the area are safe.

Could you please provide examples of what sort of preparations are being made on the ground at these sites? An AP reporter visited three sites in the Miami metro area today and observed no personnel or activity on scene at all. A site manager we contacted was also not aware of any preparations.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

Public Key M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/6/2017 7:33:04 PM
To: Taylor, Trish [Taylor.Trish@epa.gov]
CC: Gentile, Laura [Gentile.Laura@epa.gov]; Klinger, Adam [Klinger.Adam@epa.gov]; Press [Press@epa.gov]
Subject: Re: AP data journalist inquiring about EPA Superfund site map

Thanks, Trish.

On Sep 6, 2017, at 3:32 PM, Taylor, Trish <Taylor.Trish@epa.gov> wrote:

Hi Enesta,

OSRTI forwarded this media inquiry to the EOC, however, I'm Cc'ing you on it, just in case it turns out to be a non-harvey inquiry. (but, it most likely is).

Thanks,
Trish

Trish Taylor, Office of Communications, Partnerships and Analysis (OCPA)
U.S. EPA, Office of Land and Emergency Management (OLEM)
WJC West, RM 3137
1200 Pennsylvania Avenue, NW
Washington, DC 20460
(202) 566-2615
taylor.trish@epa.gov

OLEM is on Twitter at @EPALand

From: Siedschlag, Gregory
Sent: Wednesday, September 06, 2017 3:24 PM
To: Taylor, Trish <Taylor.Trish@epa.gov>; Klinger, Adam <Klinger.Adam@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; EOC Public Information <EOC_Public_Information@epa.gov>
Cc: Jenkins, Lisa <Jenkins.Lisa@epa.gov>
Subject: FW: AP data journalist inquiring about EPA Superfund site map

Hi all,

See below for press inquiry. OLEM/OSRTI can help with response if needed. Let us know.

Thanks,

Greg Siedschlag
Outreach and Communications Specialist
Office of Superfund Remediation and Technology Innovation
U.S. Environmental Protection Agency
Office: (703) 603-9044
Follow us on Twitter @EPALand
https://www.epa.gov/superfund

From: OLEM.Cleanup
Sent: Wednesday, September 06, 2017 1:19 PM

To: Jenkins, Lisa <Jenkins.Lisa@epa.gov>; Benjamin, Kent <Benjamin.Kent@epa.gov>; Mazerik, Mary <Mazerik.Mary@epa.gov>; Colip, Matthew <colip.matthew@epa.gov>
Subject: FW: AP data journalist inquiring about EPA Superfund site map

---

From: Kastanis, Angeliki
Sent: Wednesday, September 6, 2017 1:16:53 PM (UTC-05:00) Eastern Time (US & Canada)
To: OLEM.Cleanup
Subject: AP data journalist inquiring about EPA Superfund site map

Hello,

My name is Angel Kastanis and I am a data journalist at the Associated Press. I am inquiring about the map found here: https://ofmpub.epa.gov/apex/cimc/f?p=CIMC:MAP:0::NO::P71_IDSEARCH:SF_SITE_ID|0400614

Is there anyway to get the spreadsheet that powers the map?

Would this be the most recent list of EPA Superfund sites?

Thank you,

//Angel

<image001.png>

<image002.png>

Angeliki Kastanis
Data Journalist

221 S. Figueroa St. Suite 300
Los Angeles, CA 90012

akastanis@ap.org
www.ap.org

T 213.346.3118
@angel_kastanis

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Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 9/5/2017 6:25:13 PM
To: Press [Press@epa.gov]
Subject: FW: Superfund sites & storm surge

I didn't respond.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, September 05, 2017 1:54 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: RE: Superfund sites & storm surge

Christie,

Any word on what the 1s represent?

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Thursday, August 31, 2017 4:54 PM
To: Biesecker, Michael
Subject: RE: Superfund sites & storm surge

Michael, we'll need until Tuesday. The one person who would know is out of the office until then.

Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, August 31, 2017 12:20 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: RE: Superfund sites & storm surge

Thanks.

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Thursday, August 31, 2017 12:18 PM
To: Biesecker, Michael
Subject: RE: Superfund sites & storm surge

Oh my. I'll ask! Back to you shortly.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, August 31, 2017 11:37 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Dearen, Jason H. <JDearen@ap.org>
Subject: RE: Superfund sites & storm surge

Christie,

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Wednesday, August 30, 2017 6:54 PM
To: Biesecker, Michael; Dearen, Jason H.
Cc: Press
Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks,
Christie

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Message

From: Colleen Ex. 6
Sent: 9/5/2017 4:03:35 AM
To: Press [Press@epa.gov]
CC: support@apnews.com
Subject: Associated Press' Michael Biesecker

I read your 9/3/2017 press release about how many Superfund sites have been inspected, and gather that the true answer is 2. By way of besmirching Michael Biesecker's reporting on these Harvey-flooded Superfund sites, you spend 2/3 of your press release on an article he wrote weeks ago about Pruitt's meeting with Dow Chemical which needed a minimal correction.

I was first struck by how poorly written and punctuated this ~~propaganda~~ press release was, but got a real howl out of the EPA referring to *Breitbart* for backup, not to mention plugging the failing *The Oklahoman* newspaper, which lost 40% of its readership in five years. Did you forget to check with *The National Enquirer?* Judge Jeanine? Joe the Plumber?

I sincerely appreciate the link to the AP correction, which stated that Biesecker's mention of the Dow/Pruitt meeting was based on faulty information supplied by your agency. If you folks can't find your collective ass with both hands, is that Biesecker's fault?

This would be funny if it were a sit-com, but your incapability regarding writing a press release that could pass muster in a basic composition course anywhere but Trump University is breathtaking...not in a collarbone-kisses way, but in an I-think-i-stepped-in-cat-vomit-in-the-dark way. The specter of the industry-aligned EPA competently containing Superfund contaminants is somewhat less likely than that mediocre accomplishment.

C. D. Miller
Stevensville MT

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/4/2017 4:51:45 PM
To: Press [Press@epa.gov]
Subject: Fwd: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

David gray received this separately and is working on it thx ng

Sent from my iPhone

Begin forwarded message:

> **Resent-From:** <Press@epa.gov>
> **From:** "Flickinger, Ian" <Flickingerl@cbsnews.com>
> **Date:** September 4, 2017 at 12:49:21 PM EDT
> **To:** Press <Press@epa.gov>
> **Subject: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES**
>
> Hello,
>
> I hope all is well. I work in the research department at the CBS Evening News – I'm hoping someone can give me some guidance regarding superfund sites in Texas.
>
> I see in the EPA's response to the Associated Press story from this weekend that there are "41 Superfund sites – 28 of those sites show no damage, and 13 have experienced flooding."
>
> Can we confirm that those numbers still hold? And have the names of the 13 locations that experienced flooding been released yet? Also, I was looking at the list of recorded superfund sites on the EPA website, and the total for Texas was much higher – **66** sites in total. Do 23 of those sites no longer exist? Any guidance with this would be incredibly helpful.
>
> Thanks in advance for your help with this, and have a wonderful holiday.
>
> Best,
> Ian Flickinger
> Research Department, CBS Evening News
> 212-975-7178

Message

From: Sara Ex. 6
Sent: 9/4/2017 1:14:23 PM
To: Press [Press@epa.gov]
Subject: disappointment with EPA response to AP article

I'm just writing to express my disappointment with the way the EPA handled their response to the AP article on Superfund sites (part of the response was signed by Liz Bowman). I urge your agency to take a more professional--and less personal--response in the future. Perhaps you could have indirectly replied with a lengthy statement saying what the EPA was doing on the ground after Harvey, rather than pursuing a journalist.

That would make me--as a single mom worried about the future of my son's environment--more assured. I am increasingly upset--and feel increasingly powerless--with the actions of this agency, one who, under this administration, is prioritizing short-term business gains. Might you consider a name change for transparency reasons? BPA? Business Protection Agency? It may not help the panic and upset I feel, but would at least be honest.

Sara Majka

Sent from my iPad

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/18/2018 1:31:02 AM
To: Biesecker, Michael [MBiesecker@ap.org]
CC: Press [Press@epa.gov]
Subject: Re: EPA Statement re: Coal Ash Release in NC

Thx / will work on the press release issue

Sent from my iPhone

On Sep 17, 2018, at 9:29 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Nancy,

Thanks for the statement. I did not receive it on Sunday when you say it was issued.

I continue to be confused as to why I'm not recieving all EPA press releases after repeated requests, especially considering the importance of keeping the AP's readership, the largest of any news organization in the world, informed in the midst of a significant natural disaster.

Please consider sending me all of your publicly available releases in the future.

MIchael

From: Grantham, Nancy <grantham.nancy@epa.gov>
Sent: Monday, September 17, 2018 9:05 PM
To: Biesecker, Michael
Cc: Grantham, Nancy
Subject: EPA Statement re: Coal Ash Release in NC

Michael,

Please see below for the statement we issued yesterday.

Thank you

On September 15, 2018, due to heavy rains from Hurricane/Tropical Storm Florence, storm water infiltrated a dry coal ash storage impoundment at theL.D. Sutton Steam Plant, Wilmington, North Carolina, resulting in erosion of a portion of the impoundment wall. Reportedly, 2,000 cubic yards of coal ash was released to a ditch that leads to an onsite cooling water pond for the plant. This

cooling pond has an outfall to the Cape Fear River. Duke Energy, the facility operator, does not believe the coal ash has reached the cooling pond and reports that the release has not left their property. Duke Energy personnel are on site and managing the situation and will proceed with a full repair when weather conditions improve. This facility is under State regulatory jurisdiction, and EPA response personnel are closely coordinating with the State of North Carolina and the facility operator.

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Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 8/31/2017 9:05:37 PM
To: Biesecker, Michael [MBiesecker@ap.org]
CC: Press [Press@epa.gov]
Subject: Arkema & RMP
Attachments: Arkema_RMP Report - 1000040822.pdf

Michael – Here is the information requested (and then some) on Arkema and EPA's RMP rule:

EPA's RMP Rule continues to be in effect and is an important safety rule that requires facilities that use extremely hazardous substances to develop plans that identify potential effects of a chemical accident, identify steps a facility is doing to prevent an accident, and spell out emergency response procedures, should an accident occur. The 2017 RMP Amendments revised several accident prevention requirements as well as what must be communicated to local authorities and the public, however, none of the major amendments would have been effective until March 2018 and most well after that. The Agency's recent action to delay the effectiveness of the 2017 Amendments had no effect on the major safety requirements that applied to the Arkema Crosby plant at the time of the fire.

Most of the accident prevention and public communication provisions of the 2017 RMP amendments would not have required compliance before March 2021. One provision impacted by the delay of effectiveness would have required annual coordination between the facility and local emergency responders annually starting in March 2018. However, there is an in-effect provision under the current RMP Rule that requires such coordination, and the Arkema Crosby plant had coordinated with its local fire department, according to its filed risk management plan. Therefore, the delay of effectiveness did not impact any steps Arkema would have had to comply with prior to its accident.

The Arkema plant in Crosby has filed a risk management plan under the RMP program and a redacted copy of the facility's report is attached. Federal law mandates that public access to certain elements of a facility's risk management plan be provided in a way that is designed to minimize the risk of harm to public health, welfare and national security.

Frequently Asked Questions:

Does EPA have a list of chemicals of concern at the Arkema Crosby site?
The facility is required to submit a Risk Management Plan because it handles the following chemicals above the regulatory threshold quantity: 2-methylpropene and sulfur dioxide.

Are there other petrochemical facilities in the flooded areas that EPA is monitoring or concerned about? Any others in danger of exploding or catching on fire?
EPA is working with TCEQ to contact industrial sources within the impacted area to determine their operational status and what support can be provided with the monitoring of the start-up of industrial sources along the coast of Texas.

Any enforcement actions taken against Arkema involving its U.S. operations? Details?
No recent EPA RMP enforcement actions have been taken against the Crosby facility.

Please provide a copy of the most recent Risk Management Plan for the Crosby plant. There is reference to a 2014 plan online. Is that the most recent? Do they have to file these things every year?
Facilities are required to submit Risk Management Plans every five years. The 2014 Plan for the Arkema facility is the current plan and it is attached.

I'm just trying to confirm that the Arkema Crosby facility that exploded this morning is covered by the EPA's risk management program?
Please note, this was a fire, not an explosion. Yes, the facility is part of the RMP plan.

And therefore would have had tighter safety rules if the new Risk Management Program rule had gone into effect as originally scheduled in March?
See above.

Why is Arkema allowed to refuse to release the company's federally mandated risk management plan?
RMP-regulated facilities may voluntarily release their risk management plan. Some facilities choose not to release the full plan because portions of the plan contain sensitive security information.

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 8/31/2017 3:27:32 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Arkema explosion

Received – We will share the information that we have shortly.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, August 31, 2017 11:20 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Arkema explosion

Adding to this request:

Does EPA have a list of chemicals of concern at the Arkema Crosby site?

Are there other petrochemical facilities in the flooded areas that EPA is monitoring or concerned about? Any others in danger of exploding or catching on fire?

Any enforcement actions taken against Arkema involving its U.S. operations? Details?

Please provide a copy of the most recent Risk Management Plan for the Crosby plant. There is reference to a 2014 plan online. Is that the most recent? Do they have to file these things every year?

As I'm sure you all know, there is intense interest in this story since the plant is on fire. Any help you can provide to expedite response to these and the earlier questions is appreciated.

Michael

From: Biesecker, Michael
Sent: Thursday, August 31, 2017 9:19 AM
To: Bowman, Liz; 'Wilcox, Jahan'; 'Graham, Amy'
Cc: Press
Subject: Arkema explosion

Can you guys provide an update on the EPA response to the Arkema explosions?

Also, can you provide some clarity on what the public health risk is? FEMA director Brock Long said this morning that the plume from the plant is "incredibly dangerous" and several first responders went to the hospital. But local officials in Harris County say the smoke is no more dangerous than a campfire.

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 8/29/2017 11:19:57 PM
To: Gray, David [gray.david@epa.gov]; Press [Press@epa.gov]
Subject: Re: Exxon benzene release

Thanks for handling, David. Copying the press box for tracking

Sent from my iPhone

On Aug 29, 2017, at 7:12 PM, Gray, David <gray.david@epa.gov> wrote:

> Spills are reported to National Response Center operated by the US Coast Guard. EPA and the Coast Guard are notified based on jurisdiction. No major spills have been reported to EPA for response. Exxon did report an air release of 15 pound due to damage from the hurricane.
>
> Sent from my iPhone
>
> On Aug 29, 2017, at 5:30 PM, Koenig, David <dkoenig@ap.org> wrote:
>
>> Hi David,
>>
>> I left a phone message too. Can you call me and explain what Exxon disclosed with the National Response Center about benzene releases from its Houston-area refineries during the Harvey shut-downs? Your colleague Amy Graham talked to the Washington Post about this, but I don't have her contact info. Many thanks,
>>
>> Dave
>>
>> **David Koenig**
>> Business Writer
>> The Associated Press
>> 4851 LBJ Freeway, Suite 300
>> Dallas, TX 75244
>> Tele: 972-677-2244
>> Mobile: Ex. 6
>>
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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 8/29/2017 10:47:19 PM
To: Press [Press@epa.gov]
Subject: FW: Exxon benzene release

Being handled as HH entry ..thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Gray, David
Sent: Tuesday, August 29, 2017 6:44 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: Fwd: Exxon benzene release

Amy - do you want to handle?

Sent from my iPhone

Begin forwarded message:

> **From:** "Koenig, David" <dkoenig@ap.org>
> **Date:** August 29, 2017 at 5:28:12 PM CDT
> **To:** "gray.david@epa.gov" <gray.david@epa.gov>
> **Subject: Exxon benzene release**
>
> Hi David,
>
> I left a phone message too. Can you call me and explain what Exxon disclosed with the National Response Center about benzene releases from its Houston-area refineries during the Harvey shut-downs? Your colleague Amy Graham talked to the Washington Post about this, but I don't have her contact info. Many thanks,
>
> Dave
>
> **David Koenig**
> Business Writer
> The Associated Press
> 4851 LBJ Freeway, Suite 300
> Dallas, TX 75244
> Tele: 972-677-2244
> Mobile: Ex. 6

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 8/28/2017 9:28:12 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]
Subject: RE: Hurricane Harvey Inquiries: OPEN + CLOSED on 8/28

Deliberative Process / Ex. 5

I can close AP.

From: Jones, Enesta
Sent: Monday, August 28, 2017 3:54 PM
To: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: Hurricane Harvey Inquiries: OPEN + CLOSED on 8/28

OPEN:

AP (Carla K. Johnson – ckjohnson@ap.org) re: follow-up on number of Superfund sites secured before Harvey.
Government Executive (Eric Katz - ekatz@govexec.com) re: estimated number of EPA employees involved.

CLOSED (David, Michael, Amy and Robert handled with a statement or response):

ABC (Stephanie Ebbs); AP (Carla K. Johnson); BNA (David Schultz); BuzzFeed (Nidhi Subbaraman); CQ Roll Call (Elvina Nawaguna); Government Executive (Eric Katz); Reuters (Emily Flitter); Texas Tribune (Jim Malewitz); S&P Global (Meghan Gordon); S&P Global (Brian Scheid).

Message

From: Johnson, Carla K. [ckjohnson@ap.org]
Sent: 8/28/2017 7:29:43 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: AP on deadline today: EPA testing Harvey floodwater?

Thank you. One follow-up question: How many Superfund sites were secured last week ahead of the storm? If there are three or four, please identify them. (If there are dozens, I don't need the full list.)

AP

ASSOCIATED PRESS

Carla K. Johnson
Medical Writer
Chicago
Twitter @CarlaKJohnson

ckjohnson@ap.org
www.ap.org

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Suite 1000
Chicago, IL 60605
T 312-920-3621
F 312-781-1989

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https://securedrop.ap.org/

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Monday, August 28, 2017 2:22 PM
To: Johnson, Carla K.; Jones, Enesta
Cc: Press
Subject: RE: AP on deadline today: EPA testing Harvey floodwater?

Hey Carla, below is our official statement as of this afternoon on Hurricane Harvey, you can attribute to Liz Bowman, EPA spokeswoman.

Administrator Pruitt has been in regular contact with Region 6 and commends the staff there, along with the many others across the Agency, who are part of this hurricane response effort for their leadership and preparation. Helping Region 6 to manage response efforts and focusing on safety of those affected are our highest priorities.

EPA has an organized emergency response program and is positioned to support FEMA, state, local and tribal partners. Headquarters' Emergency Operations Center (EOC) has been activated and we are already deploying assess to support emergency response and aftermath flooding. The National Incident Management Assistance Team, consisting of highly skilled response personnel from across the Agency, has been activated and should arrive in Dallas by tomorrow.

The Agency is supporting the response effort in several ways:

- EPA is developing surface water sampling plans to address public health concerns regarding possible contaminates found in storm water. EPA will begin field sampling of flood waters as soon as conditions allow.
- EPA's drinking water and waste water staff are ready to deploy to offer technical assistance necessary to restore services as quickly as possible. These teams will visit drinking water and waste water facilities to

determine functionality and provide technical assistance as needed. At the request of the State of Texas, EPA is deploying personnel to assist the Texas Commission on Environmental Quality's (TCEQ) Drinking Water and Waste Water Phone Bank.

- EPA's Superfund Remedial Project Managers worked with site operators to secure the sites last week ahead of the storm. We continue to work with site operators to get status updates, conduct rapid damage assessments, and determine if additional emergency cleanup activities are necessary.
- The Agency will be working with TCEQ to determine where the Agency can best assist the state in contacting industrial sources along the Texas coast, most of which underwent organized shutdown of their operations in advance of the storm. EPA will initiate contact with sources located within the storm area to determine status and plans to resume operations, and we will closely monitor start-up activities.
- As rainfall continues, EPA is working with LDEQ to forecast any needs the states may have as a result of heavy rains and possible flooding.
- EPA continues to with the states to provide fuel and refinery waivers to address any fuel supply issues.

From: Johnson, Carla K. [mailto:ckjohnson@ap.org]
Sent: Monday, August 28, 2017 12:16 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP on deadline today: EPA testing Harvey floodwater?

3:30 p.m. ET if at all possible. Thank you.

AP

ASSOCIATED PRESS

Carla K. Johnson
Medical Writer
Chicago
Twitter @CarlaKJohnson

ckjohnson@ap.org
www.ap.org

440 S. LaSalle St.
Suite 1000
Chicago, IL 60605
T 312-920-3621
F 312-781-1989

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From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Monday, August 28, 2017 11:15 AM
To: Johnson, Carla K.
Cc: StClair, Christie; Press
Subject: Re: AP on deadline today: EPA testing Harvey floodwater?

Carla, we have your request. Do you have a hard deadline time?

On Aug 28, 2017, at 12:12 PM, Johnson, Carla K. <ckjohnson@ap.org> wrote:

Hello,

National story help needed today: Will EPA be testing Harvey flood waters as the agency did with flood waters after Hurricane Katrina? What can you tell me about those plans, if any? If no testing is planned, why not?

Do you have an expert available for a phone interview?

Thank you very much!

<image001.jpg>

<image002.jpg>

Carla K. Johnson
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Twitter @CarlaKJohnson

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/4/2018 9:23:35 PM
To: Press [Press@epa.gov]
Subject: White House Report, 4 September 2018

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/9/2018 6:20:12 PM
To: Press [Press@epa.gov]
Subject: Chlorpyrifos Inquiries so far, 9 August 2018

Statement sent to all

ABC – Stephanie Ebb
The Hill - Tim Cama
DTN/Progressive Farmer – Todd Neeley
BNV- Tiffany Stecker
AP – Michael Biesecker – **has a follow-up on possible SCOTUS appeal**
NYT – Eric Lipton
Washington Post – Brady Dennis
Huffington Post – Alex Kaufman
Politico – Liz Crampton
Reuters – Jon Stempel
Law 360 – Michael Phillis
The Guardian – Erin Durkin
CNS – Matthew Renda
SF Chronicle – Robert Egelko
EE News – Amanda Reilly

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 (M)

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 8/10/2018 12:08:30 AM
To: Hewitt, James [hewitt.james@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Press [Press@epa.gov]
Subject: Re: Chlorpyrifos Response

From below:

Also, please provide comment on whether Pruitt and Liveris met at any other times prior to his resignation.

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From: Hewitt, James <hewitt.james@epa.gov>
Sent: Thursday, August 9, 2018 6:40:42 PM
To: Biesecker, Michael
Cc: Abboud, Michael; Press
Subject: Re: Chlorpyrifos Response

We stand by our statement from last year.

On Aug 9, 2018, at 4:38 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

> Michael,
>
> The Associated Press reported in June 2017 that Pruitt announced the agency's reversal on chlorpyrifos just 20 days after his official schedule showed a meeting with Dow CEO Andrew Liveris. Following AP's report, EPA's press said that March 9, 2017, meeting on Pruitt's schedule never happened and demanded a correction.
>
> However, internal EPA emails released earlier this year show that little more than a week after the conference and before Pruitt announced his decision, Pruitt's scheduler reached out to Liveris' executive assistant to schedule a follow-up meeting.
>
> "Hope this email finds you well!" wrote Sydney Hupp on March 20, 2017. "I am reaching out today about setting up a meeting to continue the discussion between Dow Chemical and Administrator Scott Pruitt. My apologies for the delay in getting this email into you _ it has been a crazy time over here!"
>
> Please provide comment on what "discussion" Hupp was referring to and whether EPA still stands by the agency's earlier statements that Pruitt and Liveris did not meet. Also, please provide comment on whether Pruitt and Liveris met at any other times prior to his resignation.
>
> Thanks,

Michael

From: Biesecker, Michael
Sent: Thursday, August 09, 2018 1:43 PM
To: 'Abboud, Michael' <abboud.michael@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Chlorpyrifos Response

Will EPA consider appealing to the Supreme Court?

From: Abboud, Michael <abboud.michael@epa.gov>
Sent: Thursday, August 09, 2018 1:39 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Press <Press@epa.gov>
Subject: Chlorpyrifos Response

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science." – EPA Spokesperson Michael Abboud

On background:

The Columbia Center study has been widely-used as support for a ban, despite divergent scientific views among EPA scientific review panels and the **Obama Administration's USDA** questioning the study and its data:

- 2016 EPA Scientific Advisory Panel: "Some Panel members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced."
-
- 2017 **Obama Administration** USDA letter: "USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere guess as to dose levels, and the result is being used to underpin a regulatory decision …"

EPA LINK: https://www.epa.gov/ingredients-used-pesticide-products/chlorpyrifos-epas-seven-year-quest-columbias-raw-data

USDA letter attached.

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Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 7/5/2018 8:05:38 PM
To: Knickmeyer, Ellen [EKnickmeyer@ap.org]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Press [Press@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Biesecker, Michael [MBiesecker@ap.org]
Subject: RE: Hello- can you please send Mr. Pruitt's resignation letter?

We will refer you to the President's statement.

From: Knickmeyer, Ellen [mailto:EKnickmeyer@ap.org]
Sent: Thursday, July 5, 2018 4:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Biesecker, Michael <MBiesecker@ap.org>
Subject: Hello- can you please send Mr. Pruitt's resignation letter?

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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 4/16/2018 4:30:16 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: GAO report on Pruitt's soundproof booth
Attachments: gao.epa.3.23.18.pdf; B-329603 - EPA PRIVACY BOOTH OPINION (APR 16, 2018).pdf

Hey Michael, see below and attached.

"The GAO letter 'recognized the…need for employees to have access to a secure telephone line' when handling sensitive information. EPA is addressing GAO's concern, with regard to Congressional notification about this expense, and will be sending Congress the necessary information this week," **Liz Bowman, EPA spokesperson.**

At the top of page 7, the GAO explains: "EPA's failure to make the necessary notification is the only subject of this opinion. However, we recognize the requirement to protect classified material and the need for employees to have access to a secure telephone line when handling such information in the course of conducting official agency business. After making the required notification, section 710 would have presented no bar to EPA's activities."

Specifically, with regard to what GAO was investigating, OGC has responded, "Specifically, I have not identified any violation of section 710 of the Financial Services and General Government Appropriations Act, 2017 or the Antideficiency Act."

Additional Background:

- Every year the operations and maintenance for the HQ structures is **approximately $6 million.**

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, April 16, 2018 12:15 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: GAO report on Pruitt's soundproof booth

Please provide any on the record response from the agency.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

mbiesecker@ap.org
Twitter: @mbieseck
Public Key

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 4/5/2018 4:23:36 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Sam inquiries
Attachments: Requests for comment; Media request; Samantha Dravis; Request for comment please; Comment on Samantha Dravis resignation; Statement request ; does EPA have a statement; Looking to confirm: Samantha Dravis resignation

Attached.

Michael Abboud
U.S. Environmental Protection Agency
Office of Public Affairs
M: Ex. 6

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 1/5/2018 7:40:25 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]; Block, Molly [block.molly@epa.gov]
Subject: FW: Superfund deletion questions for St. Louis Post-Dispatch

Deliberative Process / Ex. 5

DRAFT: Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Bryce Gray [mailto:BGray@post-dispatch.com]
Sent: Friday, January 5, 2018 1:59 PM
To: Press <Press@epa.gov>
Subject: Superfund deletion questions for St. Louis Post-Dispatch

Hello,

My name is Bryce Gray and I'm a reporter for the St. Louis Post-Dispatch. To follow up on a message I left for Tricia Lynn a little earlier, I have some questions related to the uptick in Superfund site deletions, detailed in a press release earlier this week. One of the main things I'm curious about is what has accounted for the surge, especially during a year in which EPA personnel and resources have diminished.

Feel free to give me a call back at 314-340-8307 if you're able to talk through that and some related questions. Thanks in advance for your time.

-Bryce

ST. LOUIS POST-DISPATCH
Bryce Gray
Energy and environment reporter
Office: 314-340-8307
Mobile: Ex. 6
900 N. Tucker Blvd.
St. Louis, MO 63101
Twitter: @_BryceGray

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 12/12/2017 5:20:08 PM
To: Daniell, Kelsi [daniell.kelsi@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Block, Molly [block.molly@epa.gov]; Konkus, John [konkus.john@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: Re: Pruitt in Paris/Morocco

I agree.

Sent from my iPhone

On Dec 12, 2017, at 12:18 PM, Daniell, Kelsi <daniell.kelsi@epa.gov> wrote:

Deliberative Process / Ex. 5

Let us know your thoughts!

Sent from my iPhone

On Dec 12, 2017, at 5:09 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael
Sent: Monday, December 11, 2017 2:41 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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Sent: 10/31/2017 9:48:52 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Yamada, Richard (Yujiro) [yamada.richard@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: FW: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, October 31, 2017 5:38 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: FW: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees

Liz, Jahan,

Can you clarify whether the administrator is replacing all the science advisory board members of the various boards at once, or as their current terms expire?

Thanks,

Michael

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, October 31, 2017 2:00 PM
To:
Subject: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 10/12/2017 6:27:25 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: AP (Matt Brown) TSCA - DDL 10/13

Good to send.

From: Daguillard, Robert
Sent: Thursday, October 12, 2017 11:46 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: AP (Matt Brown) TSCA - DDL 10/13

BACKGROUND

The reporter, who is based in Montana, has been working on a series of stories about asbestos exposure at the Libby Superfund cleanup site in his state. Health professionals say asbestos exposure there has killed hundreds of people in recent decades. Officials expect the cleanup by EPA, which began in 1999, will be complete by next summer. This inquiry focuses on asbestos evaluation and regulation under TSCA - Matthew Brown – AP – mbrown@ap.com

RESPONSE

1. Does the determination on legacy uses apply across all 10 chemicals?

Deliberative Process / Ex. 5

2. Where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

Deliberative Process / Ex. 5

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Friday, October 06, 2017 3:08 PM
To: Brown, Matthew <MBrown@ap.org>
Subject: Re: AP story on TSCA

Hey Matthew, what's your firm deadline? Monday is a federal holiday.

On Oct 6, 2017, at 5:06 PM, Brown, Matthew <MBrown@ap.org> wrote:

Hi Enesta-
I'm hoping to follow up on some assistance that you provided last month on a TSCA story we've been working on.

Specifically, I was asking about "legacy" uses of the chemicals being evaluated by the agency. The agency's scoping material has made clear that legacy uses won't be considered but I want to be sure I'm not misinterpreting that. A couple specifics:
-does the determination on legacy uses apply across all 10 chemicals?
-where is the line on "distribution in commerce"? If it was a previously distributed product (for which production is continuing) is that considered legacy?

Please give me a call or let me know if any of that needs clarification.

We're looking to move our story next week so an answer at earliest chance would be most appreciated. Also, we're pursuing a companion video piece for this. Is anyone from the EPA available for a short, on-camera interview on the topic? We would come to you, of course, and could be flexible on timing as needed.

Thanks for your time and all help.

Matt Brown

<image002.jpg>
Matthew Brown
Associated Press Correspondent
PO Box 36300
Billings, MT 59107
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6
fax-406 896 8117

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From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 10/2/2017 8:38:10 PM
To: Graham, Amy [graham.amy@epa.gov]
Subject: Fwd: Story on EPA nominee Michael Dourson

This was it.

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: October 2, 2017 at 1:27:13 PM EDT
To: "Graham, Amy" <graham.amy@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Cc: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: RE: Story on EPA nominee Michael Dourson

This is what I sent to AP in regard to their article on Dourson; **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

President Donald Trump's nominee to oversee chemical safety at the Environmental Protection Agency has for years accepted payments for criticizing studies that raised concerns about the safety of his clients' products, according to a review of financial records and his published work by The Associated Press.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA has spent 1/3 of its time working with industry sponsors and **2/3 of its time working with government sponsors.**

Past corporate clients of Dourson and of a research group he ran include Dow Chemical Co., Koch Industries Inc. and Chevron Corp. His research has also been underwritten by industry trade and lobbying groups representing the makers of plastics, pesticides, processed foods and cigarettes.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was founded on the belief that an independent non-profit organization can provide a unique function to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. One-third of TERA effort has been for industries; **2/3 has been for government groups. The TERA's five websites include numerous projects and information that demonstrate this transparent and/or collaborative work.** These projects and information are given away freely to the public as part of TERA's 501c3 commitment.

A toxicologist, Dourson worked at the EPA for more than a decade, leaving in 1994 as the manager at a lab that assessed the health risks of exposure to chemicals. The following year, he founded Toxicology Excellence for Risk Assessment, a private toxicity evaluation nonprofit organization that tests chemicals and produces reports on which chemicals are hazardous in what quantities.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was founded as a nonprofit Ohio corporation 1995 and later applied for and received a 501 c3. Its mission was to support the protection of public health by developing, reviewing and communicating risk assessment values and analyses; improving risk methods through research; and, educating risk assessors, managers, and the public on risk assessment issues.

Dourson's views toward industry are consistent with others Trump has selected as top federal regulators. Among them is EPA Administrator Scott Pruitt, who in March overruled the findings of his agency's own scientists to reverse an effort to ban chlorpyrifos, one of the nation's most widely used pesticides.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads and Excludes:** As we have explained **multiple times**, and the AP fails to report: USDA had scientific concerns with studies being used by activists to call for a ban on chlorpyrifos – concerns raised by the Obama Administration USDA. AP is also failing to report that no decision on the 2007 petition was made throughout the entire Obama Administration.

  Administrator Pruitt denied the petition based on the lack of time, divergent views from the previous administration and because FIFRA pesticide reviews are more transparent than a petition serving as a back door 'sue and settle' approach.

- <!--[if !supportLists]--><!--[endif]-->**This is an egregious ongoing falsehood being perpetuated by Michael Biesecker. We have explained this issue multiple times to him, his previous editors, and the AP. This is a complete and utter disregard for the facts in an effort to continue to mislead the public about this issue.**

Dourson and his organization previously worked under contract for Dow AgroSciences, the Dow subsidiary that makes chlorpyrifos. In three papers, Dourson and his colleagues pointed to what they said were flaws in peer-reviewed studies that linked delays in fetal development with even low levels of exposure to the pesticide, commonly sprayed on citrus fruits and apples.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was funded by DowAgro Sciences to review the Reference Dose (RfD) developed by the EPA and others; results were published in 2005 and 2006. The science for chlorpyrifos has progressed since the time of these publications. One series of epidemiology studies shows an association of neurological effects at exposures lower than the current RfD;
  other epidemiology studies do not show this association. Based on how chlorpyrifos is known to work this association is not expected. **Furthermore, the raw data from this one epidemiology series are not available for review.**

In a 2005 paper on the topic, Dourson and his co-authors passed along thanks to Dow for its support over a number of years to study chlorpyrifos' toxicology and assess its risk and said that money in no way influenced their findings favoring the company's position.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Acknowledging sponsors is now a routine part of scientific publication.

"It is not even subtle," said Krimsky, who reviewed Dourson's recent published work. "He has chosen to be the voice of the chemical industry. His role as a scientist is simply the role of an industry-hired lawyer - only to give the best case for their client."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** 67 percent of Dr. Dourson's papers published while at TERA were sponsored by government or self-sponsored.

Furthermore, TERA has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Often TERA develops collaborations with multiple sponsors to resolve difficult risk positions. TERA has on numerous occasions develop risk positions that did not favor a particular sponsor.

According to the nonprofit's most recent publicly available IRS filing, Dourson was paid $131,000 for his work there in 2015. He separately earns $103,000 a year from the University of Cincinnati, where he holds a research position.

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** Dr. Dourson earned $131,000 for part of 2015 leaving on July 31 in 2015. The balance of 2015 was paid for by the University of Cincinnati, College of Medicine. His salary listed is not correct.

"Dourson's pro-industry leanings"

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** This statement is biased and distorted

...were also evident in a now defunct website called "Kids + Chemical Safety," which his group ran. The site, which described itself as a source of information about the safe use of chemicals around children, mirrored talking points by chemical companies and trade groups that financed Dourson's work.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** This website is not defunct. This website is under consideration for adoption by another group. Stories on this website are written by identified experts in a less scientific tone, to explain risks and hazards of chemicals. Related government websites are either data-dense or not user friendly; activists' websites appear to be more designed to support fundraising.
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** TERA received support from the website from: the Alliance for Risk Assessment (*ARA*), American Chemistry Council (ACC), Combined Federal Campaign (CFC) of the US Federal Government and the public. In kind support from Cincinnati Children's Drug & Poison Information Center, Harvard Superfund Research Program, NSF International, and Toxicology Excellence for Risk Assessment (TERA).

Dourson's willingness to align his scientific opinions with those of his corporate patrons has earned him support from influential industry groups now supporting his nomination.

- <!--[if !supportLists]--><!--[endif]-->**AP Distorts:** "Dourson's willingness to align his scientific opinions" – this statement is: biased and distorted.
- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA explains that: "independence from all parties and groups is essential in order for our science and results to be seen as credible by all parties. TERA has instituted policies and procedures, and maintains a corporate environment that ensures that all of our work efforts are conducted in a manner that maintains our independence.
    - <!--[if !supportLists]--><!--[endif]-->They also explain that: [TERA is] **transparent about who our funders are and what role they had, if any, in commenting on the TERA scientific opinions or results. We make it clear to all funders and sponsors of our work that TERA is an independent scientific organization and as such we will provide them our independent scientific evaluation and conclusions.**

Court records show Dourson and his work have often been called on when his corporate clients are seeking to fend off lawsuits.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Legal testimony is a very small part of the overall TERA effort, and only done when a larger public health concern is under review.

DuPont was accused of polluting a West Virginia town with Perfluorooctanoic acid, or PFOA, a chemical that the company's internal tests had long ago concluded were toxic. Corporate officials discussed hiring Dourson as part of a strategy to defend themselves.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Dourson has not testified on behalf of Dupont in this capacity. What corporate officials? Where is the citation?

Dourson led a team that found in 2002 that PFOA levels up to 150 parts per billion were safe, a level higher than was found in testing of 188 private wells and springs.

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** In 2002, four governments and one industry recommended TERA as the independent and neutral party to assist in a PFOA evaluation. A West Virginia judge agreed. TERA was hired by the State of West Virginia. Dr. Deanne Statts of West Virginia DEP chaired a 10-member scientific panel, five of whom were government employees (three were from EPA). The panel made a unanimous determination of a safe water level of 150 ppb. **All of this information has been publicly available.** The science of PFOA has progressed since 2002.

That was also well above the 1 part per billion Dupont's own scientists had concluded could be considered safe years before. The EPA now says that only 70 parts per trillion of PFOA are acceptable - or only 0.05 percent of what Dourson's team said was safe.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads**: It is our understanding that the Dupont level was a place holder until the West Virginia panel developed its recommendation.

###

From: Graham, Amy
Sent: Monday, October 2, 2017 12:33 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: FW: Story on EPA nominee Michael Dourson

Deliberative Process / Ex. 5

From: Elvina Nawaguna [mailto:elvinanawaguna@cqrollcall.com]
Sent: Monday, October 2, 2017 10:43 AM
To: Press <Press@epa.gov>
Subject: Story on EPA nominee Michael Dourson

Hi there

I'm working on an advance story ahead of the confirmation hearing for Michael Dourson. There has been much opposition to his nomination for the position because of his history representing manufacturers of some the the very chemicals he will oversee if confirmed. I'd like to get a response from EPA on those concerns over possible conflicts

of interest and whether there is a plan to have him recuse himself from decisions related to chemicals from companies he has had ties to.
I'm working on a deadline of noon eastern today.
Thanks.

Elvina Nawaguna
Energy and Environment Reporter
CQ Roll Call
1625 Eye St. NW #200
Washington, DC 20006
Cell Ex. 6
Desk: 202-650-6597

This e-mail may contain confidential material. If you are not an intended recipient, please notify the sender and delete all copies. It may also contain personal views which are not the views of CQ Roll Call or its owner, The Economist Group. We may monitor e-mail to and from our network. For company information go to http://legal.economistgroup.com.

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 10/2/2017 4:37:40 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]
Subject: RE: DRAFT Newsweek article pushback

Yeah I will.

From: Bowman, Liz
Sent: Monday, October 2, 2017 12:31 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>
Subject: RE: DRAFT Newsweek article pushback

Good, thank you. Can you figure out who her editor is? And their contact information?

From: Abboud, Michael
Sent: Monday, October 2, 2017 12:10 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>
Subject: DRAFT Newsweek article pushback

After criticizing an AP report, EPA finds damage and leak at a toxic waste site caused by Hurricane Harvey

Deliberative Process / Ex. 5

The Environmental Protection Agency, which slammed an Associated Press (AP) reporter's story on flooded Houston-area Superfund toxic waste sites as "yellow journalism" after Hurricane Harvey, now admits the dangerous spills occurred.

On Thursday, the EPA said it found damage and toxic material exposed at the San Jacinto River Waste Pits site, one of seven Superfund locations AP writer Michael Biesecker revealed was covered by floodwaters, in a report the agency had derided.

Deliberative Process / Ex. 5

Samples showed dioxins at 70,000 nanograms per kilogram – more than 2,333 times the level that calls for a cleanup, according to the EPA. Superfund sites have been designated by the agency as some of the most contaminated places in the U.S., and homes sit blocks away from the San Jacinto River Waste Pits.

The EPA on Thursday said initial repairs had already been done at the damaged area where a protective rock was missing and ordered the International Paper and Industrial Maintenance Corporation to conduct supplemental sampling to ensure that the exposed waste material was isolated. The dioxin in the waste material does not dissolve easily in water but can migrate to surrounding sediments.

The announcement came 24 days after the agency accused Biesecker of an "incredibly misleading story" on the flooded sites. The reporter wrote about the toxic waste sites on September 3.

Deliberative Process / Ex. 5

EPA associate administrator Liz Bowman in a statement said that "the Associated Press is cherry-picking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism."

Hours after the AP published its first story, EPA said its officials had reviewed aerial imagery confirming that 13 of the 41 Superfund sites in Texas had been flooded by Hurricane Harvey and were "experiencing possible damage." Biesecker and co-author Jason Dearen used that as confirmation that the EPA had not yet physically visited the sites, whereas they as journalists went there by boat, vehicle and foot.

Nearly one-third of the reporters' story focused on the San Jacinto River Waste Pits site, which they observed "was completely covered with floodwaters." They added that "the flow from the raging river washing over the toxic site was so intense..."

Deliberative Process / Ex. 5

"There was no way to immediately assess how much contaminated soil from the site might have been washed away.

Deliberative Process / Ex. 5

According to an EPA survey from last year, soil from the former waste pits contains dioxins and other long-lasting toxins linked to birth defects and cancer," they wrote.

An EPA spokesperson told *Newsweek* in an email Friday that samples were taken, damage to the cap was addressed on September 15 and preliminary data was received in about two weeks, which showed damage to the cap had occurred.

"This watershed has been exposed to dioxin since before the hurricane, and a ban on fishing and consumption of fish has been in place at the site," the agency spokesperson said.

It is the second Superfund site where the EPA has found evidence of spills after the AP story. The first seepage discovery happened September 19 at U.S. Oil Recovery, a former petroleum industry waste processing plant contaminated with cancer-causing chemicals.

Deliberative Process / Ex. 5

"Our reporting speaks for itself," AP spokeswoman Lauren Easton told *Newsweek* in an email Friday.

The EPA said it will commission more visual dive operations to the San Jacinto River Waste Pits to check for displacement in the stone cover of the protective cap and more fully evaluate it for Hurricane Harvey damage, "if necessary."

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 10/2/2017 12:58:37 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Information on Superfund site

Will do.

From: Bowman, Liz
Sent: Monday, October 2, 2017 8:56 AM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Information on Superfund site

Let's chat about this when you get a chance

From: Abboud, Michael
Sent: Friday, September 29, 2017 5:39 PM
To: j.kwong@newsweekgroup.com
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Re: Information on Superfund site

Hey Jessica, you can attribute the below to an EPA spokesperson.

Samples were taken, and damage to the cap was addressed on the 15th. Preliminary data was received in about two weeks, which showed damage to the cap had occurred.

Want to also highlight that this watershed has been exposed to dioxin since before the hurricane, and a ban on fishing and consumption of fish has been in place at the site.

Sent from my iPhone

On Sep 29, 2017, at 3:49 PM, Jessica Kwong <j.kwong@newsweekgroup.com> wrote:

> Hello EPA press team,
> In addition to my earlier question, would you comment on the San Jacinto Waste Pits Superfund site being reported in the AP's story, and why the cap damage and high levels of dioxins were not discovered earlier?
>
> https://www.apnews.com/27796dd13b9549b0ac76aded58a15122
>
> Jessica Kwong | Staff Writer
> NEWSWEEK MEDIA GROUP
> 7 Hanover Square, Floor 5, New York, NY, 10004
> T | +1 646 484 7565
> E | j.kwong@newsweekgroup.com
> W | newsweekgroup.com

On Fri, Sep 29, 2017 at 2:20 PM, Jessica Kwong <j.kwong@newsweekgroup.com> wrote:

Thank you, Liz. Is this the first Hurricane Harvey-damaged Superfund site the EPA has found to have exposed waste material?

Jessica Kwong | Staff Writer
NEWSWEEK MEDIA GROUP
7 Hanover Square, Floor 5, New York, NY, 10004
T | +1 646 484 7565
E | j.kwong@newsweekgroup.com
W | newsweekgroup.com

On Fri, Sep 29, 2017 at 2:10 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Jessica – The information that we have is on the press release distributed last night. Please quote from here: https://www.epa.gov/newsreleases/epa-statement-san-jacinto-river-waste-pits-superfund-site-data

From: Jessica Kwong [mailto:j.kwong@newsweekgroup.com]
Sent: Friday, September 29, 2017 2:02 PM
To: Press <Press@epa.gov>
Subject: Information on Superfund site

Hello EPA press contact,

I'm a Newsweek reporter seeking information on the following report that chemicals from the San Jacinto River Waste Pits may have washed downstream.

https://www.cbsnews.com/news/hurricane-harvey-chemicals-linked-to-birth-defects-found-houston-superfund-site/?ftag=CNM-00-10aab7e&linkId=42926857

My deadline is this afternoon. Thank you for your time and attention.

Jessica Kwong | Staff Writer

NEWSWEEK MEDIA GROUP

7 Hanover Square, Floor 5, New York, NY, 10004

T | +1 646 484 7565

E | j.kwong@newsweekgroup.com

W | newsweekgroup.com

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 9/29/2017 9:40:40 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Gray, David [gray.david@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: Information on Superfund site

Got the statement over to her. Thanks for the help on this David.

Sent from my iPhone

On Sep 29, 2017, at 4:58 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

> Looks like it came in today
>
> **Nancy Grantham**
> **Office of Public Affairs**
> **US Environmental Protection Agency**
> **202-564-6879 (desk)**
> **202-253-7056 (mobile)**
>
> ---
>
> **From:** Gray, David
> **Sent:** Friday, September 29, 2017 4:33 PM
> **To:** Abboud, Michael <abboud.michael@epa.gov>
> **Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Subject:** Re: Information on Superfund site
>
> Am I reading that this article was from 9/3?
>
> Sent from my iPhone
>
> On Sep 29, 2017, at 3:22 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:
>
>> Is there anything we can add here David?
>>
>> Sent from my iPhone
>>
>> Begin forwarded message:
>>
>> **Resent-From:** <Press@epa.gov>
>> **From:** Jessica Kwong <j.kwong@newsweekgroup.com>
>> **Date:** September 29, 2017 at 3:48:52 PM EDT
>> **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>
>> **Cc:** Press <Press@epa.gov>
>> **Subject: Re: Information on Superfund site**
>>
>> Hello EPA press team,
>> In addition to my earlier question, would you comment on the San Jacinto Waste Pits Superfund site being reported in the AP's story,

and why the cap damage and high levels of dioxins were not discovered earlier?

https://www.apnews.com/27796dd13b9549b0ac76aded58a15122

Jessica Kwong | Staff Writer
NEWSWEEK MEDIA GROUP
7 Hanover Square, Floor 5, New York, NY, 10004
T | +1 646 484 7565
E | **j.kwong@newsweekgroup.com**
W | newsweekgroup.com

On Fri, Sep 29, 2017 at 2:20 PM, Jessica Kwong <j.kwong@newsweekgroup.com> wrote:

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Jessica Kwong | Staff Writer
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7 Hanover Square, Floor 5, New York, NY, 10004
T | **+1 646 484 7565**
E | **j.kwong@newsweekgroup.com**
W | newsweekgroup.com

On Fri, Sep 29, 2017 at 2:10 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Jessica – The information that we have is on the press release distributed last night. Please quote from here: https://www.epa.gov/newsreleases/epa-statement-san-jacinto-river-waste-pits-superfund-site-data
>
> **From:** Jessica Kwong [mailto:j.kwong@newsweekgroup.com]
> **Sent:** Friday, September 29, 2017 2:02 PM

To: Press <Press@epa.gov>
Subject: Information on Superfund site

Hello EPA press contact,

I'm a Newsweek reporter seeking information on the following report that chemicals from the San Jacinto River Waste Pits may have washed downstream.

https://www.cbsnews.com/news/hurricane-harvey-chemicals-linked-to-birth-defects-found-houston-superfund-site/?ftag=CNM-00-10aab7e&linkId=42926857

My deadline is this afternoon. Thank you for your time and attention.

Jessica Kwong | Staff Writer

NEWSWEEK MEDIA GROUP

7 Hanover Square, Floor 5, New York, NY, 10004

T | +1 **646 484 7565**

E | **j.kwong@newsweekgroup.com**

W | newsweekgroup.com

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 9/6/2017 5:15:15 PM
To: Hewitt, James [hewitt.james@epa.gov]
Subject: FW: From Region 2: For Approval: Final Irma Prepardness Press Release

Importance: High

From: Graham, Amy
Sent: Wednesday, September 6, 2017 1:04 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: FW: From Region 2: For Approval: Final Irma Prepardness Press Release
Importance: High

From: Lincoln, Larry
Sent: Wednesday, September 6, 2017 9:36 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: From Region 2: For Approval: Final Irma Prepardness Press Release
Importance: High

Liz,

Here are some Region 4 Media contacts. If you like we'd be happy to reach out to Florida as we have traditionally had very good working relationships, in particular with Jenny Staletovich of the Miami Herald.

Florida

Jenny Staletovich
Miami Herald, The
jstaletovich@miamiherald.com
1(305) 376-2109

David Fleshler
South Florida Sun Sentinel
dfleshler@sunsentinel.com
1(954) 356-4535

Jason Dearen
Associated Press
jdearen@ap.org
Phone 1(407) 425-4547

Georgia

Mary Landers
Savannah Morning News
mary.landers@savannahnow.com
1(912) 652-0337

Terry Dickson
Florida Times-Union - Brunswick Bureau, The, Ga Times-Union
terry.dickson@jacksonville.com
1(912) 264-0405 x1

Molly Samuel
WABE-FM
msamuel@wabe.org
(405) 235-3100

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Bowman, Liz
Sent: Tuesday, September 5, 2017 11:37 PM
To: Kluesner, Dave <kluesner.dave@epa.gov>
Cc: Mccabe, Catherine <McCabe.Catherine@epa.gov>; McGowan, Michael <McGowan.Michael@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>; Lincoln, Larry <Lincoln.Larry@epa.gov>
Subject: Re: From Region 2: For Approval: Final Irma Prepardness Press Release

As soon as Region 4 approves, we are sending out from national list...if you all want to send from to regional media lists, that would be helpful too. And, I think it would be good if each Region could schedule at least one interview tomorrow w a reporter you work w regularly at a top paper (i.e. NYT, Atlanta Journal Constitution, etc.) and the RA to discuss hurricane prep. I know Amy is going to reach out to a Fla paper tomorrow.

Please send me some names of 1-2 reporters you plan to reach out to so we coordinate.

Thanks again - Liz

Sent from my iPhone

On Sep 5, 2017, at 10:55 PM, Kluesner, Dave <kluesner.dave@epa.gov> wrote:

+ Walter Mugdan

Catherine, I've reviewed and concur that this reflects the changes that we suggested to Liz earlier today. Looks good but defer to you for final OK.

The sooner we can issue this the better. Our ability to share this news release with PR and USVI media outlets and impacted citizens drops off dramatically as the morning unfolds.

Thanks.

David Kluesner
Chief of Public Outreach
U.S. EPA, Region 2

On Sep 5, 2017, at 10:20 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Thanks for everyone's edits. Below, please find the updated version – Nancy, is

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

###

From: Kluesner, Dave
Sent: Tuesday, September 5, 2017 7:00 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Lincoln, Larry <Lincoln.Larry@epa.gov>; McGowan, Michael <McGowan.Michael@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Mccabe, Catherine <McCabe.Catherine@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Subject: Region 2 edits to Irma Preparedness Release
Importance: High

Region 2 comments

David W. Kluesner

<image001.jpg> <image003.png> <image006.png>

U.S. Environmental Protection Agency, Region 2
Chief of Public Outreach
290 Broadway, 26th Floor
New York, NY 10007
212.637.3653 (Office)
Ex. 6 Cell)

From: Lincoln, Larry
Sent: Tuesday, September 05, 2017 6:26 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Kluesner, Dave <kluesner.dave@epa.gov>; McGowan, Michael <McGowan.Michael@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; McGowan, Michael <McGowan.Michael@epa.gov>; Mccabe, Catherine <McCabe.Catherine@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Subject: Region 4 edits to Irma Preparedness Release
Importance: High

Liz,

Please see our suggested edits below (in red)

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

###

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 9/2/2017 5:53:22 PM
To: Shales, Sarah E. [Sarah.E.Shales@abc.com]
CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Bruggeman, Lucien C. [Lucien.C.Bruggeman@abc.com]
Subject: Re: AP: TX Superfund sites flooded?

Hey Sarah, you can attribute the quote below to Liz Bowman, EPA spokeswoman.

We are inspecting flooded Superfund sites as quickly as our personnel can access them as the floodwaters recede.

Sent from my iPhone

On Sep 2, 2017, at 12:48 PM, Shales, Sarah E. <Sarah.E.Shales@abc.com> wrote:

> Good afternoon –
> My name is Sarah and I am reaching out on behalf of ABC News – we just spotted a headline that crossed the AP wires and were wondering if your office was aware of this or has any comment
>
> HIGHLANDS, Texas (AP) -- AP Exclusive: Many Houston ultra-polluted Superfund sites are flooded, concerns about toxins spreading; EPA not on scene.
>
> If you are releasing any detail or statement on this reported flooding, would you kindly respond all to this email as I have also cc'ed a coworker that is working on this story.
> Thanks for your time,
> Sarah

Sarah Shales
Assignment Editor
ABC News Washington
O: (202) 222-7700 / C: Ex. 6
T: @NosyNewser

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 8/31/2017 9:09:57 PM
To: Graham, Amy [graham.amy@epa.gov]
Subject: List of reporters

Rene Marsh—CNN
Stephanie Ebbs—ABC Washington
Keith Goldberg—Law 360
Tim Puko—WSJ tim.puko@wsj.com
Josh Keefe—Newsweek j.keefe@newsweekgroup.com
Geoffrey Brumfiel—NPR GBrumfiel@npr.org
Alex Guillen—Politico aguillen@politico.com
Lisa Friedman—New York Times lisa.friedman@nytimes.com
Michael Biesecker—AP MBiesecker@ap.org
Ryan Ruggerio—CNBC Ryan@nbc.com

Michael Abboud
U.S. Environmental Protection Agency
Office of Public Affairs
M Ex. 6

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 8/9/2018 5:38:55 PM
To: Biesecker, Michael [MBiesecker@ap.org]
CC: Press [Press@epa.gov]
Subject: Chlorpyrifos Response
Attachments: USDA requests another SAP for HHRA for chlorpyrifos.pdf

"EPA is reviewing the decision. The Columbia Center's data underlying the Court's assumptions remains inaccessible and has hindered the Agency's ongoing process to fully evaluate the pesticide using the best available, transparent science." – EPA Spokesperson Michael Abboud

On background:

The Columbia Center study has been widely-used as support for a ban, despite divergent scientific views among EPA scientific review panels and the **Obama Administration's USDA** questioning the study and its data:

- 2016 EPA Scientific Advisory Panel: "Some Panel members thought the quality of the CCCEH data is hard to assess when raw analytical data have not been made available, and the study has not been reproduced."
-
- 2017 **Obama Administration** USDA letter: "USDA has grave concerns that ambiguous response data from a single, inconclusive study are being combined with a mere guess as to dose levels, and the result is being used to underpin a regulatory decision …"

EPA LINK: https://www.epa.gov/ingredients-used-pesticide-products/chlorpyrifos-epas-seven-year-quest-columbias-raw-data

USDA letter attached.

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 8/2/2018 7:45:27 PM
To: Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]
Subject: FW: [oig-news] Notification: EPA's Air Monitoring Response to Hurricane Harvey

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, August 2, 2018 3:40 PM
To: Press <Press@epa.gov>
Subject: FW: [oig-news] Notification: EPA's Air Monitoring Response to Hurricane Harvey

Any response from the administrator's office on this? I remember there were a lot of questions swirling around last August about the air quality assurances issued by the agency during the Arkema fire outside Houston.

Thanks,

Michael

From: EPA OIG <oig.news@epa.gov>
Sent: Thursday, August 02, 2018 3:13 PM
To: EPA OIG-News Notification List <oig-news@lists.epa.gov>
Subject: [oig-news] Notification: EPA's Air Monitoring Response to Hurricane Harvey

PROJECT NOTIFICATION
EPA's Air Monitoring Response to Hurricane Harvey
dated July 31, 2018

The OIG plans to begin preliminary research on the EPA's and Texas' air quality monitoring and related activities after Hurricane Harvey. For more information, please click on the link above.

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Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 7/20/2018 3:13:06 PM
To: Beach, Christopher [beach.christopher@epa.gov]; Block, Molly [block.molly@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Konkus, John [konkus.john@epa.gov]
Subject: FW: In Case You Missed It: "EPA Chief Vows That Clean Drinking Water Is National Priority"

https://twitter.com/chick_in_kiev/status/1020293791746584576

From: Lavin, Talia [mailto:talia_lavin@newyorker.com]
Sent: Tuesday, May 22, 2018 6:22 PM
To: Press <Press@epa.gov>
Subject: Re: In Case You Missed It: "EPA Chief Vows That Clean Drinking Water Is National Priority"

like i feel like it was kind of distracting to your PFAS action plan to like, physically expel an AP reporter. are u guys still pissed about their hurricane harvey reporting or what

On Tue, May 22, 2018 at 4:13 PM, Lavin, Talia <talia_lavin@newyorker.com> wrote:

can u guys explain why you hate the AP so much

On Tue, May 22, 2018 at 4:00 PM, EPA Press Office <press@epa.gov> wrote:

PRUITT'S PFAS ACTION PLAN DRAWS WIDESPREAD PRAISE

Today, EPA Administrator Scott Pruitt outlined four substantive measures to ensure the eradication of PFAS from our nation's drinking water, as EPA kicked off the PFAS National Leadership Summit.

EPA Four-Step Action Plan:

1. EPA will initiate steps to evaluate the need for a maximum contaminant level (MCL) for PFOA and PFOS. We will convene our federal partners and examine everything we know about PFOA and PFOS in drinking water.
2. EPA is beginning the necessary steps to propose designating PFOA and PFOS as “hazardous substances” through one of the available statutory mechanisms, including potentially CERCLA Section 102.
3. EPA is currently developing groundwater cleanup recommendations for PFOA and PFOS at contaminated sites and will complete this task by fall of this year.
4. EPA is taking action in close collaboration with our federal and state partners to develop toxicity values for GenX and PFBS

What They Are Saying About EPA's Push To Clean Our Nation's Drinking Water

The Wall Street Journal: **EPA Chief Vows That Clean Drinking Water Is 'National Priority'**
Environmental Protection Agency Administrator Scott Pruitt said Tuesday that keeping chemical contamination out of drinking water is "a national priority" and announced a four-part plan to address dangers from one group of potentially hazardous chemicals.

Mr. Pruitt said he takes the issue of contamination from the chemicals very seriously... "It's clear that this issue is a national priority," Mr. Pruitt said.

"I'll work with you to make sure we take action and not just raise awareness over these next couple months," Mr. Pruitt told the officials.

Politico: **EPA To Formally Consider Drinking Water Regulation Of PFAS**
EPA Administrator Scott Pruitt said this morning that EPA will formally consider whether to set a limit on the amount of the chemicals PFOA and PFOS allowed in drinking water, the first step under the law toward regulation.

"We will take the next step under the Safe Drinking Water Act process to evaluate the need for a Maximum Contaminant Level for PFOA and PFOS," Pruitt said in opening remarks to a two-day summit on the chemicals.

"It's something that has been talked about for a number of years. The process needs to begin," he said.

Under the federal drinking water law, EPA must consider not just the dangers of a contaminant, but also how widespread it is in drinking water supplies and the costs of treating water to remove it before it can set a limit. The agency has not successfully regulated a new contaminant under the law in more than two decades, when Congress placed additional requirements on the agency for setting new regulations.

Making a regulatory determination for PFOA and PFOS was one of several steps Pruitt said the agency plans to take on the chemicals. Additionally, he said EPA is developing groundwater cleanup regulations for the two chemicals for contaminated sites, and taking steps to establish liability under the Superfund law so responsible parties can be held liable for cleanup.

Pruitt also said the agency will establish toxicity values for two other PFAS chemicals, including GenX. That work will be completed this summer.

ABC News: **EPA Will Move To Label Chemical Found In Drinking Water 'Hazardous'**
Environmental Protection Agency chief Scott Pruitt says the agency will move to regulate as "hazardous" a type of harmful chemical found in the drinking water of millions of Americans, calling it a "national priority."

Pruitt said Tuesday that the agency has a four-step plan for labeling the chemicals as hazardous and setting a maximum level for when it needs to be cleaned up. But the announcement was partly overshadowed after the Associated Press and other news outlets said their reporters were not allowed into the event.

"As we've used those chemicals over the course of many decades there are concerns across the country about these chemicals because of the persistence, their durability getting into the environment and impacting communities in an adverse way. That's the reason we're here today," Pruitt said in remarks at a summit on PFAS chemicals at the EPA on Tuesday.

Fayetteville Observer: **EPA To Set GenX Toxicity Value**
The U.S. Environmental Protection Agency will develop a toxicity value for the potential carcinogen GenX and related compounds, EPA Administrator Scott Pruitt announced at a national leadership summit in Washington this morning. Representatives from North Carolina and more than 39 other states are attending the two-day summit on per- and polyfluoroalkyl substances, known as PFAS.

The EPA announced an action plan for containing PFAS that it expects to take following the summit. Among the actions it plans:

- Initiate steps to evaluate the need for a maximum contaminant level for PFOA, an acronym for perfluorooctanoic acid, and PFOS, short for perfluorooctane sulfonate. Both substances have eight carbon chains and are known as legacy compounds. State regulators have found both compounds in wells surrounding the Fayetteville Works Plant.
- Begin steps to propose designating PFOA and PFOS as “hazardous substances.”
- The EPA is developing groundwater cleanup recommendations for PFOA and PFOS at contaminated sites and will complete the task by fall.

Detroit Free Press: **Summit, State Visits Will Lead To National Plan To Manage PFAS**
EPA is listening to the public’s concerns. We are providing the national leadership necessary to bring together stakeholders to improve our understanding of these chemicals. This week’s summit builds on EPA-issued health advisories for PFOA and PFOS - two specific PFAS chemicals - based on peer-reviewed science, ongoing scientific research and collaboration with our federal and state partners. EPA is also taking action to develop health toxicity values for GenX and PFBS, two additional PFAS chemicals. Together these actions, among others the agency has outlined on its website, will help put the right tools in the hands of our federal, state, local and tribal partners.

These actions demonstrate my vision for EPA and our commitment to protect public health and ensure all Americans have clean and safe drinking water. EPA is actively engaged with states and communities across the nation so that, from the federal to the local level, we can quickly respond to and address the environmental concerns of the American people. This is cooperative federalism in action. This is good and responsive government.

WNYT NBC Albany: **Hoosick Falls Mayor Rob Allen Takes Part In EPA Summit**
Hoosick Falls Mayor Rob Allen was visiting Washington, D.C. on Tuesday. Allen is participating in an EPA summit.

EPA's chief says dealing with a widespread contaminant in drinking water is a national priority.

Visit The EPA's Newsroom

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Washington, D.C. 20004

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Message

From: White House Press Office [whitehouse-noreply@messages.whitehouse.gov]
Sent: 9/1/2017 2:23:43 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: UPDATED DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
September 1, 2017

UPDATED DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

***UPDATE:* Press Secretary Sarah Sanders will give an on camera press briefing at 2:30PM.**

In the morning, President Donald J. Trump will receive his daily intelligence briefing. The President will then speak with President Nursultan Nazarbayev of Kazakhstan by telephone. In the afternoon, the President will receive an update from disaster relief organizations on Hurricane Harvey recovery efforts.

In-Town Travel Pool
Wires: AP, Reuters, Bloomberg
Wire Photos: AP, Reuters, AFP
TV Corr & Crew: ABC
Print: Real Clear Politics
Radio: AP

EDT

9:00AM In-Town Travel Pool Call Time

10:30AM THE PRESIDENT receives his daily intelligence briefing

Oval Office

Closed Press

11:00AM THE PRESIDENT speaks with President Nursultan Nazarbayev of Kazakhstan by telephone

Oval Office

Closed Press

1:00PM THE PRESIDENT receives a an update from disaster relief organizations on Hurricane Harvey recovery efforts

Oval Office

In-House Pool Spray (Final Gather 12:50PM – Briefing Room Doors)

Briefing Schedule

2:30PM **Press Briefing with Press Secretary Sarah Sanders**

White House Briefing Room

On Camera

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Message

From: White House Press Office [whitehouse-noreply@messages.whitehouse.gov]
Sent: 9/1/2017 1:32:55 AM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
August 31, 2017

DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

In the morning, President Donald J. Trump will receive his daily intelligence briefing. The President will then speak with President Nursultan Nazarbayev of Kazakhstan by telephone. In the afternoon, the President will receive an update from disaster relief organizations on Hurricane Harvey recovery efforts.

In-Town Travel Pool
Wires: AP, Reuters, Bloomberg
Wire Photos: AP, Reuters, AFP
TV Corr & Crew: ABC
Print: Real Clear Politics
Radio: AP

EDT

9:00AM In-Town Travel Pool Call Time

10:30AM THE PRESIDENT receives his daily intelligence briefing

Oval Office

Closed Press

11:00AM THE PRESIDENT speaks with President Nursultan Nazarbayev of Kazakhstan by telephone

Oval Office

Closed Press

1:00PM THE PRESIDENT receives a an update from disaster relief organizations on Hurricane Harvey recovery efforts

Oval Office

In-House Pool Spray (Final Gather 12:50PM – Briefing Room Doors)

Briefing Schedule

The briefing schedule will be updated in the morning.

###

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Message

From: White House Press Office [whitehouse-noreply@messages.whitehouse.gov]
Sent: 8/27/2017 1:04:04 AM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: DAILY GUIDANCE AND PRESS SCHEDULE FOR SATURDAY, AUGUST 26, 2017, THROUGH SUNDAY, AUGUST 27, 2017

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
August 26, 2017

DAILY GUIDANCE AND PRESS SCHEDULE FOR
SATURDAY, AUGUST 26, 2017, THROUGH SUNDAY, AUGUST 27, 2017

Sunday's (August 27, 2017) In-Town Travel Pool
Wires: AP, Reuters, Bloomberg
Wire Photos: AP, Reuters, AFP
TV Corr & Crew: ABC
Print: National Journal
Radio: Sirius XM

Sunday, August 27, 2017

EDT

11:00AM **THE PRESIDENT receives a teleconference briefing regarding Hurricane Harvey**

Camp David

Closed Press

3:00PM **In-Town Travel Pool Call Time**

3:30PM **THE PRESIDENT and THE FIRST LADY arrive at the White House**

South Lawn

Open Press

###

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Message

From: Griffo, Shannon [Griffo.Shannon@epa.gov]
Sent: 2/26/2018 1:19:06 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: For Your Awareness – FOIA release of your ethics documents

Tate,

Here is the list of FOIA requestors asking for recusal statements for all political appointees. Note that some of these are interim releases because requestors are also asking for other documents:

- Alison Gregor (ProPublica), EPA-HQ-2017-008340, June 12, 2017
- Oliver Milman (Guardian US), EPA-HQ-2017-009362, July 13, 2017
- Ruben Davis (Vice Media), EPA-HQ-2017-009762, July 25, 2017
- Daniel Van Schooten (Project on Government Oversight), EPA-HQ-2017-005404, March 28, 2017
- Michael Biesecker (Associated Press), EPA-HQ-2017-010171, August 3, 2017
- Rachel Leven (Center for Public Integrity), EPA-HQ-2017-00913, July 28, 2017
- Hudson Munoz, EPA-HQ-2017-007444, May 17, 2017
- Nick Surgey, EPA-HQ-2017-011666, September 20, 2017
- Derek Kravitz (ProPublica), EPA-HQ-2017-011639, September 19, 2017
- Bill Allison (Bloomberg News), EPA-HQ-2018-000849, October 20, 2017
- Nick Surgey, EPA-HQ-2018-002149, November 29, 2017

Here are the ones that list you specifically by name:

- Sharon Lemer (The Intercept), EPA-HQ-2017-006144, April 14, 2017
- Kevin Bogardus (E&E News), EPA-HQ-2017-010199, August 4, 2017
- Hudson Munoz, EPA-HQ-2017-010245, August 7, 2017

Also, here's who is asking for ethics pledges:

- Doug Obey (Inside Washington Publishers), EPA-HQ-2017-007826, May 30, 2017
- Nick Surgey, EPA-HQ-2017-005954, April 10, 2017
- Kevin Bogardus (E&E News), EPA-HQ-2018-002262, December 3, 2017
- Cerisso Cafasso (American Oversight), EPA-HQ-2018-003557, January 19, 2018

Let us know if you have any other questions.

Thanks,
Shannon

Shannon Griffo
Ethics Attorney
Office of General Counsel, Ethics
U.S. Environmental Protection Agency
(202) 564-7061
Griffo.Shannon@epa.gov

From: Bennett, Tate
Sent: Friday, February 23, 2018 2:45 PM
To: Griffo, Shannon <Griffo.Shannon@epa.gov>
Cc: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: Re: For Your Awareness – FOIA release of your ethics documents

Thanks! Do you mind sharing a list of the requestors and the date of their original request?

On Feb 23, 2018, at 2:39 PM, Griffo, Shannon <Griffo.Shannon@epa.gov> wrote:

Hi Tate,

As you may know, EPA has received numerous ethics-related FOIA requests. In some cases, these FOIA requests have specifically asked for your ethics-related documents. I am writing to notify you that OGC/Ethics has reviewed your responsive records and plans to release the following documents to the requestors on Tuesday, February 27th:

1. Your recusal statement signed November 1, 2017 [unredacted]
2. Your signed ethics pledge [unredacted]

If you have any questions, please let OGC/Ethics know.

Thanks,
Shannon

Shannon Griffo
Ethics Attorney
Office of General Counsel, Ethics
U.S. Environmental Protection Agency
(202) 564-7061
Griffo.Shannon@epa.gov

Message

From: Jackie Young [jyoung@txhea.org]
Sent: 1/24/2018 3:02:34 AM
To: Bennett, Tate [Bennett.Tate@epa.gov]
CC: Gray, David [gray.david@epa.gov]
Subject: Re: See you soon

Thank you for sharing!
Only ones I know that hoped the cap would be more than temporary are those footing the bill.
Great write up!

On Tue, Jan 23, 2018 at 9:49 PM Bennett, Tate <Bennett.Tate@epa.gov> wrote:
Also, wanted to share the below article. Thanks! Tate

Washington Post
https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e
At Superfund sites, Scott Pruitt could flip his industry-friendly script
By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend $115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry.'"

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies]are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than $1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about $330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of $50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his $125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a

solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

--

Jackie Young
Executive Director
Texas Health and Environment Alliance, Inc
3262 Westheimer Rd #142
Houston, TX 77098
281-315-5242
TXHEA.org

Message

From: Fr. Michael Lasky [jpic@olaprovince.org]
Sent: 1/24/2018 2:59:34 AM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: Thought you might be interested

Thank you Tate.
Thank you for this article. Hope is always around us.
I am well, and I pray you are. Sorry February 6th did not work out, but pray it might be rescheduled.
All is progressing well for April 11 & 12 in Ellicott City, MD.
Let me know if you wanted to visit in advance.
Peace,
Fr. Mike

From: Bennett, Tate <Bennett.Tate@epa.gov>
Sent: Tuesday, January 23, 2018 9:47:35 PM
To: Fr. Michael Lasky
Subject: Thought you might be interested

See below. Hope all is well!
Washington Post
https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e
At Superfund sites, Scott Pruitt could flip his industry-friendly script
By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend $115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

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The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry.'"

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies]are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than $1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as

the Trump administration has proposed cutting the program's annual budget by 30 percent, or about $330 million.

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"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of $50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

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The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his $125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 1/5/2018 7:42:53 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]
CC: Kelly, Albert [kelly.albert@epa.gov]
Subject: RE: DC Visit and Houston Media

This is great, thank you.

From: Bennett, Tate
Sent: Friday, January 5, 2018 12:32 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Kelly, Albert <kelly.albert@epa.gov>
Subject: FW: DC Visit and Houston Media

Deliberative Process / Ex. 5

From: Jackie Young [mailto:jyoung@txhea.org]
Sent: Friday, January 5, 2018 10:47 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: DC Visit and Houston Media

Tate,

I will be visiting Washington D.C the week of January 22 for a meeting with Albert Kelly on January 24. Lois Gibbs arranged the meeting with Kelly and stakeholders from across the country. I believe there are 10 of us. It would be wonderful if Administrator Pruitt could join the meeting and hear from our experiences first hand with the Superfund process, what hinders and facilitates the process.

Also, the Houston Chronicle Editorial Board published a piece earlier this week that was a bit unfair to Kelly and the Administrator. My response Letter to The Editor was published in the Chronicle today. Both are attached.

Hope you had a wonderful holiday season!

Sincerely,
Jackie

--
Jackie Young
Executive Director
Texas Health and Environment Alliance, Inc
3262 Westheimer Rd #142
Houston, TX 77098

281-315-5242
TXHEA.org

Message

From: Cassandra Carmichael [cassandra@nrpe.org]
Sent: 1/26/2018 4:39:53 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]
Subject: Re: Hey there

Mid Feb works. What about the week of Feb 19 (but not the 19th)?

Cassandra Carmichael
Executive Director
National Religious Partnership for the Environment
110 Maryland Avenue, NE, Suite 203
Washington, DC 20002
443-822-3720
Cassandra@nrpe.org

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Friday, January 26, 2018 at 11:38 AM
To: Cassandra <cassandra@nrpe.org>
Subject: Re: Hey there

Hey there! I'm so sorry but can we aim for mid month in Feb? Long story but I will now be doing some travel. Can I circle back next month? Sorry to keep moving the goal post!

On Jan 24, 2018, at 11:54 AM, Cassandra Carmichael <cassandra@nrpe.org> wrote:

> Just sent you one.
>
> Cassandra Carmichael
> Executive Director
> National Religious Partnership for the Environment
> 110 Maryland Avenue, NE, Suite 203
> Washington, DC 20002
> 443-822-3720
> Cassandra@nrpe.org
>
> ---
>
> **From:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Date:** Wednesday, January 24, 2018 at 11:47 AM
> **To:** Cassandra <cassandra@nrpe.org>
> **Subject:** RE: Hey there
>
> Do you mind sending me an outlook invite?
>
> ---
>
> **From:** Cassandra Carmichael [mailto:cassandra@nrpe.org]
> **Sent:** Wednesday, January 24, 2018 10:56 AM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
> **Subject:** Re: Hey there

Sounds good.

Cassandra Carmichael
Executive Director
National Religious Partnership for the Environment
110 Maryland Avenue, NE, Suite 203
Washington, DC 20002
443-822-3720
Cassandra@nrpe.org

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, January 24, 2018 at 10:54 AM
To: Cassandra <cassandra@nrpe.org>
Subject: Re: Hey there

Office?

On Jan 24, 2018, at 10:53 AM, Cassandra Carmichael <cassandra@nrpe.org> wrote:

> Yes---outside EPA or at your office?
>
> Cassandra Carmichael
> Executive Director
> National Religious Partnership for the Environment
> 110 Maryland Avenue, NE, Suite 203
> Washington, DC 20002
> 443-822-3720
> Cassandra@nrpe.org
>
> ---
>
> **From:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Date:** Wednesday, January 24, 2018 at 10:51 AM
> **To:** Cassandra <cassandra@nrpe.org>
> **Subject:** Re: Hey there
>
> Good here! Fed triangle?
>
> On Jan 24, 2018, at 10:34 AM, Cassandra Carmichael <cassandra@nrpe.org> wrote:
>
>> How about 11:30am on Tuesday?
>>
>> Cassandra Carmichael
>> Executive Director
>> National Religious Partnership for the Environment
>> 110 Maryland Avenue, NE, Suite 203
>> Washington, DC 20002
>> 443-822-3720
>> Cassandra@nrpe.org

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, January 24, 2018 at 10:25 AM
To: Cassandra <cassandra@nrpe.org>
Subject: RE: Hey there

Is there a day that works for you next week?

From: Cassandra Carmichael [mailto:cassandra@nrpe.org]
Sent: Wednesday, January 24, 2018 9:13 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Hey there

They did—thank you!!
Yes, let's grab coffee. When is good for you?
Cassandra

Cassandra Carmichael
Executive Director
National Religious Partnership for the Environment
110 Maryland Avenue, NE, Suite 203
Washington, DC 20002
443-822-3720
Cassandra@nrpe.org

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Tuesday, January 23, 2018 at 9:43 PM
To: Cassandra <cassandra@nrpe.org>
Subject: Hey there

Hey Cassandra!

Did my folks get back to you?

We still need to grab coffee!

I also wanted to pass this along.

Washington Post
https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e
At Superfund sites, Scott Pruitt could flip his industry-friendly script
By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend $115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

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Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

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Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 1/5/2018 5:35:19 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]
CC: Kelly, Albert [kelly.albert@epa.gov]
Subject: RE: DC Visit and Houston Media

Yes. Will include in his folder.

From: Bennett, Tate
Sent: Friday, January 5, 2018 12:32 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Kelly, Albert <kelly.albert@epa.gov>
Subject: FW: DC Visit and Houston Media

Deliberative Process / Ex. 5

From: Jackie Young [mailto:jyoung@txhea.org]
Sent: Friday, January 5, 2018 10:47 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: DC Visit and Houston Media

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Sincerely,
Jackie

--
Jackie Young
Executive Director
Texas Health and Environment Alliance, Inc
3262 Westheimer Rd #142
Houston, TX 77098
281-315-5242

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/11/2017 3:58:26 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: Fwd: POLITICO's Morning Energy: Irma batters Florida with massive flooding, electric outages — EPA's climate adaptation work continues — Elliott tapped for PHMSA chief

EPA said ahead of landfall it had completed rapid assessments of 90 Superfund sites in Florida and would ensure any impacted site would be inspected as soon as it's safe to do so. Sen. Marco Rubio told the Associated Press on Sunday agency officials were "generally positive" about the security of Superfund sites during the hurricane, but "they can't guarantee it 100 percent," he added. EPA Administrator Scott Pruitt also allowed three Tampa Electric Company facilities and several Monroe County units to operate without meeting all air pollution controls in an attempt to ensure a steady stream of electricity.

Begin forwarded message:

> **From:** "Morning Energy" <morningenergy@politico.com>
> **Date:** September 11, 2017 at 9:08:56 AM CDT
> **To:** <bennett.tate@epa.gov>
> **Subject: POLITICO's Morning Energy: Irma batters Florida with massive flooding, electric outages — EPA's climate adaptation work continues — Elliott tapped for PHMSA chief**
> **Reply-To:** "POLITICO subscriptions" <reply-fe9c13707560047a74-630307_HTML-791699120-1376319-0@politicoemail.com>
>
> **EPA said ahead of landfall** it had completed rapid assessments of 90 Superfund sites in Florida and would ensure any impacted site would be inspected as soon as it's safe to do so. Sen. Marco Rubio told the Associated Press on Sunday agency officials were "generally positive" about the security of Superfund sites during the hurricane, but "they can't guarantee it 100 percent," he added. EPA Administrator Scott Pruitt also allowed three Tampa Electric Company facilities and several Monroe County units to operate without meeting all air pollution controls in an attempt to ensure a steady stream of electricity.

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 9/4/2017 2:45:23 AM
To: mark.roman@mail.house.gov
Subject: Fwd: EPA Response To The AP's Misleading Story

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 12:19:21 PM EDT
To: "Bennett.Tate@epa.gov" <Bennett.Tate@epa.gov>
Subject: EPA Response To The AP's Misleading Story
Reply-To: press@epa.gov

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **incredibly misleading story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the audacity to imply that agencies aren't being responsive to the devastating effects of Hurricane Harvey. Not only is this inaccurate, but it creates panic and politicizes the hard work of first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted initial assessments at **41** Superfund sites - **28** of those sites show no damage, and **13** have experienced flooding. This was left out of the original story, along with the fact that EPA and state agencies worked with responsible parties to secure Superfund sites before the hurricane hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in constant contact with local, state and county officials. And EPA, has a team of experts imbedded with other local, state and federal authorities, on the ground responding to Harvey - none of which Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a history of letting the facts get in the way of his story. Earlier this summer, he made-up a meeting that Administrator Pruitt had, and then deliberately discarded information that refuted his inaccurate story - ultimately prompting a nation-wide correction. Additionally, the Oklahoman took him to task for sensationalized reporting.

- Correction: EPA-Dow Chemical story
- Associated Press Enguifed in CNN-Level Scandal as it Covers Up Invention of Imaginary Pruitt Meeting

If you're reporting on this misleading story then below is a statement from the EPA.

"Once again, in an attempt to mislead Americans, the Associated Press is cherry-picking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism."
- EPA Associate Administrator, Liz Bowman

BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damaged after Harvey. "The Environmental Protection Agency (EPA) said Saturday that 13 Superfund sites have been flooded or could be facing damage as a result of Hurricane Harvey. The agency said that two of the sites, which are areas that are polluted with hazardous material and require extensive cleanup, had been inspected and do not require immediate cleanup. Eleven sites have proven to be inaccessible for response teams, however the agency said teams are in place to inspect the areas once flooding from the storm subsides. In total, the EPA said that it had conducted initial assessments at 41 Superfund sites in impacted areas using 'aerial images' and contact with with those responsible for regular cleanup activities." (The Hill, 09/02/17)

In June, the editorial board at the Oklahoman reminded their readers of the sensationalized reporting that comes from the Associated Press' Michael Biesecker. "The disdain that some in the media have for President Trump and members of his administration is evident regularly. Recent coverage related to EPA administrator Scott Pruitt provides an example of interest to locals because of Pruitt's Oklahoma ties. ... An Associated Press story from Washington last week about emails Pruitt sent and received as attorney general did what it could to further establish Pruitt as a minion for the oil and gas industry — which environmentalists see as dead set on ruining the earth as we know it. The AP, a wire service used by media outlets around the world including The Oklahoman, said the emails 'underscore just how closely' Pruitt 'coordinated with fossil fuel companies' as Oklahoma's AG, 'a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions.' That's quite an opening paragraph. Pruitt didn't just work with energy companies while attorney general — he

worked ‘closely’ with ‘fossil fuel companies’ (the ultimate bogey men) to essentially keep global warming from abating. … The fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious.”

<!--[if !mso]--> Visit The EPA's Newsroom <!--[endif]-->

Like
Tweet
Share
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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/29/2018 12:05:25 AM
To: Cassandra Carmichael [cassandra@nrpe.org]
Subject: Re: Hey there

Do you mind switching the outlook when you have time?

On Jan 28, 2018, at 6:55 PM, Cassandra Carmichael <cassandra@nrpe.org> wrote:

> Sounds good. I will come to your office that day.
> Cassandra
>
> Cassandra Carmichael
> Executive Director
> National Religious Partnership for the Environment
> 110 Maryland Avenue, NE, Suite 203
> Washington, DC 20002
> 443-822-3720
> Cassandra@nrpe.org
>
> ---
>
> **From:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Date:** Saturday, January 27, 2018 at 3:23 PM
> **To:** Cassandra <cassandra@nrpe.org>
> **Subject:** Re: Hey there
>
> 1 PM is good that day!
>
> On Jan 27, 2018, at 1:42 PM, Cassandra Carmichael <cassandra@nrpe.org> wrote:
>
>> I can do the 20th anytime 10am – 2pm
>>
>> Cassandra Carmichael
>> Executive Director
>> National Religious Partnership for the Environment
>> 110 Maryland Avenue, NE, Suite 203
>> Washington, DC 20002
>> 443-822-3720
>> Cassandra@nrpe.org
>>
>> ---
>>
>> **From:** "Bennett, Tate" <Bennett.Tate@epa.gov>
>> **Date:** Friday, January 26, 2018 at 6:54 PM
>> **To:** Cassandra <cassandra@nrpe.org>
>> **Subject:** Re: Hey there
>>
>> Afternoon of the 20th?

On Jan 26, 2018, at 11:41 AM, Cassandra Carmichael <cassandra@nrpe.org> wrote:

> Mid Feb works. What about the week of Feb 19 (but not the 19th)?
>
> Cassandra Carmichael
> Executive Director
> National Religious Partnership for the Environment
> 110 Maryland Avenue, NE, Suite 203
> Washington, DC 20002
> 443-822-3720
> Cassandra@nrpe.org
>
> ---
>
> **From:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Date:** Friday, January 26, 2018 at 11:38 AM
> **To:** Cassandra <cassandra@nrpe.org>
> **Subject:** Re: Hey there
>
> Hey there! I'm so sorry but can we aim for mid month in Feb? Long story but I will now be doing some travel. Can I circle back next month? Sorry to keep moving the goal post!
>
> On Jan 24, 2018, at 11:54 AM, Cassandra Carmichael <cassandra@nrpe.org> wrote:
>
>> Just sent you one.
>>
>> Cassandra Carmichael
>> Executive Director
>> National Religious Partnership for the Environment
>> 110 Maryland Avenue, NE, Suite 203
>> Washington, DC 20002
>> 443-822-3720
>> Cassandra@nrpe.org
>>
>> ---
>>
>> **From:** "Bennett, Tate" <Bennett.Tate@epa.gov>
>> **Date:** Wednesday, January 24, 2018 at 11:47 AM
>> **To:** Cassandra <cassandra@nrpe.org>
>> **Subject:** RE: Hey there
>>
>> Do you mind sending me an outlook invite?
>>
>> ---
>>
>> **From:** Cassandra Carmichael [mailto:cassandra@nrpe.org]
>> **Sent:** Wednesday, January 24, 2018 10:56 AM
>> **To:** Bennett, Tate <Bennett.Tate@epa.gov>
>> **Subject:** Re: Hey there

Sounds good.

Cassandra Carmichael
Executive Director
National Religious Partnership for the Environment
110 Maryland Avenue, NE, Suite 203
Washington, DC 20002
443-822-3720
Cassandra@nrpe.org

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, January 24, 2018 at 10:54 AM
To: Cassandra <cassandra@nrpe.org>
Subject: Re: Hey there

Office?

On Jan 24, 2018, at 10:53 AM, Cassandra Carmichael <cassandra@nrpe.org> wrote:

> Yes---outside EPA or at your office?
>
> Cassandra Carmichael
> Executive Director
> National Religious Partnership for the Environment
> 110 Maryland Avenue, NE, Suite 203
> Washington, DC 20002
> 443-822-3720
> Cassandra@nrpe.org
>
> ---
>
> **From:** "Bennett, Tate" <Bennett.Tate@epa.gov>
> **Date:** Wednesday, January 24, 2018 at 10:51 AM
> **To:** Cassandra <cassandra@nrpe.org>
> **Subject:** Re: Hey there
>
> Good here! Fed triangle?
>
> On Jan 24, 2018, at 10:34 AM, Cassandra Carmichael <cassandra@nrpe.org> wrote:
>
>> How about 11:30am on Tuesday?

Cassandra Carmichael
Executive Director
National Religious
Partnership for the
Environment
110 Maryland
Avenue, NE, Suite
203
Washington, DC
20002
443-822-3720
Cassandra@nrpe.org

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Wednesday, January 24, 2018 at 10:25 AM
To: Cassandra <cassandra@nrpe.org>
Subject: RE: Hey there

Is there a day that works for you next week?

From: Cassandra Carmichael [mailto:cassandra@nrpe.org]
Sent: Wednesday, January 24, 2018 9:13 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Re: Hey there

They did—thank you!! Yes, let's grab coffee. When is good for you? Cassandra

Cassandra Carmichael
Executive Director

National Religious Partnership for the Environment
110 Maryland Avenue, NE, Suite 203
Washington, DC 20002
443-822-3720
Cassandra@nrpe.org

From: "Bennett, Tate" <Bennett.Tate@epa.gov>
Date: Tuesday, January 23, 2018 at 9:43 PM
To: Cassandra <cassandra@nrpe.org>
Subject: Hey there

Hey Cassandra!

Did my folks get back to you?

We still need to grab coffee!

I also wanted to pass this along.

Washington Post
https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e
At Superfund sites, Scott Pruitt could

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By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

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From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 1/24/2018 2:49:54 AM
To: Jackie Young [jyoung@txhea.org]
CC: Gray, David [gray.david@epa.gov]
Subject: See you soon

Also, wanted to share the below article. Thanks! Tate

Washington Post
https://www.washingtonpost.com/national/health-science/at-superfund-sites-scott-pruitt-could-flip-his-industry-friendly-script/2018/01/23/070c07d4-f659-11e7-a9e3-ab18ce41436a_story.html?utm_term=.673143bd168e
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By Brady Dennis and Juliet Eilperin, 1/23/18, 11:00 AM

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Sent: 1/24/2018 2:37:46 AM
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CC: Brennan, Thomas [Brennan.Thomas@epa.gov]
Subject: Article to circulate

Your portfolio list might want to check out this one. Thanks, Doretta!

Washington Post
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"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/17/2017 7:21:56 PM
To: Kelly, Albert [kelly.albert@epa.gov]
Subject: Re: Anaconda Mine Rollout

Nice

On Dec 17, 2017, at 2:14 PM, Kelly, Albert <kelly.albert@epa.gov> wrote:

Deliberative Process / Ex. 5

Albert Kelly
Senior Advisor to the Administrator
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Ex. 6

From: Bennett, Tate
Sent: Sunday, December 17, 2017 2:11 PM
To: Kelly, Albert <kelly.albert@epa.gov>
Cc: Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: Re: Anaconda Mine Rollout

Deliberative Process / Ex. 5

On Dec 17, 2017, at 2:02 PM, Kelly, Albert <kelly.albert@epa.gov> wrote:

Deliberative Process / Ex. 5

Albert Kelly
Senior Advisor to the Administrator
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Ex. 6

From: Bennett, Tate
Sent: Wednesday, December 13, 2017 6:03 PM
To: Cory, Preston (Katherine) <Cory.Preston@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
Subject: Re: Anaconda Mine Rollout

Perfect. Thank you!

On Dec 13, 2017, at 5:19 PM, Cory, Preston (Katherine) <Cory.Preston@epa.gov> wrote:

> Asking for additional info from Sandoval- have not committed to anything- and will keep y'all in the loop.
>
> Thanks, all.
>
> **From:** Bowman, Liz
> **Sent:** Wednesday, December 13, 2017 5:18 PM
> **To:** Bennett, Tate <Bennett.Tate@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
> **Cc:** Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
> **Subject:** RE: Anaconda Mine Rollout
>
> **Deliberative Process / Ex. 5**
>
> **From:** Bennett, Tate
> **Sent:** Wednesday, December 13, 2017 5:08 PM
> **To:** Ford, Hayley <ford.hayley@epa.gov>
> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
> **Subject:** Re: Anaconda Mine Rollout
>
> Just spoke with Hayley. Can you ask Sandoval's office
>
> **Deliberative Process / Ex. 5**

On Dec 13, 2017, at 4:43 PM, Ford, Hayley <ford.hayley@epa.gov> wrote:

Agreed, as long as Kell is in agreement and there are no issues with this site. There are some dates in mid-Jan that would work. Happy to suggest some if we decide we want to do this.

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell Ex. 6

From: Bowman, Liz
Sent: Wednesday, December 13, 2017 4:28 PM
To: Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: Anaconda Mine Rollout

I think this sounds like a great opportunity and would encourage us to try to make this work

---

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To: Ford, Hayley <ford.hayley@epa.gov>
Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: Anaconda Mine Rollout

All-

Deliberative Process / Ex. 5

Wanted to send a note to put on everyone's radar. Copying Tate as I know she spoke with Ryan about this previously.

Thanks,
Preston

K. Preston Cory
Special Advisor
Office of the Administrator, Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-579-4281

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 12/17/2017 6:40:29 PM
To: Cory, Preston (Katherine) [Cory.Preston@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]
Subject: Re: Anaconda Mine Rollout

Any word from Sandoval's folks? Hoping to meet with RJ and ultimately Pruitt early this week on proposed travel for the next few months. Tomorrow AM would be fine for their feedback.

On Dec 13, 2017, at 5:19 PM, Cory, Preston (Katherine) <Cory.Preston@epa.gov> wrote:

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> **Sent:** Wednesday, December 13, 2017 5:08 PM
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> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Cory, Preston (Katherine) <Cory.Preston@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
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Hayley Ford
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Environmental Protection Agency
ford.hayley@epa.gov
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Cell: Ex. 6

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Sent: Wednesday, December 13, 2017 4:28 PM
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Cc: Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
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To: Ford, Hayley <ford.hayley@epa.gov>
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Subject: Anaconda Mine Rollout

All-

Deliberative Process / Ex. 5

Wanted to send a note to put on everyone's radar. Copying Tate as I know she spoke with Ryan about this previously.

Thanks,
Preston

K. Preston Cory
Special Advisor
Office of the Administrator, Congressional and Intergovernmental Relations
U.S. Environmental Protection Agency
202-579-4281

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/20/2018 8:05:10 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Unredacted schedule from Morocco trip

Apparently other EPA beat reporters were sent this, though not AP, even though we just talked about it. Would you please send?

Get Outlook for iOS

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/20/2018 6:16:33 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Can you give me 20 min?

Best number?

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Friday, April 20, 2018 10:55 AM
To: Biesecker, Michael <MBiesecker@ap.org>
Subject: RE: Can you give me 20 min?

Sure

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, April 20, 2018 1:52 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Can you give me 20 min?

I'm actually at lunch. 2:15?

Get Outlook for iOS

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Friday, April 20, 2018 1:26:01 PM
To: Biesecker, Michael
Subject: Can you give me 20 min?

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.
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Message

From: Burke, Marcella [burke.marcella@epa.gov]
Sent: 4/20/2018 5:22:36 PM
To: Walker, Denise [Walker.Denise@epa.gov]; Miller, Kevin [Miller.Kevin@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Blake, Wendy [Blake.Wendy@epa.gov]; Creech, Christopher [Creech.Christopher@epa.gov]; Bigioni, Neil [bigioni.neil@epa.gov]
Subject: RE: FOIA REQUEST EPA-HQ-2018-003229

Thanks – Liz, if helpful, would you please be in touch with Wendy about the litigation equities involved? Thanks.

Marcella Burke
Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460
(202) 564-1609
burke.marcella@epa.gov

From: Walker, Denise
Sent: Friday, April 20, 2018 12:57 PM
To: Miller, Kevin <Miller.Kevin@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Burke, Marcella <burke.marcella@epa.gov>
Cc: Blake, Wendy <Blake.Wendy@epa.gov>; Creech, Christopher <Creech.Christopher@epa.gov>; Bigioni, Neil <bigioni.neil@epa.gov>
Subject: RE: FOIA REQUEST EPA-HQ-2018-003229

Thanks, all. As Chris is on vacation, I'll respond to Mr. Biesecker and ask him to reach out to Ms. Bowman.

Enjoy your day.

Denise

Denise A. Walker
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7308A WJCN
Office: 202-564-6520
EPA Cell Ex. 6

Have a FOIA question? Try here first!

From: Miller, Kevin
Sent: Friday, April 20, 2018 8:04 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Burke, Marcella <burke.marcella@epa.gov>
Cc: Walker, Denise <Walker.Denise@epa.gov>; Blake, Wendy <Blake.Wendy@epa.gov>; Creech, Christopher

<Creech.Christopher@epa.gov>; Bigioni, Neil <bigioni.neil@epa.gov>
Subject: RE: FOIA REQUEST EPA-HQ-2018-003229

Hi Liz,

This particular requestor is not in litigation. However, a number of requestors, including this one, received the same calendar production (w/same redactions) that we made in our litigation cases seeking the calendar.

Kevin Miller | US EPA | Office of General Counsel | 1200 Pennsylvania Ave., NW | WJC North, Mail Code 2377A | Washington DC 20460 | phone: (202) 564-2691

From: Bowman, Liz
Sent: Friday, April 20, 2018 5:50 AM
To: Burke, Marcella <burke.marcella@epa.gov>
Cc: Miller, Kevin <Miller.Kevin@epa.gov>; Walker, Denise <Walker.Denise@epa.gov>; Blake, Wendy <Blake.Wendy@epa.gov>; Creech, Christopher <Creech.Christopher@epa.gov>; Bigioni, Neil <bigioni.neil@epa.gov>
Subject: Re: FOIA REQUEST EPA-HQ-2018-003229

Thanks all, knowing they are with regard to litigation is helpful.

Sent from my iPhone

On Apr 19, 2018, at 9:31 PM, Burke, Marcella <burke.marcella@epa.gov> wrote:

> All questions from reporters go to Liz Bowman. Thanks.
>
> Sent from my iPhone
>
> On Apr 19, 2018, at 9:22 PM, Miller, Kevin <Miller.Kevin@epa.gov> wrote:
>
> **Deliberative Process / Ex. 5**
>
> > On Apr 19, 2018, at 6:17 PM, Walker, Denise <Walker.Denise@epa.gov> wrote:
> >
> > All:
> >
> > These redactions were done in the context of litigation.
> >
> > **Deliberative Process / Ex. 5**
> >
> > Best,
> > Denise
> >
> > Denise A. Walker
> > U.S. Environmental Protection Agency
> > Office of General Counsel
> > Washington, D.C. | 7308A WJCN
> > Office: 202-564-6520
> > EPA Cell: **Ex. 6**
> >
> > Have a FOIA question? Try here first!

From: Creech, Christopher
Sent: Thursday, April 19, 2018 6:06 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: No, Fredrick <No.Fredrick@epa.gov>; Newton, Jonathan <Newton.Jonathan@epa.gov>
Subject: Re: FOIA REQUEST EPA-HQ-2018-003229

Hi Mr. Biesecker,

I am out of the office until Monday but wanted to let you know I received your messages. I would be happy to connect and discuss your FOIA requests once I return to the office.

Best,

Christopher

From: Biesecker, Michael <MBiesecker@ap.org>
Sent: Thursday, April 19, 2018 2:37:30 PM
To: No, Fredrick; Creech, Christopher
Cc: Newton, Jonathan
Subject: RE: FOIA REQUEST EPA-HQ-2018-003229

Still awaiting a reply on this.

From: Biesecker, Michael
Sent: Thursday, April 19, 2018 7:50 AM
To: 'no.fredrick@epa.gov' <no.fredrick@epa.gov>; 'creech.christopher@epa.gov' <creech.christopher@epa.gov>
Cc: 'newton.jonathan@epa.gov' <newton.jonathan@epa.gov>
Subject: FW: FOIA REQUEST EPA-HQ-2018-003229

Hi, I have some questions regarding the reasoning behind some of the redactions made to the calendars, as well as the estimated completion date.

Could one of you please give me a call?

Thanks,

Michael
(202) 641-9445

From: newton.jonathan@epa.gov <newton.jonathan@epa.gov>
Sent: Tuesday, April 17, 2018 2:26 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Subject: FOIA REQUEST EPA-HQ-2018-003229

RE: FOIA REQUEST EPA-HQ-2018-003229

Dear Michael Biesecker,

Thank you very much for your interest in the Environmental Protection Agency. This correspondence references the above Freedom of Information Act (FOIA) request, which seeks information about the EPA Administrator's travel, schedule, or both. Many people or entities have requested information about these records. We appreciate your patience as we process these requests.

I. Interim Response

Today we are releasing 365 pages of records to you. The release contains materials responsive to your FOIA request. This release may include additional records that you have not requested; however, the records may be of interest to you. We are releasing these records proactively to you at no cost. Please find the records here: https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d28134aaec.

This release includes documents that have been partially withheld. The reasons for the withholdings are printed over the redactions. Should you wish to appeal any withholding determination, you will have the opportunity to do so. We will provide you with appeal rights at the time of the final production.

Records Released on 04.17.2018:

1. EPA Admin Calendar 06.19.2017-08.14.2017.pdf (113-pages)
2. EPA Admin Calendar 08.14.2017-01.02.2018.pdf (252-pages).

Records Released on 03.23.2018:

1. EPA Admin Travel 02.21.2017-03.19.2017 (4-page PDF)
2. EPA Admin Travel 03.20.2017-06.01.2017 (29-page PDF)
3. EPA Admin and Staff Travel 06.02.2017-06.18.2018 (58-page PDF)
4. EPA Admin and Staff Travel 06.15.2017-08.29.2017 (33-page PDF)
5. EPA Admin Travel 08.30.2017-02.14.2018 (68-page PDF)
6. EPA Admin Calendar 02.12.2017-04.07.2017 (171-page PDF)
7. EPA Admin Calendar 02.12.2017-05.19.2017 (145-page PDF)
8. EPA Admin Calendar 05.19.2017-06.19.2017 (104-page PDF)

II. Unusual Circumstances and Extension of Time

To complete your request, EPA will need to search for and collect the requested records from multiple EPA offices that are separate from the Office of the Administrator (AO). As a result of these

unusual circumstances, an extension of time to respond to your request is necessary under 40 C.F.R. § 2.104(d).

The AO has received an unprecedented amount of FOIA requests during fiscal year 2017. In fiscal year 2016, AO received only 203 FOIA requests, whereas in fiscal year 2017, AO received 1,043 FOIA requests. This is a 413% increase in FOIA requests from fiscal years 2016 to 2017. We are still processing these requests.

For your information, we use multiple tracks to process requests, but within those tracks we work in an agile manner. The time needed to complete our work on your request will necessarily depend on a variety of factors, including the complexity of our records search, the volume and complexity of any material located, and the order of receipt of your request.

In fiscal year 2017, the average processing time for complex FOIA requests processed by AO was 388 working days. Using this number as instructive to estimate the time to process your request, the new estimated completion date for this FOIA is 7/5/2019.

III. Opportunity to Discuss and Modify

EPA's FOIA regulations state:

Whenever possible, your request should include specific information about each record sought, such as the date, title or name, author, recipient, and subject matter. If known, you should include any file designations or descriptions for the records that you want. The more specific you are about the records or type of records that you want, the more likely EPA will be able to identify and locate records responsive to your request.

40 C.F.R. § 2.102(c).

We would like to provide you the opportunity to discuss the request with us and clarify or narrow the request. As indicated in 40 C.F.R. § 2.102(c), if you would like to speak with us about your request, please include or be prepared to discuss any specific information about the records you seek, including time-period, authors, or a more detailed description of the records' subject matter.

IV. Publicly Available Information and Next Steps

The following are sources of publicly available information that you can access immediately:

• Our website: https://www.epa.gov/home/advanced-search
• FOIAonline for records previously released through FOIA requests:

https://foiaonline.regulations.gov/foia/action/public/search/
• Environmental Topics Information repositories: https://www.epa.gov/environmental-topics/z-index
• Technical/scientific/educational publications: https://www.epa.gov/nscep
• Staff Manuals and Guidance: https://www.epa.gov/foia/national-online-foia-library#admin
• Policy Statements: https://www.epa.gov/foia/national-online-foia-library#statement
• Superfund sites and data: https://www.epa.gov/foia/national-online-foia-library#superfund

If it is possible for us to do so, we will provide you with interim releases as they become available.

If you wish to clarify your request further so that EPA can process your request in a shorter amount of time, or if this release satisfies your request and you would like to close your request, the Office of the Administrator is happy to work with you.

Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; by email, ogis@nara.gov; by telephone, (202) 741-5770 or (877) 684-6448; or by fax: (202) 741-5769.

If you have any additional questions about your request, please contact Christopher Creech at creech.christopher@epa.gov or (202) 564-4286, or Fredrick No at no.fredrick@epa.gov or (202) 564-2793.

Please direct media related inquiries to press@epa.gov.

Thank you,

EPA Office of the Administrator

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/20/2018 5:12:01 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: FW: FOIA REQUEST EPA-HQ-2018-003229

Liz,

I have a series of questions regarding redactions made on these documents and the remaining production schedule. When would be a convenient time for you to talk?

Michael

From: Walker, Denise <Walker.Denise@epa.gov>
Sent: Friday, April 20, 2018 10:00 AM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: No, Fredrick <No.Fredrick@epa.gov>; Newton, Jonathan <Newton.Jonathan@epa.gov>; Creech, Christopher <Creech.Christopher@epa.gov>
Subject: RE: FOIA REQUEST EPA-HQ-2018-003229

Good afternoon, Mr. Biesecker,

Please direct your inquiries concerning these documents to Liz Bowman in the Office of Public Affairs. She will be happy to discuss them with you.

Ms. Bowman is available at: 202-564-3293 or press@epa.gov

Best,
Denise

Denise A. Walker
U.S. Environmental Protection Agency
Office of General Counsel
Washington, D.C. | 7308A WJCN
Office: 202-564-6520
EPA Cell: Ex. 6

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Records Released on 04.17.2018:

1. EPA Admin Calendar 06.19.2017-08.14.2017.pdf (113-pages)
2. EPA Admin Calendar 08.14.2017-01.02.2018.pdf (252-pages).

Records Released on 03.23.2018:

1. EPA Admin Travel 02.21.2017-03.19.2017 (4-page PDF)
2. EPA Admin Travel 03.20.2017-06.01.2017 (29-page PDF)
3. EPA Admin and Staff Travel 06.02.2017-06.18.2018 (58-page PDF)
4. EPA Admin and Staff Travel 06.15.2017-08.29.2017 (33-page PDF)
5. EPA Admin Travel 08.30.2017-02.14.2018 (68-page PDF)
6. EPA Admin Calendar 02.12.2017-04.07.2017 (171-page PDF)
7. EPA Admin Calendar 02.12.2017-05.19.2017 (145-page PDF)
8. EPA Admin Calendar 05.19.2017-06.19.2017 (104-page PDF)

II. Unusual Circumstances and Extension of Time

To complete your request, EPA will need to search for and collect the requested records from multiple EPA offices that are separate from the Office of the Administrator (AO). As a result of these unusual circumstances, an extension of time to respond to your request is necessary under 40 C.F.R. § 2.104(d).

The AO has received an unprecedented amount of FOIA requests during fiscal year 2017. In fiscal year 2016, AO received only 203 FOIA requests, whereas in fiscal year 2017, AO received 1,043 FOIA requests. This is a 413% increase in FOIA requests from fiscal years 2016 to 2017. We are still processing these requests.

For your information, we use multiple tracks to process requests, but within those tracks we work in an agile manner. The time needed to complete our work on your request will necessarily depend on a variety of factors, including the complexity of our records search, the volume and complexity of any material located, and the order of receipt of your request.

In fiscal year 2017, the average processing time for complex FOIA requests processed by AO was 388 working days. Using this number as instructive to estimate the time to process your request, the new estimated completion date for this FOIA is 7/5/2019.

III. Opportunity to Discuss and Modify

EPA's FOIA regulations state:

Whenever possible, your request should include specific information about each record sought, such as the date, title or name, author, recipient, and subject matter. If known, you should include any file designations or descriptions for the records that you want. The more specific you are about the records or type of records that you want, the more likely EPA will be able to identify and locate records responsive to your request.

40 C.F.R. § 2.102(c).

We would like to provide you the opportunity to discuss the request with us and clarify or narrow the request. As indicated in 40 C.F.R. § 2.102(c), if you would like to speak with us about your request, please include or be prepared to discuss any specific information about the records you seek, including time-period, authors, or a more detailed description of the records' subject matter.

IV. Publicly Available Information and Next Steps

The following are sources of publicly available information that you can access immediately:

• Our website: https://www.epa.gov/home/advanced-search
• FOIAonline for records previously released through FOIA requests: https://foiaonline.regulations.gov/foia/action/public/search/
• Environmental Topics Information repositories: https://www.epa.gov/environmental-topics/z-index
• Technical/scientific/educational publications: https://www.epa.gov/nscep
• Staff Manuals and Guidance: https://www.epa.gov/foia/national-online-foia-library#admin
• Policy Statements: https://www.epa.gov/foia/national-online-foia-library#statement
• Superfund sites and data: https://www.epa.gov/foia/national-online-foia-library#superfund

If it is possible for us to do so, we will provide you with interim releases as they become available.

If you wish to clarify your request further so that EPA can process your request in a shorter amount of time, or if this release satisfies your request and you would like to close your request, the Office of the Administrator is happy to work with you.

Additionally, you may seek assistance from EPA's FOIA Public Liaison at hq.foia@epa.gov or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; by email, ogis@nara.gov; by telephone, (202) 741-5770 or (877) 684-6448; or by fax: (202) 741-5769.

If you have any additional questions about your request, please contact Christopher Creech at creech.christopher@epa.gov or (202) 564-4286, or Fredrick No at no.fredrick@epa.gov or (202) 564-2793.

Please direct media related inquiries to press@epa.gov.

Thank you,

EPA Office of the Administrator

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/19/2018 6:17:00 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: State Dinner for France

We have, but also reaching out to the individual agencies.

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Thursday, April 19, 2018 11:09 AM
To: Biesecker, Michael <MBiesecker@ap.org>
Subject: RE: State Dinner for France

Hi Michael – Off the record: I haven't heard one way or the other, please reach out to the White House to confirm the members of the Cabinet that will be in attendance. Thank you – Liz

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, April 19, 2018 1:47 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: State Dinner for France

Liz,

AP is doing a story in advance of this weekend's state dinner for France, the first held at the White House under the Trump administration. We are reaching out to agencies across the government to confirm which cabinet officials are expected to attend.

Does Administrator Pruitt plan to go?

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 4/18/2018 11:18:13 PM
To: Minoli, Kevin [Minoli.Kevin@epa.gov]; Leopold, Matt [Leopold.Matt@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
CC: Ford, Hayley [ford.hayley@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

That is true. Those edits in red are ok with me. I don't think it sounds disingenuous. The price was the price at the time. Why would that change?

From: Minoli, Kevin
Sent: Wednesday, April 18, 2018 6:12 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Hi Folks- When I was asked to help draft a statement I did not understand that the quote was going out under my name. In the future we need to be clear on that. Unfortunately, the quote is being followed by this statement calling it disingenuous:

- Former Office of Government Ethics director Walter Shaub said Wednesday the companion tickets provided to Pruitt likely violated a federal prohibition that bars officials from accepting gifts from their subordinates exceeding $10. Shaub said the value of the gift is determined not by what Wagner actually paid for the ticket, but what the full market value would have been had the ticket been purchased with cash.

  "EPA's discussion of the discounted price that the donor paid is disingenuous," said Shaub, who resigned last year after clashing with President Donald Trump on ethics issues. "In this case, EPA should look to see what Pruitt would have had to pay if he had purchased the ticket on the day that he accepted the gift of free airfare from his subordinate."

I do not know how it was provided to the press but if it is being attributed to me and being misunderstood we need change it rather than continue to use it. Here is a replacement version:

Deliberative Process / Ex. 5

I need to leave the office but am reachable by phone on 202-297-6910. I ask that we send this corrected version to whatever outlets we sent the first version. If there is a better way to correct the misunderstanding of the statement I am happy to hear about those as well.

Thanks, Kevin

Kevin S. Minoli

Principal Deputy General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8064

From: Jackson, Ryan
Sent: Wednesday, April 18, 2018 2:47 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Let's just go with this.

From: Minoli, Kevin
Sent: Wednesday, April 18, 2018 2:43 PM
To: Leopold, Matt <Leopold.Matt@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Here is a possible response. If it is too many words or there are other concerns let me know.

Deliberative Process / Ex. 5

Kevin S. Minoli
Principal Deputy General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8064

From: Leopold, Matt
Sent: Wednesday, April 18, 2018 2:16 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa
Importance: High

Kevin has worked with Ken on this issue. Ccing him here to help.

Matthew Z. Leopold
General Counsel
U.S. Environmental Protection Agency
(202) 564-8040

From: Wilcox, Jahan
Sent: Wednesday, April 18, 2018 2:11 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: Re: Questions regarding Pruitt coach flights to Tulsa

Deliberative Process / Ex. 5

On Apr 18, 2018, at 2:07 PM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

For review:

Deliberative Process / Ex. 5

ON BACKGROUND:

Deliberative Process / Ex. 5

From: Ford, Hayley
Sent: Wednesday, April 18, 2018 1:54 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Believe Matt/OGC have done an analysis on the buddy pass so will let him answer.

Deliberative Process / Ex. 5

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: **Ex. 6**

From: Bowman, Liz
Sent: Wednesday, April 18, 2018 1:50 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

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Subject: Re: Questions regarding Pruitt coach flights to Tulsa

Hayley do you have anything in regards to the buddy pass? Or can you track it down.

On Apr 18, 2018, at 1:42 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Liz, Jahan,

AP is preparing to report that EPA records confirm that Administrator Pruitt flew in coach-class seats to Oklahoma on at least two occasions last year when the agency wasn't paying for his ticket. Both instances were for legs of EPA-funded trips on which Ken Wagner was traveling with the administrator.

You'll remember that AP reported earlier this month that an EPA official said Pruitt flew home on weekend trips for Oklahoma Sooners football games using a companion pass obtained with Wagner's frequent flyer miles. Ethics experts say that is a potential violation of federal ethics rules barring officials from accepting gifts from their subordinates that have a market value of more than $10.

Please provide on the record response to two questions:

1) If the administrator needed to fly in premium class seats due to security concerns, as both he and the agency have claimed, then why did he fly coach when the agency wasn't paying?
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I'm writing on deadline, so a quick response would be appreciated.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

Twitter: @mbieseck
Public Key

T 202-641-9445
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From: Ford, Hayley [ford.hayley@epa.gov]
Sent: 4/18/2018 6:04:20 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Leopold, Matt [Leopold.Matt@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Deliberative Process / Ex. 5

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator
Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Ford, Hayley
Sent: Wednesday, April 18, 2018 1:53 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Millan Hupp (hupp.millan@epa.gov) <hupp.millan@epa.gov>
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Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
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Twitter: @mbieseck
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Washington, D.C. 20005-4076

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 4/18/2018 6:48:43 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Minoli, Kevin [Minoli.Kevin@epa.gov]; Leopold, Matt [Leopold.Matt@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]
Subject: Re: Questions regarding Pruitt coach flights to Tulsa

Got it. Thank you.

On Apr 18, 2018, at 2:46 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Let's just go with this.

From: Minoli, Kevin
Sent: Wednesday, April 18, 2018 2:43 PM
To: Leopold, Matt <Leopold.Matt@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
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Kevin S. Minoli
Principal Deputy General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8064

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U.S. Environmental Protection Agency

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Phone: 202-564-2022
Cell: Ex. 6

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Michael

<image001.jpg>

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Michael Biesecker
Investigative Reporter
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Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 4/13/2018 9:29:37 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Ethics waiver for Wheeler?

There is no waiver.

From: Bowman, Liz
Sent: Friday, April 13, 2018 5:07 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Re: Ethics waiver for Wheeler?

I think he's probably looking for the one Andrew Wheeler signed Oct 10, 2017, which takes the form of a letter to our career ethics official and outlines Andrew's commitment to complying with his obligations. It is something nominees work on with the agency ethics officials and is reviewed by the Office of Government Ethics, before a nominee is cleared for nomination. It is available on OGE's website here:

https://extapps2.oge.gov/201/Presiden.nsf/7BAE17C3BF089238852581B90026F0F1/$FILE/Wheeler,%20Andrew%20R.%20%

Sent from my iPhone

On Apr 13, 2018, at 4:18 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Ignore. Wheeler has not even been sworn-in.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, April 13, 2018 4:13 PM
To: Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Ethics waiver for Wheeler?

Please provide a copy of any request to the White House Counsel's office seeking an ethics waiver for Andrew Wheeler from President Trump's Executive Order 13770.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 4/10/2018 7:13:37 PM
To: Danylak, Mike (EPW) [Mike_Danylak@epw.senate.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Quick question

On-The-Record ... **"According to EPA's Assistant Inspector General, Scott Pruitt has faced an unprecedented amount of death threats against him and his family. Americans should all agree that members of the President's cabinet should be kept safe from these violent threats."** – EPA spokesman, Jahan Wilcox

BACKGROUND ...

Patrick Sullivan, EPA's Assistant Inspector General For Investigations said there are a number of threats against EPA Administrator Scott Pruitt. "'We have at least four times -- four to five times the number of threats against Mr. Pruitt than we had against Ms. [Gina] McCarthy,' said Patrick Sullivan, EPA's assistant inspector general for investigations, referring to Pruitt's predecessor during the Obama administration. He declined to provide the specific numbers of threats against Pruitt. 'They run the variety of direct death threats -- 'I'm going to put a bullet in your brain' -- to implied threats -- 'if you don't classify this particular chemical in this particular way, I'm going to hurt you,'' Sullivan told CNN in an interview. 'Then there's implied threats -- like they say in New York, with the mafia: 'If you come after me and my family, I'll come after you and your family.'' (CNN, 11/28/17)

According to Patrick Sullivan, threats have nearly doubled against Pruitt. "In an interview with E&E News, Patrick Sullivan, EPA's assistant IG for investigations, said the watchdog opened roughly 70 threat probes in fiscal 2017, including cases and complaints related to EPA facilities and personnel. That surpassed the total of about 45 such probes into threats against EPA from fiscal 2016. Sullivan also said Pruitt has faced more threats than his immediate predecessors, former administrators Gina McCarthy and Lisa Jackson. 'He has had significantly more threats directed against him. There's absolutely no question about it,' Sullivan said." (E&E News, 01/11/18)

Threats have been made against Pruitt and his family. "The administrator of the Environmental Protection Agency said an increase in his security detail is the result of an escalation in threats to him and his family. 'The quantity and the volume -- as well as the type -- of threats are different," Pruitt said in an interview with Bloomberg News. "What's really disappointing to me as it's not just me -- it's family.'" (Bloomberg, 10/26/17)

Pruitt said threats the level of protection is decided by the threat. "The level of protection is dictated by the level of threat," Pruitt said, noting security arrangements are decided by others assessing the situation." (Bloomberg, 10/26/17)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said there have been incidents of aggressive behavior against Pruitt. "There were 'incidents where he was being approached -- vulgar language, people were being somewhat aggressive towards him -- and so the special agent in charge provided documentation -- a memo -- to me and up the chain of command requesting the administrator be placed in business- or first-class to avoid these potential issues for the safety of the administrator.'" (Bloomberg, 02/15/18)

EPA's Office EPA's Office of Criminal Enforcement, Henry Barnet said it's their job to ensure they can pull Pruitt away from threats. "The agents have to make sure he's in a position where they can protect him," the

director of EPA's Office of Criminal Enforcement, Henry Barnet, said in an interview. "If he's surrounded by other members of the public or it's a threat, their job is to push him and pull him away from those threats. That's why it is imperative to keep him away from the individuals so they can keep him safe." (Bloomberg, 02/15/18)

EPA's Protective Service Detail says there is a high level of interest against Pruitt. "Perrotta described a "high level of unusual interest in the administrator," calling it the most he's ever seen while safeguarding EPA chiefs." (Bloomberg, 02/15/18)

From: Danylak, Mike (EPW) [mailto:Mike_Danylak@epw.senate.gov]
Sent: Tuesday, April 10, 2018 3:11 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Quick question

Hey Liz and Jahan – quick question for you.

Trying to get more included from our quote on this letter. Michael Biesecker from AP wrote:

The CNN quote from November being distributed by EPA was made by a deputy IG and it is not clear he was expressing any sort of official finding on behalf of EPA IG Elkins. EPA OIG told us this week their review of the administrator's security spending and its underlying justifications is still ongoing.

Is there any anything to demonstrate that the "direct death threats" quote to CNN was from the OIG office? Just wanted to see. Thank you.

Mike Danylak
EPW Committee – Majority
202-224-1049

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 4/10/2018 7:12:54 PM
To: Danylak, Mike (EPW) [Mike_Danylak@epw.senate.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Quick question

Will call you

From: Danylak, Mike (EPW) [mailto:Mike_Danylak@epw.senate.gov]
Sent: Tuesday, April 10, 2018 3:11 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Quick question

Hey Liz and Jahan – quick question for you.

Trying to get more included from our quote on this letter. Michael Biesecker from AP wrote:

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Is there any anything to demonstrate that the "direct death threats" quote to CNN was from the OIG office? Just wanted to see. Thank you.

Mike Danylak
EPW Committee – Majority
202-224-1049

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 4/5/2018 7:57:04 PM
To: Minoli, Kevin [Minoli.Kevin@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: New statement

Hey Kevin. Are you still sending something out?

From: Biesecker, Michael
Sent: Thursday, April 05, 2018 1:18 PM
To: 'Minoli.kevin@epa.gov' <Minoli.kevin@epa.gov>
Cc: 'Bowman, Liz' <Bowman.Liz@epa.gov>
Subject: New statement

Kevin,

Liz says you have a new statement regarding the letter you drafted yesterday about Administrator Pruitt's lease. Could you please send it to me.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

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Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 4/4/2018 11:08:48 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Daniell, Kelsi [daniell.kelsi@epa.gov]
Subject: RE: Interview request

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Wednesday, April 4, 2018 6:21 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: Fwd: Interview request

Deliberative Process / Ex. 5

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: "Biesecker, Michael" <MBiesecker@ap.org>
Date: April 4, 2018 at 5:30:26 PM EDT
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: "Bowman, Liz" <Bowman.Liz@epa.gov>, Press <Press@epa.gov>
Subject: RE: Interview request

Jahan,

In light of Administrator Pruitt's recent interviews with conservative media outlets, The Associated Press requests the opportunity to interview him today or tomorrow.

In addition, we request clarification on three statements the administrator made over the last day.

In an interview with Fox News on Wednesday, the administrator denied he had any knowledge of the recent raises proved to Sarah Greenwalt and Millan Hupp. Asked who did approve the raises, Pruitt said "I don't know."

The 1977 provision to the Safe Drinking Water Act authorizes the EPA to hire up to people without the approval of the Senate or the White House specifically grants that authority to the EPA administrator. Did he delegate that authority to someone else? Who?

In interviews with the Washington Examiner and The Daily Signal, Pruitt denied that Steven Hart had any business with EPA. Lobbying disclosure reports show Hart is registered as personally lobbying EPA. In addition, Williams and Jensen, the firm of which Hart is chairman and CEO, extensively lobbied EPA in the last year on several regulatory issues, according to disclosure reports.

Pruitt's official schedule, provided to AP through a FOIA request, reflects a March 2017 meeting between the administrator, a lobbyist from Hart's firm and two executives from OGE Energy.

Does the administrator deny the meeting reflected on his calendar occurred? Are the lobbying disclosure reports filed by Williams and Jenson reflecting their lobbying of EPA in error?

On the condo lease, Pruitt said: "My wife was not here. My children were not here. My wife was back at home in Oklahoma until my kid went to college and my child went to law school."

That contradicts the memo from Kevin Minoli you provided over the weekend, which states: "The lease authorized use by the Administrator and his immediate family, specifically including his spouse and children, and consistent with that provision of the lease his immediate family did stay there when they were in Washington, D.C."

Does the administrator now deny his daughter stayed at the condo while she interned at the White House last summer?

I am writing on deadline.

Thanks,

Michael

From: Biesecker, Michael
Sent: Wednesday, April 04, 2018 10:47 AM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Please give me a call

Jahan,

You have repeatedly suggested that your perspective is not adequately represented in AP copy. But you have repeatedly refused to respond to even basic questions or requests for information, going so far as not even providing copies of agency press releases or notifications of public events. It is difficult to understand how that strategy is productive, and it has not deterred AP from covering your agency.

Let's move forward. I will keep reporting on issues involving EPA for the foreseeable future. You have my numbers.

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, April 04, 2018 10:35 AM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Please give me a call

Michael –

I am happy to talk with the Associated Press, but we do not believe we can work with you in good faith. We talked with AP yesterday if any those reporters want to reach out please let me

know. I also chatted with someone AP California folks a few weeks, if she wants to reach out I will give on the phone with her right away.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, April 4, 2018 10:28 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Please give me a call

Jahan,

I have a few questions I hope we can talk over about information that I would think you would want to appear in AP copy.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
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Message

From: Gray, David [gray.david@epa.gov]
Sent: 3/22/2018 1:23:30 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Fwd: Re:

Sent from my iPhone

Begin forwarded message:

> **From:** "Olsen, Lise" <Lise.Olsen@chron.com>
> **Date:** March 22, 2018 at 8:21:10 AM CDT
> **To:** "r6press@epa.gov" <r6press@epa.gov>
> **Cc:** "Gray, David" <gray.david@epa.gov>
> **Subject: Re:**
>
> Here's part 2 on Arkema- https://www.houstonchronicle.com/news/houston-texas/houston/article/For-Crosby-residents-a-bitter-taste-about-12771298.php
>
> Get Outlook for iOS
>
> ---
>
> **From:** Olsen, Lise
> **Sent:** Thursday, March 22, 2018 7:54:53 AM
> **To:** R6Press@epa.gov
> **Cc:** Gray, David
> **Subject:**
>
> Good morning -
> Here's the link to part 1 of our Harvey pollution reports.
> A joint AP-Houston Chronicle investigation finds environmental damage from spills during Harvey remain largely investigated 7 months after the storm
> https://www.houstonchronicle.com/news/houston-texas/houston/article/In-Houston-and-beyond-Harvey-s-spills-leave-a-12771237.php
> Please let us know if you have additional information you'd like to share on this topic. Part 2 is about Arkema.
> Lise
>
> Lise Olsen
> Senior Investigative Reporter
> The Houston Chronicle
> 713-362-7462
> Lise.olsen@chron.com
>
> Get Outlook for iOS
>
> Get Outlook for iOS
>
> Get Outlook for iOS

Get Outlook for iOS

Get Outlook for iOS

Get Outlook for iOS

Message

From: Schwab, Justin [Schwab.Justin@epa.gov]
Sent: 3/18/2018 1:10:56 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: FW: News Clips - 16 March 2018

Did you see this? It looks like E&E rewrote Dawn Reeves' piece (including the title and URL) to make it harsher –

compare the text below that has this link

https://insideepa.com/daily-news/long-time-epa-watchers-say-trump-agency-not-bad-reagans-so-far

but when you enter that URL instead it takes you to here

https://insideepa.com/daily-news/epa-observers-raise-concerns-over-pruitts-ethics-eye-hill-oversight

Which has a similar intro *but* doesn't contain the "not as bad" stuff.

Interesting.

From: Hassell, Emily
Sent: Friday, March 16, 2018 3:49 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 16 March 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Texas Chemical Plant Explosion

AP - The Latest: Search for man missing in plant fire suspended

AP - Toxic air, explosion risk keeps crews from Texas plant fire

E&E Greenwire - 2 injured, another missing after chemical plant explosion

General

Politico - Pruitt huddled with coal exec who raised over $1M for Trump

The Hill - Coal exec who raised $1M for Trump got meeting with EPA chief: report

AP - Pruitt: Final West Lake cleanup plan could mean more removal

E&E Climatewire - Pruitt is expected to restrict science. Here's what it means

Politico - Oversight panel hope to see Pruitt travel docs 'soon'

InsideEPA - Long-Time EPA Watchers Say Trump Agency Not As Bad As Reagan's, So Far

Politico - Walden says Pruitt will testify on EPA budget April 25

E&E Greenwire - EPA didn't use flawed studies to set emission regs — audit

BNA - EPA Orders Gold King Mine Area Groundwater Assessment

Washington Post - The Daily 202: Trump decides to remove national security adviser, and others may follow

E&E Greenwire - Sources: Leader of farm group in running for Region 9 post

Politico - Calvert doesn't see need for WOTUS, ozone riders

Politico - Judges mull EPA delay of chemical safety rule

AP - Company authorized to study South Dakota gold mine

The Spokesman-Review (Washington) - Northport residents renew calls for air monitoring after state modeling says a Canadian smelter is polluting their town

Washington Post - 6 months after Hurricane Maria, Puerto Rico pleads for help

+++

AP
https://apnews.com/2feb91ee31b0435191071102c0de46c0/The-Latest:-Search-for-man-missing-in-plant-fire-suspended
The Latest: Search for man missing in plant fire suspended
3/15/18

CRESSON, Texas (AP) — The Latest on an explosion and fire at a Texas chemical plant (all times local):

9 p.m.

Crews have suspended their search for the night for a worker missing since an explosion and fire at a North Texas chemical plant and will resume Friday.

Officials now call the search a "recovery" effort, meaning if the missing worker is still in the Tri-Chem Industries wreckage, he's believed to likely be dead. Cresson Mayor Bob Cornett says searchers entered the wreckage late Thursday afternoon thinking they knew where the worker was, but their search was fruitless.

The flames have subsided at the site except for some hot spots, and the highway on which the plant is situated has reopened. Two workers were taken to hospitals, one of them with life-threatening burns.

—

5 p.m.

The mayor of the rural North Texas town where an explosion and fire rocked a chemical plant says crews won't be able to search for a missing man until Friday morning.

Cresson Mayor Bob Cornett says the fire that began around 9:30 a.m. Thursday remains burning, and the site is "too hot" for rescue teams to safely enter. Cornett identified the missing worker as 27-year-old Dillon Mitchell.

Cornett says investigators believe the fire at Tri-Chem Industries was sparked when a worker dragged his foot along the floor of the plant while chemicals were being mixed. He says the worker caught fire from his waist up and was airlifted with critical burn injuries to a hospital in Dallas, about 50 miles (80 kilometers) away.

Another worker was also injured and is being treated for non-life-threatening injuries at a hospital in Granbury, about 13 miles (21 kilometers) away.

2:10 p.m.

An official says an explosion at a rural Texas chemical plant injured two workers and that a third is missing, and that fire crews are being kept away from the blaze because of toxic fumes and fear of another explosion.

Cresson Mayor Bob Cornett identified the worker who went missing after Thursday's explosion as 27-year-old Dillon Mitchell.

Cornett told The Associated Press that Tri-Chem Industries mixes chemicals that are primarily used by the oil and gas industry to drill disposal wells. He says he doesn't know how many of the chemicals stored at the plant were hazardous, but that "what was burnt and exploded was quite toxic."

Cornett says investigators believe the fire was sparked when a worker dragged his foot along the floor of the plant while chemicals were being mixed. He says the worker caught fire from his waist up and was airlifted with critical burn injuries to a hospital in Dallas, about 50 miles (80 kilometers) away.

The Environmental Protection Agency and other authorities are monitoring air emissions.

1:30 p.m.

A fire at a Texas chemical plant has critically injured one worker and another is missing.

Cresson city secretary Hannah Rhodes says nine emergency-rescue and fire departments responded to the Thursday morning blaze. She says one man remains missing, while another has been airlifted to a hospital with serious burns.

It wasn't immediately clear what types of chemicals are manufactured at the Tri-Chem Industries plant in Cresson, about 50 miles (80 kilometers) southwest of Dallas. But Rhodes says emergency responders have been evacuated from the vicinity because of fears of another explosion.

Rhodes says that from City Hall, she could see black smoke coming from the plant, which is several miles away.

Texas Commission on Environmental Quality spokesman Brian McGovern did not immediately respond to a request for information.

AP
https://apnews.com/d80a841ba1ed403c8a88b178cc1f7269/Toxic-air,-explosion-risk-keeps-crews-from-Texas-plant-fire
Toxic air, explosion risk keeps crews from Texas plant fire
3/16/18

CRESSON, Texas (AP) — Investigators believe a worker dragging his foot along a factory floor sparked a Thursday explosion at a Texas chemical plant that injured two workers and left a third unaccounted for, and fears of another blast amid the toxic chemicals prevented crews from battling the ensuing blaze, an official said.

Nine emergency-rescue and fire departments responded to the blaze at the Tri-Chem Industries plant in Cresson, about 50 miles (80 kilometers) southwest of Dallas, but were evacuated from the vicinity because of risk of exposure and of another explosion, Cresson Mayor Bob Cornett told The Associated Press.

The worker who dragged his foot while chemicals were being mixed caught fire from the waist up and was airlifted with critical burn injures to a Dallas hospital. Another worker with less severe injuries also was treated at a hospital. Cornett identified the missing worker as 27-year-old Dillon Mitchell.

The state's on-site emergency spokesman, Staff Sgt. Earl Gillum of the Texas Department of Public Safety, said the search has gone from a rescue effort to a recovery effort. If Mitchell is still in the wreckage, he is believed to be dead, he said.

Aerial photos showed the plant's metal beams had caved in. After the flames calmed, crews entered the wreckage for another search for Mitchell but found nothing and ended for the night, Cornett said late Thursday. They will resume Friday.

Cornett said Tri-Chem Industries mixes chemicals that are primarily used by the oil and gas industry to drill disposal wells, and that although he didn't know how many of the chemicals at the plant were hazardous, "what was burnt and exploded was quite toxic."

The Environmental Protection Agency deployed an on-site coordinator to help monitor air emissions, spokesman David Gray said.

Cornett said that the wind was carrying black smoke and fumes emanating from the plant away from residents, but that the city could issue an evacuation order if the wind direction changed.

A spokesman for the Texas Commission on Environmental Quality, the state agency responsible for coordinating the cleanup, declined to produce a list of the plant's on-site chemicals, telling an AP reporter to file a public information request.

In recent years, Texas leaders have made it increasingly difficult for the public to find out about the chemicals manufactured and stored at such plants.

After a fertilizer plant explosion in the city of West, Texas, killed 15 people in 2013, Greg Abbott, who was then attorney general and is now governor, ruled that state agencies could withhold information about hazardous chemicals because of "ongoing terroristic activity."

E&E Greenwire
https://www.eenews.net/greenwire/2018/03/15/stories/1060076471
2 injured, another missing after chemical plant explosion

3/15/18

An explosion and large fire at a North Texas chemical plant injured two people and left another missing this morning, according to authorities.

Seven fire departments responded to the blaze at the Tri-Chem Industries Plant in Cresson. People nearby said they heard a "big kaboom" and multiple explosions around 9:45 a.m. More explosions were reported at 11:15 as the fire continued.

One person was badly burned, one was less seriously injured and another is unaccounted for.
Fort Worth hazardous materials crews also went to the scene. Officials said firefighters backed away because of the danger of more explosions, and now they intend to let it burn out.

"Things were blowing out of the roof, like metal lids on buckets. Then, the fire," said Jesse Bailey, who was working near the plant. "It smells like sulfur."

The plant provides commercial chemical blending services, according to its website (NBC 7 San Diego, March 15). **— CS**

Politico
https://www.politicopro.com/energy/article/2018/03/pruitt-huddled-with-coal-exec-who-raised-over-1m-for-trump-418899
Pruitt huddled with coal exec who raised over $1M for Trump
By Alex Guillen and Emily Holden, 3/16/18, 5:01 AM

EPA Administrator Scott Pruitt met with an Indiana coal executive last year who was seeking to soften a pollution rule — and who once boasted about raising more than a million dollars for President Donald Trump's campaign, according to documents provided to POLITICO.

The records, obtained by the Sierra Club through a Freedom of Information Act lawsuit against EPA, show that Steven Chancellor, CEO of White Stallion Energy, met with Pruitt on May 22, 2017 for a "courtesy call and introductory meeting."

Pruitt has met regularly with GOP heavyweights ahead of what many expect to be a 2020 Senate run. He has also met with investors connected to Republican megadonor Sheldon Adelson as well as key conservative groups like the Family Research Council and Federalist Society.

Chancellor is also the head of the American Patriot Group, whose corporate headquarters in Evansville were designed to mimic the White House, and which owns White Stallion Energy, which mines coal from five sites in the Illinois Basin.

He hosted a $10,000-per-couple fundraiser with Donald Trump, Mike Pence and Rudy Giuliani in August 2016 that he said raised "north of a million" dollars. He later attended Trump's inauguration, where he was spotted shaking Pence's hand.

A longtime powerhouse GOP fundraiser in the Hoosier State, Chancellor in the 2000 campaign hosted an event headlined by George H.W. Bush. And he and his company, Black Beauty Coal, which was later sold to Peabody Energy, directly gave a combined $310,000 to Republicans, The Washington Post reported at the time. Chancellor then served Bush's Energy Department transition team. He also raised more than $1 million for Mitt Romney in 2012.

Chancellor petitioned the EPA in December 2016, asking the agency to soften a rule designed to curb pollution that floats across state lines. An update to the rule approved by the Obama administration could "significantly impact" Indiana utilities' reliance on coal produced from his mines, Chancellor wrote. EPA has not yet responded to Chancellor's petition or any of those regarding the update, the agency confirmed.

Also in the meeting was Rashid Hallaway, a former aide to Indiana Sen. Evan Bayh who went on to work directly for Chancellor and now represents him as an outside lobbyist. His client list also includes the American Coalition for Clean Coal Electricity.

It is unclear whether Pruitt and Chancellor discussed his petition. Calls to Chancellor's office were not returned, and EPA did not return a request for comment.

In addition to the Pruitt meeting, Interior Secretary Ryan Zinke's calendar showed a meeting with White Stallion earlier that day, although it is not clear that Chancellor personally attended that meeting.

But Zinke named Chancellor earlier this month to Interior's new International Wildlife Conservation Council, which will provide advice to Zinke on "the benefits that result from United States citizens traveling to foreign nations to engage in hunting." That council is scheduled to meet at the Interior Department on Friday.

Chancellor is a prolific big-game hunter, and his mansion includes a trophy room stuffed with taxidermied lions, elephants, polar bears, rhinos and zebras, according to photos posted on a 2012 blog. In 2001, he mustered his political connections to lobby the government of Botswana to lift a ban on lion hunting.

Interior earlier this month said hunters will be allowed to bring back elephant trophies from abroad.

The documents provided to POLITICO also showed that Pruitt met with dozens of industry executives and trade group representatives between the May 19 and June 19 period the calendar covered. And he had phone calls with GOP governors, attorneys general and lawmakers. He saw public health groups twice.

Pruitt also heard a pitch from executives of the water treatment technology company Reliable One Resources, which appears to have arranged a meeting through a former lawyer for Devon Energy Corp., the oil-and-gas company Pruitt had close ties to in his political career in Oklahoma.

EPA has fought routine requests for Pruitt's schedules, turning them over only when forced by the courts after lawsuits brought by environmental or government transparency organizations. EPA posts a far less comprehensive version of his calendar online every few weeks, omitting names and discussion topics. The new releases keep lunch and travel details confidential, a practice the Pruitt EPA has long followed.

The schedule released by EPA also did not reveal Pruitt's activities while representing the U.S. at a major international meeting in Italy, a trip that drew criticism because of its high travel costs and his policy of flying first class or business class.

Pruitt and his staff spent $36,000 on a military jet to New York to catch a plane to Rome following a last-minute invite to an infrastructure event in Cincinnati with President Donald Trump. Pruitt racked up another $7,000 in flight costs associated with the trip, including a business class ticket on the premium Emirates Airline.

The agency redacted information about meetings or events for two days of the trip and left another day's entries blank. The calendars offer no explanation for why Pruitt arrived several days early for the meeting of G-7 environment ministers. He spent the first part of his trip in Rome and departed Bologna shortly after the meeting there began to return to Washington to attend a much-publicized meeting at the White House where Cabinet secretaries praised Trump.

Pruitt's public schedule listed only a meeting with the U.S. Embassy and then a business roundtable on his first afternoon in Italy.

According to Pruitt's Twitter account, he kept a busy schedule in Italy before and during the G-7 gathering — including meeting with executives from U.S. companies; touring the Vatican and meeting with a top church official; discussing "rule of law" with Luciano Panzani, the president of the Court of Appeal in Rome; attending a "prosciutto and pasta" reception; meeting with Therese Coffey, a Conservative Party member of the U.K. parliament; speaking about air quality and baseball with Japanese Environment Minister Koichi Yamamoto; and meeting on stewardship with UPS, Sealed Air, CITI and the U.S. Chamber.

On the same Monday he met Chancellor, Pruitt spoke with the Large Public Power Council's CEO meeting about "the elimination of regulations affecting the electric power industry," with Duke Energy CEO Lynn Good about coal ash, and with the Congressional Coal Caucus.

The calendar also shows Pruitt visiting Oklahoma twice in the month disclosed.

On Saturday, May 20, in Tulsa he took an hourlong tour of Brainerd Chemical Company and then a half-hour tour of the restored office of oil baron Waite Phillips, which Brainerd's CEO leases.

The Hill
http://thehill.com/policy/energy-environment/378760-coal-exec-who-donated-1m-to-trump-got-meeting-with-epa-chief-report
Coal exec who raised $1M for Trump got meeting with EPA chief: report
By Max Greenwood, 3/16/18, 9:29 AM

Environmental Protection Agency administrator Scott Pruitt met last year with a coal executive, who has claimed that he raised more than $1 million for President Trump's campaign, according to the agency chief's schedules.

Politico reported Friday that Pruitt met with White Stallion Energy CEO Steven Chancellor for a "courtesy call and introductory meeting."

Chancellor hosted a $10,000-per-couple fundraiser for Trump in Evansville, Ind., in 2016, which he claims raised "north of a million" dollars, according to the Post & Courier newspaper.

He also attended Trump's inauguration, Politico reported.

Pruitt's schedules were obtained by the Sierra Club, an environmental group, through a Freedom of Information Act lawsuit.

Chancellor previously petitioned the EPA in 2016 to reconsider an update to a rule designed to constrain air pollution moving across state lines. According to Politico, the EPA still has not responded to that petition and it's unclear if Pruitt and Chancellor discussed the matter in their meeting.

Interior Secretary Ryan Zinke's schedule shows he had a scheduled meeting with White Stallion the same day as Pruitt, but it wasn't clear if Chancellor personally attended that meeting, as well, Politico reported.

Trump himself has faced criticism for meetings with donors, like billionaire casino mogul Sheldon Adelson. He has also come under fire from ethics experts, who have raised concerns about his failure to divest from his business empire.

Politico reported Wednesday that an oil group, the American Petroleum Institute, was holding a board meeting at Trump's Washington, D.C., hotel before its executive committee was set to visit the White House to raise concerns about Trump's new tariffs on steel and aluminum imports.

AP
https://apnews.com/2285eae8b9724d13b1c679786fa4eec8/Pruitt:-Final-West-Lake-cleanup-plan-could-mean-more-removal
Pruitt: Final West Lake cleanup plan could mean more removal
By Chuck Raasch, 3/16/18

WASHINGTON, Mo. (AP) — Environmental Protection Agency Administrator Scott Pruitt said that he believes he has proposed a "sound, solid" solution to clean up the West Lake Landfill Superfund site — but that a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents.

"What is really exciting about St. Louis is at this point, in five years the uranium will be removed," Pruitt said, in reference to the radioactive material left over from World War II's atomic bomb creation. "Which I think is amazing in light of taking 28 years to just make a decision."

The St. Louis Post-Dispatch reports that in a briefing with five reporters, Pruitt touted his first year as administrator, arguing that his agency has sped up dormant decision-making on issues like West Lake, and that it has contributed to billions of dollars in savings to companies from regulatory relief.

He said the EPA would have a final rule on redoing the controversial "Waters of the United States" initiative of former President Barack Obama, which environmentalists heralded as a boon for water quality. Critics, including many Missouri Republicans, attacked it as government overreach.

Pruitt's stormy first year on the job was marked in part by his decision on West Lake. He called it a "poster child" of previous administrations' inability to clean up the 1,340 Superfund sites he said he inherited.

EPA officials, including Pruitt's top Superfund adviser, recently attended a community meeting in Bridgeton in which many speakers advocated a more extensive cleanup than Pruitt proposed in his Feb. 1 announcement. Many advocated for "Alternative 7," which would cost an estimated $455 million and be shared by public and private entities considered liable for the cleanup. The current proposal would cost about $236 million.

EPA is taking comments on its proposal.

Pruitt said an "extraction vs. cap" remedy debate is too simplistic.

"As I challenge my team I ask them, 'What do we need to do to ensure protection of health?'" Pruitt said. "And that is the reason that we came to the conclusion that we are getting after the radioactive material that I have been told poses a risk to health.

"As you know, it approaches 70 percent (removal) with the current proposal, and I think through this comment period it might actually increase," Pruitt said. "But the charge was (to) get all the radioactive material that poses a risk to health, and I have been told and assured that that is taking place. That is the most important.

Asked whether the comment period could drive the EPA to adopt "Alternative 7," Pruitt said: "I don't want to prejudge it. It is not wise to do that. What is wise is to take comments and evaluate, I think. The proposal is a sound proposal."

Pruitt said when he took office he found a lack of urgency for getting things done and having accountability.

His first year also has been marked by controversy over everything ranging from his public doubts about climate change to his expensive travel tastes.

On his office wall is a framed copy of a note of Pruitt's remarks at the Rose Garden announcement that the U.S. would withdraw from the Paris Climate accord. It was signed by Trump. The withdrawal drew widespread criticism from environmentalists, and it raised questions about U.S. commitment to global environmental issue.

Pruitt also has been entangled in the Renewable Fuel Standards debate, which has pitted corn farmers against oil refiners.

Trump delayed enactment of the "Waters of the United States" to 2020 while EPA reviews the policy.

Former EPA Administrator Gina McCarthy had pushed it as vital for health and water quality protection; critics said it put unnecessary regulatory crimps on farmers and others.

Pruitt also said he is pushing for the Trump administration to have a goal of eliminating lead from drinking water in 10 years, a water-infrastructure program that could cost over $40 billion.

E&E Climatewire
https://www.eenews.net/climatewire/stories/1060076559/search?keyword=EPA
Pruitt is expected to restrict science. Here's what it means
By Scott Waldman and Robin Bravender, 3/16/18

U.S. EPA chief Scott Pruitt is expected to roll out plans soon to restrict the agency's use of science in rulemakings, pitting him against critics who say it would threaten public health and environmental protections.

In a closed-door meeting at the Heritage Foundation on Monday, Pruitt told a group of conservatives that he has plans for additional science reform at the agency, according to multiple attendees. EPA hasn't formally shared details of the plan, but it's widely expected to resemble an effort that Republican lawmakers and conservative groups have been pushing for years. It's been met with staunch resistance from Democrats and many scientists.

The plan could come "sooner rather than later," said Steve Milloy, who served on Trump's EPA transition team and attended the meeting at the Heritage Foundation.

EPA did not respond to a request for comment. And Milloy cautioned that he did not know the specifics of the plan and said he was not authorized to discuss the meeting.

The initiative is expected to require EPA — when issuing rules — to rely only on scientific studies where the underlying data are made public. It's an idea that House Science, Space and Technology Chairman Lamar Smith (R-Texas) has been championing for years. He and others argue that EPA has been crafting regulations based on "secret science" to advance its regulatory agenda.

Smith, one of the leading opponents of mainstream climate science in Congress, has repeatedly accused federal climate scientists of engaging in a massive conspiracy to falsify climate data. And he has repeatedly introduced bills that would require EPA to publicize data it uses when crafting regulations.

Those efforts died when President Obama was in the White House, and Smith's newest legislative push doesn't appear to be moving even though Republicans control both chambers of Congress. The House passed a bill dubbed the "Honest and Open New EPA Science Treatment (HONEST) Act" — requiring that EPA rules be based on science for which underlying data is publicly available and reproducible — last March. But the measure has gone nowhere since it was referred to the Senate Environment and Public Works Committee.

Smith has tried to push the idea elsewhere, too. In comments on the 2019 budget proposal, the GOP majority on the Science panel led by Smith suggested that EPA's funding should be contingent on the administrator's "requiring that all scientific and technical information and data relied on to support a risk, exposure, or hazard assessment; criteria document; standard; limitation; regulation; regulatory impact analysis; or guidance issued by the EPA is made publicly available."

Smith did not respond to a request for comment.

Critics on the left and in the scientific community see the effort as an attempt to hinder EPA from issuing rules.

"A lot of the data that EPA uses to protect public health and ensure that we have clean air and clean water relies on data that cannot be publicly released," said Yogin Kothari with the Union of Concerned Scientists.

Many scientific studies rely on data that can't be made public for reasons like patient privacy concerns or industry confidentiality.

"If EPA doesn't have data to move forward with a public protection for a safeguard, it doesn't have to do that at all," said Kothari. "It really hamstrings the ability of the EPA to do anything, to fulfill its mission."

Publishing raw data also opens scientists up to attacks from industry, which can twist or distort data to shape a deregulatory agenda, said Betsy Southerland, a former senior EPA official in the Office of Water who worked on a staff analysis of the "HONEST Act."

Southerland, who left EPA last summer, said the effort is deceptive and is not about transparency, but about sidelining peer-reviewed science that supports regulation of pollution. She said there are numerous examples of groundbreaking studies that are not replicable, such as human health studies after the dropping of atomic bombs in Hiroshima or the ecological effects of the BP PLC Gulf of Mexico oil spill. In many of the older studies, there are a plethora of people, including some who are dead, who could no longer be tracked down.

"This is just done to paralyze rulemaking," she said. "It's another obstacle that would make it so hard and so difficult to go forward with rulemaking that in the end, the only thing that would happen — in the best case you would greatly delay rulemaking; in the worst case you would just prevent it. It would be such an obstacle you couldn't overcome it."

Publicizing the data in some EPA actions, which often come after years of research, could be extensive. For example, risk assessments for certain chemicals sometimes cite hundreds or even thousands of studies, all of which would have to be tracked down for data collection, according to the EPA analysis of the "HONEST Act."

Requiring data transparency would cost hundreds of millions of dollars because it would require EPA staff to track down data from study authors and create an online management system to store and present those data, the analysis found. In addition, EPA staff would have to spend time redacting personally identifiable information in the studies, and study authors would likely require payments for preparing and sending their data.

EPA career staff estimated that Smith's legislation would add $250 million in costs annually for the first few years after it was implemented, Southerland said. That estimate was dismissed by senior EPA officials who said those costs were inflated and that the agency would not use many studies to which the rule would apply, but they did not provide evidence, she said. EPA's analysis of Smith's bill was published by the radio program "Marketplace."

Milloy, who has long pushed for EPA to stop issuing regulations unless the underlying scientific data are made public, said the science reform effort could be done through a directive, in the same way that Pruitt reshaped EPA's science advisory panels.

The overhaul of those committees is another area where Pruitt came through on one of Smith's longtime priorities.

In October, Smith was seated front and center at an event where Pruitt announced that he would reform the advisory panels to bar researchers who take government funding. Critics said that move skewed the advice EPA is getting by making it tough for researchers who rely on public funding to participate, but keeping industry-funded scientists on board.

Pruitt then appointed as science advisers a number of researchers whose work is funded by industry, energy lobbying groups and conservative think tanks, while forcing out academics from major research institutions.

"Pruitt did a great job in cleaning up the science advisory boards, and if he does that kind of work on this, that's fantastic," Milloy said of the expected science data reform effort. "My goal is to make sure EPA does not rely on scientific studies unless the data is made available for replication by somebody."

Kothari of the Union of Concerned Scientists called it "alarming" that the Trump administration's science agenda "is being run by the chairman of the Science Committee, given that he has continued to not care about how science informs policymaking."

"This is the second thing now that this administrator will be implementing based on legislation that was never enacted," Kothari said. "It's just another excuse for Pruitt's EPA to really abrogate EPA's responsibility to protect human health and the environment."

Politico
https://www.politicopro.com/energy/whiteboard/2018/03/oversight-panel-hope-to-see-pruitt-travel-docs-soon-821002
Oversight panel hope to see Pruitt travel docs 'soon'
By Anthony Adragna, 3/15/18, 5:37 PM

More than a week after its initial deadline, the House Oversight Committee is still awaiting records concerning EPA Administrator Scott Pruitt's travel habits.

"The committee has been in consistent contact with the EPA regarding the status of our request," a spokeswoman told POLITICO. "We expect a productive response soon."

Extensions for agencies are not uncommon when they involve voluminous records to search. EPA spokesman Jahan Wilcox said in a statement: "We have been in contact with Chairman [Trey] Gowdy and are accommodating his request as quickly as possible."

Gowdy sought copies of all the flights taken by Pruitt, waivers for first- or business-class travel and records of other staff who accompanied him on trips in a late February letter, setting a March 6 deadline for a response. Pruitt said he'd start flying coach, at least some of the time, in response to the outcry over his travel habits.

WHAT'S NEXT: The committee said it expects a response from EPA "soon."

InsideEPA
https://insideepa.com/daily-news/long-time-epa-watchers-say-trump-agency-not-bad-reagans-so-far
Long-Time EPA Watchers Say Trump Agency Not As Bad As Reagan's, So Far
By Dawn Reeves, 3/15/18

Attorneys and other long-time Washington insiders who have worked with EPA say that continued questions about Administrator Scott Pruitt and other top agency officials' ethics and conduct is not as bad, at least to date, as actions taken by first-term Reagan EPA officials, which resulted in jail time for one and the resignations of many others.

However, they note that a major difference between then and now is that Democrats controlled the House in the 1980s and their oversight resulted in the house cleaning of the first crop of President Ronald Reagan's EPA officials. If Democrats were to take back the House following November's midterms, they note that Trump administration officials are unlikely to get a free pass from Congress as they have been.

Questionable actions by current EPA officials include first-class travel and round-the-clock security for Pruitt as well as installing a secure phone booth in his office, which the Washington Post just reported cost nearly double the previously reported $25,000 figure, when related expenses are included. Also, the White House recently revealed that EPA communications official John Konkus received an unusual waiver last August by an EPA ethics official that allows him to perform paid media strategy work for outside, unnamed organizations.

Additionally, press reports found that a top Pruitt security official owns a company that won a no-bid contract to perform security sweeps of Pruitt's office, prompting a March 6 letter to Pruitt from top Senate environment committee Democrats demanding conflict-of-interest information.

All of this is in addition to Pruitt's general refusal to make his schedule public, his reluctance to respond to requests for information by congressional Democrats, and his unwillingness to meet with those who do not share his deregulatory views.

EPA did not respond to a request for comment. But Pruitt has said he would curb his first-class flights, when security allows. He told CBS recently that he would consider “alternate ways, up to and including flying coach” as long as security threats could be accommodated.

And EPA spokesman Jahan Wilcox recently dismissed criticisms of the additional expenses stemming from installation of Pruitt's secure phone line. That's “old news,” he said, noting that the agency has previously discussed why the installation is needed.

Even so, Pruitt's travel expenses have already sparked ongoing investigations by the agency's inspector general and Government Accountability Office. His travels also resulted in a recent Freedom of Information Act request from the Democratic National Committee, signaling it could become a campaign issue this year.

The lavish spending habits of some other Cabinet officials on the taxpayer dime -- including Veteran Affairs Secretary David Shulkin and Housing & Urban Development Secretary Ben Carson -- are said to have recently caught the ire of President Donald Trump, who is reportedly considering a further shake up of his team.

One early Trump pick, Health & Human Services Secretary Tom Price, resigned last year over travel costs, while Treasury Secretary Steve Mnuchin and Interior Secretary Ryan Zinke have also both faced scrutiny over their own travel.

However, Pruitt's job at EPA is not considered in jeopardy since Trump is reportedly happy with his deregulatory work. Pruitt, the former Oklahoma attorney general, is even rumored as a replacement for embattled Attorney General Jeff Sessions, should Trump fire him over his recusal from the investigation into the Trump campaign's alleged involvement with Russia.

Gorsuch Comparisons

One long-time EPA observer says the current activities of top EPA officials are "analogous to what happened at the beginning of the Reagan administration," when Ann Gorsuch Burford was administrator and was forced to resign in disgrace after her tenure became an embarrassment to Reagan, and it was revealed that top agency officials were too close with industry.

Then-Rep. John Dingell (D-MI) kept the pressure on EPA, persuading the House Judiciary Committee to appoint a special prosecutor to investigate the agency. That eventually resulted in prison time for then-Superfund chief Rita Lovell, who was convicted of lying to Congress and obstruction of justice.

In addition to Burford, other top officials were also forced to resign for ethical and other violations.

Burford was replaced by William Ruckelshaus, who was the first EPA administrator during the Nixon administration and was brought back to successfully rebuild the agency's reputation. "And that was at a time when the rules were a lot looser than they are now," the observer notes. "And so say, comparing that against what we are seeing now, in some ways this is not nearly as severe, so far anyway."

However, the source says a popular parlor game for many retired EPA and Justice Department officials is to compare and contrast which era is worse -- Trump or Reagan -- at EPA.

Another long-time Washington insider separates what EPA is trying to do on regulations and policy, and its officials' compliance with their ethical obligations. "You don't excuse one for the other. We expect our public servants to act ethically. And yes, this is unusual. To me, I just put the two in very separate baskets."

This source acknowledges that the kinds of ethical questions being asked now have not been an issue since the early Reagan era, though back then the allegations of wrongdoing were proven true, something that has not yet happened under Pruitt.

Despite the swirling questions, whether industry will publicly comment on these issues is another matter.

The second source doubts it would ever get to that point because EPA officials' behavior tends not to come up in discussions between attorneys and clients, which largely focus on regulations and enforcement actions.

"People talk about the news and what they've read. But when we are talking about policy and what is the right thing to do on the Clean Power Plan, or [new source review] or the Waters of the United States rule, or coal combustion residuals or Superfund, we don't ask if the administrator is flying first class when he shouldn't be, or are there reasons for a private phone booth or a full security detail."

However, the source says those reports are bothersome because public officials are expected to behave properly "no matter what and no matter whether you like their policies or not."

Right now, there are "an unusual number of questions" around Pruitt's conduct "and none have been definitely answered. They will be answered in due course, I assume, by the inspector general of the EPA, who will determine if there is or is not a violation."

The first source adds that, in addition to not having definitive answers on the severity of current EPA officials' ethical lapses, it remains unclear if they will fully succeed in their attempts to roll back Obama rules.

"Their rhetoric is, 'Repeal everything that happened during the Obama administration.' Whether they'll really get around to doing that, and whether the courts will allow it, remains to be seen. So there is an open question about what real impacts they're going to have."

And this source says to keep in mind that there are many more rules and regulations that were in place long before Obama took office. “The Code of Federal Regulations is probably, compared to what it was at the beginning of the Reagan administration, three times as large when Obama came in, so there is a huge additional level of complexity and protection” that is not in Pruitt's crosshairs.

'Unseemly' Activities

The source adds that the Trump EPA officials' questionable behavior does not appear to have not resulted in large amounts of public money being spent, to date.

Citing the no-bid security contract and secure phone booth, the source says, “In the grand scheme of things, they don't amount to any great financial consequence. But they are unseemly and they look bad.”

As for Pruitt's first-class travel -- which was allegedly due to security concerns, after fellow travelers opposed to Pruitt's rule rollbacks yelled at him in airports and on airplanes -- the source says, “Personally, I find it hard to quarrel with the notion that the administrator of the EPA should be adequately protected.”

This source also acknowledges that any complaints about these issues from the regulated community are unlikely to ever be made public. That means that any current oversight is coming from independent administrative investigations and lawsuits brought by environmental groups and like-minded state attorneys general.

However, if Democrats take control of the House in 2019, that would usher in a major increase in oversight, the source expects.

Meanwhile, environmentalists and many former EPA employees remain openly hostile to Pruitt and are not shy about criticizing his behavior.

For example, Kyla Bennett, a former Region 1 official who worked at EPA for 10 years and is now with Public Employees for Environmental Responsibility says, “The bottom line is I think Pruitt is treating the EPA as his own personal piggy bank. All they care about is making money for themselves and their friends . . . and damn the environment. They don't care about conflicts of interest, ethics, and it boggles my mind.”

She suggests, for example, that the EPA ethics official who authorized the waiver for communications official Konkus, was pressured to do so, especially since his outside clients are not named, meaning there is no way to know if there is a conflict.

She adds that career staff writing regulatory rollbacks are similarly being pressured to follow orders without question. But she agrees there is little recourse, other than the courts, at least for now. “Will we be able to do anything? I don't know. . . . But it's outrageous. I've never seen anything like it.”

Politico
https://www.politicopro.com/energy/whiteboard/2018/03/walden-says-pruitt-will-testify-on-epa-budget-april-25-819577
Walden says Pruitt will testify on EPA budget April 25
By Anthony Adragna, 3/15/18, 4:37 PM

House Energy and Commerce Chairman Greg Walden said today EPA Administrator Scott Pruitt will testify before his panel on the agency's budget request April 25.

"He'll be there on April 25 — one way or the other," Walden said.

The timing of Pruitt's appearance would put his testimony well after that of fellow Cabinet members, most of whom are testifying this week and next on their requests. Both of Pruitt's energy counterparts — Energy Secretary Rick Perry and Interior Secretary Ryan Zinke — have appeared this week for congressional hearings.

EPA was not immediately available to comment.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060076617/search?keyword=EPA
EPA didn't use flawed studies to set emission regs — audit
By Sean Reilly, 3/16/18

An outside audit has cleared U.S. EPA of allegations that it relied on two flawed studies in estimating methane emissions and setting stricter oil and gas industry regulations.

The audit, released today by EPA Inspector General Arthur Elkins, stemmed from a 2016 hotline complaint claiming that the agency had made policy decisions based in part on studies by the University of Texas, Austin, that allegedly underestimated emissions of the potent greenhouse gas. But Elkins' review found that EPA staffers were aware of the concerns "and used the agency's review process to evaluate data and solicit stakeholder feedback."

Ultimately, EPA did not use data from those studies either in crafting the 2016 New Source Performance Standards for oil and gas producers or to make changes to its greenhouse gas inventory and reporting program, the audit said.

The studies, sponsored by the Environmental Defense Fund, were part of a broader attempt to get a better handle on the industry's methane releases and looked specifically at emissions from various aspects of natural gas production.

The hotline complaint stemmed from researchers' use of a device called a Hi Flow Sampler that allegedly malfunctioned, particularly when measuring natural gas streams laden with large amounts of hydrocarbons along with methane, the audit said.

Despite evidence that Hi Flow Samplers have failed in some circumstances, the lead researcher on the two University of Texas studies told the inspector general's office that he had not seen signs of sensor malfunction, although the device did shut down once during field testing.

The IG's office stopped short of coming to a firm conclusion, saying that evidence was lacking "to determine specific conditions in which the device might malfunction [or] how prevalent the problem might be."

The Hi Flow Sampler is no longer manufactured, according to the audit. Last October, EPA awarded a $100,000 grant to the Office of Research and Development and its Denver-based Region 8 office "to develop and test a new high-volume sampler prototype," the audit said.

Elkins' office announced the review last June (E&E News PM, June 21, 2017).

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=129872690&item=408&prod=deln&cat=AGENCY
EPA Orders Gold King Mine Area Groundwater Assessment
By Tripp Baltz, 3/16/18

Sunnyside Gold Corp. must conduct a groundwater investigation in the mountainous region of southwest Colorado where the August 2015 Gold King Mine release occurred, the EPA ordered.

The Environmental Protection Agency's administrative order March 15 to Sunnyside, a Silverton, Colo.-based mining company that owns a mine in the area, is intended to determine the hydrological interconnection of various underground mine workings between Gold King Mine and Sunnyside Mine, as well as measure surface water impacts from the groundwater system.

In August 2015, EPA workers and contractors removed dirt and debris from the entrance of the Gold King Mine, triggering a 3 million gallon spill of mining wastes, heavy metals, and toxic sediment into the Upper Animas River, which eventually flows through three states and American Indian lands before pouring into the Colorado River at Lake Powell. The EPA took responsibility for the incident and is now addressing historic mining impacts in the district.

Washington Post
https://www.washingtonpost.com/news/powerpost/paloma/daily-202/2018/03/16/daily-202-trump-may-hire-multiple-cable-news-personalities-as-part-of-shake-up/5aab2c5530fb047655a06cdb/?utm_term=.b7eb14bc857f
The Daily 202: Trump decides to remove national security adviser, and others may follow
By James Hohmann, 3/16/18, 8:52 AM

INSTITUTIONALIZED CHAOS:
-- Based on 19 interviews with presidential advisers and administration officials, Ashley Parker, Josh Dawsey, Philip Rucker and Carol D. Leonnig paint a must read portrait of the turmoil**:** "The mood inside the White House in recent days has verged on mania, as Trump increasingly keeps his own counsel and senior aides struggle to determine the gradations between rumor and truth. At times, they say, they are anxious and nervous, wondering what each new headline may mean for them personally. But in other moments, they appear almost as characters in an absurdist farce — openly joking about whose career might end with the next presidential tweet. … The president is enjoying the process of assessing his team and making changes, tightening his inner circle to those he considers survivors and who respect his unconventional style, one senior White House official said."

Here are five of the juiciest nuggets from the piece:

Chief of Staff John Kelly's ouster has been widely speculated about for weeks: "But two top officials said Trump on Thursday morning expressed disbelief to Vice President Pence, senior advisers and Kelly himself that Kelly's name was surfacing on media watch lists because his job is secure. Trump and Kelly then laughed about it … But others in the West Wing say Kelly's departure could be imminent, and Mick Mulvaney, director of the Office of Management and Budget, has been mentioned as a possible new chief of staff."

Environmental Protection Agency Administrator Scott Pruitt "has made no secret inside the West Wing of his ambition to become attorney general should Trump decide to fire Jeff Sessions": "White House officials have grown agitated that Pruitt and his allies are privately pushing for the EPA chief to replace Sessions, a job Pruitt has told people he wants. On Wednesday night, Kelly called Pruitt and told him the president was happy with his performance at EPA and that he did not need to worry about the Justice Department, according to two people familiar with the conversation …

"**With Hope Hicks resigning her post as communications director, the internal jockeying to replace her has been especially intense**between Mercedes Schlapp, who oversees the White House's long-term communications planning, and Tony Sayegh, Treasury Secretary Steven Mnuchin's top communications adviser.

"Another episode haunting [VA secretary] Shulkin was a trip to the Invictus Games in Canada last September with first lady Melania Trump's entourage. Shulkin fought with East Wing aides over his request that his wife accompany him on the trip because he was eager for her to meet Britain's Prince Harry, who founded the games, according to multiple officials familiar with the dispute. The first lady's office explained there was not room on the plane for Shulkin's wife, and officials said the **secretary was unpleasant during the trip …**

"**Trump has sometimes expressed confusion about what agencies and secretaries are in charge of what duties, a senior administration official said.** For example, this official said, he has complained to Pruitt about regulatory processes for construction projects, although the EPA is not in charge of the regulations."

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060076619/search?keyword=EPA
Sources: Leader of farm group in running for Region 9 post
By Debra Kahn, 3/16/18

The Trump administration could name a California farming representative to fill U.S. EPA's last vacant regional administrator post.

As the administration cycles through potential nominees to head EPA's westernmost regional office, attention is being paid to California agricultural industry officials with experience navigating the state's persistent air pollution issues. One of the current leading contenders, sources say, is Roger Isom, president of the agricultural trade groups the California Cotton Ginners and Growers Association and the Western Agricultural Processors Association.

U.S. EPA's Region 9 office has been without a permanent administrator for more than a year, the longest vacancy of any of the 10 regional offices throughout the country. EPA's San Francisco shop employs about 700 staffers with jurisdiction over Arizona, California, Hawaii, Nevada, the Pacific islands and nearly 150 Native American tribes.

Isom said he hasn't been officially asked to serve, but is intrigued by the possibility.

"It obviously would be a pretty interesting challenge," he said. "I think there are a lot of things that could be done in Region 9."

Perhaps the biggest challenge the region faces is to get its air pollution under control. California's Central Valley, a largely rural and agricultural region spanning some 25,000 square miles, is one of only two parts of the country rated as in "extreme nonattainment" for EPA's 2008 ozone standard of 75 parts per billion (Greenwire, March 15). It is also out of compliance with federal standards for fine particulate matter.

"Out here, what the challenge is with the extreme nonattainment areas that we have, that's some pretty daunting tasks to try to achieve out here," Isom said. "Finding ways to do that and thread the needle, if you will, would be extremely tough, but would be worth investigating."

EPA Administrator Scott Pruitt has a tough line to walk when it comes to filling the Region 9 spot in San Francisco, perhaps the city with the strongest antipathy to the Trump administration. House Majority Leader Kevin McCarthy (R-Calif.) has expressed a strong preference that the administrator should come from California, sources said. That ruled out Arizona Department of Environmental Quality Director Misael Cabrera, they said, who along with other Arizonans had pushed for the Region 9 headquarters to be relocated to Phoenix (Climatewire, Oct. 19, 2017). Other reported candidates from outside California also withdrew, including New Mexico Oil and Gas Association Executive Director Ryan Flynn and Gulf Oil LP executive Chris Paul (Climatewire, Jan. 26).

McCarthy's position also means candidates will be conversant with California's environmental regulations, which in many cases go further than the federal government's. The state's persistent air pollution is the reason it has the authority to set stricter-than-federal air rules under the Clean Air Act, but it must ask EPA for permission each time it wants to enact a new, stricter regulation, which has led to clashes with Pruitt.

The state Air Resources Board is currently in negotiations with EPA and the Department of Transportation over the fate of Obama-era fuel economy standards, which California wrote alongside federal officials. The state also oversees a unique suite of greenhouse gas regulations, including an economywide cap-and-trade system, aimed at reducing emissions to 40 percent below 1990 levels by 2030.

Isom's experience

Isom, an electrical engineer by training, has experience as an environmental regulator. He worked at the San Joaquin Valley Air Pollution Control District in the 1990s in the permitting and emissions inventory divisions. In his current industry posts, he also works on air pollution permitting and other environmental matters, as well as issues related to pesticides, energy, safety, labor and transportation.

"Some might think I'm a good candidate; I can tell you there's others that probably don't," he said. McCarthy's office and the White House did not respond to requests for comment about Isom.

He said EPA needs a permanent regional administrator soon so it can help state officials with an upcoming state implementation plan for the San Joaquin Valley's fine particulate matter targets, among other issues.

"It's essentially a ghost town right now because nobody's going to say anything or do anything," he said of the agency. "I think even some staff over there are growing concerned about the lack of a leader for so long. That's not good. Obviously we don't always agree, but you've got to have someone over there working on this process, because ultimately it's got to go through EPA."

Isom is also familiar with the state's climate policies. He supported state lawmakers' extension of cap and trade last year because it was less expensive than alternative proposals and because the agricultural industry received more than $100 million in auction proceeds to replace high-emitting equipment. He said he took a pragmatic view toward engaging in the negotiations.

"You look at the makeup of the Legislature, you look at the population and where that is in California, it's challenging at best," he said. "It's not whether you believe in climate change or not; it's purely how do we stay in business and accommodate regulations when China and our competitors aren't doing any."

Last month, Isom retweeted an article on a federal study showing that 2017 was the second- or third-warmest year since 1880, but added, "How about the other 4.5 billion years the earth has been around?"

Another California agricultural candidate the Trump administration turned to early in the process was Manuel Cunha Jr., the president of the Fresno-based Nisei Farmers League. Cunha said he turned down the offer in February 2017 because he wanted to focus on immigration policy — an area where California's GOP contingent differs sharply from the national party line due to the agricultural industry's reliance on immigrant farmworkers.

Cunha confirmed that the administration has been vetting Central Valley candidates. "I do know that they've been looking at people out of the San Joaquin Valley," he said. "We can't move it to Phoenix."

Cunha praised past Region 9 administrators Jared Blumenfeld and Felicia Marcus, both of whom previously worked for the Natural Resources Defense Council. "Jared was very helpful with agriculture on our tractor program, and so was Felicia Marcus with the conservation management practice," he said, referring to two local air district programs to limit air pollution. "Those two folks did believe in Roger and I and the district and supported us."

Seyed Sadredin, the head of the San Joaquin Valley Air Pollution Control District, has also been floated as a potential nominee, but he declined to be considered, sources said. Cunha said there is at least one other candidate under discussion.

"There's two qualified people," Cunha said. "Take one of them and put it in; that's all it takes. We need guidance, we need leadership in Region 9. I don't want California ARB to be the only agency in charge."

Politico
https://www.politicopro.com/energy/whiteboard/2018/03/calvert-doesnt-see-need-for-wotus-ozone-riders-820317
Calvert doesn't see need for WOTUS, ozone riders
By Anthony Adragna, 3/15/18, 6:20 PM

Rep. Ken Calvert (R-Calif.), who oversees the panel responsible for EPA and Interior spending, told reporters today he doesn't see the need for riders on the Waters of the U.S. rule or concerning ozone limits in the emerging spending bill.

"From my perspective, [EPA Administrator] Scott Pruitt's handling that and the ozone issue also," Calvert said of a possible WOTUS provision, noting the need for policy riders is diminished "because the administration we're dealing with now is different than the one we had in the past."

Calvert did say the fate of the riders rested with congressional leadership. Provisions included in the House-passed EPA and Interior spending bill H.R. 3354 (115) last year would have protected the EPA's move to withdraw the Waters of the U.S. regulation from legal challenges and delayed implementation of the agency's 2015 ozone standard until 2025.

More broadly, Calvert said he anticipated a vote on passage of the omnibus next week and said his portion of the package is "coming along pretty well actually" with goal of finishing work on it this weekend.

WHAT'S NEXT: Calvert said he anticipated a vote on the omnibus next week after wrapping up work on it this weekend.

Politico
https://www.politicopro.com/energy/whiteboard/2018/03/judges-mull-epa-delay-of-chemical-safety-rule-825280
Judges mull EPA delay of chemical safety rule
By Alex Guillen, 3/16/18, 1:02 PM

Three federal judges on the D.C. Circuit Court of Appeals spent more than two hours today grappling with the Trump administration's 20-month delay of an EPA chemical safety rule issued in the final days of the Obama administration.

EPA contends the delay was necessary because of security concerns raised by industry over requirements that facilities disclose information about chemicals on site to local responders.

Judge Judith Rogers, a Clinton appointee, peppered a government attorney with questions about whether EPA could justify the long-term stay because the agency based its delay on essentially the same information the chemical industry had submitted for the original regulation.

"People are injured. People are dying," she said, referring to recent industrial accidents. "I don't see anything in the delay rule that says, 'We have evidence these things aren't occurring.'"

Rogers also questioned whether EPA believed it had carte blanche to continue pushing compliance dates back if industry kept raising other concerns on a rolling basis. "This could go on forever," she said.

Judge Brett Kavanaugh, a George W. Bush appointee, defended EPA's ability to delay rules if it were to hold a public comment process. "It seems pretty basic that you can use notice-and-comment rulemaking to delay the effective date," he said.

A new administration would understandably need more time to organize and decide what to do, he said.

The panel's third judge, Obama appointee Robert Wilkins, questioned why EPA had first issued a three-month delay instead of immediately pursuing the 20-month delay.

WHAT'S NEXT: The panel will issue a ruling in the coming months.

AP
https://apnews.com/7734caccde104920a608de984adb6830/Company-authorized-to-study-South-Dakota-gold-mine
Company authorized to study South Dakota gold mine
3/16/18

RAPID CITY, S.D. (AP) — Federal and state regulators are entrusting a water pollution study at an abandoned South Dakota gold mine to a company that is potentially interested in reopening the mine.

The Rapid City Journal reports that the Environmental Protection Agency and the South Dakota Department of Environment & Natural Resources have signed an agreement with Agnico Eagle Mines, a publicly traded company based in Toronto, Canada. Agnico is trying to determine whether there's enough remaining gold to reopen the Gilt Edge Mine near Lead.

The agreement authorizes Agnico to conduct and finance the estimated $1.5 million toxic cadmium contamination investigation.

An official with the Black Hills Clean Water Alliance is skeptical, saying the company will have "mixed motives."

Public comments are being requested through April 2. It's unclear what effect public input will have on an already-signed agreement.

The Spokesman-Review
http://www.spokesman.com/stories/2018/mar/16/northport-residents-renew-calls-for-air-monitoring/#/0
Northport residents renew calls for air monitoring after state modeling says a Canadian smelter is polluting their town
By Becky Kramer, 3/16/18, 6:00 AM

Clifford Ward lives near Northport, Washington, a town of about 300 people in forested area along the upper Columbia River.

Despite its remote location, the city is downwind from a large, industrial operation. About 15 miles to the north in Trail, British Columbia, Teck Resources Ltd. runs one of the world's largest integrated lead and zinc smelters and refineries.

Modeling done by the state Department of Ecology indicated the smelter could be sending the highest known airborne levels of arsenic and lead in Washington, Oregon and Idaho over the international border.

In December, Ward and more than 100 other local residents petitioned the U.S. Environmental Protection Agency to install air monitors from Northport to the border.

"I think we have the right to know what it is that we may or may not be breathing," said Ward, a board member of Citizens for a Clean Columbia, a local activist group.

Both the state of Washington and the local Northeast Tri-County Health District support the monitoring, but EPA officials haven't made a decision.

"We are still reviewing it," said Mark MacIntyre, an EPA spokesman in Seattle.

The Teck smelter has operated for more than a century. It's better known for its historic releases of pollution into the Columbia River, which is the subject of ongoing litigation against the company by the Confederated Tribes of the Colville Reservation and the state.

Chad Pederson, a Teck Resources spokesman, said the company has spent more than $85 million on studies to determine if historical disposal practices at the Trail smelter have caused unacceptable risks to human health or the environment. The studies are being conducted with EPA oversight.

The Department of Ecology's modeling, however, looks at the smelter's projected air emissions for more recent years. Air quality monitoring hasn't been conducted on the Washington side of the border since 2009.

Ecology officials used six years of air monitoring data from British Columbia's government to project levels of heavy metal crossing the border between 2009 and 2014.

"It predicts what may be occurring in Washington state, since we don't have current data sets," said John Roland, the state's Upper Columbia site project manager.

Average lead levels modeled at the U.S.-Canadian border were about seven times higher than the Northwest's next-largest reading, which was taken in an industrial area of Seattle near the Duwanish River. In the city of Northport, projected lead levels were three times as high as the Seattle reading.

Average arsenic levels modeled at the border were about three times as high as the Seattle levels. In Northport, projected arsenic levels are about twice as high as the Seattle reading.

The modeling effort also projected elevated cadmium levels, but a Portland air quality monitor next to an art-glass foundry had recorded higher levels.

The projected metals crossing the border are measured in micrograms per cubic meter. While they wouldn't pose a short-term health risk to local residents, long-term inhalation could increase people's risk of getting cancer, according to the Department of Ecology.

Based on the smelter's sheer size, it's not surprising that it would be the region's largest emitter of airborne metals, said Roland, the Ecology project manager.

Roland said the state wants a say in designing any future air monitoring that occurs in the Northport area. Since the smelter now accepts some types of electronic waste for recycling, the list of metals monitored may need to be expanded, he said.

Teck officials, however, dispute the need for air quality monitoring in the Northport area.

"Ecology's request for renewed air monitoring in the U.S. misunderstands the data Teck reports to the B.C. government, as well as (the) Trail operations modern compliance history," Pederson, the company spokesman, said in an email.

Teck has spent more than $1.5 billion in modernizing the Trail smelter since the mid-1990s. Pederson said the investments have improved operations and reduced air and water emissions by more than 95 percent.

Northport residents need ongoing air monitoring, said Jamie Paparich, whose family owns property north of town. Without the data, people won't know if they're currently being exposed to risky levels of metals, she said.

The Northeast Tri-County Health District takes a similar position, said Matt Schanz, the administrator. Though Teck has substantially reduced its emissions, airborne arsenic and lead levels are a public health issue, he said.

"It's really important that we understand the impacts on our own side of the border," Schanz said.

Washington Post
https://www.washingtonpost.com/business/6-months-after-hurricane-maria-puerto-rico-pleads-for-help/2018/03/16/0a17448a-28d0-11e8-a227-fd2b009466bc_story.html?utm_term=.9bd97f3c2cf5
6 months after Hurricane Maria, Puerto Rico pleads for help
By Danica Coto via AP, 3/16/18, 12:11 AM

COROZAL, Puerto Rico — Hurricane Maria shredded the electric poles in this plantain farming town high in the mountains of central Puerto Rico, leaving tens of thousands of people without power or running water. Desperate, residents of the town's Barrio Mana neighborhood asked federal officials for a generator to pump water from the well that supplies the neighborhood's 130 families.

That was nearly six months ago. Today, like everyone in Barrio Mana, World War II veteran Antonio Morales, 93, sleeps in a single-story concrete home with no running water, its floor covered with dozens of gallon jugs and plastic buckets of water that his nurse uses to bathe him.

"Barrio Mana is not even on the government's radar," said Morales' 61-year-old daughter-in-law, Maria Perez, her eyes filled with tears. "Practically no one has shown up here."

Super-charged with energy from unusually warm seas, Hurricane Maria caused roughly $100 billion in damage to Puerto Rico when it roared across the island Sept. 20, according to the government of the U.S. territory. In November, Puerto Rico asked Congress for $94 billion to fund needs ranging from power restoration to home repairs.

U.S. lawmakers have appropriated $23 billion in direct aid, a response that some Puerto Rican officials called woefully inadequate. Separately, the Federal Emergency Management Agency has spent some $6 billion for Puerto Rico from its standing emergency funds since the hurricane.

As the six-month anniversary of the Category 4 storm approaches, only a fraction of the $23 billion in congressionally approved funds has actually been spent in Puerto Rico. In February, a $4.7 billion loan approved last year for Texas, Florida, the U.S. Virgin Islands and Puerto Rico was reduced by the U.S. Treasury Department to $2 billion for Puerto Rico, none of which has been disbursed. And programs funded with FEMA money, like generators for rural wells, have yet to reach thousands of Puerto Ricans like those in Barrio Mana, American citizens living in Third World conditions six months after a natural disaster.

Puerto Rican officials say the Trump administration is neglecting the territory because it doesn't have a vote in Congress or presidential elections. The Trump administration has blamed Puerto Rico for creating delays in the disbursement process, but has not been more specific.

Meanwhile, tens of thousands of Puerto Ricans are still waiting for permanent shelter, water or power as the next Atlantic hurricane season approaches.

"If we were a state, the response certainly would have been a lot quicker," said Omar Marrero, director of Puerto Rico's Central Recovery and Reconstruction Office. He said that of the $23 billion, Puerto Rico has so far received only $1.27 billion for its federal assistance nutrition program and $430 million to help repair public infrastructure.

Last week, 58 U.S. legislators sent a letter to U.S. Treasury Secretary Steve Mnuchin demanding the agency expedite the loan process and offer the full amount.

"At a time when people on the island are hurting, it is unconscionable to not provide maximum relief to American citizens at the hour of their greatest need," they wrote. "Unfortunately, the Treasury Department seems more concerned with repayment of the loan than in providing emergency liquidity relief to an island battered by two hurricanes and 11 years of recession."

Puerto Rico remains mired in a longstanding economic crisis, struggling to restructure a portion of $73 billion in public debt accumulated through years of mismanagement, corruption and the elimination of decades-old federal tax breaks. The response to Maria has unleashed fresh allegations of corruption and mismanagement of federal aid.

Mnuchin testified to a U.S. House of Representatives subcommittee that Puerto Rico's government was delaying the process by making unreasonable demands, which he declined to specify.

"I can assure you we have a team at Treasury that stands ready to lend them money right away," he said. "We are not holding this up."

Maria destroyed some 75,000 homes and damaged 300,000 more, causing an estimated $31 billion in damage to housing alone, said the island's housing secretary, Fernando Gil.

FEMA has granted more than $1 billion in rent payments, home repairs and other expenses, spokesman Daniel Llargues said. The U.S. Army Corps of Engineers has installed more than 59,000 tarps for the roughly 60,000 homes approved for the project, according to public affairs director Jacqueline Tate.

But billions of dollars remain pending, including $1.5 billion in congressionally appropriated money that was promised last month in community development block grants for Puerto Rico's Department of Housing.

"If we had power in Congress ... I ask myself if any federal agency would treat us as second-class citizens," Gil said. "They are not doing this to Texas. They are not doing this to Florida."

In Barrio Mana, neighbors cleared a small piece of land five months ago after meeting with federal officials who pledged to provide a generator to pump water from the neighborhood's well.

"After that, we never saw them again," said Enemias Rivera, the well's administrator.

The U.S. Environmental Protection Agency said it is awaiting permission from FEMA to install the generator, but FEMA said it has not received a request from the administration of Gov. Ricardo Rossello. Meanwhile, Corozal town officials did not return calls for comment.

Jenniffer Gonzalez, Puerto Rico's representative in Congress, and a spokeswoman for Rossello did not return requests for comment.

FEMA said in a statement that it continues to work with Puerto Rico's government and other agencies and groups, and noted that the response to the hurricane in Puerto Rico was the largest disaster air delivery mission in U.S. history.

"After two catastrophic hurricanes struck the island six months ago, we realize that there will still be unmet needs, as federal assistance isn't meant to make people whole, but help survivors start their recovery," the agency said.

Six months after Hurricane Maria, 97 percent of water customers do have service and 91 percent of power customers have electricity. But for those rural areas that remain in the dark, power company officials are considering installing FEMA-funded battery-powered solar panels to provide more immediate relief, Electric Power Authority interim director Justo Gonzalez said. At the same time the company is struggling with nearly weekly outages. The most recent one, on Monday, affected some 50,000 customers. Two weeks ago, some 970,000 people were left in the dark.

The Power Authority also is facing allegations of corruption and mismanagement. On Monday, the U.S. House Committee on Natural Resources demanded documents related to any investigations into the allegations, including that crews accepted bribes to restore power first to strip clubs and that some restored power to their own homes ahead of the island's largest public hospital and main international airport. The company has said it has not received any complaints or information regarding those allegations, but said it would investigate if anyone came forward with information.

Perez and her neighbors say they have given up hope they will ever get a generator for their well.

"They've abandoned all of us," said Jose Antonio Rosado, whose wife needs dialysis three times a week and depends on an electricity inverter that a nonprofit organization donated to the couple as they continue to wait for power and water connections. "The help never, never, never materialized."

Message

From: Hassell, Emily [hassell.emily@epa.gov]
Sent: 3/12/2018 8:14:48 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: News Clips - 12 March 2018

Will do – thanks!

From: Bowman, Liz
Sent: Monday, March 12, 2018 4:12 PM
To: Hassell, Emily <hassell.emily@epa.gov>
Subject: RE: News Clips - 12 March 2018

I think you can use your judgement; whatever you think is best.

From: Hassell, Emily
Sent: Monday, March 12, 2018 4:10 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: News Clips - 12 March 2018

Hi Liz,

You're welcome! Good to know it's useful for you to see them this way.

For the future – would you like articles grouped under headers, even if there's only two of a kind? Or would you rather only see headers for 3+ (or bigger stories)?

Thanks,
Emily

From: Bowman, Liz
Sent: Monday, March 12, 2018 4:06 PM
To: Hassell, Emily <hassell.emily@epa.gov>
Subject: RE: News Clips - 12 March 2018

Emily, thank you so much for grouping these by issue! It's really helpful to see the articles this way.

From: Hassell, Emily
Sent: Monday, March 12, 2018 3:57 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 12 March 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Administrator Pruitt's Roundtable

St. Louis Post-Dispatch - EPA head says final West Lake cleanup plan could mean more aggressive removal of material

Politico - Report: Pruitt backs E15 waiver, curbing trade of credits

The Hill - Pruitt may limit ethanol market traders

Houston Chronicle - Pruitt looks to stamp out RIN "hoarding," raises possibility of limits on Wall Street

Climate Science Debate

New York Times - The E.P.A. Chief Wanted a Climate Science Debate. Trump's Chief of Staff Stopped Him.

Daily Caller - John Kelly Killed Pruitt's Plan To Publicly Debate Climate Science

The Hill - John Kelly killed Pruitt's climate science debate

Mother Jones - EPA Chief Scott Pruitt Wanted A Live TV Debate Questioning Climate Change

General

E&E Climatewire - Pruitt's youth advisers slam federal inaction on climate

AP - EPA hires GOP media firm to produce report praising Pruitt

The Hill - EPA hired right-leaning media firm to compile its 'year in review'

The Hill - EPA science advisers haven't met in six months: report

The Hill - Administration asks court to dismiss lawsuit from EPA scientists

E&E Greenwire - City leaders press Pruitt aides on climate, staffing

The Hill - Cabinet officials rebuked by White House amid ethics questions: report

CNN - White House scolds Cabinet officials after embarrassing ethics reports

Politico - Judge orders EPA to issue ozone designations quickly

E&E News PM - EPA faces growing calls to replace lead pipes

E&E Greenwire - Pruitt ag adviser leaves

AP - 2 ex-US environmental chiefs blast truck emissions loophole

The Hill - Ex-EPA heads urge Pruitt to scrap changes to truck pollution rule

Politico - Democrats urge Pruitt to drop glider rule repeal

E&E Greenwire - Agency punches back in science advisers lawsuit

E&E Daily - Committee takes up 'good Samaritan' cleanups

BNA - Companies' Chemical Secrets Run Up Against the New Toxics Law

E&E Greenwire - Judges side with 9/11 whistleblower fired for death threats

E&E Greenwire - Judges weigh FOIA requests on alleged scientific misconduct

+++

St. Louis Post-Dispatch
http://www.stltoday.com/news/local/govt-and-politics/epa-head-says-final-west-lake-cleanup-plan-could-mean/article_2de47bd9-7b39-5408-ae1b-ecba527d5651.html
EPA head says final West Lake cleanup plan could mean more aggressive removal of material
By Chuck Raasch, 3/12/18

WASHINGTON • Environmental Protection Agency Administrator Scott Pruitt said Monday that he believes he's proposed a "sound, solid" solution to clean up the West Lake Landfill Superfund site - but a final decision could include excavating more than the 67 percent of the site the EPA says will be sufficient to protect the health of neighboring residents.

"What is really exciting about St. Louis is at this point in five years the uranium will be removed," Pruitt said, in reference to the radioactive material left over from World War II's atomic bomb creation. "Which I think is amazing in light of taking 28 years to just make a decision."

In a briefing with five reporters, Pruitt touted his first year as administrator, arguing that his agency has sped up dormant decision-making on issues like West Lake, and that it has contributed to billions of dollars in savings to companies from regulatory relief.

He said the EPA would have a final rule on re-doing the controversial "Waters of the United States" initiative of former President Barack Obama, which environmentalists heralded as a boon for water quality. Critics, including many Missouri Republicans, attacked it as government overreach.

Pruitt's stormy first year on the job was marked in part by his decision on West Lake. He called it a "poster-child" of previous administrations' inability to clean up the 1,340 Superfund sites he said he inherited.

EPA officials, including Pruitt's top Super Fund adviser, attended a community meeting in Bridgeton last week in which many speakers advocated a more extensive cleanup than Pruitt proposed in his Feb. 1 announcement. Many advocated for "Alternative 7," which would cost an estimated $455 million and be shared by public and private entities considered liable for the cleanup. The current proposal would cost about $236 million.

EPA is currently taking comments on its proposal.

Pruitt said an "extraction vs. cap" remedy debate is too simplistic.

"As I challenge my team I ask them, 'what do we need to do to ensure protection of health, " Pruitt said. "And that is the reason that we came to the conclusion that we are getting after the radioactive material that I have been told poses a risk to health.

"As you know it approaches 70 percent (removal) with the current proposal, and I think through this comment period it might actually increase," Pruitt told the Post-Dispatch. "But the charge was (to) get all the radioactive material that poses a risk to health, and I have been told and assured that that is taking place. That is the most important.

Asked whether the comment period could drive the EPA to adopt “Alternative 7,” Pruitt said: “I don’t want to prejudge it. It is not wise to do that. What is wise is to take comments and evaluate, I think. The proposal is a sound proposal.”

Pruitt said when he took office he found a lack of urgency for getting things done and having accountability.

His first year also has been marked by controversy over everything ranging from his public doubts about climate change to his expensive travel tastes.

On his office wall is a framed copy of a note that Pruitt sent to President Donald Trump praising Trump for pulling the United States from the Paris Climate accord, a decision that upset environmentalists and caused allies abroad to doubt U.S. commitment to confront global environmental issues. Trump signed it and sent it back.

Pruitt has also been entangled in the Renewable Fuel Standards debate, which has pitted corn farmers against oil refiners.

Trump delayed enactment of the "Waters of the United States" to 2020 while EPA reviews the policy.

Former EPA Administrator Gina McCarthy had pushed it as vital for health and water quality protection; critics said it put unnecessary regulatory crimps on farmers and others.

Pruitt also said he is pushing for the Trump administration to have a goal of eliminating lead from drinking water in 10 years, a water-infrastructure program that could cost over $40 billion.

Politico
https://www.politicopro.com/agriculture/whiteboard/2018/03/report-pruitt-backs-e15-waiver-curbing-trade-of-credits-783400
Report: Pruitt backs E15 waiver, curbing trade of credits
By Eric Wolff, 3/12/18, 2:08 PM

EPA Administrator Scott Pruitt says he would sign a waiver allowing blends of 15 percent ethanol gasoline if he can do so legally, the Houston Chronicle reported today.

"I told the folks in Iowa, if the law allows me to do it I'll sign it tomorrow,” he told a group of reporters. “It doesn't make sense to only be able to sell nine months out of the year."

Pruitt said last year he would ask staff to investigate whether EPA had the authority to issue a waiver under the Clean Air Act to allow year-round sale of E15 in all states. Some refining interests have proposed having EPA grant the waiver in exchange for a price cap on the cost of biofuel credits.

Pruitt also said he was considering limiting who can trade those credits. The idea, which would be aimed at boxing out investment banks from the program, has backing from some ethanol producers and oil refiners, a rare point of agreement in the contentious program.

"There's some things on the trading platform I think should happen no matter what," he said, according to the newspaper. "There seems to be a hoarding of [Renewable Identification Numbers], which inflates the price of RINs. Some have talked about limiting the participants who buy and sell, so you can get away from some of the speculation that's taking place."

WHAT'S NEXT: Oil refiners, biofuel producers, the White House and several senators are trying to hammer out a compromise agreement to alter the RFS.

The Hill
http://thehill.com/policy/energy-environment/377960-pruitt-may-limit-ethanol-market-traders
Pruitt may limit ethanol market traders
By Timothy Cama, 3/12/18, 1:56 PM

Environmental Protection Agency (EPA) Administrator Scott Pruitt is considering taking action to limit what he sees as speculative trade of ethanol credits in an effort to keep prices down.

Pruitt told reporters that one idea is to limit who can trade the credits that some refiners have to buy to comply with the federal ethanol mandate.

"There's some things on the trading platform I think should happen no matter what," Pruitt told reporters at EPA headquarters Monday, according to the Houston Chronicle.

"There seems to be a hoarding of [Renewable Identification Numbers], which inflates the price of RINs. Some have talked about limiting the participants who buy and sell, so you can get away from some of the speculation that's taking place."

The Renewable Fuel Standard (RFS), enacted by Congress in 2007, requires refiners to blend certain volumes of ethanol and other biofuels into their traditional fossil fuels.

Refiners who cannot blend biofuels have to purchase credits from others. But those credits can be traded on a market that some refiners have complained is too speculative, in which prices fluctuate greatly.

Reforming the credit program has been a top request of refiners and their allies in recent months, particularly after a major Philadelphia refiner declared bankruptcy in January, blaming RIN costs.

President Trump has told Republican senators that he would be open to reforms that lawmakers from the various sides of the issue would support.

Sen. Ted Cruz (R-Texas) has proposed capping the price of the credits, but lawmakers from corn states have opposed that approach.

Pruitt also told reporters that he supports letting fuel stations sell higher ethanol blends in the summer than they are currently allowed to, but only if such a change can withstand legal challenges, according to the Chronicle.

Houston Chronicle
https://www.chron.com/business/energy/article/Pruitt-discusses-limiting-RIN-trading-to-prevent-12746733.php
Pruitt looks to stamp out RIN "hoarding," raises possibility of limits on Wall Street
By James Osborne, 3/12/18, 1:08 PM

WASHINGTON - EPA chief Scott Pruitt raised the idea Monday of limiting Wall Street's ability to trade the government-issued credits for ethanol and other biofuels in an effort to aid oil refineries.

Under federal law, refiners must blend their gasoline with up to 10 percent ethanol. Refiners that don't blend ethanol themselves must buy the credits from companies that do. But these refining companies claim that the market for credits is opaque, thinly traded and subject to manipulation by speculators that can send price skyrocketing.

In a meeting with reporters at the Environmental Protection Agency's headquarters in Washington, Pruitt seemed to suggest that removing speculators from the market would help keep costs lower.

"There's some things on the trading platform I think should happen no matter what," he said. "There seems to be a hoarding of [Renewable Identification Numbers], which inflates the price of RINs. Some have talked about limiting the participants who buy and sell, so you can get away from some of the speculation that's taking place."

The Trump administration is trying to broker a deal between oil state Republicans like Sen. Ted Cruz, of Texas and corn state Republicans like Sen. Chuck Grassley, of Iowa, who have been at odds for months over the the future of the federal mandate requiring ethanol be blended into the nation's fuel supply.

In addition to limiting RIN trading, Pruitt also brought up the possibility of lifting an air pollution regulation that prevents the sale of fuels with higher concentrations of ethanol during the summertime.

"I told the folks in Iowa, if the law allows me to do it I'll sign it tomorrow. It doesn't make sense to only be able to sell nine months out of the year."

Pruitt's seemingly off-the-cuff comments Monday drew applause from ethanol producers, which by virtue of their large demand for the region's corn supply carry considerable political weight.

"We are encouraged by the Administrator's comments," said Bob Dinneen, president of the Renewable Fuels Association. "We would be receptive to any proposals bringing more transparency and liquidity to the RIN market."

Cruz has asked the Trump administration place a cap on the price of RIN credits, to help refineries the senator argues are at financial risk from compliance costs that can run hundreds of millions of dollars a year. That proposal has drawn fire from Grassley and other Midwestern politicians who argue Cruz is trying to decimate ethanol demand by reducing financial incentives for refineries to comply with the federal mandate.

Pruitt didn't discuss the cap proposal during Monday's meeting but rather focused the need to find a solution that would help refineries while also giving ethanol producers a boost.

"These market challenges we have are real," he said. "The President has a commitment to the [biofuels mandate] and ranching and farming communities in this country. But he doesn't want refineries to shut down either."

New York Times
https://www.nytimes.com/2018/03/09/climate/pruitt-red-team-climate-debate-kelly.html?rref=collection%2Ftimestopic%2FEnvironmental%20Protection%20Agency
The E.P.A. Chief Wanted a Climate Science Debate. Trump's Chief of Staff Stopped Him.
By Lisa Friedman and Julie Hirschfeld Davis, 3/9/18

John F. Kelly, the White House chief of staff, has killed an effort by the head of the Environmental Protection Agency to stage public debates challenging climate change science, according to three people familiar with the deliberations, thwarting a plan that had intrigued President Trump even as it set off alarm bells among his top advisers.

The idea of publicly critiquing climate change on the national stage has been a notable theme for Scott Pruitt, the administrator of the E.P.A. For nearly a year he has championed the notion of holding military-style exercises known as red team, blue team debates, possibly to be broadcast live, to question the validity of climate change.

Mr. Pruitt has spoken personally with Mr. Trump about the idea, and the president expressed enthusiasm for it, according to people familiar with the conversations.

But the plan encountered widespread resistance within the administration from Mr. Kelly and other top officials, who regarded it as ill-conceived and politically risky, and when Mr. Pruitt sought to announce it last fall, they weighed in to stop him. At a mid-December meeting set up by Mr. Kelly's deputy, Rick Dearborn, to discuss the plan, Mr. Dearborn made it clear that his boss considered the idea "dead," and not to be discussed further, according to people familiar with the meeting. All spoke on the condition of anonymity in order to describe internal White House deliberations and meetings.

During that meeting, according to two attendees and a third person briefed on the discussion, administration officials and White House aides were in agreement that Mr. Pruitt's idea was unwise. Their main concern was that a public debate on science — particularly on an issue as politically charged as the warming of the planet — could become a damaging spectacle, creating an unnecessary distraction from the steps the administration has taken to slash environmental regulations enacted by former President Barack Obama.

Asked about the meeting and the administration's internal deliberations, Raj Shah, the deputy press secretary, said: "The Trump Administration will ensure that any climate science review will be conducted through a robust, interagency process, consistent with federal law."

The E.P.A. did not respond to requests for comment.

The episode reflects some of the challenges that Mr. Kelly faces in bringing order to a chaotic White House, where policy deliberations are sometimes circumvented when people close to Mr. Trump approach him personally to seek his approval for unorthodox moves.

Mr. Kelly is a retired four-star Marine Corps general who is said to share the pragmatic view held by military leaders including Jim Mattis, the secretary of defense, that climate change is happening and poses a serious national security challenge. Since he became chief of staff last July, Mr. Kelly has toiled to control access to Mr. Trump to try to ensure that his actions are informed by an orderly process in the West Wing — a pursuit that flies in the face of the president's freewheeling style.

The tension between the White House and the E.P.A. over the red team, blue team idea reflects a broader rift within the administration over whether and how directly to attack climate change science itself. While the words "climate change" have been removed from many federal websites, and Mr. Trump has mocked global warming in tweets, the administration has stopped short of using the power of the federal government to attack the science.

Holding national debates on climate change could have serious policy implications.

The fundamental science, that man-made pollution is overwhelmingly responsible for warming temperatures and rising sea levels, is widely accepted among mainstream scientists. That science formed the basis of a key 2009 E.P.A. decision known as the endangerment finding, which declares that climate change is a threat to human health and welfare. That finding is the legal backbone for almost all federal climate policy and requires the government to regulate greenhouse gas emissions in some manner. A government critique of climate science could lay the groundwork for challenging the endangerment finding in court.

Climate denialist groups like the Heartland Institute have urged Mr. Pruitt to challenge the finding, while industry associations have expressed little interest in doing so. Tim Doyle, vice president of policy for the conservative business

organization American Council for Capital Formation, said the companies he works with have not expressed any interest in a public forum to challenge climate change science.

"We definitely haven't heard any of our members supporting the red team, blue team concept," he said. "There's been, if anything, radio silence about it."

The idea for red team, blue team climate debates originated with Steven Koonin, a physicist at New York University who was an energy undersecretary under Mr. Obama. Mr. Koonin in April wrote an op-ed in The Wall Street Journal calling for using the military-style exercise — in which one team attacks and another defends — to test the robustness of climate change science. One week later, he paid a visit to the E.P.A. at Mr. Pruitt's invitation to discuss the idea further.

Mr. Koonin, in an interview, said he has "no dog in this fight" — meaning that he is willing to be persuaded that climate change is an urgent threat — but that he believes there are uncertainties in the science that are worth exploring.

In talking with federal officials, Mr. Koonin said he outlined a vision for a debate including not only the E.P.A. but also the National Aeronautics and Space Administration and the National Oceanic and Atmospheric Administration, both of which collect data and conduct studies on Arctic ice melt, global temperature modeling and other issues. The White House science adviser should coordinate any such exercise, he said, to ensure all relevant government offices participate.

"It would need to be governmentwide, certainly multiagency, in order for it to be robust and taken seriously as a scientific endeavor," Mr. Koonin said.

Climate scientists and others who oppose the debate idea note that the studies that make up the body of knowledge on climate change already are subject to rigorous peer review. They contend that the red team, blue team exercise would be a politically motivated way to inject doubt into findings that have already been scientifically established.

"The idea of a red team approach is used to test how well forces, or strategy, will perform against an adversary. But climate science is not our adversary," said Sherri Goodman, a former deputy undersecretary of defense under President Bill Clinton and now a senior fellow at the Woodrow Wilson International Center.

Mr. Pruitt planned to announce his red team, blue team debate in early November, according to a news release that was written but never issued. According to four people who have read the draft news release, the debates were to be organized by the E.P.A.'s science advisory board and not include other agencies.

The announcement of the debates would have coincided with the release of an exhaustive scientific report from 13 United States government agencies that definitively found human activity to be responsible for almost all of the warming that has occurred in the past half-century. It would have also coincided with the start of a United Nations meeting in Germany to discuss the Paris agreement, the global climate accord from which Mr. Trump intends to withdraw the United States' participation.

When Mr. Trump's chief of staff learned about the news release, he demanded the debates be delayed until cabinet secretaries and top White House officials could discuss it, according to three people familiar with the discussions. That initial meeting never occurred, but on Dec. 13, the White House convened senior officials to discuss the matter.

According to two people who attended, the meeting included a presentation of the red team, blue team plan by two E.P.A. officials — Mr. Pruitt's chief of staff and the head of the agency's air office. Other attendees included senior officials from the Department of Energy, the White House Council on Environmental Quality, the White House Office of Science and Technology Policy, and the National Economic Council.

The meeting was run by Mr. Dearborn and Michael Catanzaro, who is a member of the economic council and the president's domestic energy and environment policy director.

The takeaway, according to people in the room, was that every office within the White House was opposed to the idea. At one point, Mr. Dearborn said the notion of red team, blue team debates was "dead" and should not be mentioned again. "The chief doesn't want it," Mr. Dearborn said, referring to the White House chief of staff, according to one person who attended.

E.P.A. officials were taken aback, the person said.

In the weeks since that meeting, however, Mr. Pruitt said the red team, blue team debates were still under consideration. In January, he told Congress that a report in E & E News, a news organization focusing on energy and the environment that first reported that the White House had killed the plan, was false. White House opposition to the debates was "untrue," he said under questioning by a senator.

For the moment, even those who have championed the red team, blue team idea like Mr. Koonin are doubtful the debates will happen. "My optimism that we can get this done in a quality way is pretty low at this point," Mr. Koonin said. "It needs to be a governmentwide exercise and there's nobody that I know of that has picked up the ball in the White House."

Daily Caller
http://dailycaller.com/2018/03/09/john-kelly-killed-pruitts-plan/
John Kelly Killed Pruitt's Plan To Publicly Debate Climate Science
By Chris White, 3/9/18, 5:18 PM

President Donald Trump's chief of staff killed EPA chief Scott Pruitt's idea to publicly debate the merits and demerits of man-made global warming, according to a report Friday from The New York Times.

John Kelly, a retired four-star Marine Corps general, put a screeching halt to Pruitt's goal to craft a read team and blue team to challenge climate change science, three people familiar with the deliberations told TheNYT. Trump has expressed interest in the idea.

Pruitt, who famously sued the agency more than a dozen times as Oklahoma's attorney general, spent more than a year championing the notion of holding military-style exercises to question the validity of climate change. He even floated the idea of televising the debates, all in an effort to bring transparency to the science.

Military and intelligence agencies use a similar debate tactic to expose vulnerabilities to strategic systems. The tactic would give needed balance to climate science, a field of research many believe has been monopolized by activists, skeptics say. Some in the administration were enthusiastic supporters, however, Kelly and others were skeptical about the proposal.

White House officials were in agreement that Pruitt's idea was unwise, according to sources who attended a meeting discussing the proposal. Their main objection was that a public debate on the hot-button issue of climate science could create an unnecessary distraction as Trump seeks to pullback elements of former President Barack Obama's environmental legacy.

Some inside the administration worried the debate would muddy the waters of Pruitt's de-regulatory mission. The Environmental Protection Agency finalized 22 deregulatory actions in 2017, which could save $1 billion in regulatory costs. The agency is working on another 44 deregulatory actions, including the repeal of the Clean Power Plan and Clean Water Rule.

Elements within the Obama administration even promoted the idea. Steve Koonin, a former Energy Department head during Obama's tenure, for instance, suggested a red team-blue team approach in an April editorial to put the issue to rest. He was a rarity in the Obama administration.

Koonin has "no dog in this fight," he told TheNYT in an interview, meaning there are uncertainties in the science that are worth exploring, but he can still be convinced that climate change is a unique threat deserving of immediate action.

The EPA has not responded to The Daily Caller News Foundation's request for comment about the validity of TheNYT's report.

The Hill
http://thehill.com/policy/energy-environment/377658-john-kelly-killed-pruitts-climate-science-debate
John Kelly killed Pruitt's climate science debate
By Timothy Cama, 3/9/18, 3:42 PM

White House chief of staff John Kelly killed Environmental Protection Agency (EPA) Administrator Scott Pruitt's plan for a public debate on climate change science, according to a New York Times report Friday.

Pruitt for months has been talking publicly about organizing a government "red team, blue team" exercise among climate change experts and skeptics, possibly on television, and President Trump was receptive.

But at a December meeting that included representatives from the White House and the EPA, Rick Dearborn, Kelly's deputy, relayed that the concept is "dead" and Kelly would not allow the idea to take flight, the Times reported, citing three people familiar with the meeting.

Administration officials were worried that the exercise would be too politically risky and draw negative attention to Trump's aggressive mission to undo the Obama administration's climate policies.

White House deputy press secretary Raj Shah told the Times that the administration "will ensure that any climate science review will be conducted through a robust, interagency process, consistent with federal law," while the EPA did not respond to a request for comment.

The idea came from Steven Koonin, a New York University physicist and former Energy Department official during the Obama administration.

"The American people deserve an honest, open, transparent discussion," about climate science, Pruitt said last year. "What do we know? What don't we know? Does it pose an existential threat, what can be done about it?"

Pruitt has said that the climate is changing and humans have played some role. But he has questioned whether humans are the dominant cause or whether global warming would be harmful to humans, two questions that scientists widely answer in the affirmative.

E&E News reported after the December meeting that officials had put the debate idea on hold.

But when lawmakers asked Pruitt about that report later, he said it was "untrue," and that he was still planning the exercise.

Mother Jones
https://www.motherjones.com/politics/2018/03/scott-pruitt-john-kelly-climate-change-debates/
EPA Chief Scott Pruitt Wanted A Live TV Debate Questioning Climate Change
By Andy Kroll, 3/10/18, 2:48 PM

Scott Pruitt, the polluter-friendly chief of the Environmental Protection Agency, has already amassed a lengthy list of extreme, fringey accomplishments. As Rebecca Leber wrote in her recent Mother Jones cover story, Pruitt has set out to demolish one EPA policy after another during his first year on the job, driven by his religious beliefs and personal ambition.

But the New York Times reports that one of Pruitt's most radical ideas—a series of "military-style" debates challenging the validity of the science of climate change—was too far-out even for the Trump White House. Pruitt, a climate denier, has been pushing for so-called red team-blue team debates that would present the issue as open to debate. (Never mind that the science is settled: 97 percent of climate scientists agree that the planet's warming over the past century is very likely due to humans. "Scientific evidence for warming of the climate system is unequivocal," according to the Nobel Peace Prize-winning Intergovernmental Panel on Climate Change.)

The Times says that Pruitt mulled broadcasting his climate-change debates on live television and that he raised the idea with the ratings- and reality TV-obsessed president. Yet John Kelly, the White House chief of staff, wanted nothing to do with the debates:

But the plan encountered widespread resistance within the administration from Mr. Kelly and other top officials, who regarded it as ill-conceived and politically risky, and when Mr. Pruitt sought to announce it last fall, they weighed in to stop him. At a mid-December meeting set up by Mr. Kelly's deputy, Rick Dearborn, to discuss the plan, Mr. Dearborn made it clear that his boss considered the idea "dead," and not to be discussed further, according to people familiar with the meeting. All spoke on the condition of anonymity in order to describe internal White House deliberations and meetings.

Don't expect the EPA's deregulator-in-chief to be thwarted. It's pretty clear that Pruitt has his sights set on a larger stage—the Senate? The White House? But first he wants to undo as much as of the previous administration's work as he can, far from the glare of TV lights.

E&E Climatewire
https://www.eenews.net/climatewire/stories/1060075985/search?keyword=EPA
Pruitt's youth advisers slam federal inaction on climate
By Niina Heikkinen, 3/12/18

U.S. EPA's youngest social justice advisers are hammering the federal government for its lack of action on climate change.

In a draft report — prepared for EPA Administrator Scott Pruitt and other agency officials — a group of outside advisers calls on the Trump administration to take action on climate change and offers tips on how to engage young Americans on the issue.

"Despite the urgency of climate change, political will at the national level has lagged behind or been outright captured by the powerful interests opposed to bold and just solutions offered by young people, desperate to defend their future rights to a clean and healthy planet," wrote the Youth Perspectives on Climate Change Work Group.

The report is an uncommon example of an EPA-requested document talking about climate change in an administration peppered with officials who question mainstream climate science. EPA has cut mentions of the largely man-made driven

phenomenon from its website and is in the process of unraveling regulations meant to control greenhouse gas emissions.

The draft is yet to be approved by EPA's National Environmental Justice Advisory Council (NEJAC),, which helped establish the youth group in 2015 in order to find ways to include more young people's perspectives in addressing climate change. The 85-page document is the result of collaborative work of 15 youth representatives between the ages of 19 and 29. Its members — who come from academia, environmental groups and local government — are either currently working with local communities vulnerable to climate change or have done so in the past.

Samantha Shattuck, a public health specialist and the group's co-chair, noted that each of the report's authors was representing his or her own views and experiences in the report. She added that she was not able to comment on the report directly as it is still unpublished.

The group members are charged with two main tasks — providing recommendations for how EPA could "authentically engage" with youth between the ages of 14 to 29 to be more resilient to climate change and suggesting ways to develop youth-led projects to address health problems related to climate. The report's recommendations are based on the experiences of its members as well as a number of case studies drawn from the organizations the group's members are affiliated with.

Shattuck said the authors sought to provide guidance not only to EPA, but for how other federal agencies and nongovernmental organizations could incorporate youth voices on climate change and environmental justice more effectively.

"The longevity of these vulnerabilities demonstrates the importance of engaging youth, the individuals who will be the next leaders in government, academia, industry, and in nonprofits. Youth need the capacity and knowledge to more critically assess and address climate justice challenges in the future, and engaging them effectively will aid in the development of future thought leaders in this space to help with growing infrastructure, research, and policy issues," the report's authors concluded.

A number of the recommendations focus on increasing youth representation across the decisionmaking process at the agency level and offer suggestions on how EPA can support the development of the next generation of climate leaders by providing funding to outside organizations.

For example, the authors suggest that at least 20 percent of federal advisory bodies should be made up of youth affected by climate change. They also call for EPA to target funding toward organizations that provide youth with a living wage.

"In the environmental field in general, there is a lot of barriers to entry, not the least of which being unpaid work," said Shattuck. "So coming from a privileged position, a lot of students are able to take off and work unpaid, they may have their families supporting them. But communities who are coming from low-income backgrounds may not be able to take off unpaid work."

This disparity is especially problematic because youth from low-income backgrounds are those most likely to bear the brunt of climate change impacts and other pollution sources, she added.

The report encourages the federal government and other groups to seek input from young Americans who aren't necessarily the straight-A environmental science students, but may have a "visceral level" understanding of climate effects and may not have any previous leadership experience.

"I think there's traditionally an idea that people of color don't care as much about the environment because they don't visit parks or national parks, but so much of it is about access and opportunity. Who is more likely to have paid vacation, who is more likely to live in places with a healthier environment, farther away from industry?" she said.

The report's authors received comments on the draft last week from NEJAC and expect to have the final report finalized and publicly available in May or June.

The draft report comes out the same week Pruitt announced the appointment of eight new members to NEJAC, which is overseeing the work group. The administrator also announced he was seeking nominations to fill four vacancies.

"I am proud to announce this distinguished group of new members to the NEJAC," Pruitt said in a statement last week.

"Their significant experience and expertise will be invaluable to the NEJAC as it provides advice and recommendations to help the Agency improve public health, protect the environment, and support economic growth for all people."

AP
https://apnews.com/fc7f53cf670f49d384dbe8275a9ffb2c/EPA-hires-GOP-media-firm-to-produce-report-praising-Pruitt
EPA hires GOP media firm to produce report praising Pruitt
By Michael Biesecker, 3/9/18

WASHINGTON (AP) — The Environmental Protection Agency used public money to hire a private media firm with strong Republican ties to help produce a report promoting Administrator Scott Pruitt's first-year accomplishments.

Records show EPA paid $6,500 last month Go Big Media Inc. for work related to "design, graphics, production and edits of the EPA end of year report." Go Big was founded by Republican political strategist Phillip Stutts and counts GOP candidates and conservative groups among its clients.

The 37-page report issued by the agency earlier this week references Pruitt by name 214 times. Of the two dozen photos included in the document, 20 include the administrator, a Republican who previously served that the elected attorney general of Oklahoma.

EPA spokesman Jahan Wilcox defended the contract.

"We had two options: one vendor was $29,140 and the other was $6,500, but ultimately this document was made in-house," Wilcox said.

It is at least the second time in the last year that EPA has hired a Republican-affiliated firm to assist its public affairs efforts.

In December, EPA pulled out of a $120,000 no-bid contract with Definers Public Affairs, a Virginia public relations firm founded by former Republican campaign operatives that specializes in opposition research on its clients' political opponents and corporate rivals. The New York Times reported that a senior vice president at the firm had filed at least 40 requests under the Freedom of Information Act, many of them seeking emails and other records from EPA employees who have spoken out against Pruitt's regulatory rollbacks.

Wilcox said the Go Big contract, which was first reported by E&E News, "pales in comparison" to the $568,000 paid under the Obama administration to Strategies 360, a public relations firm co-founded by a former Democratic campaign manager.

In that case, the firm was hired by the Swinomish Indian Tribe, which received a portion of an EPA grant to the Northwest Indian Fisheries Commission to help educate the public about clean water initiatives in Puget Sound. A subsequent review by EPA's Inspector General concluded last year that the payment to Strategies 360 did not violate federal lobbying prohibitions.

The Hill
http://thehill.com/policy/finance/377659-epa-hired-right-wing-media-firm-to-compile-its-year-in-review
EPA hired right-leaning media firm to compile its 'year in review'
By Miranda Green, 3/9/18, 3:54 PM

The Environmental Protection Agency paid a media group that largely works with Republicans thousands of dollars to compile the agency's annual "year in review" report, according to public financial documents.

Go Big Media, a right-leaning digital consulting and advertising firm, was paid $6,500 by the EPA in February to create the report, E&E News first reported. One of the company's previous clients include Interior Secretary Ryan Zinke, when he ran for Congress in Montana.

The company's founder, Philip Stutts, also regularly appears as a commentator on Fox News, according to Go Big Media's website.

EPA spokesman Jahan Wilcox confirmed the contract, highlighting that it was the cheapest option.

“We had two options: one vendor was $29,140 and the other was $6,500, but ultimately this document was made in-house. This pales in comparison to the previous administration that paid $570,000 to a Democratic campaign manager’s PR firm to run EPA’s What’s Upstream campaign," Wilcox said in a statement.

The report, released Monday, touted the EPA's top achievements and highlighted, among other things, a The Hill article entitled: "EPA staffing falls to Regan-era levels."

Other accomplishments highlighted in the report included the agency's rescinding of the Waters of the United States rule and EPA Administrator Scott Pruitt's directive to remove scientists from sitting on advisory boards who receive agency grant funding.

"Administrator Pruitt’s directive ensures that EPA’s Federal Advisory Committees (FACs) provide a diverse and independent range of perspectives. Members serving on an EPA FAC shall not simultaneously receive grants from the agency," the report read.

In December, Mother Jones first reported that Pruitt paid a Republican opposition research firm $120,000 to provide media monitoring. Days after the news broke, the EPA rescinded the no-bid contract with Definers Public Affairs.

“How we consume our news has changed, and we hope to find a vendor that can provide us with real-time news clips at a rate that is cheaper than our previous vendor,” Wilcox told The Hill at the time.

The Hill
http://thehill.com/policy/energy-environment/377720-epa-science-advisers-havent-met-in-6-months
EPA science advisers haven't met in six months: report
By Jacqueline Thomsen, 3/10/18, 9:05 AM

The Environmental Protection Agency's (EPA) scientific advisory board (SAB) hasn’t met in at least six months, Scientific American reported this week.

The magazine said the full EPA board last met in August, and has not held conference calls or votes since then. One board member said that in the past, the group would have met or been in contact several times.

The EPA said that the group hasn't met because of delayed paperwork, which stops the board from having enough members to reach a quorum.

However, one board member said that EPA head Scott Pruitt was slowing down the board until about a dozen members' terms end in September.

"He's running out the clock, because in the end of September, he gets another chunk of them off," the member told Scientific American. "The obvious interpretation is that he's making sure he doesn't use the SAB until he has appointed the overwhelming majority of the people on the SAB."

Peter Thorne, a professor at the University of Iowa College of Public Health and former chairman of the board, said the board would normally have at least one two-day meeting and a couple of teleconferences over the span of six months.

He added that EPA officials would also consult the board on the science behind new regulations.

"If there are reports or regulatory actions that are being scheduled or that are happening and they're not coming to the science advisory board, then something is most definitely lost, because the board provides very important input to the process and scientific rigor," Thorne told Scientific American.

Pruitt has taken steps to reshape the agency's advisory boards, blocking scientists who have received past EPA grants from sitting on the boards. The EPA said the move was to eliminate conflicts of interest, but critics have said it allows more industry advocates to work as EPA advisers.

The Hill
http://thehill.com/policy/energy-environment/377921-trump-admin-wants-case-over-epa-science-advisers-dismissed
Administration asks court to dismiss lawsuit from EPA scientists
By Timothy Cama, 3/12/18, 10:13 AM

Attorneys for the Trump administration are asking a court to dismiss a lawsuit challenging Environmental Protection Agency (EPA) head Scott Pruitt's new policy on science advisers.

Justice Department attorneys argued that Pruitt's policy preventing EPA grant recipients from serving on external advisory committees is well within government ethics rules and Pruitt's authority to pick his own advisers.

"Plaintiffs make the extraordinary claim that the EPA's effort to ensure a diversity of viewpoints on advisory committees that provide advice and recommendations to the administrator somehow violates government-wide ethics rules. But the directive that plaintiffs challenge does no such thing," the government wrote in a motion filed late Friday.

Lawyers further argued that the directive is not intended to change ethics rules, but is instead merely "a general statement of policy that describes the appointment philosophy EPA will apply regarding the federal advisory committees it administers."

"Ultimately, the power to appoint committee members is the administrator's alone and is non-reviewable by the courts under the circumstances presented here," the attorneys said in asking for dismissal. "Plaintiffs' challenge to these highly discretionary policy judgments and the EPA's power to make them is unprecedented and should be rejected by the court."

The case is being heard in the federal District Court for the District of Columbia by Judge Trevor McFadden, who was nominated last year by President Trump.

Pruitt rolled out the policy in October 2017, arguing that EPA grantees — generally academics with expertise in areas like public health and pollution — have significant conflicts of interests He said the new policy for advisers would eliminate such conflicts.

"We want to ensure that there's integrity in the process, and that the scientists who are advising us are doing so with not any type of appearance of conflict," Pruitt said at the time. "And when you receive that much money … there's a question that arises about independence."

Pruitt estimated that in the last three years, grantees sitting on the main three EPA advisory committees had received $77 million from the agency. The policy banning grant recipients from the boards is agency-wide, applying to all 22 advisory committees.

A handful of committee members were pushed out, and many were replaced by industry- or Republican-friendly advisers.

Some groups and researchers sued the EPA in December, saying the policy violated laws governing ethics, advisory committees in general and specific laws that authorized certain committees.

"EPA's effort to purge independent scientists from its advisory committees has harmful implications for the nation's health," Barbara Gottlieb, director of Physicians for Social Responsibility, said at the time. Her group is the leading plaintiff in the case, Physicians for Social Responsibility et al. v. Scott Pruitt.

"Losing top-flight academic researchers, and replacing them with industry-dependent voices, will undermine actions to protect us from toxic pollutants and life-threatening climate change. If EPA won't abandon this harmful approach, we're happy to take them to court."

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060076093/search?keyword=EPA
City leaders press Pruitt aides on climate, staffing
By Kevin Bogardus, 3/12/18

Elected officials from around the country questioned two senior aides to U.S. EPA Administrator Scott Pruitt over the weekend.

During a conference hosted by the National League of Cities, local leaders pressed Dennis Lee Forsgren, deputy assistant administrator in EPA's Office of Water, and Albert "Kell" Kelly, a senior adviser to Pruitt, on issues related to infrastructure and climate change.

Forsgren touted President Trump's infrastructure plan and EPA's role in the proposal, including its handling of Water Infrastructure Finance and Innovation Act, or WIFIA, loans that can help rebuild water systems.

Forsgren also talked about Pruitt's effort to combat lead poisoning, as well as EPA's work to revise the Lead and Copper Rule.

One worry about the regulation is how the agency will move to phase out lead in drinking water, such as requiring replacements of lead service lines. Forsgren hinted at that problem in his speech yesterday.

"We would expect to be moving out smartly with new rules on the Lead and Copper Rule. We also understand that if we're not careful in how to do that, we could wind up with a large unfunded mandate, so we're working for ways to find financing and other mechanisms to allow for that," Forsgren said.

On climate, Forsgren said the agency has been working to make sure wastewater systems are located in areas that won't be affected by rising global temperatures.

"We are aggressively working on things in the Office of Water like resiliency," Forsgren said. "We can debate about the initiatives, but one thing I can say is Administrator Pruitt is more committed than anyone I've ever met to making sure the next generation has a future."

Kelly, a former Oklahoma banker who has been charged with Pruitt to lead a task force to improve its Superfund program, told officials to take his business card and call his cellphone if they needed EPA's help.

"We work for you," Kelly said. "Contrary to the way sometimes federal government or federal agencies come across, we work for all of you, and we should respond that way."

He discussed work on the Superfund task force, including setting up working groups at the agency to implement 42 recommendations from a report the group issued last year.

Kelly said he expected all those recommendations "to be underway or implemented" by the report's one-year anniversary of June 22 this year.

"Why is that important? It's important because those Superfund sites represent those things that are in our country that are of high environmental concern," Kelly said.

Both EPA officials addressed worries about hundreds of agency employees leaving over the past year. Several EPA staffers took buyouts or retired in 2017.

Last month, the administration proposed deep cuts for the agency in fiscal 2019 that would reduce the workforce to 12,250 employees (Greenwire, Feb. 12).

"You all have the same problems as local officials. You can't do everything you would like to do with the resources you have. We can only use the resources that the Congress provides us," Forsgren said.

Hometown Superfund site

After his remarks to the conference, Kelly spoke to E&E News about his experience with the Superfund program in his hometown of Bristow, Okla.

A family company owns land in the town, including some parcels next to the abandoned Wilcox Oil Co. refinery that is on EPA's list of toxic waste sites (Energywire, Feb. 28).

Kelly is familiar with the old refinery, saying it has its own "unique characteristics," noting the nearby church was damaged by oil leaking from the site.

"I have not been really involved in that Superfund site other than to know what's going on," Kelly said. Asked if he has a formal recusal related to the site, Kelly said he didn't.

"If it were deemed to be something that I should do, I would. But I'm not influencing that. I mean the professionals out of Region 6 are handling it. I'm not doing anything on it," Kelly said. He emphasized his job at EPA was not to work on specific sites but to help improve the program.

"I don't really make any decisions on Superfund sites. Those are made by the administrator and the region. What I try to do is make things move a little faster, utilize our great EPA professionals and help them do their jobs. It has worked pretty well," Kelly said.

More personnel on Superfund are coming to EPA. Last week, Trump nominated Peter Wright, a Dow Chemical Co. lawyer, to lead the agency's Office of Land and Emergency Management, which oversees the program.

Asked how he would work with Wright, Kelly noted that he doesn't "really fold up" under the solid waste office but was ready to work with Wright once confirmed.

"I will do whatever I can to work with him," Kelly said. "We'll work hand in glove with him, and I will work hard not to step on anybody's area."

The Hill
http://thehill.com/homenews/administration/377710-cabinet-officials-rebuked-by-white-house-amid-ethics-questions-report
Cabinet officials rebuked by White House amid ethics questions: report
By Max Greenwood, 3/9/18, 9:29 PM

Four Cabinet-level officials were reportedly scolded in private meetings at the White House last month for news stories detailing questionable ethical behavior.

CNN reported Friday that Interior Secretary Ryan Zinke, Housing and Urban Development Secretary Ben Carson, Veterans Affairs (VA) Secretary David Shulkin and Environmental Protection Agency Administrator Scott Pruitt were among those called to the White House.

The meetings were held at the request of White House chief of staff John Kelly, and stressed the importance of avoiding even so much as the appearance of unethical behavior, according to CNN.

The agencies were also reportedly given guidelines, titled "creating a culture of compliance." The advice outlined in that document highlighted the importance of "optics," saying that officials should refrain from behavior that could appear outside their agency's mission.

A number of Cabinet-level officials in the Trump administration have faced scrutiny amid questions dealing with ethical behavior.

Pruitt faced backlash over first-class travel on official trips, while Zinke's travel is the subject of investigations by the Office of Special Counsel and the Interior Department's inspector general.

Carson has also come under fire for purchasing a $31,000 table for his office, an order he canceled last week, while a trip to Europe by Shulkin last summer was the subject of an inspector general's report. That report found that the VA secretary misused government resources.

CNN
https://www.cnn.com/2018/03/09/politics/cabinet-secretaries-ethical-behavior/index.html
White House scolds Cabinet officials after embarrassing ethics reports
By Cristina Alesci, 3/9/18, 9:22 PM

(CNN)The White House held private meetings with four Cabinet-level officials last month to scold them for embarrassing stories about questionable ethical behavior at their respective agencies, sources familiar with the sessions tell CNN.

Internal watchdogs have launched at least nine audits, reviews or investigations across several Cabinet agencies, and stories about first-class travel, expensive office furniture, and internal strife have become commonplace.

Interior Secretary Ryan Zinke, Housing and Urban Development Secretary Ben Carson, Veterans Affairs Secretary David Shulkin and Environmental Protection Agency Administrator Scott Pruitt all met with officials from the White House counsel's office and the Cabinet liaison.

The meetings, held at chief of staff John Kelly's request, were intended to provide "a clear message that optics matter," the sources said.

The White House gave the agencies a set of guidelines in a document titled "creating a culture of compliance," according to portions of the document obtained by CNN.

Among the highlighted advice:

- "You are the best guardian of your reputation. Your recordkeeping practices must be designed with a purpose to prove innocence at the complaint phase or with the press."
- "Even if legal, does not mean you should do it -- always consider optics."
- "Optics questions: Does the event or travel further the President's priorities, your department or agency's mission; or, does it appear recreational or entertainment in nature."
- "Remember, an ethics opinion matters only if the ethics officer received all of the information."

The White House declined to comment.

During the meetings, the White House officials asked agencies to flag any possible problems, including ongoing investigations or audits.

But shortly after the session with Zinke, CNN published a report with several examples that ethics watchdogs say raise questions about whether Zinke is misusing his travel privileges, despite receiving approval from the department's lawyer and ethics officer.

The White House was disappointed after meeting with Zinke because his agency failed to mention the story, of which Interior was aware and quoted a department spokesperson on the record, the source familiar told CNN.

Asked about the White House's unhappiness, an Interior spokesperson who declined to be named, "this is such a nothing-burger."

The person added, "Cabinet secretaries and staff meet with the White House constantly about a number of issues to include advancing policy priorities and strategy."

In his meeting, VA Secretary Shulkin was told he could no longer discuss purging agency employees after he told Politico he had permission from the White House to remove insubordinates. He was also advised that stories about "palace intrigue" were unacceptable, a source familiar said.

When asked about the meeting, the VA public affairs office replied in a statement: "President Trump tasked Secretary Shulkin with reforming the VA so it could better serve the men and women who sacrificed to protect our country. Many reforms have already been enacted, many more are still needed, but nothing will distract the President, the Secretary and the Department from finding the best ways to provide care and benefits to our country's heroes."

EPA spokesman Jahan Wilcox denied CNN's characterization of Pruitt's White House meeting.

"This is entirely untrue," Wilcox said. "Administrator Pruitt has regular meetings with a number of officials at the White House. Throughout those meetings, the White House has offered continued support of EPA, to help the Agency succeed in furthering the President's environmental agenda."

HUD did not respond to a request for comment.

Last week, Carson canceled a $31,000 dining room furniture purchase after a whistleblower said she was demoted when she refused to break the law and overspend for redecorating Carson's office. The agency has denied the allegations. HUD's inspector general is also looking into the role Carson's family has played in department business.

It's unclear what answers the agencies provided when asked to spot potential problems, but there are open reviews and inquiries across several agencies.

EPA's internal watchdog is investigating the frequency, cost and extent of Pruitt's travel following reports of his many flights to his home state of Oklahoma and that he used taxpayer funds on first-class flights and luxury hotels that exceeded his predecessors. EPA has cited security concerns as the reason Pruitt flies first class.

Zinke's travel is also under investigation by both the Office of Special Counsel and the Interior Department's inspector general, including a visit he had with a hockey team owned by a former donor to his 2014 campaign.

The VA's inspector general recently released a damning report about Shulkin's July 2017 trip to Europe. The report concluded that Shulkin misused taxpayer funds and inappropriately accepted Wimbledon tickets, and that his then-chief of staff doctored an email to justify the department paying for his wife's airfare to accompany him. Shulkin has said he intends to comply with all the IG recommendations, even though he disagreed with them.

In addition, multiple sources tell CNN that the secretary had been locked in battle with a group of Trump administration officials, who Shulkin says have been working to push him out of the department.

Politico
https://www.politicopro.com/energy/whiteboard/2018/03/judge-orders-epa-to-issue-ozone-designations-quickly-783439
Judge orders EPA to issue ozone designations quickly
By Alex Guillen, 3/12/18, 1:56 PM

A federal judge today said EPA was clearly in the wrong when it missed an October deadline to declare which areas do or do not meet the 2015 ozone standard, and ordered the agency to issue most of the designations by the end of next month.

EPA has said it can complete almost all of the remaining areas by April 30. Though the agency already announced that about 85 percent of the country meets the standard, it has yet to declare how much of the remainder will be designated non-attainment and be required to curb pollution.

The one exception among the remaining areas is the San Antonio region. EPA said it would need until Aug. 10 to review recently submitted date from the state.

But Judge Haywood Gilliam Jr. of the U.S. District Court for Northern California sided with the environmental challengers and ordered EPA to finish the San Antonio decision by July 17. That 127-day timeline gives EPA one week to send Texas proper notice of how it intends to categorize San Antonio, plus the standard 120 days for the state to review and respond.

Gilliam, an Obama appointee, said EPA failed to show why it would need further time to finish the San Antonio designations and that "EPA's reasoning effectively allows states to drive the agency's timeline for statutory compliance."

WHAT'S NEXT: EPA must issue most of the remaining ozone designations by April 30, and the San Antonio designations by July 17.

E&E News PM
https://www.eenews.net/eenewspm/stories/1060075965/search?keyword=EPA
EPA faces growing calls to replace lead pipes
By Ariel Wittenberg, 3/9/18

U.S. EPA is facing pressure to require some form of lead pipe replacement when it revamps its lead and copper drinking water regulations.

Democratic Reps. Gwen Moore of Wisconsin and Louise Slaughter of New York have sent a letter to EPA Administrator Scott Pruitt this week urging him to require "full replacement of all lead service lines" nationwide.

Lead is a potent neurotoxin that is particularly harmful to children.

Public health experts have long argued that the best way to reduce exposure to lead in drinking water is to replace 7 million to 11 million lead water lines — a job that water utilities estimate would cost $30 billion.

One of the challenges in removing lead service lines is that no one knows exactly how many exist. The American Water Works Association estimates there could be 3.3 million to 10 million lead pipes in service.

In comments to EPA, AWWA says the agency should require utilities to develop an inventory of lead pipes within their service area.

While AWWA doesn't put a timeline on removal of lead pipes, the water utility interest group does recommend that a final lead regulation "result in ... development of plans for the complete removal of lead service lines through a long-term, shared commitment."

"Lead service line replacement strategies must consider other water and non-water improvements and customer affordability challenges. Locally developed programs, responsive to local circumstances, are essential."

EPA has been working on revising the Lead and Copper Rule since 2010. After the drinking water crisis in Flint, Mich., the agency said a new rule would come out in June 2017. The Trump administration has pushed back that date twice, and a new proposal is now expected in August 2018.

As part of a new rule, AWWA also says EPA should require "robust" corrosion control methods to prevent lead from leaching out of pipes and into water, as well as more public outreach on lead risk.

Slaughter and Moore are also asking EPA to drastically change water sampling requirements.

Critics have long said existing sampling standards can be manipulated in ways that don't give an accurate picture of lead contamination. In addition, it's often the same homes with a low risk of having lead that are tested multiple times, leaving out possible contamination in the wider communities. Large utilities are also allowed to sample just once every three years.

"EPA has allowed these techniques to continue without consequence," the lawmakers wrote. "We must implement strict testing procedures and discourage creative testing strategies that allow failing systems to persist."

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060076071/search?keyword=EPA
Pruitt ag adviser leaves
By Kevin Bogardus, 3/12/18

Jeff Sands, U.S. EPA Administrator Scott Pruitt's senior agricultural adviser, has left the agency, sources told E&E News.

Sands resigned from EPA in early March and has returned to Capitol Hill. He started last week as a policy adviser in Florida Republican Rep. Ted Yoho's office, according to Brian Kaveney, a Yoho spokesman.

An EPA spokesman said, "Jeff provided great guidance on issues affecting American farmers and we wish him the best of luck moving forward."

Sands was only at EPA for a few months, having joined the agency this October. At the time, Pruitt said in a statement that Sands' "expertise in agriculture issues will be essential to advancing Agency goals moving forward" (E&E Daily, Oct. 18, 2017).

Prior to EPA, Sands was a lobbyist for agribusiness giant Syngenta AG. He was part of the company's team of lobbyists that worked on several issues before the agency, including the renewable fuel standard, policies dealing with pesticides, as well as changes to scientific advisory work.

Sands' lobbying led to him being granted a waiver from President Trump's ethics pledge, specifically exempting him from lobbyist restrictions.

In its request for the waiver, EPA said Sands was "a valuable addition" to Pruitt's team, whom the administrator needed "to be able to work on the full range of agricultural issues to the maximum extent possible" (Greenwire, Feb. 23).

Sands has also lobbied for the Agricultural Retailers Association and has previous Capitol Hill experience. He has been an aide to Rep. Tom Marino (R-Pa.) on agricultural issues.

AP
https://apnews.com/10ec44dfe1bb4b8eae54b62f3e5b3ff2/2-ex-US-environmental-chiefs-blast-truck-emissions-loophole
2 ex-US environmental chiefs blast truck emissions loophole
3/12/18

NASHVILLE, Tenn. (AP) — Two ex-U.S. Environmental Protection Agency administrators say officials should withdraw a proposed trucking emissions exemption, saying it’s based on flawed scientific analysis.

Carol M. Browner under President Bill Clinton and Christine Todd Whitman under President George W. Bush criticized the glider kit trucks proposal in Friday’s letter to EPA Administrator Scott Pruitt.

The letter says the industry evades diesel truck pollution standards with rebuilt, high-polluting engines in new truck bodies.

It says the EPA used a Tennessee Technological University study that the school's president has since said to avoid while potential research misconduct is investigated.

Rep. Diane Black pushed the exemption using the study funded by a Tennessee glider kit company whose employees and family donated heavily to her gubernatorial campaign.

Her campaign responded she fights for rural manufacturing jobs.

The Hill
http://thehill.com/policy/energy-environment/377931-two-former-epa-heads-urge-pruitt-to-withdraw-changes-to-glider
Ex-EPA heads urge Pruitt to scrap changes to truck pollution rule
By Miranda Green, 3/12/18, 11:38 AM

Two former Environmental Protection Agency (EPA) chiefs are urging current administrator Scott Pruitt to withdraw a proposal to lower pollution standards for heavy-duty trucks after reports the agency may have relied on a compromised study to reach its decision.

The joint letter sent Friday by former administrators Carol Browner and Christine Whitman, who served under Presidents Bill Clinton and George W. Bush, respectively, asked Pruitt to utilize "sound science" and consider the best available research when making policy decisions regarding pollution standards for glider trucks.

"Throughout our tenures as Administrators, our policy decisions were centered on the best available research and scientific protocols. We are deeply troubled that the Agency's steadfast commitment to public health and environmental protection based on the best available science is being undermined – putting at risk air and water quality and endangering children and families," the letter reads.

Their letter followed reports in late February that a key study the EPA was relying on for its determination to change the rule was being rescinded by the university in charge of it.

The president of Tennessee Tech University disavowed the "Environmental and Economic study of Glider Kit Assemblers" report, writing in a letter to Pruitt directly that experts were now questioning "the methodology and accuracy" of the test, and that EPA should no longer consider the findings.

The school's president, Philip Oldham, also said they were researching allegations of research misconduct.

The former EPA heads wrote Pruitt that in light of the news, he should withdraw his proposal to change the emissions guidelines.

"Not only does it appear that the Tennessee Tech study failed to follow proper research protocol, the conclusions of the study are contrary to a well-established understanding of the pollution from older diesel engines," reads the letter. "In light of the serious questions raised about the study, we urge you withdraw the glider proposal."

The Washington Post first reported in November that the study was funded by Fitzgerald Glider Kits, a company that makes new truck bodies, known as gliders, with refurbished engines, and which is the biggest glider manufacturer in the country.

Currently, the big rigs sold by Fitzgerald utilize a federal law loophole that allows them to run on rebuilt diesel engines that generate 40 to 55 times the air pollution of newer trucks, according to federal estimates, but do not have to comply with modern emissions rules.

Earlier in February, the New York Times reported close ties between Fitzgerald and the Trump administration that have supported keeping the loophole open. President Trump made a stop at Fitzgerald dealership during his campaign and Rep. Diane Black, a Republican candidate for Tennessee governor, has introduced legislation in the past to attempt to keep the loophole permanent.

While her legislation failed, the Times reported that Black initially presented the Tennessee Tech study to Pruitt last fall, which led him to make the exemption to the gliders in November.

Just six weeks earlier, Fitzgerald business entities as well as family members and associates connected to the company contributed at least $225,000 to Black's campaign for governor, the Times found through federal campaign disclosures.

Politico
https://www.politicopro.com/transportation/whiteboard/2018/03/democrats-urge-pruitt-to-drop-glider-rule-repeal-782692
Democrats urge Pruitt to drop glider rule repeal
By Alex Guillen, 3/12/18, 11:10 AM

Two key Senate Democrats today urged EPA Administrator Scott Pruitt to reverse his proposal to repeal part of an Obama-era rule setting new emissions standards for gliders, refurbished engines placed into new truck cabs.

Sen. Tom Carper (D-Del.), the ranking member on the Environment and Public Works Committee, and Sen. Tom Udall (D-N.M.), the top Democrat on the EPA appropriations panel, wrote in their letter that they are "deeply troubled" by political and scientific questions around EPA's proposed repeal.

Although the country's biggest glider manufacturer, Fitzgerald Glider Kits, never challenged the glider requirements in court, it successfully petitioned EPA to repeal that part of the rule last year. EPA said it no longer believed it has the statutory authority to regulate gliders like new trucks.

Carper and Udall argue that there is substantial evidence gliders emit drastically more pollution than newly manufactured engines. They note Tennessee Technical University is now investigating a key study on glider emissions that was part of Fitzgerald's pitch to EPA and which the school has warned EPA not to rely on.

They also pointed to a November study from EPA's National Vehicle & Fuel Emissions Laboratory that found that under certain conditions, gliders emitted 43 times the nitrogen oxide emissions of new trucks and as much as 450 times the particulate matter.

Carper and Udall ask in the letter "that you immediately announce plans to withdraw this proposal." The lawmakers also called on EPA to produce documents regarding the repeal, Pruitt's meetings with Fitzgerald executives and other issues.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060076087/search?keyword=EPA
Agency punches back in science advisers lawsuit
By Sean Reilly, 3/12/18

U.S. EPA Administrator Scott Pruitt has sole authority to name members to almost two dozen advisory committees, agency attorneys argue in a new court filing that seeks to throw out a lawsuit challenging membership standards imposed last fall.

"Ultimately, the power to appoint committee members is the administrator's alone and is non-reviewable by the courts under the circumstances presented here," agency lawyers wrote in a lengthy dismissal motion Friday with the U.S. District Court for the District of Columbia. The suit "is unprecedented and should be rejected," the filing added.

The salvo marked EPA's first formal response to the legal challenge, which is the first of three brought by various university researchers and advocacy groups since Pruitt announced the new standards in late October.

Most controversially, Pruitt's policy bars current recipients of EPA grant funding from serving on the Science Advisory Board, the Clean Air Scientific Advisory Committee and some 20 other panels that provide outside expertise on subjects ranging from water quality to environmental justice.

Pruitt framed the policy as a matter of preserving the independence of advisory committees from agency influence. Critics have countered that EPA already has adequate conflict-of-interest yardsticks and that Pruitt is simply seeking to stack the panels with members skeptical of the need for tighter environmental regulations, regardless of the scientific evidence.

The plaintiffs in the D.C. District Court suit include one researcher who was forced off the Science Advisory Board, as well as two other former members who argue they would have to give up their EPA grants if they wanted to serve again and are thus suffering a loss of professional opportunity.

Their suit, brought just before Christmas, contends that EPA should have first gotten the approval of the Office of Government Ethics, which oversees compliance with federal ethics laws, and that Pruitt's policy violates the Federal Advisory Committee Act (FACA), in part by setting an unreasonably high bar for independence from the agency (E&E News PM, Dec. 21, 2017).

In its Friday response, however, EPA contended that the policy does not purport to establish ethics norms and thus does not conflict with federal ethics laws. The alleged FACA infractions don't hold up because the plaintiffs fail to cite a violation of any specific membership requirement, the motion continued. Under governmentwide FACA regulations, "committee members serve at the pleasure of the appointing or inviting authority," it said.

The dismissal motion also stressed that the ban on service by active grant recipients was just one of several steps outlined in Pruitt's October directive geared "to promote new and different perspectives by opening up EPA's advisory committees to new membership."

Others include promotion of geographic diversity; the addition of more participants from state, tribal and local governments; and the regular rotation of members, the motion added. Taken together, those steps seek "to enhance the values of diversity, participation, independence and expertise that are at the heart of good government and sound administration," the motion said.

As a bedrock legal matter, EPA also argued that all of the plaintiffs lack the "standing" to bring a suit.

The two former Science Advisory Board members who left the panel before Pruitt issued the directive, for example, have not yet sought to rejoin, the motion said. And Ohio State University professor Robyn Wilson, the one plaintiff who left the board because of the new policy, also lacks standing because she fails to establish "redressability," the dismissal motion added in a footnote. Even if a judge voided Pruitt's directive, his authority "to remove her does not depend on" it, EPA said.

Two other lawsuits, brought earlier this year by the Union of Concerned Scientists and the Natural Resources Defense Council, are pending in U.S. district courts for Massachusetts and the Southern District of New York, respectively (Greenwire, Jan. 25). As of this morning, EPA had not yet substantively responded to either, according to filings available through the federal courts' online records system.

E&E Daily
https://www.eenews.net/eedaily/stories/1060075999/search?keyword=EPA
Committee takes up 'good Samaritan' cleanups
By Dylan Brown, 3/12/18

House Natural Resources Committee lawmakers this week will renew an old push to get more people involved in cleaning up the nation's half-million abandoned hardrock mines.

The Natural Resources Subcommittee on Energy and Mineral Resources will hold a hearing Thursday on the role of nongovernmental groups in non-fuel mining reclamation.

So-called good Samaritans have long wanted to help but continue to be scared away by the risks associated with the massive liabilities at toxic sites.

U.S. EPA has tried to clarify damage responsibilities before, but potential good Samaritans still see too many risks in fixing things like flooded mine shafts when a wrong step can lead to a catastrophe like the 2015 Gold King mine spill.

"We're the most full-throated advocate for the Clean Water Act there is, but just some minor tweaks that make it easier to make improvements to water quality that may not be perfect is what we're looking for," Trout Unlimited President Chris Wood said at a hearing last year (E&E Daily, May 25).

The angler advocates spearheaded a separate good Samaritan bill for coal mines, H.R. 2937, that passed the House last year.

The change to the law governing coal, the Surface Mining Control and Reclamation Act, has bipartisan support, but a hardrock equivalent, requiring Clean Water Act action, has not emerged.

Democrats and environmentalists remain concerned that if something goes awry, taxpayers could end up footing the bill. But more broadly, they contend good Samaritans cannot pay for all $54 billion in reclamation left nationwide.

Democrats have sponsored legislation to charge a fee on hardrock mining to pay for cleanup. Coal companies already pay such a fee.

Separately, the President Trump's infrastructure plan calls for "broadening eligibility" under the Water Infrastructure Finance and Innovation Act to include water contamination remediation by "non-liable parties" (Greenwire, Jan. 23).

The blueprint also calls for removing restrictions to integrate funding from third parties for Superfund cleanup, a top talking point for EPA Administrator Scott Pruitt.

Schedule: The hearing is Thursday, March 15, at 2 p.m. in 1324 Longworth.

Witnesses: TBA.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=129361589&item=408&prod=deln&cat=AGENCY
Companies' Chemical Secrets Run Up Against the New Toxics Law
By Adam Allington, 3/12/18

Companies aren't justifying the need to keep their chemicals confidential at a time when consumers are demanding more information about the products they buy, environmental groups argue.

Companies are wrangling with updates to the nation's toxic chemicals law that require them to provide more information up front to justify keeping their chemicals secret, and lack of guidance from the Environmental Protection Agency may be to blame, the industry said.

Keeping their chemicals confidential is crucial for the industry, companies argue, because even small details could reveal trade secrets about how products are made.

More than four months have passed since the October deadline requiring companies to provide "up-front" data to justify new requests that a chemical be classified as "confidential business information," or CBI, and thus not revealed to consumers.

However, the Environmental Defense Fund claims that EPA is not substantiating those new CBI requests in accordance with the law, and instead leaving the door open for companies to continue to hide critical information on the confidential portion of the TSCA inventory.

"Most companies are still submitting their TSCA documentation the same way they always have, without even trying to substantiate the reason for CBI claims," Richard Denison, a lead senior scientist with EDF, a nonprofit environmental advocacy group, told Bloomberg Environment.

More Guidance Needed
The logistical challenges related to resubmitting data for thousands of chemicals require more time and guidance from the EPA, according to the industry.

"I think we're still sort of in transition phase. Companies are not acting in bad faith," James Votaw, an environmental compliance attorney at Keller and Heckman, a Washington, D.C., law firm, said.

Votaw told Bloomberg Environment that claims for confidentiality were rarely, if ever, reviewed by the EPA previously. The new mandate requires documentation submitted upfront to be reviewed within 90 days by the EPA. While there has not been very much enforcement on confidential business information substantiation yet, Votaw said there is certainly a risk for those companies that might attempt to get a false certification.

"This could be a case where EPA pursues one or two high profile enforcement cases to make the point, and from thereafter industry is better at policing itself," he said.

"But I hope EPA is not too quick to go there because companies are probably just doing what they used to do, and may just need more guidance to make adjustments."

However, an EPA spokesperson told Bloomberg Environment the agency has in fact provided guidance for companies, including a series of webinars explaining the new substantiation requirements under Section 14 of TSCA.

The spokesperson maintained the agency "will hold companies accountable," for failing to provide a sufficient data to substantiate their confidentiality requests.

Loss of Intellectual Property

Trade secrets could include everything from a substance's chemical structure, to production volumes, or even the particular site that made it.

Many manufacturers and their downstream customers worry that rolling back confidentiality safeguards could destroy critical trade secrets.

"Without proper security of CBI there is much less incentive for our members to innovate new, more effective formulations at the risk of losing all their hard work," Owen Caine, executive vice president at the Household & Commercial Products Association, told Bloomberg Environment.

"Communication of seemingly isolated pieces of information about a product formula, including ingredient chemical names, concentrations, Chemical Abstract Service names and numbers, and physicochemical properties, provide key 'clues' to a trained eye that could unravel the sophisticated formulary science behind a product that was a significant investment to create," Caine said.

Whatever the business risks may be, they are running up against a public that is demanding more information about the products it buys.

"Companies are actually starting to compete in the transparency space," Julie Froelicher, technical relations manager at Procter & Gamble, said.

Speaking at the recent GlobalChem conference in Washington, D.C., Froelicher pointed to emerging state requirements for cleaning product disclosures that are popping up in California, New York, and Maryland. In addition, Walmart's new sustainable chemistry policy asks suppliers to include full ingredient transparency, including products typically protected under trade secrets such as fragrances.

What Qualifies in 'Inventory Reset'

Prior to the 2016 amendments to TSCA, the EPA's chemical inventory had grown to over 85,000 substances manufactured, imported, or processed in the U.S.—17,800 of which contained concealed information, according to EDF.

As part of amendments, the EPA was ordered to determine which of the existing chemicals on the register are still present in commerce in the United States.

Known as the Inventory Reset Rule or Active-Inactive Rule, it requires any company looking to retain confidentiality on the register to resubmit substantiation documentation. The EPA has five years to review whether that information has a case to remain hidden.

But EDF also alleges that the EPA is misapplying that standard, by letting too many new companies to piggyback onto pre-existing confidentiality claims.

"Our complaint is that even companies that never made a claim in the past are being allowed to do so during this process," Denison said.

According to EDF, that allows companies to hide behind trade secret claims to avoid legal obligations to identify potentially harmful chemicals in their products.

"The public cannot tell whether a large majority of the highest-use chemicals in the United States pose health hazards or not," EDF said in a brief filed March 6 in U.S. Court of Appeals for the District of Columbia Circuit.

"These include chemicals that we are likely to breathe or drink, that build up in our bodies, that are in consumer products, and that are being released from industrial facilities into our backyards and streets and forests and streams."

However, court documents show that industry groups siding with the EPA claim that any changes in confidentiality procedures could impact "core commercial interests, as protecting confidential information has substantial value for many companies and, more generally, is a major factor in promoting innovation and research into new chemicals."

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060076083/search?keyword=EPA
Judges side with 9/11 whistleblower fired for death threats
By Corbin Hiar, 3/12/18

A Department of Labor panel has rejected a U.S. EPA bid to overturn a ruling that found the environmental agency retaliated against a high-profile 9/11 whistleblower.

The March 1 ruling from the DOL Administrative Review Board upheld a default judgment against EPA for its repeated failures to comply with discovery orders required by Administrative Law Judge Linda Chapman.

The underlying dispute in both cases was EPA's Dec. 30, 2010, termination of Cate Jenkins, an environmental scientist in the agency's Office of Resource Conservation and Recovery, over accusations of threatening to kill her supervisor.

Jenkins, who joined EPA in 1979, had previously raised concerns about the agency's testing of World Trade Center dust after the Sept. 11, 2001, terrorist attacks. She denied ever threatening her boss and claimed that her dismissal was actually in retaliation for her protected whistleblower activities.

Jenkins' termination appeal was upheld by the U.S. Merit Systems Protection Board (MSPB), which found EPA had violated her due process rights and reinstated her job (Greenwire, May 7, 2012).

Jenkins, represented by the nonprofit Public Employees for Environmental Responsibility, asked DOL to force EPA to cover her attorneys' fees.

Chapman, citing EPA's "blatant flouting of the rules of discovery, and repeated violation of my Orders," sided with Jenkins and PEER (Greenwire, April 22, 2015).

The DOL review board determined that the Chapman "did not abuse her discretion in concluding that the extreme sanction of default judgement was warranted, and accordingly affirms the [administrative law judge's] Decision and Order," the ruling says.

The decision was penned by Administrative Appeals Judge E. Cooper Brown. Administrative Appeals Judge Leonard Howie III concurred in part and dissented in part.

The main objections Howie raised surrounded Chapman's assessment of Jenkins' character, in light of documented cases of workplace misconduct, and her application of a less rigorous standard in determining that EPA's discipline of Jenkins was related to her whistleblowing.

Jenkins, who still faces an EPA appeal of the MSPB decision, celebrated the recent DOL ruling.

"The decision for me personally is a wonderful relief," she said in an email today. "You cannot imagine being escorted out to my car in 2010 by cops, not even knowing what I was accused of."

Jenkins' latest victory against her longtime employer, however, may be more significant for future whistleblowers, she claimed.

"Hopefully, in time, EPA will be less enticed by the politically expedient fix of data tampering after disasters, just to reassure the public," Jenkins told E&E News. "There are real human health consequences."

The EPA press office didn't immediately respond to a request for comment on the DOL decision.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060076079/search?keyword=EPA
Judges weigh FOIA requests on alleged scientific misconduct
By Amanda Reilly, 3/12/18

Federal judges today struggled with a convoluted Freedom of Information Act lawsuit stemming from accusations of scientific misconduct at U.S. EPA.

"This is not the typical FOIA case," attorney John Hall, who is representing a coalition of Northeast cities, acknowledged at the outset of the arguments in front of the U.S. Court of Appeals for the District of Columbia Circuit.

The case stems from a 2012 decision by EPA Region 1 — which encompasses the Northeastern states — to seek to impose more restrictive nitrogen limits for sewage treatment plants to protect New Hampshire's Great Bay estuary.

In response to the decision, the Great Bay municipal coalition, which includes the city of Dover and neighboring communities, wrote to then-EPA Administrator Lisa Jackson and Inspector General Arthur Elkins alleging scientific misconduct.

The coalition claimed that EPA Region 1 ignored peer-reviewed studies and analysis by an independent technical advisory committee to impose the limits, which the cities say will cost millions of dollars to meet.

EPA responded to the group's concerns with a two-page letter concluding that EPA "has not seen evidence that Region 1 has engaged in scientific misconduct."

On Oct. 4, 2012, law firm Hall & Associates filed a FOIA request on behalf of the coalition seeking records that EPA relied on to come to its conclusion that there was no misconduct. Hall followed up on Oct. 22 with eight additional FOIA requests related to nutrient loading, Region 1 decisionmaking and EPA's peer review process.

EPA responded to the first request but denied the others because they were "articulated in the form of an interrogatory-like question." In other words, responding would have required the agency to conduct analysis and research.

In a March 2015 decision, the U.S. District Court for the District of Columbia ruled that EPA adequately responded to the first request and agreed with the agency that the other FOIA requests were improper because they could be construed as questions. After a back-and-forth with Hall and lawyers from EPA, the court suggested a modified FOIA request. EPA provided Hall with more documents.

The law firm, though, was still unsatisfied with the response. More than a year after the March decision, the firm asked the court to reconsider and filed a motion for attorneys' fees, arguing that it should receive fees because EPA released more documents as a result of its litigation.

After the district court denied both requests, the law firm appealed to the D.C. Circuit.

Hall today argued that, despite the concerns at EPA headquarters about the wording in the FOIA requests, there was no confusion among Region 1 staffers about the information that was sought.

The FOIA requests were about a "specific issue specifically defined," Hall said, adding that his law firm has filed "virtually the same" type of FOIA requests in the past.

He complained that EPA had not yet provided all relevant documents, despite the district court's decision to reword the FOIA requests.

But at multiple points during today's arguments, the three-judge panel appeared confused about the focus of the appeal.

"I'm not sure what you're really asking for," said Senior Judge David Sentelle, a Reagan appointee.

Judge Brett Kavanaugh, a George W. Bush appointee who presided over today's proceedings, several times pressed attorneys for both the plaintiffs and EPA over the issue of attorneys' fees.

"I'm trying to figure out why we're here," Kavanaugh said.

While the FOIA requests in question occurred during the Obama administration, the Trump EPA has continued to defend against the case. In court documents, EPA has charged that Hall & Associates refused to work with the agency to clarify the requests because it was "incentivized by the allure of potentially large attorneys' fees."

EPA says it offered the firm the opportunity to modify or clarify the request. Hall instead took the case to the courts.

Peter Pfaffenroth, an assistant U.S. attorney representing the agency, today said that EPA acted in "good faith" and charged that the litigation was "an attempt to weaponize FOIA."

"These are sophisticated plaintiffs," Pfaffenroth told the judges.

Judge Patricia Millett, an Obama appointee, also seemed concerned about Hall's reticence to modify its FOIA requests outside of the litigation process.

"I don't think you made it very clear," she said, adding, "Why didn't you just ask for all documents that were involved in the preparation of your response?"

The court is expected to issue a decision in the coming months.

Message

From: Leopold, Matt [Leopold.Matt@epa.gov]
Sent: 3/9/2018 1:01:27 AM
To: Wehrum, Bill [Wehrum.Bill@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: AP questions regarding ethics waivers

Thank you Jahan!

Matthew Z. Leopold
General Counsel
U.S. Environmental Protection Agency
(202) 564-8040

From: Wehrum, Bill
Sent: Thursday, March 8, 2018 6:23 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Leopold, Matt <Leopold.Matt@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: AP questions regarding ethics waivers

Thanks Jahan. Nice job.

_____
Bill Wehrum
Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency
(202) 564-7404

On Mar 8, 2018, at 8:44 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Thanks for all of your help. Justina helped us out with the exact language, which kept you guys out of the story.
>
> https://www.usnews.com/news/business/articles/2018-03-08/what-swamp-lobbyists-get-ethics-waivers-to-work-for-trump
>
> ---
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Wednesday, March 7, 2018 9:17 PM
> **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
> **Cc:** Feldman, Carole <CFeldman@ap.org>; Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: AP questions regarding ethics waivers
>
> Thanks for the reply.
>
> Get Outlook for iOS
>
> ---

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, March 7, 2018 8:25:38 PM
To: Biesecker, Michael; Pace, Julie
Cc: Feldman, Carole; Press; Bowman, Liz
Subject: Re: AP questions regarding ethics waivers

Here is the answer to your question, which I hope you accurately report.

> Neither Bill Wehrum nor Dave Ross own any assets that present financial conflicts. This fact is clear in their publically available financial disclosure reports. So, in the ethics agreement compliance, they can't answer "NO, I won't recuse" because that's not true. But it's also not true for them to say "YES, I will recuse" when they have nothing from which to recuse. So the only option is to say "not applicable" because they can answer neither yes or no to this question.

On Mar 7, 2018, at 4:15 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

> Are you declining to answer this?
>
> *Also, on the ethics agreements compliance certification reports filed by the agency, both Matt Leopold and Bill Wehrum declined to answered "yes" or "no" on question 6a, which says "I am recusing from particular matters in which I know I have a personal or imputed financial interest ..." Neither has ethics waivers that have been publicly disclosed. Why do they feel that question is "not applicable" to them (even though that was one of the options printed on the form).*

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> **Sent:** Wednesday, March 07, 2018 4:03 PM
> **To:** Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
> **Cc:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** RE: AP questions regarding ethics waivers
>
> **"All EPA employees get ethics briefings when they start and continually work with our ethics office regarding any potential conflicts they may encounter while employed here."** – EPA spokesman, Jahan Wilcox

---

> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Wednesday, March 7, 2018 1:57 PM
> **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** AP questions regarding ethics waivers
>
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Of 59 political appointees at EPA whose resumes were reviewed by AP, about half have strong industry ties. More than a dozen were registered lobbyists for industries or companies regulated by EPA.

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Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 3/8/2018 1:25:55 AM
To: Fugh, Justina [Fugh.Justina@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Griffo, Shannon [Griffo.Shannon@epa.gov]
Subject: Re: Press Q

Thank you

Sent from my iPhone

On Mar 7, 2018, at 6:54 PM, Fugh, Justina <Fugh.Justina@epa.gov> wrote:

Deliberative Process / Ex. 5

Justina Fugh | Senior Counsel for Ethics | Office of General Counsel | US EPA | Mail Code 2311A | Room 4308 North, William Jefferson Clinton Federal Building | Washington, DC 20460 (for ground deliveries, use 20004 for the zip code) | phone 202-564-1786 | fax 202-564-1772

From: Wilcox, Jahan
Sent: Wednesday, March 07, 2018 5:08 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>
Subject: RE: Press Q

Shannon how can I reach you? I just tried to call you.

From: Bowman, Liz
Sent: Wednesday, March 7, 2018 5:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: Press Q

Justina is out today, so maybe call Shannon:

Shannon Griffo
Ethics Attorney

Office of General Counsel, Ethics
U.S. Environmental Protection Agency
(202) 564-7061
Griffo.Shannon@epa.gov

From: Wilcox, Jahan
Sent: Wednesday, March 7, 2018 5:03 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Press Q

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From: Wehrum, Bill
Sent: Wednesday, March 7, 2018 4:48 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Leopold, Matt <Leopold.Matt@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Press Q

I'm available.

_____
Bill Wehrum
Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency
(202) 564-7404

On Mar 7, 2018, at 4:27 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Call us when you can. We don't know the answer to this or we can walk up and talk in person.
>
> ---
>
> **From:** Wilcox, Jahan
> **Sent:** Wednesday, March 7, 2018 4:19 PM
> **To:** Leopold, Matt <Leopold.Matt@epa.gov>
> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** FW: AP questions regarding ethics waivers
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> **Sent:** Wednesday, March 7, 2018 4:15 PM
> **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>
> **Cc:** Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
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Sent: Wednesday, March 7, 2018 1:57 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
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Thanks,

Michael

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

<image002.jpg>

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From: Fugh, Justina [Fugh.Justina@epa.gov]
Sent: 3/7/2018 11:49:26 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Griffo, Shannon [Griffo.Shannon@epa.gov]
Subject: RE: Press Q

Shannon is off now but I'm home if you want to call me. EPA cell is Ex. 6

From: Wilcox, Jahan
Sent: Wednesday, March 07, 2018 5:08 PM
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<image001.jpg>

<image002.jpg>

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Ex. 6 / Ex. 7(F)
Sent: 3/7/2018 9:50:11 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: News Clips - 7 March 2018

Zoom...

Ex. 6 / Ex. 7(F)
Special Agent in Charge
U.S. EPA
Protective Service Detail
Mailcode 2231A
1200 Pennsylvania Ave NW
Washington DC 20004

Ex. 6 / Ex. 7(F) *(mobile)*
Ex. 6 / Ex. 7(F)

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On Mar 7, 2018, at 4:00 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> "Zoom the Mafia Foe"
>
> **From:** Hassell, Emily
> **Sent:** Wednesday, March 7, 2018 3:54 PM
> **To:** AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
> **Subject:** News Clips - 7 March 2018
>
> *(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)*
>
> **EPA Ethics Coverage**
>
> AP - Correction: EPA-Ethics story

CNN - Senate Dems ask Pruitt for answers over security detail's business ties

E&E Climatewire - Meet Pruitt's security chief, 'Zoom' the Mafia foe

CNN - House Dems raise concerns about EPA employee allowed to be media consultant

BNA - EPA Side Hustles Draw Congressional Democrats' Scrutiny

The Hill - Senators question whether EPA security contract is conflict of interest

Reuters - Democrats turn up heat on EPA chief over contracts, moonlighting

Government Accountability Office

E&E News PM - GAO to focus on political appointees filling advisory boards

The Hill - GAO to examine EPA political appointees' roles in picking advisory committee members

General

Daily Caller - EPA Cut $1 Billion Worth Of Regs In Pruitt's Tumultuous First Year

Law360 - Legal Scorecard Belies EPA's Rosy Deregulatory Outlook

The Hill - EPA floats plan for reducing animal testing

BNA - EPA Wants to Make It Easier to Recycle Aerosol Cans

E&E Greenwire - Pruitt flew first class a few times as Okla. AG

E&E Greenwire - Researchers tout success of program Trump wants to cut

E&E Greenwire - EPA waste pick puts focus on N.J. site, DowDuPont cleanups

E&E News PM - Court clarifies decision nixing EPA 'sham recycling' rule

BNA - Appeals Court Fine-Tunes Solid Waste Enforcement

Politico - GOP seeking carve-out to speed WOTUS repeal

E&E Greenwire - Courts freeze litigation in Texas haze dispute

BNA - Colorado Mining Firm Can't Challenge Gold King Superfund Listing

E&E News PM - Mich. lawmakers seek update on IG probe into Flint crisis

NPR - After Decades Of Air Pollution, A Louisiana Town Rebels Against A Chemical Giant

E&E Climatewire - Experts try to find a good way to talk about warming

Los Angeles Times - Border Patrol agents say Tijuana River pollution is making them sick, and officials want it fixed

+++

AP
https://apnews.com/22981b7ed6104cb0a1b55e043f4a9724/Correction:-EPA-Ethics-story
Correction: EPA-Ethics story
3/6/18

WASHINGTON (AP) — In a story March 5 about an Environmental Protection Administration employee who was allowed to consult for private clients, The Associated Press reported erroneously that the agency did not release any documents in response to a Freedom of Information request. The agency said Tuesday that some documents were posted to a FOIA website March 2. However, the AP did not receive notification by email or U.S. mail, which is the usual procedure.

A corrected version of the story is below:

EPA appointee gets approval to consult for outside clients

Key aide to Environmental Protection Agency Administrator Scott Pruitt has been granted permission to make extra money consulting for private clients

By MICHAEL BIESECKER

Associated Press

WASHINGTON (AP) — A key aide to Environmental Protection Agency Administrator Scott Pruitt has been granted permission to make extra money moonlighting for private clients whose identities are being kept secret.

A letter approving outside employment contracts for John Konkus — signed by an EPA ethics lawyer in August — was released Monday by Democrats on the House Energy and Commerce Committee.

The ethics official noted that Konkus' outside contracts presented a "financial conflict of interest" and barred him from participating in matters at EPA that would have a "direct and predictable" financial benefit for his clients.

Pruitt named Konkus, a Republican political consultant, to serve as the EPA's deputy associate administrator for public affairs. His duties have included signing off on hundreds of millions in federal grants.

The letter gave Konkus approval to work for at least two clients. Those names were blacked out by the agency before a copy was provided to Congress, citing a privacy exemption more typically used to protect personnel records and medical files. The letter said Konkus was also expected to take on additional private clients, advising them about "strategy, mail and media production."

Konkus didn't respond to requests for comment Monday. His boss said he followed proper procedure.

Liz Bowman, EPA's associate administrator for public affairs, said, "As the letter states, EPA career ethics approvals have reviewed and approved these opportunities."

Federal regulations would still limit Konkus from receiving more than $27,765 from outside clients in 2017, according to the letter. His taxpayer-funded salary for his full-time position at the EPA is about $145,000 annually.

Prior to joining the Trump administration, Konkus worked as an executive vice president for Jamestown Associates, a political consulting firm. According to the firm's website last year, Konkus "worked on the ground tirelessly to help President Trump win Florida."

Konkus also served two years as chief of staff to former Florida Lt. Gov. Jennifer Carroll. A Republican, Carroll was forced to resign in 2013 over consulting work she had previously done for a scam veteran's charity that state and federal prosecutors said laundered more than $300 million in proceeds from illegal gambling parlors.

Since Konkus arrived in Washington in early 2017, his responsibilities have included reviewing and approving all EPA grants prior to being awarded to help ensure they "adhere to the policies and principles of the current administration," according to his online resume.

The Washington Post reported in September that Konkus had been scrutinizing grant applications for mentions of climate change, which he reportedly referred to as "the double C-word."

That's in line with statements by Pruitt, who as the administration's top environmental official has embraced a pro-fossil-fuel agenda while questioning climate science showing that global warming is primarily caused by man-made carbon emissions.

House Democrats decried what they called the politicization of the EPA's grants-making process in a letter sent to Pruitt on Monday.

"A political appointee cutting millions of dollars in funding to EPA grant recipients on what appears to be a politically motivated basis, while at the same time being authorized to serve as a paid media consultant to unnamed outside clients, raises serious concerns of potential conflicts of interest," said the letter. Signatories included Rep. Frank Pallone Jr. of New Jersey, the top Democrat on the Energy and Commerce Committee.

The Democrats also demanded a list of all other EPA political appointees receiving outside compensation, as well as unredacted copies of the letters approving the outside work.

Along with the information about Konkus' side jobs, the House Democrats also got a copy of letter approving similar outside employment for Patrick Davis, another Trump political appointee working as a senior adviser for public engagement in the EPA's regional office in Denver.

Like Konkus, Davis is a Republican political consultant who led Trump's presidential campaign in Colorado. According to a 2015 report by ProPublica, Davis was accused two years earlier of defrauding a conservative super PAC called Vote2ReduceDebt, which was funded by an elderly oil tycoon. The group collapsed after Davis allegedly paid nearly $3 million of the PAC's funds to organizations run by him or his close associates, according to the news report.

Davis told the AP on Monday that the dispute involving Vote2Reduce Debt "was mitigated to a mutually agreed-upon, private, amicable conclusion."

An EPA ethics lawyer in February 2017 approved of Davis receiving outside compensation for work as sales director for a company called Telephone Town Hall Meeting, which provides services such as robocalls to political campaigns and advocacy groups. The agency redacted how much Davis is to be paid for the agreement, but his outside compensation would also be capped at less than $28,000.

Bowman said Davis' work for Telephone Town Hall Meeting is conducted on his own time and does not intersect with work for EPA.

Environmentalists said Monday that the agency's lack of transparency about the private payments to EPA staff on the public's payroll raises concerns about whom they are really working for.

"The American people already know that Scott Pruitt is working for corporate polluters and not for them, but the revelation that his staff is moonlighting for private clients while working at the EPA full-time brings suspicions of pay-to-play to a whole new level," said Melinda Pierce, the legislative director of the Sierra Club. "And if Konkus is not working for polluters directly, the public is forced to ask whether he is running a partisan political operation from within the agency instead."

CNN
https://www.cnn.com/2018/03/06/politics/epa-senate-democrats/index.html
Senate Dems ask Pruitt for answers over security detail's business ties
By Sara Ganim and Sophie Tatum, 3/6/18

Washington (CNN) - A pair of Senate Democrats are raising concerns over a potential business conflict within the Environmental Protection Agency with a member of EPA Administrator Scott Pruitt's security team and an outside security firm.

In a letter to Pruitt, Sens. Thomas Carper of Delaware and Sheldon Whitehouse of Rhode Island ask for additional information on Pasquale "Nino" Perrotta, who is employed at the EPA and is a principal at Sequoia Security Group.

According to the letter dated Tuesday, one of Perrotta's business associates had a security contract with the EPA last year.

"These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest," the letter says.

The Washington Post reported Tuesday that Perrotta encouraged EPA officials to contract with his fellow business associate from Sequoia Security Group, according to an administration official who spoke on the condition of anonymity to discuss internal agency decisions.

Sequoia Security Group did not immediately respond to CNN's request for comment.

The Associated Press first reported that Edwin Steinmetz was hired by the EPA to do a security sweep of the administrator's office, but his business ties to Perrotta weren't initially reported on.

"Mr. Steinmetz is Vice President of Technical Surveillance Countermeasures at Sequoia; in other words, he is a business partner of Mr. Perrotta," the senators' letter reads. It requests answers to a series of questions to "understand how EPA is ensuring that Mr. Perrotta is complying" with conflict of interest laws.

Pruitt has until March 21 to respond to their questions, according to the letter.

E&E Climatewire
https://www.eenews.net/climatewire/stories/1060075641/search?keyword=EPA
Meet Pruitt's security chief, 'Zoom' the Mafia foe
By Niina Heikkinen, 3/7/18

A former "mob buster" is leading U.S. EPA boss Scott Pruitt's security team.

Pasquale "Nino" Perrotta has been a relatively unknown staffer at U.S. EPA for years. But his name was splashed across headlines yesterday as Democratic senators sounded alarms about Perrotta's possible influence on an EPA security contract.

The senators pointed out that Edwin Steinmetz, who was awarded a contract to sweep Pruitt's office for bugs, appears to be a business partner of Perrotta. Both Steinmetz and Perrotta are listed as members of the management team on the website of Sequoia Security Group Inc., based in Bethesda, Md. The lawmakers are pressing the agency for more information about Perrotta's role at EPA (Greenwire, March 6).

The concerns have put a spotlight on Perrotta and how he may be influencing the unusual degree of protection given to Pruitt, including a 24/7 security detail, a secure communications system within his office, and a penchant for first- and business-class travel. Henry Barnet, who directs EPA's Office of Criminal Enforcement, Forensics and Training, told The Washington Post last month that Perrotta was the head of Pruitt's security detail. And Perrotta's biography on Sequoia's website says he's charged with "protecting a member of the U.S. Presidential cabinet."

Pruitt has previously laid responsibility for his extra security precautions on the recommendations of his security team. In an interview with CBS last week, the administrator stated that his first- and business-class travel came from his staff's security recommendations.

"I have a responsibility to listen to those individuals who are charged with the obligation of keeping me safe and keep employees at the agency safe, and I listen to them, and that's what they recommended to occur," Pruitt said.

The negative press is new for Perrotta, who was previously known mainly for his work early in his career going after the Gambino crime family in New York City.

A profile of former Major League Baseball pitcher Denny McLain in the September 2014 issue of Playboy outlines Perrotta's role in taking down a New York Mafia crime ring with New York's Organized Crime Task Force.

At the time, his work included listening to hours of wiretapped recordings of the Mafia from its members' businesses and homes.

"Nino is a very dedicated law enforcement officer," his former partner in the Secret Service, Ercole "Echo" Gaudioso, told Playboy. "I've never seen anybody with energy like this guy. We called him Zoom. He has a hell of a personality, but he'll drive you crazy when you hang around with him, because he doesn't stop."

Last year, Perrotta wrote a book, "Dual Mission," challenging parts of Playboy's account and elaborating on his experience into prepaid calling card fraud organized by the Mafia.

"These accomplishments were a wish come true since as a young child I dreamed about being a mob buster. I believe this desire arose from my personal encounter and exposure to certain elements of La Cosa Nostra at my parent's deli business which left a bitter taste," he wrote in an introduction to the book.

In his profile on Sequoia's website, he lists his expertise as "threat analysis/mitigation, physical and facility security, major event logistics and VIP travel." Perrotta describes himself as "an accomplished hunter who loves the outdoors." The son of Italian immigrants, he is also fluent in that language.

He has both bachelor's and master's degrees in political science from Fordham University, a Catholic university in the Bronx.

Along with his law enforcement work in the United States, Perrotta spent time investigating banking crimes in Italy, computer hacking and fraud in Romania and currency counterfeiting in Bulgaria.

After leaving the Secret Service in 2003, Perrotta went on to supervise information collection at the Department of Homeland Security's National Operations Center. He began working in the protective service detail for the federal government in 2004, under the George W. Bush administration.

Also in 2004, he started his own construction company in D.C., P&P Construction, and worked as a general contractor. He sold the company in 2012. The following year, Perrotta started as principal at Sequoia, a "boutique security company." The company offers private security, cybersecurity and investigative services, according to its website.

During his career at EPA, he served on the protective details for Obama-era administrators Lisa Jackson and Gina McCarthy, according to a former agency staffer.

Perrotta wrote in his book that he had planned to retire from his role as a government agent in August 2017, but he stayed on.

"He and Pruitt hit it off," said the former EPA staffer, who described Perrotta as a "very gregarious, charming guy."

CNN
https://www.cnn.com/2018/03/06/politics/house-democrats-epa-letter-to-scott-pruitt/index.html
House Dems raise concerns about EPA employee allowed to be media consultant
By Devan Cole, 3/6/18, 3:12 PM

Washington (CNN) - House Democrats asked Environmental Protection Agency Administrator Scott Pruitt on Monday to address "serious concerns of impartiality" about an agency appointee allowed to work as an outside media consultant.

According to the letter, the EPA approved a request by John Konkus, the EPA's deputy associate administrator for the Office of Public Affairs to provide "consultative media advice" to outside clients." The names of those clients, the letter says, are redacted from documents provided to the members by the EPA.

According to ethics documents obtained by Greenwire, the agency informed Konkus that he "could not earn more than $27,765 in outside income for 2017 under ethics law. In addition, he cannot participate in EPA duties that could affect his outside clients, and he cannot contact the government on their behalf."

EPA has not responded to a request for comment from CNN.

The members note that Konkus previously worked at Jamestown Associates, a Republican political consulting firm which provides "services such as campaign advertisement production, direct mail and media buying." Among the firm's premiere clients is Donald Trump for President, Inc., the letter says.

The letter, whose four signatories include Rep. Frank Pallone, Jr., the ranking member of the Committee on Energy and Commerce, and Rep. Diana DeGette, the ranking member of the Subcommittee on Oversight and Investigations, says that the members are concerned about the "politicization of the Agency's grant process and (Pruitt's) decision to place Mr. Konkus in charge of vetting hundreds of millions of dollars in grants EPA awards each year."

The members allege that Konkus has canceled nearly $2 million in grants to universities and nonprofit organizations.

All of these things, the letter says, raise "serious concerns of potential conflicts of interest."

The members want the EPA to provide a list of all political appointees who have approval to work for outside agencies, as well as the names of those organizations and what kind of work they're doing.

It also asks the agency to provide non-redacted copies of all of the memos of approval authorizing any outside activity, a notice of any subsequent approvals, including approvals reflecting a change in the type or scope of outside activity and a list of the names of all authorized clients.

The members also raise concerns about Patrick Davis, a senior adviser for public engagement to the regional administrator in the EPA's Denver, Co. office, who they say was approved by the agency's ethics official to work as the sales director for Telephone Town Hall Meeting, a company that makes robocalls on behalf of organizations and individuals of all types. Davis, the members say, currently works as a Republican political consultant at his firm, Patrick Davis Consulting, LLC.

Davis' roles with the EPA and the Telephone Town Hall Meeting "serve to create possible confusion among stakeholders and raises further concerns of potential conflicts of interest," the letter says.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=129219671&item=408&prod=deln&cat=AGENCY
EPA Side Hustles Draw Congressional Democrats' Scrutiny
By Tiffany Stecker, 3/7/18

Congressional Democrats are digging for more information on the side businesses of top EPA aides in an effort to uncover more details about how businesses shape the federal agency's decisions.

The move indicates an escalating scrutiny of Environmental Protection Agency Administrator Scott Pruitt's perceived ties with business, and a broader reflection of the Trump administration's practice of making decisions that result in financial gains to friends and associates.

Democratic Sens. Tom Carper of Delaware and Sheldon Whitehouse of Rhode Island called on Pruitt to disclose information about the role Pasquale "Nino" Perrotta plays at the agency.

Perrotta, who heads Pruitt's security detail and is principal of the surveillance and cybersecurity firm Sequoia Security Group, works with Edwin Steinmetz.

Steinmetz was hired last year to sweep Pruitt's office for surveillance and recording devices and to purchase biometric locks, according to a March 6 letter from the senators, who requested details on Perrotta and Steinmetz and asked whether the relationship complied with ethics rules.

The senators' letters come one day after House Energy and Commerce Democrats released documents March 5 showing that two top Environmental Protection Agency employees—John Konkus and Patrick Davis — received waivers to act as media consultants to clients.

The EPA didn't immediately comment on the letters.

Ethics Permission Granted

Konkus, EPA deputy associate administrator for public affairs, was given permission by the agency's top ethics official to earn up to $27,765 last year. Konkus provided advice on strategy, mail, and media production for at least two clients, according to the ethics waiver.

Davis, a special assistant in the Office of the Administrator, was granted a waiver to work outside of his EPA work hours for Telephone Town Hall Meeting, a provider of phone and online meeting services based in Genesee, Colo. A search on USASpending.gov, which hosts an online database of government contracts, for Telephone Town Hall Meeting or TTHM provided no results.

Neither Konkus nor Davis are allowed to participate in any EPA duties that will provide a "direct or predictable" financial benefit to their clients and must report their work on financial disclosure forms, according to the waivers.

The requirement that an employee recuse himself or herself on issues that could help their side business provides some oversight on the situation, Scott Amey, general counsel for the Project on Government Oversight, told Bloomberg Environment.

"There are checks and balances on this," he said. But the possibility that Perrotta may have given helped his business partner obtain an exclusive contract with the EPA is troubling, Amey said.

"It could be an ethics issues as well as a contracting problem," he said. "Sole-source" or "no-bid" contracts between a company and the federal government are allowed under certain circumstances but often frowned upon because it reduces competition.

Further Look

Konkus worked for Trump's presidential campaign in Florida and later served as the EPA liaison for Trump's transition team after the election. Davis worked as Colorado state director for the Trump campaign.

The committee's minority will now look into Konkus' role at the EPA while maintaining a private media consulting business, a House Energy and Commerce Committee Democratic representative told Bloomberg Environment.

"We think that it is unacceptable that these employees are maintaining a secret roster of clients," the representative said.

Republicans on the House Energy and Commerce Committee and Senate Environment and Public Works Committee didn't immediately respond to Bloomberg Environment's request for comment.

Konkus has been charged with deciding which entities are eligible to receive EPA grants, an unusual role for a political appointee. The Washington Post reported last year that Konkus canceled nearly $2 million in competitively awarded grants to universities and nonprofit organizations working on climate change and other issues seen as contrary to the administration's priorities.

The Hill
http://thehill.com/policy/energy-environment/376992-sens-flag-potential-conflict-of-interest-surrounding-pruitts
Senators question whether EPA security contract is conflict of interest
By Miranda Green, 3/6/18, 3:12 PM

Two Democratic senators are questioning whether the Environmental Protection Agency (EPA) awarded a security contract to a company linked to EPA Administrator Scott Pruitt's chief of security, in violation of ethics rules.

In a letter sent to Pruitt on Tuesday, Sens. Sheldon Whitehouse (D-R.I.) and Tom Carper (D-Del.) say a contract awarded to Edwin Steinmetz Associates, a company owned by the vice president of technical surveillance countermeasures at Sequoia Security Group, may represent a conflict of interest.

Pruitt's head of security detail, Pasquale “Nino” Perrotta, is a principal of the same security company, according to his LinkedIn page.

"These facts raise questions about Mr. Perrotta’s compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest," the two senators said in their letter.

They said Perrotta's business ties could violate a number of government ethics rules and asked the EPA to provide them with details proving that Perrotta's outside employment with his security company was in compliance with the law.

Edwin Steinmetz Associates conducted a security sweep for listening devices in Pruitt's office, as first reported by The Associated Press last year. The EPA paid the company $3,000 to sweep Pruitt's office for bugs.

EPA spokesman Jahan Wilcox defended the expense in a statement Tuesday: “According to EPA’s Protective Service, security sweeps are common practice in government, as former EPA Administrators Lisa Jackson and Gina McCarthy also had their office swept. We looked at a couple of different vendors and career administrative officials approved the same vendor that the Office of the Inspector General used and other offices within EPA.”

Reuters

https://www.reuters.com/article/us-usa-epa-ethics/democrats-turn-up-heat-on-epa-chief-over-contracts-moonlighting-idUSKCN1GI2M4

Democrats turn up heat on EPA chief over contracts, moonlighting

By Valerie Volcovici, 3/6/18, 2:00 PM

WASHINGTON (Reuters) - U.S. Senate Democrats on Tuesday pressed Environmental Protection Agency chief Scott Pruitt to explain how an agency contract was awarded last year to the business associate of a member of his personal security detail.

In a letter to Pruitt, Democrats on the Senate Environment and Public Works Committee raised concerns that the security detail member, Pasquale Perrotta, may have exercised improper influence in the awarding of the contract.

Perrotta is also a principal at Sequoia Security Group. His business partner received a contract from the EPA last year to sweep Pruitt's office for listening devices, the Associated Press reported in December.

"These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest," Democratic Senators Tom Carper and Sheldon Whitehouse wrote.

The letter was sent a day after Democrats on the U.S. House of Representatives Energy and Commerce Committee turned up the heat on Pruitt over political appointees at the agency who had received special permission to work for outside clients.

In a letter to Pruitt, the House lawmakers said there were "serious concerns of impartiality of current U.S. EPA political appointees" and they asked for additional information regarding appointees engaged in outside activities that were compensated.

Several current political appointees got approval from the EPA's ethics office to engage in such activities, agency records show.

They include John Konkus, deputy associate administrator of public affairs, who was tapped by Pruitt to screen EPA grants, weeding out those that dealt with climate change or other issues not considered a priority by the Trump administration, the Washington Post reported last year.

In the documents it shared with the House Democrats the EPA redacted the names of Konkus' clients, for which he was allowed to provide "consultative media advice."

'SECRET CLIENTS'

The House Democratic lawmakers will wait for Pruitt to respond to their letter before determining their next steps, said C.J. Young, the spokesman for the Democrats on the committee.

"We're particularly interested in figuring out who the secret clients are that these Trump political appointees are working for on the side," Young said on Tuesday.

The EPA did not respond to Reuters' requests for comment.

Another EPA political appointee, Patrick Davis, got permission from the ethics office to work as a sales director for a company called Telephone Town Hall Meeting.

Davis, who is senior advisor for public engagement to the regional administrator in the EPA's Denver office, also owns a political consulting firm in Colorado.

Norm Eisen, who served as a special assistant to former President Barack Obama on ethics and government reform, criticized the moonlighting.

"I even made people quit uncompensated non-profit outside positions because of conflicts risks," he wrote on Twitter. "This is FOR profit work that could conflict with official duties."

E&E News PM
https://www.eenews.net/eenewspm/stories/1060075583/search?keyword=EPA
GAO to focus on political appointees filling advisory boards
By Sean Reilly, 3/6/18

The Government Accountability Office is expanding its inquiry into U.S. EPA's filling of advisory committee slots to look more closely at the role of political appointees in the selection process.

Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.), citing the role of one senior official in naming two new members to a key air quality panel, had asked the congressional watchdog agency last month to examine whether it was typical for the EPA administrator and his subordinates to reject the advice of career employees in making appointments (E&E Daily, Feb. 15).

The two lawmakers also asked GAO to examine whether the Science Advisory Board Staff Office has "adequate policies and procedures" in place to vet nominees for compliance with the Ethics in Government Act and other applicable rules.

Carper and Whitehouse are both senior members of the Senate Environment and Public Works Committee. In a written response tweeted out today by the EPW Committee's Democratic staff, a GAO official agreed to take on the added assignment, saying that the work is "within the scope of its authority."

In their request, Carper and Whitehouse pointed to the handling of appointments by EPA chief Scott Pruitt to the Clean Air Scientific Advisory Committee (CASAC) last fall.

The seven-member committee provides outside expertise to EPA during regularly required reviews of the standards for ozone, particulate matter and four other pollutants.

Internal EPA records, the lawmakers wrote, indicated that Richard Yamada, a Pruitt appointee in EPA's Office of Research and Development, overrode the recommendations of career employees in the SAB Staff Office to promote two candidates over others who had been rated "most qualified."

Contrary to past practice, those records suggested that political appointees under Pruitt "are disregarding normal procedures and advice from career staff," their letter added. "By doing so, they are avoiding the procedures put in place by the agency to ensure compliance with federal law and risk undermining the integrity and impartiality of these boards."

The CASAC is one of almost two dozen EPA advisory committees. GAO began its review last year (E&E News PM, July 20, 2017).

The Hill
http://thehill.com/policy/energy-environment/377036-gao-to-examine-epa-political-appointees-roles-in-picking-advisory
GAO to examine EPA political appointees' roles in picking advisory committee members
By Timothy Cama, 3/6/18, 4:42 PM

Congress's watchdog agency is looking into the role that political appointees at the Environmental Protection Agency (EPA) played in picking new scientists and other agency advisory committee members.

In a letter that Senate Democrats made public Tuesday, a Government Accountability Office (GAO) official accepted the request last month by Sens. Tom Carper (D-Del.) and Sheldon Whitehouse (D-R.I.) to add the matter to an existing review the agency is conducting.

The GAO agreed last year to examine EPA Administrator Scott Pruitt's actions and policies regarding the agency's 22 advisory committees, which advise the EPA on matters like science, health and air quality.

Pruitt refused last year to renew the terms of many advisory committee members. He then barred anyone receiving EPA research grants for being on the committees and filled many of the empty spots with industry-friendly people.

Last month, Carper and Whitehouse published documents that showed that the EPA's career staff responsible for reviewing potential advisers had flagged some candidates for potential problems in their qualifications or conflicts of interest, but political appointees overrode the recommendations.

The senators have asked the GAO to examine whether Pruitt's actions fit with his own directive regarding advisory committee membership and the Federal Advisory Committee Act, the law governing such panels.

Daily Caller
http://dailycaller.com/2018/03/07/epa-regulation-cuts/
EPA Cut $1 Billion Worth Of Regs In Pruitt's Tumultuous First Year
By Michael Bastasch, 3/7/18, 10:41 AM

The Environmental Protection Agency (EPA) has repealed up to $1 billion in regulatory costs, according to an agency report.

The agency claims EPA Administrator Scott Pruitt accomplished the feat his first year in office. The report also highlights funding handed out for environmental projects and clean-ups and fines levied on polluters.

Pruitt's spent the last year refocusing EPA towards "cooperative federalism," devolving much authority over environmental matters back to the states. Part of that effort is a massive deregulatory effort.

EPA finalized 22 deregulatory actions in 2017, which could save $1 billion in regulatory costs. EPA is working on another 44 deregulatory actions, including the repeal of the Clean Power Plan and Clean Water Rule.

Repealing the Clean Power Plan, which limits carbon dioxide emissions from existing power plants, could save $33 billion in compliance costs, according to EPA.

"The American people can now trust that states and stakeholders will be treated as partners, and regulations will provide clarity, not confusion," Pruitt said in a statement.

While EPA is upbeat about the direction it's headed, Democrats and environmentalists have been critical of the direction Pruitt's taken the agency.

Pruitt's come under fire for rolling back Obama-era global warming regulations and regulations on the coal industry. Environmentalists have filed legal challenges against nearly every agency action.

Beyond that, Democrats have been railing against Pruitt's air travel and security spending. The two issues came together in recent weeks over reports he regularly flew first class due to security concerns.

Two House Democrats asked investigators to look into EPA's policy for granting waivers allowing for first class travel.

Pruitt's security detail recommended he fly first class to provide a buffer between the administrator and unruly passengers. Pruitt's has received more threats than past EPA administrators.

EPA's inspector general had already begun an investigation into Pruitt's air travel. That inquiry was expanded in January to include an official trip Pruitt took to Morocco at the behest of Democrats. Pruitt has since pledged to fly coach.

"There's a change coming, because look the security threat matters," Pruitt told CBS News. "What I've told them going forward is this: There is a change occurring, you're going to accommodate the security threats as they exist, you're going to accommodate those in all ways, alternate ways, up to and including flying coach, and that is what's going to happen on my very next flight. So those things are happening right away."

Law360
https://www.law360.com/articles/1018930/legal-scorecard-belies-epa-s-rosy-deregulatory-outlook
Legal Scorecard Belies EPA's Rosy Deregulatory Outlook
By Keith Goldberg, 3/6/18, 9:12 PM

Law360 (March 6, 2018, 9:12 PM EST) -- The U.S. Environmental Protection Agency on Monday published a report touting Administrator Scott Pruitt's accomplishments in his first year heading the agency, which included deregulatory actions and Pruitt's claim he's making good on his promise to "restore the rule of law."

But the report doesn't mention the legal snags that have hit Pruitt's restoration efforts. The EPA has suffered court defeats in attempts to delay implementation of Obama-era energy and environmental rules already on the books and courts are poised to weigh in on additional delay bids.

Here's a recap of the past setbacks and current battles, as well as a preview of the fights to come:

The Past Defeats

Since May, there have been nine attempts by federal agencies to delay finalized Obama-era energy and environmental rules that have been either struck down by courts or walked back by agencies in the face of legal challenges. The EPA owns three of them.

In July, the D.C. Circuit said Pruitt didn't have the Clean Air Act authority to issue a 90-day administrative stay of key provisions in the 2016 methane rule for new and modified oil and gas infrastructure in order to address industry reconsideration requests. And last month, a California federal judge nixed the EPA's bid to push back the deadline for industry to comply with new formaldehyde emissions standards, saying the delay violates the Formaldehyde Act's mandatory expedient compliance deadline and its prohibition against stockpiling.

Meanwhile, the EPA didn't wait for the D.C. Circuit to rule on challenges to its June proposal to delay for a year, to October 2018, the deadline for states to report whether local areas have met tighter national ozone standards set in 2015. The agency in August said it would move ahead with the original deadline, though it's since been sued for not providing all of the information by that deadline.

The EPA has said it expects to complete all the designations by August 2018.

The Current Battles

The litigation over the ozone designations is one of several ongoing court battles the EPA is fighting over rule delays.

The D.C. Circuit is set to hear oral arguments March 16 over a challenge to the EPA's 20-month delay of an Obama-era chemical risk management rule rule that finalized amendments to the agency's Accidental Release Prevention Requirements. Several states, environmental groups and the United Steelworkers argue the delay violates the CAA, while the EPA claims it was within its authority to delay the rule.

Meanwhile, the EPA is facing Administrative Procedure Act suits from environmental groups in D.C. federal court and the Fifth Circuit over its two-year postponement of compliance deadlines for toxicity limits for power plant wastewater finalized in September, as well as an Endangered Species Act suit from the Center for Biological Diversity in Arizona federal court. The two-year delay replaced a stay that had previously been challenged in D.C. federal court.

But the biggest fight may be over the EPA's recent suspension of an Obama-era rule defining the Clean Water Act's reach, which the agency is planning to rescind and possibly rewrite. Several states sued the EPA last month, arguing the agency violated the APA by not only shortchanging the public's ability to weigh in on the merits of the 2015 Clean Water Rule, but also failing to consider the actual impact of what it was doing.

The EPA has argued that it delayed the rule to avoid regulatory uncertainty in light of the U.S. Supreme Court's January decision saying that challenges to the rule belonged in district court, not appellate court. That ruling had overturned a split Sixth Circuit panel finding that appeals courts have jurisdiction, and led to the Sixth Circuit dissolving the nationwide stay it had imposed on the rule's implementation.

The Future Fights

Despite the court troubles, the EPA's deregulatory push continues apace. Undaunted by the D.C. Circuit's decision in July, the agency is pushing to finalize a two-year delay of some provisions of the methane rule for new and modified oil and gas infrastructure by the end of this month while it mulls a revised rule, according to a semiannual regulatory agenda put out by the White House in December. Like the 90-day stay, the two-year stay is a safe bet to be challenged in court.

The EPA is also aiming to complete by April its reconsideration of current greenhouse gas emissions standards for 2022 to 2025 model cars and light trucks, which were finalized in the last weeks of the

Obama administration but that the auto industry claims are too stringent to meet. Any delay or rollback is sure to be met with challenges, as well as set the stage for a legal bloodbath between the EPA and California.

Not only does the Golden State support the current GHG standards, it also has a CAA waiver allowing it to set its own tailpipe emissions standards. But there's been constant speculation that the EPA may look to revoke or modify the waiver, and Pruitt didn't exactly throw cold water on the idea at a Senate hearing in January.

While those court fights may be just around the corner, even larger battles loom over the EPA's planned rollbacks and revisions of big-ticket energy and environmental rules finalized by the Obama administration, including the Clean Water Rule, the Clean Power Plan and the methane infrastructure rule.

Just last Thursday, the EPA finalized amendments to specific provisions of the methane infrastructure rule and proposed amendments that would relax a rule for coal ash disposal.

The Hill
http://thehill.com/policy/energy-environment/377160-epa-floats-plan-for-reducing-animal-testing
EPA floats plan for reducing animal testing
By Timothy Cama, 3/7/18, 11:03 AM

The Trump administration is proposing a strategy to reduce and eventually eliminate certain animal testing in evaluating chemicals.

In a draft document released Wednesday, the Environmental Protection Agency (EPA) laid out a multiyear process to identify alternative testing methods, push those methods in the chemical industry and start to use them in regulatory decision-making.

Congress told the EPA to develop the strategy in the 2016 Frank R. Lautenberg Chemical Safety for the 21st Century Act, an update to the Toxic Substances Control Act (TSCA).

“This draft strategy is a first step toward reducing the use of animals and increasing the use of cutting-edge science to ensure chemicals are reviewed for safety with the highest scientific standards,” EPA Administrator Scott Pruitt said in a statement.

“EPA is committed to working with animal welfare groups and other groups to produce a sound, effective plan in line with the law.”

Eventually, the EPA hopes to completely eliminate chemical testing on vertebrate animal species, a group that includes mammals, fish, birds, amphibians and reptiles, it said in the 40-page draft strategy.

“Achieving this goal will require the EPA to maintain a high level of commitment to identifying, developing, and integrating [new testing methods] for implementation under TSCA and to work closely with stakeholders at every step,” the agency said.

The animal testing provisions of the 2016 law were championed largely by Sen. Cory Booker (D-N.J.), an outspoken animal rights advocate. Booker and animal rights groups estimated that the EPA could reduce harm or deaths for hundreds of thousands of animals.

"We welcome the draft strategy as a progressive step to reduce and ultimately replace the use of animals to regulate chemicals in the U.S. through the implementation of TSCA reform," Catherine Willett, director of science policy at the Humane Society of the United States, said in a statement regarding the Wednesday release.

"We have every indication that EPA intends to make good on this unprecedented opportunity to not only reduce animal use, but improve the science used to evaluate chemical safety."

The EPA will gather public comments on the draft strategy for 45 days.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=129219665&item=408&prod=deln&cat=AGENCY

EPA Wants to Make It Easier to Recycle Aerosol Cans

By Jennifer Lu, 3/7/18

Getting rid of spray paint and other consumer products sold in aerosol cans would be easier under an EPA hazardous waste disposal proposal.

Aerosol cans, pressurized or spent, would no longer be managed under a stricter subsection of the Resource Conservation and Recovery Act. Instead, a program proposed March 6 by the Environmental Protection Agency would downgrade aerosol cans to universal waste—the same category as hazardous waste batteries, certain pesticides, mercury-containing products, and lamps.

The Environmental Protection Agency estimated its proposal would decrease regulatory costs by at least $3 million per year.

"Today's proposal increases opportunities for safe recycling of aerosol cans, while also simplifying hazardous waste regulations," EPA Administrator Scott Pruitt said in a March 6 statement.

Three Tracks for Disposal

At their most basic, aerosol cans contain two chemicals—a compressed gas that pushes out product and the product itself. The propellant, usually propane or butane, is flammable while the product might or might not be hazardous.

Because there aren't federal rules for how aerosol can should be disposed, states have created their own guidelines, Roger Marks, a content writer at Lion Technology Inc., told Bloomberg Environment. Lion Technology provides hazmat and hazardous wastes training.

Right now, states have three options when disposing aerosol cans, Marks said.
Empty aerosol cans, regardless of their contents, can be dumped in regular trash as long as they meet specific standards for being empty.

When cans aren't completely empty, most states require that they are put in the hazardous waste stream if they contain a listed hazardous waste or are ignitable, corrosive, reactive, or toxic. Under this stream, aerosols are subject to more stringent record keeping, storage, labeling, inspection, shipping, and disposal methods.

Some states allow aerosol cans to be punctured, crushed, and drained for disposal.

But a handful of states, including California and Colorado, treat semi-full spray cans containing hazardous materials as universal waste.

This means they have "some relief for record keeping, training" and "more options for land disposal," Marks said.

"When you are managing the waste as universal waste, you are exempted from many of the hazardous waste requirements," Marks said.

Setting a federal rule that moves all aerosol cans into the universal waste stream would simplify the process, Marks said. "It will be one set of rules at the federal level rather than the patchwork that we have now."

Who Benefits?
When manufacturers ship aerosol products to retailers, they go as consumer goods, Dennis Smith, president of Eastern Aerosol Association, told Bloomberg Environment.

But if products are defective, retailers must ship aerosols back as hazardous materials, Smith said.

The EPA proposal would ease the burden on retailers that ship aerosol products on a regular basis.

When the EPA asked the retail sector for input concerning the Resource Conservation and Recovery Act in Feb 2014, companies including CVS and Walmart submitted comments on aerosol cans.

"The request from industry, from the Walmarts of the world, was to make it easier to deal with those products," Richard Sieg, regulatory counsel for Inmar, a reverse distributor, told Bloomberg Environment.

Walmart didn't respond to Bloomberg Environment's request for a comment.

The proposal will be open for a 60-day comment period upon publication in the Federal Register.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060075661/search?keyword=EPA
Pruitt flew first class a few times as Okla. AG
3/7/18 – via *The Oklahoman*, Justin Wingerter, 3/6/18

U.S. EPA chief Scott Pruitt flew first class several times as Oklahoma's attorney general, according to documents obtained by The Oklahoman.

Pruitt has come under fire for flying first class regularly as head of EPA, costing tens of thousands of taxpayer dollars.

As attorney general, he flew in the front section far less frequently: four times between 2012 and when he left for EPA, the records show.

All but one of the trips cost less than $1,000. The exception was a $1,839 round-trip ticket to Washington in 2015.

According to one email from a staffer, Pruitt "prefers to fly Delta."

Last week, EPA said Pruitt would begin flying economy. He had cited security concerns and the nation's "toxic" political landscape as reasons for flying first class (Justin Wingerter, Oklahoman, March 6). — NB

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060075685/search?keyword=EPA
Researchers tout success of program Trump wants to cut
By Ariel Wittenberg, 3/7/18

U.S. EPA's Chesapeake Bay cleanup program is working, according to a study published in the Proceedings of the National Academy of Sciences this week.

The Chesapeake Bay is experiencing the largest resurgence of seagrass ever recorded in the world, according to the study, with seagrass increasing more than 300 percent since 1984, when the bay cleanup effort began.

Nutrient pollution in the bay declined by 8 percent in the same time frame, and the study's 14 co-authors say that reduction is no coincidence.

"We propose that much of the submerged aquatic vegetation recovery has been a direct result of intensive efforts to reduce inputs and lower nutrient concentrations in Chesapeake Bay over the last 30 years," the study says. "Our study speaks directly to the value of such coordinated, multi-partner restoration efforts to enhance coastal habitats at the regional scale."

The study's publication comes as the Trump administration is proposing a 90 percent cut to the cleanup program's $73 million budget in fiscal 2019. Those efforts are unlikely to succeed in Congress, which successfully pushed back against the administration's plan to completely eliminate the cleanup program last year.

The researchers know their study is appearing at a critical time for the program. They plan to send hard copies to members of Congress who represent the bay watershed.

Co-author Robert Orth, of the Virginia Institute of Marine Sciences, cautions that the group can "only advocate for science" and doesn't have an official opinion on the budget or the programs.

But, he said, "If the question is 'Is the effort worth it?' we are saying, 'Yes, it is.'"

"The success we have here is showing that it pays off, and now is not the time to stop," he added.

The six Chesapeake Bay states and the District of Columbia began working with EPA in 1983 to restore the waterway, where nitrogen and phosphorus pollution has depleted oxygen levels and smothered aquatic life and seagrass.

In 2010, EPA helped set the bay on a "pollution diet" to cut contaminant releases — a move that was highly controversial because of its implications for curbing agriculture runoff, something EPA has little authority over under the Clean Water Act.

The pollution diet survived a high-profile lawsuit from farm groups last year. Backing the litigation was EPA Administrator Scott Pruitt, who filed an amicus brief in the case as Oklahoma's attorney general.

Today, EPA's Chesapeake Bay Program coordinates science, research and modeling, and two-thirds of its average annual budget goes to state and local governments as grants to implement plans for reducing nutrient pollution.

The Trump administration is proposing to spend $7.3 million, mostly on monitoring efforts in the bay in fiscal 2019. That would eliminate local grants and result in some cutbacks for monitoring.

Such a move could counteract the seagrass gains, warned Orth.

"It's like any diet: You can't go back to fast food because you lost a few pounds," he said. "You have to maintain the rigor of the diet."

The study's lead author, Jonathan Lefcheck, also noted that federally funded monitoring of the bay was critical to the study's ability to track nutrient and seagrass concentrations.

"It's because we had such a long, uninterrupted stream of data that we have reached the point where we can tie all the threads together," he said.

The study's authors say their research speaks to how managing nutrient pollution can help other important water bodies, like the Great Lakes and Gulf of Mexico, rebound.

A threefold increase in seagrass in the Chesapeake Bay is a likely sign that other natural resources could soon recover.

While seagrass is suffocated by too much nutrient pollution, which can block light underwater, larger plant beds can actually fight back against pollution.

Concentrations of seagrass help trap sediment on the ocean floor, making it easier for light to get through. Seagrass then uses that light in photosynthesis, converting carbon dioxide into oxygen other bay organisms need to survive.

The Chesapeake Bay's iconic blue crabs are particularly dependent on seagrass, hiding within its blades until they are big enough to fend for themselves in open water.

"Our study is a sign of things to come," said co-author Bill Dennison, of the University of Maryland Center for Environmental Science. "The history of degradation over many decades is starting to turn a corner because of this cleanup program."

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060075695/search?keyword=EPA
EPA waste pick puts focus on N.J. site, DowDuPont cleanups
By Corbin Hiar, 3/7/18

The Dow Chemical Co. lawyer President Trump nominated to lead U.S. EPA's solid waste office could oversee nearly 200 toxic waste sites his company is responsible for cleaning up, including a heavily contaminated New Jersey tract flagged by Administrator Scott Pruitt for urgent action.

If confirmed by the narrowly divided Senate to be EPA's assistant administrator for land and emergency management, Dow managing counsel Peter Wright would be able to influence how much parent company DowDuPont Inc. has to pay for environmental remediation and restoration.

The politically influential company, formed last year by the merger of Dow and E. I. du Pont de Nemours and Co., has already set aside $1.3 billion to pay for its past pollution, including $219 million for the remediation of 193 toxic Superfund sites, it noted in an annual liability disclosure report required by the U.S. Securities and Exchange Commission.

But the December report, known as a 10-K filing, warned investors "it is reasonably possible that the ultimate cost with respect to these particular matters could range up to approximately two and a half times that amount."

"Consequently it is reasonably possible that environmental remediation and restoration costs in excess of amounts accrued could have a material impact on the Company's results of operations, financial condition and cash flows," the report said.

At the same time, however, the company's management noted that the possibility of such an outcome "is remote."

Two polluted areas in particular could determine how high DowDuPont's cleanup costs rise, the 10-K says.

One is the Ventron/Velsicol site, a 19-acre tract in the Hackensack Meadowlands near New York City. It was one of 21 Superfund sites that Pruitt, who has made reducing the number of polluted tracts a top priority, said were in need of "immediate and intense action" (E&E News PM, Dec. 8, 2017).

Bordered by Berry's Creek, a tributary of the Hackensack River, Ventron/Vesicol is home to a former mercury processing plant that F.W. Berk and Co. Inc. began operating in 1929.

Berk sold the plant 31 years later to a wholly owned subsidiary of Velsicol Chemical Corp., which began dumping demolition material and domestic solid waste into the marshes surrounding it. That continued until around 1984, when EPA declared the entire 40-acre area a Superfund site.

"Heavy metals are leaving the site in ground water and air, threatening extensive wetlands and a very large population," EPA said at that time. "There is also a significant direct contact hazard from wastes dumped on the ground."

EPA is currently pursuing an adaptive approach for cleaning up the wetlands surrounding the former processing site, which was torn down in 1974 to build a pair of warehouses.

"Each phase of remediation will be followed by a period of monitoring to assess its effectiveness and determine if there is a need for more work," the 10-K report says.

DowDuPont, which bought one of the companies responsible for polluting the wetlands, is currently working on a feasibility study of the cleanup. It will be submitted to EPA later this year.

If confirmed, Wright could play a role in reviewing the study and selecting a cleanup.

After EPA decides on a plan, DowDuPont and other responsible parties will attempt to negotiate the funding required to implement it.

Although there is currently "much uncertainty as to what will ultimately be required," DowDuPont has set aside $88 million for its share, the company's 10-K says.

That eye-watering price tag means the plan would likely have to get the approval of Pruitt. In announcing his commitment to revitalize the Superfund program, the administrator last year said he would personally decide on cleanups costing $50 million or more (Greenwire, May 11, 2017).

The other polluted area DowDuPont specifically warned investors about is a series of former manufacturing sites in Dow's hometown of Midland, Mich. The area hasn't been added to the Superfund list, a designation that would make it eligible for federal dollars. There are currently more than 1,340 Superfund sites.

But Wright could still influence the cost of the Midland cleanup via hazardous waste operating licenses that DowDuPont needs to manage the area.

The last license was renewed and replaced in September 2015. The 10-K says it "included provisions for Dow to conduct an investigation to determine the nature and extent of off-site contamination from historic Midland manufacturing site operations."

DowDuPont has already set aside $131 million to remediate the soil and groundwater contamination in Midland.

Democrats undecided

Democratic senators, who could block Wright's confirmation with the support of just two Republicans, are so far withholding judgement on his nomination.

"I don't know much about him," Delaware Sen. Tom Carper, the top Democrat on the Environment and Public Works Committee, told E&E News yesterday. His committee will be in charge of vetting Wright's nomination.

Democratic Sens. Cory Booker of New Jersey, who is the ranking member of EPW's Subcommittee on Superfund, Waste Management and Regulatory Oversight, and Debbie Stabenow of Michigan, where Dow is headquartered, also had no initial reactions to Wright.

Both said they were still reviewing his record, which includes stints as a corporate lawyer and as an environmental attorney at Monsanto Co., an agrichemical powerhouse (E&E News PM, March 2).

Democrats and a few wavering Republicans recently forced Michael Dourson, another EPA nominee with strong ties to industry, to withdraw from Senate consideration (Greenwire, Dec. 13, 2017).

Some environmental activists, however, are already dead set against Wright.

"To put someone of that stature, who's involved in one of the biggest chemical companies in the world, in an environmental position is the wrong message," said Lisa Riggiola, founder and executive director of Citizens for a Clean Pompton Lakes.

The northern New Jersey-based advocacy group has been battling DowDuPont for years to get a former DuPont munitions facility in the borough declared a Superfund site. The Garden State already has 114 Superfund sites, more than any other state.

"It hurts the future of our country — our water, our air, our soil," Riggiola said. "To me, it reeks of conflict of interest."

EPA didn't respond to a request for comment about how Wright could avoid appearing to do favors for Dow, Monsanto or former clients. But the agency has previously vowed that Wright would work closely with the EPA ethics office.

With or without Wright, DowDuPont already has close ties to the Trump administration. Dow Chemical donated $1 million to Trump's inauguration fund, and its CEO headed his short-lived manufacturing jobs council.

E&E News PM
https://www.eenews.net/eenewspm/stories/1060075571/search?keyword=EPA
Court clarifies decision nixing EPA 'sham recycling' rule
By Amanda Reilly, 3/6/18

A federal court today issued an amended opinion clarifying its decision last year to vacate parts of an Obama-era rule for weeding out "sham recycling" of hazardous materials.

The U.S. Court of Appeals for the District of Columbia Circuit affirmed U.S. EPA's decision to eliminate a prohibition on recycling of spent catalysts that pose fire and explosion risks.

The court also eliminated a new provision meant to distinguish fake from legitimate recycling and reinstated certain George W. Bush-era requirements.

At issue is a rule EPA finalized in 2015 defining when hazardous waste materials qualify as "discarded" and are subject to regulation. The rule was meant to update the regulations issued by the Bush administration.

Industry challenged the rules for significantly expanding the definition of discarded solid waste, while environmentalists challenged them as being too weak.

Last July, the D.C. Circuit granted some of industry's petitions for review and dismissed all of the environmentalists' claims (Greenwire, July 7, 2017).

The court received petitions for rehearing following the ruling. Today's 10-page opinion responds to those petitions.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=129219679&item=408&prod=deln&cat=AGENCY
Appeals Court Fine-Tunes Solid Waste Enforcement
By Sylvia Carignan, 3/7/18

A federal court's decision clarifying the EPA's definition of solid waste was an effort to balance environmental protection with industry's requests, an attorney said.

The U.S. Court of Appeals for the District of Columbia Circuit decided March 6 to overturn some criteria for companies' solid waste to be regulated under the Resource Conservation and Recovery Act.

The Environmental Protection Agency's rule sets up criteria to prevent companies from putting harmful hazardous materials into recyclable products. Hazardous materials are subject to more stringent regulations.

The court found in 2017 that the EPA's "complex provisions fall short of the aim." It asked the EPA to reconsider part of those criteria, but now the court vacated that entire section of the rule.

"Today's decision affirms our industry's commitment to protecting the environment and communities around the country," Mike Tadeo, a spokesman for the American Petroleum Institute, told Bloomberg Environment.

Balancing Conflict

The American Petroleum Institute petitioned the EPA for changes to the rule, which the court addressed in a 2017 decision, then clarified March 6. The institute's members include Alcoa Oil & Gas Inc., Belle Fourche Pipeline Co., and Hess Corp.

The court balanced "the conflict between the environmental petitioners, who place the highest premium on the protection of public health, and the API, that appears to be dependent upon being able to deal with the catalysts," Paul Casowitz, principal at Sive, Paget & Riesel P.C. in New York, told Bloomberg Environment.

The catalysts, specifically spent petroleum refinery catalysts, are a waste product of petroleum operations. The EPA has been concerned that those catalysts have the potential to spontaneously ignite.

The agency revised its 2008 rule in 2015, changing those criteria, making waste containment requirements more stringent, and allowing spent petroleum refinery catalysts to be exempt.

In its 2008 solid waste rule, the EPA said some hazardous materials are exempt from the Resource Conservation and Recovery Act definition of solid waste.

Politico
https://www.politicopro.com/energy/article/2018/03/gop-seeking-carve-out-to-speed-wotus-repeal-390487
GOP seeking carve-out to speed WOTUS repeal
By Annie Snider and Anthony Adragna, 3/6/18, 6:41 PM

EPA Administrator Scott Pruitt and Republicans on Capitol Hill have long complained the Obama administration's environmental regulations violated the "rule of law," but now GOP lawmakers are pushing a legislative carve-out that would exempt the repeal of a controversial water rule from legal requirements.

Legislative language that Republicans want added to the government spending deal would go further than previous policy riders aimed at killing the Waters of the U.S. rule by exempting Pruitt's withdrawal of the regulation from the requirements of "any provision of statute or regulation" that might be relevant. The provision is one of the top environmental riders in play as appropriators hash out a deal to fund the federal government beyond March 23.

"It's in there. It's in the big list. As you know, that's been a big priority for a number of Republican legislators," said Sen. Tom Udall (D-N.M.), the top Democrat for the Interior-EPA spending panel.

Pruitt is aiming to formally withdraw the Obama-era water regulation next month, but that could be stymied by court challenges from environmental groups and Democratic attorneys general who are already suing over an earlier move to delay implementation of the 2015 regulation. Trump administration critics argue that withdrawing the regulation, also called the Clean Water Rule, would violate the Administrative Procedure Act, which sets requirements for agencies to consider public comments and prohibits them from taking "arbitrary and capricious" action.

"Republicans who are pushing this rider, they clearly understand that Pruitt's scheme to get rid of the Clean Water Rule is flatly illegal, and so the rider is designed to make the law go away," said Jon Devine, senior attorney at the Natural Resources Defense Council.

Legal experts say the language in the rider would set a problematic precedent.

"It undermines the features of the APA that are meant to promote the legitimacy of the government," said Emily Hammond, an administrative law expert at The George Washington University.

That includes "things like participation by anybody who is interested, the idea that an agency should deliberate in response to comments that are made, and the idea that agencies need to reach conclusions that are based on reason," she added.

Pruitt has long said the Obama EPA went beyond its mandate when it produced rules like WOTUS and the Clean Power Plan, which regulated power plants' greenhouse gas emissions, and that he would keep the EPA firmly within its legal boundaries.

"We want to do what? Make sure that we operate in the framework that Congress has provided us," he told the Conservative Political Action Conference last year.

And key Republicans say they are more concerned with killing the Obama rule that they have blasted as federal overreach than they are with the means of doing so.

Sen. John Hoeven (R-N.D.), a top critic of the Obama rule and member of the Senate Appropriations Committee, said he "wouldn't be concerned" about allegations of inconsistency. "Anything we can do to eliminate the Obama-era WOTUS, that's just a bad rule that we need to get rid of," he said.

Asked whether including the rider to short-circuit the APA's requirements was consistent with rule of law, Sen. Lisa Murkowski (R-Alaska), whose Interior-EPA spending measure includes the rider, told POLITICO, "I think that's kind of an odd question."

But so far, congressional Democrats, whose votes will be needed to pass a spending bill, have taken a hard line opposing all policy riders. Other riders in the mix range from measures to fund a Mexico border wall to blocking money for the Affordable Care Act.

Sen. Ben Cardin (D-Md.), one of the chamber's most ardent WOTUS supporters, said Democrats will oppose all the riders on principle.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060075693/search?keyword=EPA
Courts freeze litigation in Texas haze dispute
By Sean Reilly, 3/7/18

Judges in two separate courts yesterday froze proceedings in a thicket of litigation over the scope of U.S. EPA's regional haze reduction requirements for Texas until the agency disposes of an administrative petition for reconsideration from environmental groups.

The National Parks Conservation Association and two other organizations filed the petition in December after EPA produced a final haze plan for the state that differs starkly from the draft unveiled in December 2016, shortly before the Obama administration left office (Greenwire, Dec. 16, 2017).

At the same time, NPCA also brought a lawsuit challenging the plan with the 5th U.S. Circuit Court of Appeals.

Yesterday, at the request of both EPA and the environmental groups. Circuit Judge W. Eugene Davis stayed that lawsuit until the reconsideration process plays out.

In a joint motion filed last week, the two sides agreed that "awaiting the outcome ... will allow this case to be litigated more efficiently, thereby conserving the court's and parties' resources."

EPA was required to complete the haze plan — which is supposed to address pollution from coal-fired power plants in Texas — under a 2012 settlement to a separate lawsuit brought by the parks conservation association in U.S. District Court for the District of Columbia.

EPA officials are now seeking dismissal of that suit on the grounds that they have satisfied the settlement's terms by issuing a plan.

The parks conservation association and other groups counter that the agency illegally ignored public input requirements in crafting the final document and want U.S. District Judge Amy Berman Jackson to order an acceptable replacement within 30 days.

Instead, Jackson yesterday froze proceedings in that case, as well; she ordered the two sides to turn in a joint status report by May 1 if there has been no action by the 5th Circuit or an EPA ruling on the reconsideration petition by that point.

In the petition, the environmental groups ask EPA to redo the final plan, which substitutes an emissions trading scheme for Texas power plants in place of specific pollution controls proposed by the Obama administration.

The agency has not yet said whether it will grant reconsideration, David Baron, an attorney for Earthjustice, which is representing the environmental groups, said in an interview this morning.

EPA's regional haze program, which dates back to 1999 in its current form, seeks to restore natural visibility to 156 national parks and wilderness areas by 2064.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=129219681&item=408&prod=deln&cat=AGENCY
Colorado Mining Firm Can't Challenge Gold King Superfund Listing
By Sylvia Carignan and Andrew Childers, 3/7/18

A federal appeals court gave the EPA a win over a mining company at a Superfund site near Gold King Mine, but the two parties may butt heads again.

Sunnyside Gold Corp. challenged the Environmental Protection Agency's decision to put its properties on the National Priorities List, but the court dismissed the company's petition March 6. If the EPA finds the company liable for contamination at the Superfund site—a fate the company wanted to avoid—the two sides could be back in court.

"Sunnyside will be able then to mount whatever defenses it may have under [Superfund law]," the court said in its decision.

A spokesman for Sunnyside Gold didn't respond to an email from Bloomberg Environment.

Sorting Out Liabilities

Sorting out liabilities at the Bonita Peak Mining District site, which includes the site of the Gold King Mine wastewater spill will be difficult, Bart Seitz, a partner in the Washington, D.C., office of Baker Botts LLP, told Bloomberg Environment.

"The problem it's going to pose for the mining companies is, where does one mine's impact end?" he said.

The EPA created the 100,000-acre Bonita Peak Mining District Superfund site in Colorado after an EPA contractor caused a wastewater spill at Gold King Mine.

Sunnyside Gold Corp. had argued that the EPA hadn't conducted enough tests before adding its property to Colorado's Bonita Peak Mining District.

The property was added to the National Priorities List for cleanup, which could make the company liable for those costs. The D.C. Circuit dismissed the case March 6, saying the EPA's analysis of the contaminated sites was sufficient.

The court's position was consistent with previous decisions that deferred to the agency's expertise, Duke McCall III, a partner at Morgan Lewis & Bockius LLP in Washington, told Bloomberg Environment.

The EPA wasn't required to evaluate and score the contamination at every site in the mining district, including Sunnyside's property, before adding the district to the National Priorities List, the court said. The EPA had evaluated 19 different sites in the mining district.

E&E News PM
https://www.eenews.net/eenewspm/stories/1060075575/search?keyword=EPA
Mich. lawmakers seek update on IG probe into Flint crisis
By Ariel Wittenberg, 3/6/18

Michigan lawmakers want an update on U.S. EPA's inspector general investigation into the causes of the Flint, Mich., water crisis.

Sens. Debbie Stabenow (D-Mich.) and Gary Peters (D-Mich.) and Rep. Dan Kildee (D-Mich.) wrote in a letter to the IG that the report "will be very helpful in ensuring that a similar crisis never happens again, either in Flint or any other community across America."

"Equally important, it will also help to bring justice to the thousands of families in Flint who are still living with the effects of this ongoing crisis," the letter says.

Lead levels in Flint skyrocketed in 2014 after state officials decided to change the city's water source to the Flint River in a penny-pinching move.

The EPA IG investigation into the causes of the crisis began in January 2016.

Today, EPA IG spokesman Jeff Lagda confirmed that the watchdog office had received the letter and provided an estimate of the release of the report.

"The estimated issue time frame for the final OIG report would be late spring or early summer this year. However, please note this is only an estimate," Lagda said.

This investigation is separate from the one the IG concluded in 2016 finding that EPA could have taken emergency action on the crisis many months before it actually did so (E&E News PM, Oct. 20, 2016).

NPR
https://www.npr.org/sections/health-shots/2018/03/06/583973428/after-decades-of-air-pollution-a-louisiana-town-rebels-against-a-chemical-giant
After Decades Of Air Pollution, A Louisiana Town Rebels Against A Chemical Giant
By Rebecca Hersher, 3/6/18, 3:23 PM

Robert Taylor isn't sure why he's alive.

"My mother succumbed to bone cancer. My brother had lung cancer," he ticks them off on his fingers. "My sister, I think it was cervical cancer. My nephew lung cancer." A favorite cousin. That cousin's son. Both neighbors on one side, one neighbor on the other. "And here I am. I don't understand how it decides who to take."

Taylor is 77. He was born in St. John the Baptist Parish, La., when the area was still covered in sugar cane fields, before the petrochemical industry came to that part of the Gulf Coast. Taylor grew up in a house built by his father. After Taylor got married, he built a house for his family right around the corner.

"I was born here, raised here. My children were born here, my grandchildren and my great grandchildren," he says. "This is ours."

But the area was changing. Easy access to the Mississippi River, growing domestic oil production and cheap land made the strip between Baton Rouge and New Orleans attractive to petrochemical companies. Today, the region's clusters of cancer cases have earned it an infamous nickname: cancer alley.

In St. John the Baptist Parish, the main sugar refinery closed. The chemical giant DuPont opened a plant in 1969 that manufactured the chemical chloroprene. Chloroprene is the main ingredient in neoprene, the rubbery material in wet suits, computer sleeves and many other consumer products.

The Louisiana facility is the only neoprene manufacturer in the U.S. And, according to an analysis by the EPA's National Air Toxics Assessment, the five census tracts around the plant have the highest cancer risk in the country — more than 700 times the national average in one tract.

For decades, Taylor and his neighbors wondered if emissions from the plant were making people in the community sick, but most people thought that challenging a chemical giant was a lost cause. The company was rich, the people were poor.

DuPont had obtained all the necessary state environmental permits, and had scientists, engineers and lawyers to protect its interests. Taylor and his neighbors didn't feel like they had any of those resources available to them.

"People say, 'What's wrong with y'all? Ya'll trying to fight DuPont?'" Taylor remembers. "'Y'all crazy? You can't win fighting DuPont!'"

And there was a more fundamental problem: No one knew exactly how dangerous the chemical chloroprene was. Until someone established how much was safe for people to breathe, it would virtually impossible for Taylor and his neighbors to know whether they were in danger, and, if so, to act.

But definitively assessing the hazards posed by a chemical takes enormous scientific resources — more than the local or even state government could afford. And, unbeknownst to Taylor, a fight was brewing over the federal program that could give him the information he needed.

How Toxic Is Too Toxic?

The EPA is home to one of the most rigorous public chemical hazard assessment programs in the world, called the Integrated Risk Information System, or IRIS.

"IRIS was created in the first place because different parts of EPA when working on the same chemical came to different conclusions," says Patricia Fenner-Crisp, who served in numerous senior toxicological roles at the EPA between 1978 and 2000, and helped design the IRIS program. "The thought was, can we create some kind of consensus process, so the agency presents a single face on chemical X?"

The result was a complex system that produces a single toxicity value for each chemical and conveys how much exposure is safe for humans. It is frequently referred to as the gold standard. Many EPA air and water rules rely on information from IRIS. It's a major source of chemical safety information for local and state environmental and health agencies. IRIS values have even been cited in environmental regulations and lawsuits outside the U.S.

For years, the IRIS program had been analyzing chloroprene.

In 2010, the EPA announced that the long-term exposure limit for breathing the chemical was 0.2 micrograms per cubic meter, and classified chloroprene as a "likely human carcinogen." Shortly after that, federal and state authorities started monitoring the air in the neighborhoods around the Louisiana plant, and found radically elevated levels of chloroprene.

Around that time, "EPA called and said, 'We need to talk about chloroprene,'" remembers Wilma Subra, a chemist and the lead technical adviser for the Louisiana Environmental Action Network, which coordinates environmental and citizen groups across the state. She had been studying epidemiological effects of chloroprene for years, and pushing the EPA to use the IRIS program to do the same.

Subra got in touch with Taylor and told him about the IRIS number, and about the high levels of chloroprene showing up on air monitors. Taylor was frightened, angry and energized all at once. "I don't have power," he says. "I have information. That's what I got. That's what got me motivated."

Taylor became the lead plaintiff in a lawsuit seeking to reduce pollution from the plant, which was sold to the Japanese chemical company Denka in 2015.

Earlier this year, the company finished installing technology it promised would reduce chloroprene emissions by 85 percent. So far, public air monitors suggest chloroprene levels in the surrounding area are still trending upward — as of early February multiple air monitors showed concentrations more than 1,500 times higher than the IRIS value.

Lawyers handling the case are pushing the state government to shut down the plant, at least temporarily.

Taylor also started a group called Concerned Citizens of St. John the Baptist Parish that meets every week at a chapel up the road from the plant. They printed t-shirts that say "ONLY 0.2 WILL DO" on the front and wear them to community meetings and to picket outside the plant.

He says the IRIS number is his main source of power. "It's the ability to determine your own destiny. To have some input," he says. "That's the heartbeat of these concerned citizens."

But not everyone is happy with the 0.2 guideline. The company twice petitioned the EPA to change the safety threshold, arguing the IRIS analysis was faulty. The EPA declined both requests.

And the fight over the chloroprene plant has become a flashpoint in a larger fight playing out in Washington, D.C. Critics see the IRIS program as a poster child for ineffective government bureaucracy, and are pushing for it to be dismantled, or even killed.

"The program is failing"

Going back to its earliest days, IRIS has struggled to produce information quickly. The flip side of being rigorous is that it takes a long time to finish a single analysis. In one case, the program took 25 years to finish analyzing the chemical formaldehyde, only to have the analysis challenged in court by the chemical industry once it was completed.

The evaluation process takes so long, other offices within the EPA can't always depend on IRIS to provide information for regulations.

Under the Obama administration, there was a push to reform the IRIS program after the Government Accountability Office concluded in 2008 that, "the IRIS database is at serious risk of becoming obsolete because EPA has not been able to routinely complete timely, credible assessments or decrease its backlog of 70 ongoing assessments." In 2014, Congress requested that the program make a handful of changes to the way it analyzes chemicals, and in 2017 the GAO again questioned IRIS's efficiency.

Even Fenner-Crisp, who helped launch IRIS, believes the program needs to be overhauled. "It's internal incompetence and external pressures that all weigh on the program," she says. "They don't get anything done in a very timely manner, and they're aided and abetted in that by the regulated industry." Chemical companies use delaying tactics, she says, to slow down the process further, in order to delay regulations that might come from an IRIS value being published.

And, under the Trump administration, some lawmakers have been pushing to kill the IRIS program altogether. "The program has long suffered from a lack of scientific transparency and an inability to produce work in a timely fashion," said Arizona Rep. Andy Biggs, a Republican, at one of many congressional hearings in recent years about reforming or eliminating IRIS. "The program is failing and is in danger of irrevocably subverting its mission."

Biggs and others point to the chloroprene plant in Louisiana as an example of IRIS being used to unjustly regulate the chemical industry. Because the plant is already complying with state pollution permits, they argue, company shouldn't be forced to reduce chloroprene emissions further.

In November, the Senate moved to eliminate funding for IRIS, although the current spending bill continues to fund the program. In the coming months, the National Academies of Science is expected to release a report on the program's progress instituting congressionally mandated reforms.

E&E Climatewire
https://www.eenews.net/climatewire/stories/1060075639/search?keyword=EPA
Experts try to find a good way to talk about warming
By Scott Waldman, 3/7/18

The National Academies of Sciences, Engineering and Medicine are grappling with how to communicate the science of climate change effectively in a country that's increasingly defined by political truths and divisiveness.

The academies are exploring how to use "rapid and effective communication" to reach policymakers and the general public as climate science continues to be a highly partisan area of research. The goal is to craft a definitive body of resources for the public that cuts across ideologies, in the same way that the academies addressed evolution during the George W. Bush administration.

Using climate science as a political wedge and dismissing the growing body of research that shows humans are warming the planet at an unprecedented pace is largely an American concept, said John Gastil, a political science professor at Pennsylvania State University.

"We've traveled around the world; this is not a big, polarized issue," Gastil said yesterday during the launch of the Climate Communications Initiative, an effort by the academies to make climate science accessible to the public.

The divide over climate science is as prevalent as ever, and scientists have been portrayed as "pointy-headed" academics out of touch with regular people, said a number of speakers at the organization's headquarters in Washington, D.C. As a result of that distrust, scientists are not necessarily the best source of information about the dangers of climate change, said Dominique Brossard, a researcher at the University of Wisconsin, Madison.

"People are going to use the science that fits their belief system," she said. "The trust in the messenger is more important than the message itself."

Representatives from federal agencies were in the audience, including the U.S. Geological Society, NOAA and U.S. EPA. Public communication about climate science at those agencies has been downscaled during the Trump administration. Hundreds of government webpages have been edited or eliminated in the last year. Significant studies are now quietly released without publicity.

Yet there was little mention of President Trump's name yesterday. EPA Administrator Scott Pruitt, who has proposed having a debate to highlight uncertainties in the field of climate science, did not elicit a mention.

Still, some did acknowledge the politically toxic aspects of climate change. Some in attendance wanted the academies to push back with a "rapid response" as false information on climate change spreads.

They cited previous controversies, such as the "Climategate" email controversy of 2009, when opponents promoted hacked scientists' emails as purported evidence of wrongdoing. Investigative bodies in multiple countries later refuted those assertions. Others suggested that climate science could be publicized through educational talks, museum exhibits and community events — much like how the science community handled evolution.

"You need to have a rapid response capability; you need some way of being able to respond when somebody is directly attacking the credibility of this institution, and you do need to be able to do that in an effective and a crisis communications way," said Anthony Leiserowitz, director of the Yale Program on Climate Change Communication.

Some speakers suggested that the national academies could take a more proactive role in promoting climate science to the general public. The academies should unequivocally state that climate change is a threat, said Georges Benjamin, executive director of the American Public Health Association.

"If we don't talk directly to them as an authoritative source, they're going to get it from a non-authoritative source and use it," he said.

Other speakers said the academies should focus on pure science and let policymakers sort out what to do with it. Becoming advocates for climate action will shut off the work of the academies to important audiences, specifically conservatives and Republicans, said Joseph Majkut, director of climate policy at the libertarian Niskanen Center.

"When you're trying to persuade people about science, it's best to leave ideology out," he said.

The challenge faced by the academies in trying to craft an apolitical narrative was laid out by some of their own members who are not convinced by the evidence. Princeton University professor William Happer, who has been mentioned as Trump's potential science adviser, and Steve Koonin, who inspired Pruitt to propose a climate debate, wrote to the academies that skepticism around the science is also important to promote.

In their letter, they asked the academies to denote where research is based on climate models versus observations, to more clearly define confidence levels around potential impacts, and to communicate positive and negative consequences of rising carbon dioxide emissions.

"[The academies'] products should be accurate, complete, and clear, spelling out both certainties and uncertainties," Happer and Koonin wrote. "Messages should be based upon validated data and peer-reviewed literature and must not descend to public service announcements (e.g., 'save the planet by reducing emissions')."

Los Angeles Times
http://www.latimes.com/local/lanow/la-me-border-patrol-pollution-20180306-story.html
Border Patrol agents say Tijuana River pollution is making them sick, and officials want it fixed
By Greg Moran, 3/6/18

With health complaints continuing from Border Patrol agents who work the polluted areas of the Tijuana River Valley, the federal Customs and Border Protection agency is quietly trying to solve some of the problems of toxic sewage flows from Mexico — on its own.

The agency posted a notice on a federal contracting website last week seeking ideas from private industry on how to get a handle on cross-border sewage and hazardous materials, to which Border Patrol agents are routinely exposed.

The posting, formally known as a Request for Information, is the first step in what could become a full-blown contract award by the agency. The notice, titled "CBP Wastewater Initiative," marks a move into an area — engineering and environmental solutions — in which the massive law enforcement agency does not normally delve.

It also marks a new opening in the escalating battle to address the decades-long problem of sewage flows through the valley. On Friday, a group of local governments, including Imperial Beach and the San Diego Unified Port District, announced a lawsuit against the federal government for failing to stop repeated discharges of polluted water into the valley.

That litigation could take years to resolve. Meanwhile, CBP is taking steps to at least alleviate — although not necessarily solve — the problems faced by its agents.

The move is likely a response to the increasing alarm sounded by the union for Border Patrol agents about health problems those assigned to Imperial Beach have experienced. Chris Harris, a union representative, said 83 agents have reported headaches, rashes, infections and other problems from contacting the polluted water and breathing in the dust in the valley.

Harris praised the agency for taking the lead. He said the union has met with Acting Commissioner Kevin McAleenan about the problem and is working on solutions.

"We don't have engineers and scientists coming out of the woodwork," Harris said of CBP. "They are saying we can't wait any more. ... The EPA has not been helpful, and neither has the state.

"Can you imagine if you had a city where sewage was running down the streets, and it was the Police Department that said we are going to solve it? Where's the water department or the sewer department? That's the situation we are in."

CBP said in a statement the agency isn't going out on its own and still will work with other entities to seek a solution.

"This effort is only addressing one part of this complicated issue. CBP continues to work closely with its inter-agency partners at the Environmental Protection Agency [EPA], the Department of State [DoS], the Department of Treasury, and the United States International Boundary and Water Commission to develop a whole-of-government approach to resolving this large-scale infrastructure issue, to include robust engagement with the Government of Mexico."

The agency said the cost of its efforts cannot be projected until solutions surface through the Request for Information process.

While health concerns of agents were a factor, the statement also said that CBP was "spurred by the continued risks the trans-boundary wastewater and hazardous flows pose to its mission as a whole, which includes not only the health and life safety risks to its U.S. Border Patrol Agents, but also its mission support personnel and individuals it apprehends in performance of its mission."

The notice said that agents have to routinely inspect a network of culverts that run under the border fencing and barriers that carry water to look for unauthorized immigrants and smugglers.

While the culverts should be wet only during and after a storm, they often are carrying water during dry periods — a result of the lack of sewage infrastructure in Tijuana and illegal dumping, authorities have said. Several of the canyons that cross the border empty into collectors that capture the dry-weather flows for eventual pumping to a sewage treatment plant on the U.S. side of the border.

"Known and unknown contaminants pose operational and health risks to Border Patrol agents operating in the area," the notice read.

The agency asks for a range of solutions, including automated equipment that would allow agents to stop patrolling the area on foot, as well as "engineering fixes to the canyon collector infrastructure to neutralize the risk of the hazardous material contained in the water or eliminate the water that pools in the collectors."

The agency also wants ideas for a "suite of technology" that would allow agents to remotely monitor culvert grates and spillways, alerting "personnel of imminent risks so they can take precautionary measures to limit exposure."

Ideas are due in mid-March. As a sign that the agency is seriously considering purchasing solutions there is an "industry day" scheduled for San Diego in April. At those events, government officials and contractors interested in a procurement discuss the goals of a project, its possible schedule and get feedback from industries about a proposal.

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 3/6/2018 12:00:06 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Request for comment from AP
Attachments: image2018-03-05-072219.pdf

Deliberative Process / Ex. 5

From: Bowman, Liz
Sent: Monday, March 5, 2018 5:21 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: FW: Request for comment from AP

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, March 5, 2018 5:14 PM
To: Davis, Patrick <davis.patrick@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Request for comment from AP

Patrick,

We will be writing today regarding your work outside consulting work while at EPA. As part of that, we will cite the 2016 report by ProPublica, in which you were accused two years earlier of defrauding the conservative super PAC, Vote2ReduceDebt.

Please provide any comment you have regarding either your current political work or the allegations contained in the ProPublica article.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

Public Key M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 3/5/2018 10:49:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: Request for comment from AP

Will do

Patrick Davis
Environmental Protection Agency
Senior Advisor to the Regional Administrator for Public Engagement (Region 8)
303-312-6855 office
Ex. 6 cell

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Sent from my iPhone

On Mar 5, 2018, at 3:45 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

On Mar 5, 2018, at 5:34 PM, Davis, Patrick <davis.patrick@epa.gov> wrote:

Liz,

Deliberative Process / Ex. 5

Thanks,

Patrick Davis
Environmental Protection Agency
Senior Advisor to the Regional Administrator for Public Engagement (Region 8)
303-312-6855 office
Ex. 6 cell

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Sent from my iPhone

Begin forwarded message:

From: "Biesecker, Michael" <MBiesecker@ap.org>
Date: March 5, 2018 at 3:13:59 PM MST
To: "Davis.patrick@Epa.gov" <Davis.patrick@Epa.gov>
Cc: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: Request for comment from AP

Patrick,

We will be writing today regarding your work outside consulting work while at EPA. As part of that, we will cite the 2016 report by ProPublica, in which you were accused two years earlier of defrauding the conservative super PAC, Vote2ReduceDebt.

Please provide any comment you have regarding either your current political work or the allegations contained in the ProPublica article.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 3/5/2018 6:50:33 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: E&C Dems Question Pruitt About Troubling Outside Employment Approved for EPA Political Appointees

For what it's worth, all of my income and sources of income, along with yours and all other political appointees will have to be reported on our financial disclosures. So if I have any outside income, the reporters, Congress and the public will be able to see it through the normal process.

From: Bowman, Liz
Sent: Monday, March 5, 2018 1:44 PM
To: Konkus, John <konkus.john@epa.gov>
Subject: RE: E&C Dems Question Pruitt About Troubling Outside Employment Approved for EPA Political Appointees

yes

From: Konkus, John
Sent: Monday, March 5, 2018 1:37 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: E&C Dems Question Pruitt About Troubling Outside Employment Approved for EPA Political Appointees

Same quote I guess right?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, March 5, 2018 1:31 PM
To: Konkus, John <konkus.john@epa.gov>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: E&C Dems Question Pruitt About Troubling Outside Employment Approved for EPA Political Appointees

John,

AP will be moving a story about this today.

Do you have any comment? Also, will you disclose who your outside clients are?

Thanks,

Michael

From: E&C Dem News <ecdemnews@mail.house.gov>
Sent: Monday, March 05, 2018 1:25 PM
To: E&C Dem News <ecdemnews@mail.house.gov>
Subject: E&C Dems Question Pruitt About Troubling Outside Employment Approved for EPA Political Appointees

NEWS
ENERGY & COMMERCE
DEMOCRATS

FOR IMMEDIATE RELEASE
March 5, 2018

CONTACT
CJ Young — (202) 225-5735

E&C Dems Question Pruitt About Troubling Outside Employment Approved for EPA Political Appointees

Washington, D.C. – Energy and Commerce Committee Democratic leaders sent a letter to Environmental Protection Agency (EPA) Administrator Scott Pruitt today regarding serious concerns of impartiality of current EPA political appointees, and to request additional information regarding appointees engaged in outside activity for compensation. The letter was signed by Ranking Member Frank Pallone, Jr. (D-NJ), Oversight and Investigations Subcommittee Ranking Member Diana DeGette (D-CO), full Committee Vice Ranking Member Kathy Castor (D-FL) and Environment Subcommittee Ranking Member Paul Tonko (D-NY).

According to Agency records, several current EPA political appointees have received approval from EPA's Alternate Designated Agency Ethics official to engage in outside activity for compensation. The documents, which redact potentially vital information, were received by the Committee as a partial response to a July 13, 2017 letter from Pallone to Pruitt.

One of the employees who received approval for outside employment was John Konkus, who worked at a Republican political consulting firm before becoming EPA's Deputy Associate Administrator for the Office of Public Affairs. Konkus was approved to provide "consultative media advice" to likely clients whose names are redacted from the document. Konkus was the subject of a September 2017 letter from the Democrats to Pruitt following reports by the *Washington Post* and *E&E News* that he may have cancelled EPA grants based on political motivations.

"A political appointee cutting millions of dollars in funding to EPA grant recipients on what appears to be a politically motivated basis, while at the same time being authorized to serve as a paid media consultant to unnamed outside clients, raises serious concerns of potential conflicts of interest," the four Democrats wrote to Administrator Pruitt.

Konkus' previous employer lists on its website services such as campaign advertisement production, direct mail, and media buying and includes "Donald Trump for President, Inc." as one of the firm's premiere clients.

The EPA records further indicate that another current EPA political appointee, Patrick Davis, was approved to engage in outside activity for compensation as the sales director for Telephone Town Hall Meeting, and was affirmatively permitted to "solicit prospective clients" on his own time. Davis serves as a senior advisor for public engagement to the Regional Administrator in EPA's Denver

office, while at the same time owning a Republican political consulting firm based in Colorado Springs, Colorado.

"Mr. Davis' simultaneous roles as an EPA senior advisor for public engagement and a sales director for Telephone Town Hall Meeting serve to create possible confusion among stakeholders and raises further concerns of potential conflicts of interest," the four Democrats wrote to Administrator Pruitt. **"We believe it is critical that EPA political appointees serve the public trust above private gain and in an unbiased and impartial manner."**

The Democrats are requesting information and documents be provided by EPA no later than March 19, 2018, including:

- A list of all EPA political appointees, including individuals occupying Administratively Determined appointments, who have received approval to engage in outside activity for compensation.
- Where EPA has granted an appointee approval, provide a non-redacted copy of the memorandum of approval authorizing any outside activity.
- Where EPA has authorized an appointee to conduct outside activity, provide a non-redacted list naming and describing each authorized client.

The Democrats' letter is available HERE.

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 2/27/2018 10:16:32 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Two inquiries from AP

Thanks. That's fine. AP is taking a broader look at this sort of training across agencies.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, February 27, 2018 5:15 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Subject: RE: Two inquiries from AP

I emailed the appropriate staff and will let you know if I hear back. It might not be until tomorrow.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, February 27, 2018 4:15 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Two inquiries from AP

Liz,

One follow-up on the sexual harassment/domestic violence training: Is there a specific curriculum EPA uses? Is it online anywhere?

Michael

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, February 27, 2018 3:40 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Two inquiries from AP

Hi Michael – According to EPA's chief learning officer and national training manager, EPA conducted sexual harassment training in 2016 as part of the employee mandatory training effort. EPA was proactive in this process and offered domestic violence to all employees in 2017.

Thank you – Liz

From: Bowman, Liz
Sent: Tuesday, February 27, 2018 2:13 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Two inquiries from AP

Let me check

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, February 27, 2018 12:45 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Two inquiries from AP

And any changes in sexual harassment training?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, February 27, 2018 12:44 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Two inquiries from AP

Hi Michael – Off the record: We aren't going to comment on security clearances at the agency, except in rare circumstances.

Thank you – Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, February 27, 2018 11:11 AM
To: Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Two inquiries from AP

1) Some Trump administration cabinet agencies have been conducting new or increased sexual harassment training for staff in reaction to the #MeToo movement. Has there been any move for increased or revamped training at EPA?
2) White House Chief of Staff John Kelly had set Friday as the deadline for halting access to classified information if people didn't have permanent security clearances. I'm aware that relatively few staff at EPA require clearances to do their jobs, but were any staff at the agency impacted by Kelly's deadline?

We are checking with all federal agencies regarding these questions.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 2/27/2018 7:14:07 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Two inquiries from AP

Would you like me to check with OARM — or you got it?

On Feb 27, 2018, at 2:12 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Let me check

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, February 27, 2018 12:45 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Two inquiries from AP

And any changes in sexual harassment training?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, February 27, 2018 12:44 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Two inquiries from AP

Hi Michael – Off the record: We aren't going to comment on security clearances at the agency, except in rare circumstances.

Thank you – Liz

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, February 27, 2018 11:11 AM
To: Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Two inquiries from AP

1) <!--[if !supportLists]--><!--[endif]-->Some Trump administration cabinet agencies have been conducting new or increased sexual harassment training for staff in reaction to the #MeToo movement. Has there been any move for increased or revamped training at EPA?
2) <!--[if !supportLists]--><!--[endif]-->White House Chief of Staff John Kelly had set Friday as the deadline for halting access to classified information if people didn't have permanent security clearances. I'm aware that relatively few staff at EPA require clearances to do their jobs, but were any staff at the agency impacted by Kelly's deadline?

We are checking with all federal agencies regarding these questions.

Thanks,

Michael

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

<image002.jpg>

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Message

From: Block, Molly [block.molly@epa.gov]
Sent: 2/27/2018 6:17:39 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Maguire, Megan [Maguire.Megan@epa.gov]
Subject: RE: EPA reorganization

And one more: http://www.newsweek.com/trump-admin-backrolls-epa-program-gave-grants-study-chemical-exposure-kids-822210

Here's the lede: Amid an overhaul in the government's Environmental Protection Agency, the Trump administration has proposed a rollback on a federal program that gave grants for studies that examined the impact of chemical exposure on children and adults.

Tracy's email: t.lee@newsweekgroup.com

It looks like all the reporters are just working off of Miranda Green's story.

From: Bowman, Liz
Sent: Tuesday, February 27, 2018 1:16 PM
To: Block, Molly <block.molly@epa.gov>; Maguire, Megan <Maguire.Megan@epa.gov>
Subject: RE: EPA reorganization

I can email her…geeze

From: Block, Molly
Sent: Tuesday, February 27, 2018 1:15 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Maguire, Megan <Maguire.Megan@epa.gov>
Subject: RE: EPA reorganization

I think this info would do wonders in this article: https://www.buzzfeed.com/zahrahirji/epa-reshuffle-pollution-research?utm_term=.rgYeVKQ3q#.mudWr98Z3

Her email: zahra.hirji@buzzfeed.com

From: Bowman, Liz
Sent: Tuesday, February 27, 2018 12:49 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: EPA reorganization

Hi Michael – On background (for your understanding, not for attribution): the main issue with the Hill article is the mischaracterization of what is happening – this is not a political reorganization, but one that the career staff and political leadership initiated together because they see a need for it based on changes that have occurred in the agency and research over many years. At this time, ORD career and political leaders have developed management efficiencies in a reorganization package for the department. They initiated a proposal that will go through the approval process. Thank you – Liz

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, February 27, 2018 11:15 AM
To: Block, Molly <block.molly@epa.gov>; Press <Press@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>
Subject: RE: EPA reorganization

Thanks for the speedy response, Molly.

The direct quotes from an EPA spokesperson in the Hill referred to this as a decision that had already been, but you are now saying it is only a proposal.

Did the Hill misquote EPA? Can you provide an explanation for the apparent shift?

From: Block, Molly [mailto:block.molly@epa.gov]
Sent: Tuesday, February 27, 2018 11:06 AM
To: Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: EPA reorganization

Michael –

"In order to maintain the quality of EPA's research, ORD career and political leaders are proposing management efficiencies to staff. ORD is **proposing** combining offices and functions into a new Office of Resource Management, including reorganizing staff to the labs and offices where their expertise is most effective. This potential reorganization would not affect anyone's employment or status and the management of research grants will continue. ORD leadership is currently holding listening sessions with staff across the country to discuss this proposal, so everyone can work together to develop the best organization possible." - EPA Spokeswoman Liz Bowman

Background: This is only a proposed re-organization. No one is losing their job; no one is being demoted. As this is a proposal, it is not final and we are holding numerous "town halls" with staff to discuss the proposed changes to ensure we are developing the best organization possible.

As an email from the career head of this department explained, "In order to maintain the quality and focus of our research, our senior leadership team is proactively taking steps to create greater management efficiencies within the organization.

"In phase one we are establishing a new office, the Office of Resource Management, by consolidating two offices that provide administrative and budget support, with our center that funds high quality research through grants and small business innovative research contracts. FOIA, records management, and budget formulation functions from other organizations will also be moved into this office.

"We will also be looking at the rest of the organization and will begin that process by collecting input from staff over the next two weeks."

Best,
Molly

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, February 27, 2018 10:23 AM
To: Press <Press@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: EPA reorganization

Jahan,

Please provide details of the EPA's planned reorganization that includes the elimination of the National Center for Environmental Research and the merger of the Office of Administrative and Research Support and Office of Program Accountability and Resource Management into the new Office of Resource Management. Is it accurate that the NCER will be dissolved and the science staff there will be reassigned.

Can you provide comment about the goals of the reorganization and why it is necessary? Who will lead the new department?

Also, how will moving the FOIA office into the new department help clear the agency's backlog of unprocessed FOIA requests?

Writing for today.

Thanks,

Michael

AP

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Michael Biesecker
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Twitter: @mbieseck
Public Key

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Message

From: Block, Molly [block.molly@epa.gov]
Sent: 2/27/2018 3:31:29 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Fwd: NCER
Attachments: NCER inquiries.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Jones, Enesta" <Jones.Enesta@epa.gov>
Date: February 27, 2018 at 10:30:51 AM EST
To: "Block, Molly" <block.molly@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: NCER

Molly: Here's where we stand: below + attachment. I'll continue to update as more come in.

Sylvia Carignan
Bloomberg Environment
scarignan@bloombergenvironment.com

Yessenia Funes
Earther
Yessenia.funes@gizmodomedia.com

Tracy Lee
Newsweek
t.lee@newsweekgroup.com

Zahra Hirji
BuzzFeed News
Zahra.Hirji@buzzfeed.com

Sara Ganim
CNN
Sara.ganim@turner.com

Miranda Green
The Hill
mgreen@thehill.com

Mark Hand
ThinkProgress
mhand@americanprogress.org

Mark Haufman
Mashable
mkaufman@mashable.com

Olga Khazan
The Atlantic
olga@theatlantic.com

Michael Biesecker
AP
MBiesecker@ap.org

Kevin Bogardus
E&E News
kbogardus@eenews.net

Willa Frej
Huff Post
Willa.frej@huffpost.com

From: Block, Molly
Sent: Tuesday, February 27, 2018 10:09 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: NCER

Hey Enesta we're working on something for NCER inquiries. Please hold off on responding/forwarding to the program. And if you/Tricia/Robert have the chance, would you mind compiling a list of all inquiries on this? Thanks!

Sent from my iPhone

On Feb 27, 2018, at 7:19 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> All inquiries that come in on the NCER closure are being forwarded to ORD for handling.
>
> **From:** "Ganim, Sara" <Sara.Ganim@turner.com>
> **Date:** February 27, 2018 at 4:57:53 AM EST
> **To:** Press <Press@epa.gov>
> **Cc:** "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>
> **Subject: NCER**
>
> Hello -- Wanted to check in to confirm this story in The Hill, which says that The National Center for Environmental Research will no longer exists, as it's being combined with other EPA offices.
>
> http://thehill.com/regulation/energy-environment/375725-major-epa-reorganization-will-end-science-research-program
>
> Can you tell me why this decision was made, and the agency's reaction to critics who say that this will have a negative impact on people's health, while benefiting industry?
>
> Why merge NCER with offices that do not focus on grants?
> Thank you,

--

Sara Ganim
CNN Washington

954-663-2523

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 2/23/2018 3:50:43 PM
To: Kelly, Albert [kelly.albert@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: AP calling -- Sam coleman talking with AP reporter

No thx

Sent from my iPhone

On Feb 23, 2018, at 10:44 AM, Kelly, Albert <kelly.albert@epa.gov> wrote:

> Is there anything I need to do on this?
>
> Albert Kelly
> Senior Advisor to the Administrator
> 1200 Pennsylvania Avenue, NW
> Washington, DC 20460
> **Ex. 6**
>
> **From:** Bowman, Liz
> **Sent:** Friday, February 23, 2018 10:03 AM
> **To:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
> **Subject:** RE: AP calling -- Sam coleman talking with AP reporter
>
> Thank you
>
> **From:** Grantham, Nancy
> **Sent:** Friday, February 23, 2018 7:58 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
> **Subject:** FW: AP calling -- Sam coleman talking with AP reporter
>
> FYI .. see below .. Sam stressed he was not speaking on behalf of EPA.
>
> Thanks ng
>
> **Nancy Grantham**
> **Office of Public Affairs**
> **US Environmental Protection Agency**
> **202-564-6879 (desk)**
> **202-253-7056 (mobile)**
>
> **From:** Gray, David
> **Sent:** Thursday, February 22, 2018 7:34 PM
> **To:** Grantham, Nancy <Grantham.Nancy@epa.gov>
> **Subject:** Fwd: AP calling
>
> Sent from my iPhone

Begin forwarded message:

From: Samuel Coleman Ex. 6
Date: February 22, 2018 at 6:15:45 PM CST
To: "gray.david@epa.gov" <gray.david@epa.gov>
Subject: FW: AP calling

I just talked to him. I explained:

- <!--[if !supportLists]--><!--[endif]-->why we did not take soil and water samples before health warnings were issued.
- <!--[if !supportLists]--><!--[endif]-->that responding to spills were the highest priority.
- <!--[if !supportLists]--><!--[endif]-->that statements on air quality reflected all of the data not localized issues.
- <!--[if !supportLists]--><!--[endif]-->that ASPECT needed to coordinate with FAA on flights so they didn't just go where they wanted
- <!--[if !supportLists]--><!--[endif]-->data release is coordinated internally with scientists and communications staff
- <!--[if !supportLists]--><!--[endif]-->response was as good as possible but not perfect.
- <!--[if !supportLists]--><!--[endif]-->State did a great job and we worked well with them.

Samuel Coleman
Sent from Mail for Windows 10

From: Bajak, Frank
Sent: Wednesday, February 21, 2018 4:45 PM
To: Samuel Coleman
Subject: RE: AP calling

Sure. It's Ex. 6

From: Samuel Coleman Ex. 6
Sent: Wednesday, February 21, 2018 5:44 PM
To: Bajak, Frank <FBAJAK@ap.org>
Subject: RE: AP calling

Can I call you?

Samuel Coleman
Sent from Mail for Windows 10

From: Bajak, Frank
Sent: Wednesday, February 21, 2018 4:42 PM
To: Samuel Coleman
Subject: RE: AP calling

Of course. At what number can I reach you?

From: Samuel Coleman [Ex. 6]
Sent: Wednesday, February 21, 2018 5:35 PM
To: Bajak, Frank <FBAJAK@ap.org>
Subject: RE: AP calling

Not a problem. Please keep in mind that I am not able to speak on behalf of EPA.

Samuel Coleman
Sent from Mail for Windows 10

From: Bajak, Frank
Sent: Wednesday, February 21, 2018 12:35 PM
To: [Ex. 6]
Subject: AP calling

Hi Sam,

I have some questions about post-Harvey EPA efforts that I am hoping you can help me with. It's difficult to get much information out of EPA these days, as you know, and accuracy is our No. 1 concern. Can I give you a call?

Many tnx,
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak - Boston, U.S.A.
Cel. [Ex. 6] (Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
Wickr, Signal, WhatsApp

<image001.jpg> <image002.jpg>

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<image001.jpg>

<image002.jpg>

Message

From: Hassell, Emily [hassell.emily@epa.gov]
Sent: 2/21/2018 9:27:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: News Clips - 21 February 2018

You're welcome!

Please let me know if you want any changes made to the daily clips, or need anything else.

From: Bowman, Liz
Sent: Wednesday, February 21, 2018 3:42 PM
To: Hassell, Emily <hassell.emily@epa.gov>
Subject: RE: News Clips - 21 February 2018

Thanks, Emily!

From: Hassell, Emily
Sent: Wednesday, February 21, 2018 2:32 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 21 February 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Administrator Pruitt's Travel

Reuters - House Democrats ask EPA chief for details on premium travel

Politico - House Democrats press Pruitt for more info on travel

E&E Greenwire - House watchdog questions Pruitt's first-class travel

CNN - Pruitt postponing visit to Israel after reports of expensive travel

General

The Hill - White House: Trump has confidence in VA, EPA chiefs

Politico - Pruitt's cleanup plan won't win Superfund tax infusion

E&E Greenwire - Pruitt, Zinke and Perry to address CPAC

E&E Greenwire - Pruitt's office cancels 'active shooter' drill

The Hill - Obama EPA chief: Trump regulation rollbacks won't hold up legally

E&E Climatewire - 'I never imagined this would happen' — ex-EPA staffer

E&E News PM - Justices pass on challenges to EPA's Clean Water Act power

The Hill - Hundreds of mayors unite against Trump reversal of Obama-era climate plan

E&E Greenwire - OMB greenlights bid to scrap Obama oil and gas guidelines

E&E Greenwire - Judges hear arguments over 2 EPA listing decisions

InsideEPA - EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot

E&E News PM - 'Lean' training this spring — operations chief

E&E Greenwire - IG to examine emergency-response gear

AP - Oil spill cleanup underway in suburban Oklahoma City

Reuters - Missouri residents sue over radioactive material storage sites

E&E Energywire - IG report discounted Tar Creek Superfund fraud claims

###

Reuters
https://www.reuters.com/article/us-usa-epa-travel/house-democrats-ask-epa-chief-for-details-on-premium-travel-idUSKCN1G42IC
House Democrats ask EPA chief for details on premium travel
By Valerie Volcovici, 2/20/18, 1:01 PM

WASHINGTON (Reuters) - Democrats on the House energy committee on Tuesday asked Environmental Protection Agency chief Scott Pruitt to explain travel records that recently came to light, which showed he has taken frequent first-class flights at taxpayer expense.

The Democrats wrote a letter asking Pruitt to provide a list of all dates where he traveled in first or business class, an explanation on how he followed guidelines for obtaining waivers for premium travel and the names of other staff who also traveled in premium class.

Complaints about travel arrangements by Pruitt and other Trump administration cabinet members re-emerged last week. Last year, Health and Human Services Secretary Tom Price resigned after reports that he used private jets for routine travel.

The documents cited by the lawmakers showed that Pruitt's official travel has included first class flights for him and key staff, as well as the use of charter flights.

Pruitt did not immediately reply to a request for comment on the letter from members of the House panel. He recently said in a television interview that he was instructed to travel first class due to security threats and "uncomfortable" confrontations with other passengers.

The letter from the lawmakers asked Pruitt to explain why he believes security threats are reduced in first class cabins.

On Feb. 18, the Washington Post reported that Pruitt canceled a planned weeklong trip to Israel. A few days earlier, the newspaper had reported that he spent over $100,000 in taxpayer money for premium travel, based on records obtained by the Environmental Integrity Project.

That watchdog group on Friday obtained new travel records, shared with media, showing Pruitt and EPA employees spent upwards of $150,000 on premium commercial and chartered flights from March to August 2017.

“Americans deserve an EPA Administrator more dedicated to first class protection of human health and the environment than to luxury travel at taxpayer expense,” the letter said.

The letter also questioned a claim by EPA spokesman Jahan Wilcox, who told reporters Pruitt received a “blanket waiver” by ethics officials to enable him to travel first class.

The committee Democratic leaders, Representatives Frank Pallone, Paul Tonko and Diana DeGette, asked for answers by March 6.

Politico
https://www.politicopro.com/agriculture/whiteboard/2018/02/house-democrats-press-pruitt-for-more-info-on-travel-646305
House Democrats press Pruitt for more info on travel
By Eric Wolff, 2/20/18, 12:09 PM

Democrats on the House Energy and Commerce Committee are pressing EPA Administrator Scott Pruitt to clear up the "shifting explanations" around his reasons for flying first class.

Reps. Frank Pallone (N.J.), Diana DeGette (Colo.) and Paul Tonko (N.Y.), the top Democrats on the full committee, the oversight subcommittee and the environment subcommittee, sent Pruitt a letter today asking for details on the security justifications and who is involved in booking his first-class plane tickets.

"The Agency has offered shifting explanations to date regarding whether or not you have complied with federal regulations and Agency policies and procedures, raising significant questions about the veracity of information provided by your office," the letter says.

Pruitt has flown first class extensively in the past year and has received an unusual number of security threats. Last week, the agency told POLITICO that it had a "blanket waiver" for Pruitt's pricey travel, but backtracked after POLITICO cited EPA regulations barring such a waiver.

Pruitt has received more threats than his predecessors, EPA has said, and faced confrontations in airports when he has traveled.

The same group of Democrats wrote last week to EPA Inspector General Arthur Elkins asking him to expand his probe of Pruitt's travel.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060074395/search?keyword=EPA
House watchdog questions Pruitt's first-class travel

By Kevin Bogardus, 2/21/18

The House's top watchdog is requesting justification for U.S. EPA Administrator Scott Pruitt's first-class travel.

House Oversight and Government Reform Chairman Trey Gowdy (R-S.C.) sent a letter yesterday to the EPA chief asking for records that back up the agency's claims that Pruitt has taken the pricier business- and first-class trips over security concerns as well as a full accounting of every trip the administrator has taken during his first year at EPA.

Gowdy asked for the documents "to assist the committee's oversight of whether federal regulations regarding official travel were followed." The chairman also took issue with an EPA spokesman's statement last week that Pruitt had a "blanket waiver" to fly first class due to security threats, which was later amended to say the administrator seeks an individual waiver for each flight (E&E Daily, Feb. 15).

"Clearly, federal regulations prohibit a blanket waiver to fly first class except to accommodate disabilities or special needs. Instead, a waiver for each flight is required in order to fly first or business class when traveling on official government business," Gowdy said.

The Republican asked that Pruitt identify each flight he has taken for official business from Feb. 17, 2017, to Feb. 16 of this year, including the cost of each flight and whether it was coach, business or first class.

In addition, Gowdy asked for any waivers given to Pruitt for the more expensive flights and for him to identify all other EPA employees and security guards who traveled with him and the cost of their airfare.

The Oversight chairman asked that Pruitt respond to his request no later than March 6.

Asked about Gowdy's letter, an EPA spokeswoman told E&E News, "We will respond through the proper channels."

Pruitt's travel over the past year, including his use of first-class flights as well as charter and military planes, has come under scrutiny from lawmakers and environmental groups. The EPA inspector general has an ongoing audit of the administrator's trips, which it has expanded twice to cover all of Pruitt's travel through the end of 2017.

CNN
http://www.cnn.com/2018/02/18/politics/epa-scott-pruitt-israel-travel/index.html
Pruitt postponing visit to Israel after reports of expensive travel
By Eli Watkins, 2/18/18, 1:48 PM

Washington (CNN) - Environmental Protection Agency chief Scott Pruitt has postponed a planned visit to Israel following criticism for taking expensive flights on the taxpayer dollar, an EPA spokesperson confirmed to CNN.

"We decided to postpone," EPA public affairs officer Liz Bowman said in an email. "The administrator looks forward to going in the future."

The Washington Post was first to report news of the postponement, and people in Israel briefed on Pruitt's plans told the Post he would have arrived Sunday and stayed at a five-star hotel in Jerusalem through Thursday.

The Post said an EPA official previously said Pruitt would visit Israel to tour the nation and "gain an understanding of Israel's unique infrastructure and environmental challenges."

Pruitt has faced criticism for taking expensive flights and staying at luxury hotels more often than his predecessors, but has pushed back on accusations of improper or wasteful spending.

"We've reached the point where there's not much civility in the marketplace," Pruitt said. "And it's created, you know, it's created some issues and the (security) detail, the level of protection is determined by the level of threat."

He said he did not make the decision around his security and travel, and EPA documents have outlined details of some of his travel.

Scrutiny over Pruitt's travel has built for months, making him one of several Trump administration Cabinet officials under fire for their travel practices. Tom Price resigned last year as secretary of the Department of Health and Human Services after reports emerged about his extensive use of government-funded private jets.

The Hill
http://thehill.com/homenews/administration/374715-white-house-trump-has-confidence-in-va-epa-chiefs
White House: Trump has confidence in VA, EPA chiefs
By Jordan Fabian, 2/20/18, 3:53 PM

The White House indicated Tuesday that President Trump has confidence in his Veterans Affairs secretary and Environmental Protection Agency director despite allegations of travel abuses.

“I have no reason to believe otherwise," White House press secretary Sarah Huckabee Sanders told reporters when asked if Trump still has confidence in VA Secretary David Shulkin and EPA Administrator Scott Pruitt.

"As we have said many times before, if somebody doesn’t have the confidence of the president, you will know.”

An inspector general report found that Shulkin improperly used taxpayer dollars for a trip to Europe last year and Pruitt has come under scrutiny for flying first-class while on official business.

Politico
https://www.politicopro.com/energy/article/2018/02/pruitts-cleanup-plan-wont-win-superfund-tax-infusion-353771
Pruitt’s cleanup plan won’t win Superfund tax infusion
By Alex Guillen and Anthony Adragna, 2/20/18, 4:33 PM

Congress revived a tax on crude to help pay for oil spill cleanups, and President Donald Trump has kept the door open for a 25-cent increase in the gas tax to fund infrastructure projects.

But there's little chance Congress will try to resurrect a long-dead Superfund tax on oil and chemical companies to help pay for EPA Administrator Scott Pruitt's push to shrink the backlog of thousands of polluted properties around the country.

Pruitt has pledged to speed the cleanup of the nation's worst Superfund sites, but he has never raised the idea of reviving the tax that was killed in 1995 after the "Gingrich revolution" the previous year gave the GOP control of the House. And though some Democrats and green groups continue to tout the tax, Republican lawmakers aren't worried that Pruitt's Superfund cleanups will suffer.

“I don’t think we have enough time to say whether the direction [EPA is] going now is good or bad or needs to change,” Rep. John Shimkus (R-Ill.), chairman of the Energy and Commerce Environment Subcommittee, told POLITICO. “I think he’s making a good-faith effort to do it with the resources he has.”

The Superfund tax killed in the 1990s had three main revenue streams that generated $1.5 billion annually: 9.7 cents per barrel of crude oil produced or imported; a tax on certain chemicals and metals that went as high as $4.87 per ton depending on the substance; and a 0.12 percent tax on corporate profits exceeding $2 million.

By 2002, the Superfund had run dry, forcing Congress to tap into the government's general fund for its annual budgets. Under the Obama administration, Congress approved an average of $1.17 billion each year for Superfund cleanups. The Trump White House's proposed 2019 budget originally allocated just $762 million, although a last-second spending cap boost passed by Congress brought the proposed Superfund levels back up to $1.09 billion, on par with the previous couple of years.

Republicans are wary of imposing any new tax burdens, and many said they weren’t familiar enough with the lapsed excise tax to evaluate it. And they said the revived oil spill tax, which imposes a 9-cent-per-barrel tax on oil that goes into the Oil Spill Liability Trust Fund, was not a good comparison.

“The Oil Spill Liability Trust Fund is so specific in its purpose,” Senate Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) told POLITICO. “I haven’t given thought to [the Superfund tax] and why this would be the right approach.”

Others suggested the Superfund tax warranted further study.

“I don’t know how much of a [funding] deficit exists in the Superfund sites,” Sen. Dan Sullivan (R-Alaska) told POLITICO. “I certainly would look into it.”

Democrats have argued the Superfund needs a dedicated funding stream outside of annual appropriations to pay for cleaning up hundreds of contaminated sites, and restoring the lapsed tax would show the administration’s commitment to addressing the problem.

“I do think there would be an opportunity for Congress to empower the resources to deal more effectively with brownfield sites and Superfund sites that have been identified,” Sen. Ben Cardin (D-Md.) said.

If EPA can identify the culprit behind a site, known as a “potentially responsible party,” it can force them to pay for cleanups, which happens at around 70 percent of sites.

The Trump administration has not proposed reviving the tax, and an EPA spokesman said that Pruitt "will continue to work with the funding provided by Congress to expedite remedies at all sites listed on the National Priorities List."

Pruitt has said that private money should be responsible for remediation, and he has downplayed the need for federal money, telling "Fox & Friends" last year "it's not a matter of money, it's a matter of leadership and attitude ad management."

Earlier this month, EPA proposed requiring subsidiaries of Republic Services and Exelon to foot part of the $236 million bill for a cleanup of radioactive waste at a St. Louis landfill. And last fall, EPA approved a $115 million plan to remove most of the dioxins at the submerged San Jacinto waste pits near Houston, though that decision is being opposed by the Waste Management.

But nearly one-third of the time, Superfund sites are known as “orphans,” with no clear responsible party. In those cases, the taxpayers are on the hook.

Some green groups say the responsibility for those 314 orphaned sites sites should fall on the overall polluting industry — the way the Superfund tax was funded.

"The whole idea of Superfund is responsible parties pay. If there's an orphaned site, shouldn't the industries likely to have caused the problem pay rather than the regular taxpayer?" said Scott Slesinger, legislative director for the Natural Resources Defense Council.

Former President Barack Obama campaigned on reinstating the Superfund tax, and his budget proposals placed 10-year revenues at $23.5 billion, though it was never implemented. EPA even took the unusual step in 2010 of sending a letter to Congress urging them to reinstate it.

Sen. Bob Menendez and Rep. Frank Pallone of New Jersey — which is home to more Superfund sites than any other state — have repeatedly pushed legislation to revive the tax over the years to no avail. At a January Energy and Commerce Committee hearing, Pallone lamented the inaction on reinstituting the tax, saying "many endangered communities are being ignored, even as Administrator Pruitt declares the Superfund to be his top priority."

Industry groups oppose reviving the tax, and the American Petroleum Institute argues that the oil industry paid an outsize share into the original Superfund compared with its share of Superfund sites.

A 2008 Congressional Research Service report said that of the nearly $9.2 billion that went into Superfund in the five years before the tax expired, more than 25 percent came from the petroleum tax, while 12 percent came from the chemical tax. The corporate tax contributed 28 percent. The remaining 35 percent came from congressional appropriations, reimbursements from polluters and interest generated by the trust fund.

Congress could consider tweaking the formula to include other industries, but the funding burden should remain on the polluters, not the taxpayers, said Mathy Stanislaus, the former EPA assistant administrator who oversaw the Superfund program under Obama.

"The bottom line question is whether Congress and this administration are going to make the decision of whether the taxpayers pay for the mismanagement of worst actors in whatever sector, or should it be the various sectors that are most associated with creating products that can be associated to Superfund sites?" Stanislaus said. "Congress … has chosen to have the taxpayers pay versus those manufacturers."

Stanislaus also noted that the Trump administration in December reversed an Obama-era proposal under the Superfund law that would have required companies that mine gold, copper, iron and other "hardrock" minerals to obtain financial assurance that they could clean up sites once done.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060074289/search?keyword=EPA
Pruitt, Zinke and Perry to address CPAC
By Kevin Bogardus, 2/20/18

Cabinet members versed in energy and the environment will appear this week at the Conservative Political Action Conference in National Harbor, Md.

Energy Secretary Rick Perry, Interior Secretary Ryan Zinke and U.S. EPA Administrator Scott Pruitt are listed on the annual politically right-leaning event's agenda for this week.

Pruitt is scheduled to speak at the Ronald Reagan Dinner on Friday night. He is slated to appear alongside Fox News host Judge Jeanine Pirro at the ticketed event.

Friday morning, Perry and Zinke are expected to appear together. The two Cabinet secretaries will be interviewed by former Rep. Bob Beauprez (R-Colo.).

All three have appeared at CPAC in the past, including during their earlier posts as elected officials.

One of Pruitt's first public events as EPA chief was his appearance at CPAC last year, where he promised an "aggressive" rollback of agency regulations (Climatewire, Feb. 27, 2017).

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060074419/search?keyword=EPA
Pruitt's office cancels 'active shooter' drill
By Kevin Bogardus, 2/21/18

U.S. EPA Administrator Scott Pruitt's office has canceled an "active shooter" drill that had been scheduled at agency headquarters this afternoon.

Internal emails obtained by E&E News show EPA had planned and then backed off from holding the drill at the direction of Pruitt's office. EPA is now looking to reschedule the exercise.

"Hello, please be advised that the William Jefferson Clinton North Active Shooter Response Drill (ASRD) scheduled for tomorrow has been canceled at the direction of the Administrator's Office," said the email sent to employees yesterday.

"We appreciate the support from HQ staff and EPA law enforcement in planning for this drill. We are evaluating alternate dates and locations for scheduling another occupant-focused ASRD for EPA Headquarters in the near future."

EPA press officials didn't respond to questions about why the administrator's office canceled today's active shooter drill.

The drill was to be conducted at 3 p.m. on the fifth floor of the William Jefferson Clinton North Building, according to another email sent yesterday morning before it was canceled.

The drill's beginning and end would have been announced over EPA's public address system, and participants would have practiced their "run, hide, fight" training from the Department of Homeland Security in responding to a gunman on the loose. Law enforcement was also expected to be present for the drill.

"Loud noises associated with the drill, including simulated gunfire and shouting may be heard as part of the drill. Please avoid the area if you are not a participant," the email said.

EPA's cancellation of its active shooter drill comes as the country wrestles with the tragic aftermath of another mass shooting. Last week, 17 people, including students, were killed in a shooting at a Parkland, Fla., high school.

EPA also had its own recent scare with an active shooter, although reports of gunshots at the agency's headquarters turned out to be false.

This past August, several employees at EPA headquarters sheltered in place and police rushed to the scene when one worker called 911 after hearing what were thought to be gunshots, later suspected to be the sound of a door slamming shut. Agency officials vowed to learn from the incident while acknowledging it was upsetting for some employees (E&E News PM, Aug. 22, 2017).

The Hill
http://thehill.com/policy/energy-environment/374633-former-epa-admin-regulation-rollbacks-legally-not-going-to-hold-up

Obama EPA chief: Trump regulation rollbacks won't hold up legally

By Miranda Green, 2/20/18, 11:56 AM

Former EPA Administrator Gina McCarthy says that regulations struck down by the Trump administration simply because they were issued under President Obama won't carry weight in court.

McCarthy, who led the Environmental Protection Agency from 2013 to 2017, called the recent political targeting of regulations at the agency a "real problem."

"I think the important thing is none of them should be touched unless the administration has a real reason to touch them, other than it was done under the Obama administration, and that is the real problem that we see," McCarthy on Tuesday told BuzzFeed's morning livestream program, "AM to DM."

The former administrator, who has been an outspoken opponent of changes made under current EPA head Scott Pruitt, specifically mentioned the administration's desire to change the Clean Water Rule, also known as the Waters of the United States rule.

"We see the Clean Water Rule being proposed to be repealed, all that rule really did was do what the Supreme Court and what science told us to do to make sure we are protecting the rivers and streams that are necessary to ensure safe drinking water and fishable and swimmable waters," McCarthy said.

"That is being challenged just because the president told them to do that in an executive order. That's legally not going to hold up."

President Trump had made it a campaign trail promise to repeal the controversial 2015 Clean Water Rule. He signed an executive order in February 2017 formally asking Pruitt to consider repealing the rule and replacing it with a more limited one.

Last June, the EPA made its first steps to repeal the Clean Water Rule, and last month Pruitt formally suspended the Obama-era rule for two years while the administration works on a replacement draft rule.

McCarthy also touched on another hot point in environmental regulations, the Clean Power Plan, which she called one of the Obama administration's "premiere" steps.

Under Obama, the rule was met with many hurdles and has yet to be implemented. Prior to Trump taking office, the rule was awaiting final word from a federal appeals court.

Repealing the plan was part of Trump's promise to eradicate Obama's environmental legacy.

In October, the EPA formally announced plans to scrap the Obama administration's signature climate change rule for power plants. Pruitt signed the plan saying the rule exceeds the agency's authority under the Clean Air Act.

"I don't understand the reason why they'd want to delay decision in the DC Circuit over that, that are charging the legality of the rule," McCarthy said of the EPA's delay tactic. "Let them play out. Let us see whether we did it right. I think we did and I think they will hold up under court even if this administration wants them to go away."

When asked about recent news that Administrator Pruitt flies all work-related trips in either business or first class, frequently racking up thousands of dollars in tax-payer expenses, McCarthy said she always flew coach.

"It was comfy for the people in my family, it's comfy for me and the people that I serve," she said. "It's perfectly appropriate and that's how we travelled because our job was to make sure we were protecting public dollars as best we could and making sure that every public dollar we could was being spent on the real mission of the agency, not the luxury of the administrator who was leading it."

E&E Climatewire
https://www.eenews.net/climatewire/stories/1060074339/search?keyword=EPA
'I never imagined this would happen' — ex-EPA staffer
By Niina Heikkinen, 2/21/18

Former U.S. EPA staff members who worked on the Clean Power Plan are urging the Trump administration to back off its plans to kill the rule.

In public comments submitted yesterday, a volunteer group of retired and former agency staff called Save EPA said it should be up to a federal appeals court — not the Trump administration — to decide whether the Obama administration's signature climate regulation should proceed as originally written. The group includes ex-EPA staffers who helped craft that rule.

EPA is currently seeking comments on its proposed repeal of the Clean Power Plan. The agency is also in the process of developing a plan for a rule replacement.

Save EPA billed the repeal process as "an enormous waste of time," given that the U.S. Court of Appeals for the District of Columbia Circuit has already been fully briefed and heard legal arguments on the case in September 2016. The case has been on ice since, at the request of EPA, to allow the agency the opportunity to review the rule.

Save EPA's comments come as the agency prepares to host its second listening session today on repealing the rule. Today's session is slated for Kansas City, Mo., and another is planned for next Wednesday in San Francisco.

"We urge the EPA to halt this repeal action, to obtain a court decision in the CPP litigation and if the rule is upheld based on the strong legal arguments presented in court, to implement the CPP without further delay," the commenters wrote.

The Obama administration's rule faced fierce legal pushback for setting systemwide rather than facility-level regulations on carbon emissions. The current EPA administrator, Scott Pruitt, was among a cadre of state attorneys general to file lawsuits against implementation of the rule. The agency under Pruitt's leadership is widely expected to rewrite the regulations to focus on controlling emissions at the power plant level.

Today's listening session will focus on the prospect of repealing the rule and will mainly feature speakers from environmental and public health groups such as the Natural Resources Defense Council, the Sierra Club, GreenLatinos, Citizens' Climate Lobby, the American Lung Association and Moms Clean Air Force. Save EPA is planning on sending a representative to the fourth and final listening session in Gillette, Wyo., next month.

The Federal Register currently has over 17,000 public comments on the proposal, many of them also critical of a repeal.

Save EPA members slammed EPA for not adequately taking into account the impacts of climate change on the American public. They argue the Clean Power Plan as it was first written was an "appropriate way" to limit carbon emissions, considering the interconnectedness of the country's electricity system. They noted the agency's revised cost-benefit analysis significantly underestimated the costs associated with a warming planet. According to the agency's 2015 analysis, the rule would yield between $31 billion and $54 billion in benefits, and $5.1 billion to $8.4 billion in costs once the rule was fully implemented in 2030.

"They are taking away tools the EPA administrator would have to reduce emissions substantially. The tack they are taking legally means it will be possible only to get a small fraction of the emissions reductions from a new replacement rule than could be gotten from the CPP. That's not the kind of position I'd hope an EPA administrator would take," said Jim Ketcham-Colwill, former EPA air policy analyst who helped to write the Clean Power Plan.

While Save EPA has focused on the negative impacts of allowing greater carbon emissions, other critics of the Clean Power Plan repeal have focused on how the rule could have helped to create renewable energy jobs if states chose to reduce their carbon emissions under the plan by turning to other energy sources.

Ashok Gupta, the senior energy economist at NRDC, wrote in a recent blog post that Midwest utilities are increasingly interested in cheap wind energy.

"In the Midwest, the trend is clear; the transition to clean energy is underway and will only intensify in the future. Having a strong national strategy to cut carbon pollution that provides states the flexibility to implement their own plans based on their resources is our best chance at fighting climate change and creating a path towards cleaner, cheaper and more reliable energy," Gupta wrote.

Ketcham-Colwill noted EPA had given a wide range of groups, including state energy regulatory agencies and governors' offices, ample opportunity to offer input on the climate rule.

"The agency got all kinds of plaudits that this was the most extensive stakeholder outreach process that the agency has perhaps ever done," said Ketcham-Colwill.

Ellen Kurlansky, another former air policy analyst at EPA who helped develop the Obama-era rule, said that in addition to public hearing and comments, a range of groups were involved in developing the rule from the very early stages until it was being finalized.

"People often want to talk to us and tell us what they think. We really had an open door," she said.

Kurlansky warned that delaying carbon emission reductions from power plants could have serious implications for rural and low-income Americans most impacted by climate change. For example, changing weather patterns, temperatures and season length can affect which crops are viable in specific parts of the country. Isolated communities could have a hard time getting aid in the event of climate-driven severe weather.

Meanwhile, low-income communities are often least able to financially prepare for or recover from environmental disasters. Many live in closer proximity to power plants and bear a higher brunt of the public health impacts. Indigenous communities also suffer from the loss of traditional cultural practices.

Kurlansky said she had not considered the prospect of a future administration seeking to undo the rule while she was working on it.

"I never imagined this would happen, it's really sad to see," she said.

E&E News PM
https://www.eenews.net/eenewspm/stories/1060074317/search?keyword=EPA
Justices pass on challenges to EPA's Clean Water Act power
By Amanda Reilly, 2/20/18

The Supreme Court won't revive a pair of lawsuits challenging U.S. EPA's authority under the Clean Water Act. Justices today passed on taking up cases related to stormwater policies and permits for water reclamation plants.

As with a recent litigation over the Obama-era Clean Water Rule, the Supreme Court petitions centered on the correct legal venue to bring lawsuits. In both instances, a lower court tossed out the suit after finding it did not have jurisdiction.

At issue in the stormwater case were EPA policies guiding whether cities may dilute stormwater before discharging it into rivers and streams, and the treatment of wastewater during heavy rains.

The 8th U.S. Circuit Court of Appeals in 2013 found EPA illegally created rules in letters to Sen. Chuck Grassley (R-Iowa), instead of going through the formal rulemaking process.

EPA, though, continued to apply the policies on a case-by-case basis everywhere but the 8th Circuit, which runs down the center of the country from North Dakota to Arkansas.

The Center for Regulatory Reasonableness, which represents municipalities and industrial entities, filed suit in the U.S. Court of Appeals for the District of Columbia Circuit to halt the disputed policies nationwide.

The group specifically challenged a pair of 2014 letters to industry associations in which EPA conveyed how it would respond to the 8th Circuit decision.

But a three-judge panel of the D.C. Circuit tossed out the case last year after finding the group should have brought its challenge to federal district court — not the appeals court — under the Clean Water Act (Greenwire, Feb. 28, 2017).

The Supreme Court issued a similar decision in the Clean Water Rule litigation, rebuffing the federal government's arguments that litigation belonged in appeals courts.

The Clean Water Act routes challenges to effluent limitations, other limitations and permitting decisions to appeals courts; other cases go to district courts (Greenwire, Jan. 22).

In its petition to the Supreme Court, the Center for Regulatory Reasonableness argued the D.C. Circuit's decision has "powerful consequences" for the 43 states outside the 8th Circuit.

EPA is "free to impose even vacated" water permitting modifications, "with little fear of the immediate judicial review," the petition said.

The Justice Department had urged the court to decline the case. Government attorneys said the D.C. Circuit correctly concluded EPA's letters interpreting the 8th Circuit decision weren't actions that could be challenged in appeals court under the Clean Water Act.

Challenging the 'puppet master'

At issue in the second case was a Southern California Alliance of Publicly Owned Treatment Works (SCAP) suit challenging EPA's objections to state-issued permits for two water reclamation plants in El Monte and Pomona, Calif.

EPA in 2014 sent a formal objection letter to the Los Angeles Regional Water Quality Control Board threatening to veto the permits. The agency said the approvals, which the Los Angeles board later modified, didn't include necessary daily and monthly limits.

But the alliance argued that EPA used the objection letter to create new rules about permitting without formal notice and comment.

The 9th U.S. Circuit Court of Appeals, however, ruled that it couldn't hear the case because the letter in question was just an "interim step in a complex statutory scheme" and not subject to review by federal court. The 9th Circuit directed the alliance to pursue its case either administratively or in a state court.

The alliance appealed, arguing that the court failed to differentiate between EPA's objections to the permit and the permit itself.

"U.S. EPA continues to use its objection powers to unlawfully push states to adopt measures beyond the requirements of federal regulations," SCAP said. "The 9th Circuit's decision ... relegated SCAP to challenging the puppet, when SCAP seeks to directly challenge the actions of the puppet master."

The Justice Department asked the Supreme Court to pass on the case. DOJ said the EPA letter in question did not set out any binding effluent limitations.

Other cases
At their weekly conference Friday, justices are scheduled to consider a third Clean Water Act petition asking them to overturn a decision that reinstated EPA's contentious "water transfers" rule. They could announce whether they're taking up that case early next week (Greenwire, Sept. 21, 2017).

Along with the water disputes, the Supreme Court today also declined a handful of other environment- and energy-related cases.

Justices won't review a lower court's split decision that North Carolina lacked sovereign control over 45 miles of riverbed where Alcoa Power Generating Inc. had built and operated four hydroelectric dams.

The Tar Heel State argued the company had illegally continued to use the Yadkin River for hydroelectric plants without permission after shuttering an aluminum smelting plant that drew power from the dams (Greenwire, Nov. 15, 2017).

Greens' efforts to halt a hydroelectric project in North Carolina likewise dead-ended. American Rivers and the city of Rockingham had challenged the Federal Energy Regulatory Commission's approval of a license for Duke Energy Progress' Tillery development on the Yadkin and Pee Dee rivers (Greenwire, Jan. 12).

The court also won't hear claims by a group of plaintiffs who allege they developed cancer after being exposed to radiation emissions at Nuclear Materials and Equipment Corp.'s facility in Apollo, Pa. The site processed uranium and provided enriched uranium for naval reactors from the 1950s to the early 1980s.

The Hill
http://thehill.com/policy/energy-environment/374824-hundreds-of-mayors-come-together-to-oppose-trump-reversal-of-obama
Hundreds of mayors unite against Trump reversal of Obama-era climate plan
By John Bowden, 2/21/18, 9:46 AM

Hundreds of mayors representing cities in 47 states and territories have signed a letter opposing the Trump administration's move to roll back the Obama administration's Clean Power Plan (CPP).

In a letter addressed to Environmental Protection Agency (EPA) chief Scott Pruitt, 236 U.S. mayors wrote that the Trump administration's attempt to roll back the environmental restrictions would have "devastating health and economic impacts on their communities."

"We strongly oppose the proposed repeal of the Clean Power Plan, which would put our citizens at risk and harm our efforts to address the urgent threat of climate change," the letter to Pruitt reads.

"The legal authority of cities and other municipalities generally extends only as far as their state governments and federal law allow, and as a result, our local efforts to address climate change are highly sensitive to national policies like the Clean Power Plan, which shape markets, steer state action, and have large direct impacts on nationwide emissions," it continues.

The EPA has been considering a plan to repeal the Clean Power Plan, the centerpiece of former President Obama's environmental agenda, since at least October.

“The Obama administration pushed the bounds of their authority so far with the CPP that the Supreme Court issued a historic stay of the rule, preventing its devastating effects to be imposed on the American people while the rule is being challenged in court,” Pruitt said in a statement last year.

“We are committed to righting the wrongs of the Obama administration by cleaning the regulatory slate. Any replacement rule will be done carefully, properly, and with humility, by listening to all those affected by the rule.”

The final version of the CPP was unveiled in 2015, and aimed to reduce carbon dioxide emissions from electrical power generation by 32 percent by 2030. President Trump signed an executive order last March ordering the EPA to review the rule for a possible repeal.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060074297/search?keyword=EPA
OMB greenlights bid to scrap Obama oil and gas guidelines
By Sean Reilly and Niina Heikkinen, 2/20/18

The White House Office of Management and Budget has cleared U.S. EPA's proposal to scrap pollution-reduction guidelines for existing oil and gas operations, setting the stage for the rollback of another piece of the Obama administration's environmental agenda.

OMB's Office of Information and Regulatory Affairs finished a standard interagency review of the proposed withdrawal notice for the "control techniques guidelines" on Friday, according to the Reginfo.gov website. Once the notice is signed, EPA will put the proposal out for public comment, an agency spokeswoman said in an email today.

The guidelines, issued in October 2016, were a key part of EPA's strategy then for reducing emissions of volatile organic compounds (VOCs) from existing oil and gas facilities. In sunshine, VOCs react with nitrogen oxides to form ozone, a lung irritant that is the main ingredient in smog.

Although not a regulation, the guidelines are technical recommendations for states to consider for areas deemed in "moderate" nonattainment or worse for EPA's 2008 ozone standard of 75 parts per billion. They also apply in the Ozone Transport Region, which encompasses 11 Northeastern states, the District of Columbia and Northern Virginia.

"It is addressing sources that you wouldn't otherwise get at from ozone regulation," Joanne Spalding, senior managing attorney at the Sierra Club, said in a recent interview.

States can use "reasonable cost" technological fixes to control the pollutants, such as replacing high-bleed pneumatic controllers with low-bleed controllers. At the time, EPA billed the recommendations as a way to also reduce emissions of methane, a potent greenhouse gas, and save the industry money in lost product.

While EPA officials have so far not formally laid out their rationale for now seeking the guidelines' repeal, that step would mesh with the Trump administration's goal of easing requirements that would be seen as hindering domestic energy production (Greenwire, Dec. 15, 2017). The oil and gas industry, citing the potential price tag for smaller producers, had opposed the guidelines' adoption.

The guidelines — often known by their acronym, CTGs — were released as part of an Obama-era suite of requirements aimed at controlling a range of pollutants from the oil and gas industry. This included landmark regulations to reduce methane releases from new and modified sources, according to Spalding.

EPA Administrator Scott Pruitt's decision to withdraw the CTGs comes on the heels of efforts to roll back or delay parts of those methane regulations. EPA plans to release a notice of proposed rulemaking on changes to the new source rule in August and anticipates the release of a final rule in 2019.

EPA had sent the proposed notice of withdrawal of the control techniques guidelines to OMB in mid-December (Greenwire, Dec. 18, 2017).

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060074295/search?keyword=EPA
Judges hear arguments over 2 EPA listing decisions
By Amanda Reilly, 2/20/18

An appeals court today considered U.S. EPA decisions to add sites to a list of the nation's most contaminated areas, including a large mining district that contains the Gold King abandoned mine.

EPA put the Bonita Peak Mining District and nine other sites on its national priorities list of Superfund sites in September 2016.

Sunnyside Gold Corp. has filed a lawsuit challenging EPA's decision to list the mining district. In a separate suit, a pair of companies argue that the agency broke the law in adding the site of a former dry cleaner and auto shop in Indiana.

The U.S. Court of Appeals for the District of Columbia Circuit today heard back-to-back arguments in the cases.

While not directly related, the 2015 Gold King abandoned mine rupture is part and parcel of the Bonita Peak Mining District challenge.

In August of that year, EPA contractors accidentally triggered the rupture at the Gold King site, sending 3 million gallons of toxin-laced water into the Animas and San Juan rivers, which then flowed through a corner of New Mexico into Utah.

A little more than a year later, EPA added the abandoned mine to its national priorities list as part of the larger 100,000-acre Bonita Peak Mining District. The larger district has been a "hotbed of hardrock mining activity for gold, silver, lead and copper" since the 1870s, according to EPA, and includes three drainage areas that converge in the Animas River.

Sunnyside Gold Corp., which operates the Sunnyside mine, sued. The company argues that EPA — faced with lawsuits and recrimination over the 2015 rupture — issued an "overly broad listing" that sets a "terrible precedent."

The company says EPA failed to evaluate all the sources within the mining district — including Sunnyside mine and other sites it owns — under the Hazard Ranking System. EPA used the system to score only 19 of the individual contamination sources within the Bonita Peak Mining District; the site includes another 27 sources that weren't scored.

"If you're going to put property on the [national priorities list], you need to score it," Neil Westesen, an attorney representing Sunnyside, argued today in the courtroom.

He added that the owners of nonscored properties would potentially be faced with steep cleanup costs under the national Superfund law.

Sunnyside says it's already spent more than $15 million remediating multiple locations within the mining district. It installed bulkheads in tunnels of the Sunnyside Mine network, including one in a tunnel that connected Sunnyside Mine to the Gold King abandoned mine. New Mexico and the Navajo Nation both named Sunnyside as a plaintiff in their litigation over the 2015 blowout, but the company says it's not responsible for the incident in any way.

For its part, EPA argues it was not required to score all the pollution sources within the broader mining district. It says that the 19 sites it chose to score were representative of the mining operations in the area and that acid mine drainage from all the sources within the district "commingled" as it flowed into waterways.

The mining district is a "single site" encompassing multiple sources, said Meghan Greenfield, a Justice Department attorney representing EPA.

She warned of the consequences of the court ordering EPA to "nitpick" each individual source within a larger site.

At an industrial site, Greenfield said, "their approach would have EPA score every barrel of leaking substances."

In court documents, EPA also says it did not separately evaluate the 2015 blowout at the mine in its decision to list the Bonita Peak Mining District. The agency says it would have placed the district on the national priorities list regardless of the incident.

At today's arguments, Judge Harry Edwards, a Carter appointee, said EPA's approach appeared to be "consistent" with the regulations guiding the use of the Hazard Ranking System. He said Sunnyside was "conflating" the terms "source" and "site" in EPA's regulations.

"The regulation absolutely distinguishes between a site and a source," he said.

Senior Judge Douglas Ginsburg, a Reagan appointee, also appeared at times to side with EPA, saying the Sunnyside mine wasn't completely mitigated despite the company's efforts.

He expressed some concern, though, about the practical consequences of the listing.

A listing on the national priorities list is akin to a "roach motel" in which a company gets caught up in the system and doesn't come out, Ginsburg said.

Indiana site

EPA is facing a separate lawsuit over its September 2016 decision to place an industrial site in Indiana on the national priorities list.

But while the case involves the same topic, it raises different legal issues.

At issue is the West Vermont Drinking Water Contamination site in Marion County, Ind. At the site, a former dry cleaner discharged wastewater containing perchloroethylene into a leaky sewer system that then migrated into groundwater, according to court documents. A carburetor and brake remanufacturing facility operated between 1956 and 1973 also contributed to contamination.

EPA based its decision on findings that aquifers within 2 miles of the sites are "interconnected" and that municipal well fields 4 miles away could be affected by contamination.

Aimco Michigan Meadows Holding LLC, which was formed in 1999 to acquire the apartment and shopping center on the site, and Genuine Parts, the successor to the car repair shop, challenged the listing under administrative law.

Catherine Stetson, an attorney representing the companies, today argued that EPA made a "fundamental" failure by not responding to comments and studies contained in the record, including evidence showing a "confining layer" of clay or till that prevented contamination from reaching water supplies.

She also argued that EPA neglected to pay heed to the direction of groundwater flows.

"Groundwater flows away from the well fields that are of interest to EPA," Stetson said.

Edwards said he had some issues with EPA's analysis.

"It isn't clear to me that the agency has given substantial evidence in this record with respect to hydrologic interconnection," Edwards said, adding, "You're assuming it all the way through, and I don't see it."

InsideEPA
https://insideepa.com/daily-news/epa-names-chemical-company-lawyer-waste-offices-deputy-slot
EPA Names Chemical Company Lawyer To Waste Office's Deputy Slot
2/21/18

EPA has named Steven Cook, corporate counsel for one of the world's largest plastics and chemical companies, to be the deputy assistant administrator in the agency's waste office, making him the highest-ranking political official in the office even as a long-time confidante to Administrator Scott Pruitt continues to lead the office's high-profile Superfund reform effort.

Cook, who served as in-house senior counsel for LyondellBasell, started as deputy assistant administrator for the Office of Land & Emergency Management (OLEM) Feb. 20, according to an email sent to staff from Principal Deputy Assistant Administrator Barry Breen. The slot does not require Senate confirmation.

Breen, a long-time career official, has effectively been heading the office in the absence of a political appointee at OLEM, since the Trump administration took office. Typically, a career official occupies the position of principal deputy assistant administrator, while the deputy assistant administrator is a political appointee.

Patrick Davis, President Donald Trump's Colorado campaign director, filled the deputy slot for part of 2017.

And Albert Kelly, a controversial former Oklahoma banker who has known Pruitt for years, has been leading the administrator's Superfund reform push.

While Cook will bring an industry perspective to the office, it is unclear if he will be able to address industry concerns that Pruitt is adopting costly excavation remedies at some Superfund sites.

In addition to his role at LyondellBasell, Cook also served as vice chair of the board of directors of the Corporate Environmental Enforcement Council (CEEC), a cross-industry coalition whose members include a host of major energy, chemical, aerospace, transportation, pharmaceutical, food processing and transportation companies.

Of the more recent public comments filed by CEEC are comments submitted in 2016 on EPA's proposed Risk Management Programs rule for preventing accidental chemical releases, a measure that Pruitt is now seeking to withdraw.

In its comments, CEEC strongly criticized the Obama administration's proposed version of the rule, including its call for third-party audits and EPA's failure to coordinate the rulemaking with other agencies.

According to LyondellBasell's website, the company is one of the largest plastics, chemical and refining companies in the world. It is the leading producer of oxyfuels in the world, and is the top producer in North America and Europe of polypropylene, its website says.

Cook holds both a law degree and chemical engineering degree from Brigham Young University, as well as a masters of business administration degree from the University of Texas at Austin, according to his LinkedIn profile.

E&E News PM
https://www.eenews.net/eenewspm/stories/1060074319/search?keyword=EPA
'Lean' training this spring — operations chief
By Kevin Bogardus, 2/20/18

Training in U.S. EPA's streamlined management techniques will begin soon, the agency's No. 3 official said in an internal email to employees today obtained by E&E News.

Assistant Deputy Administrator Henry Darwin wrote that "deployment training" for EPA's "Lean" management system for teams of agency employees is happening this spring. It comes as the agency looks to boost employee engagement.

Darwin noted in his email that while engagement has increased in the Federal Employee Viewpoint Survey, which polls government workers' morale and committment to their jobs, EPA still ranks in the bottom half of large federal agencies.

Darwin cites a speaker at last month's conference for senior leaders — John Kamensky, a senior fellow with the IBM Center for the Business of Government — who said engagement goes up when employees have latitude to improve their jobs, the training to accomplish that goal and good communication with their bosses.

"Through [Lean management], EPA will achieve these three elements of engagement," said Darwin. "Weekly huddle meetings around visual management boards will provide teams — staff and management alike — the means to see how work is flowing and to identify ways of improving the work process.

"[Lean] deployment training for teams across the agency will begin this spring, and coaching will always be available to help with the new approaches," he said.

In addition, managers are expected to check in with their subordinates every day to boost communication and resolve issues, said Darwin.

"Finally, our expectations of agency managers will include short, daily, one-on-one check-ins with staff members to increase communication and, as always, solve small problems before they become big problems," Darwin said, concluding, "I realize that the work we've done so far feels top down, but that will soon change. Thank you in advance for joining me on this journey."

The Lean system is essentially the foundation for EPA's "reform plan" to streamline operations, which was called for under an executive order signed by President Trump last year.

The agency has also set up a steering committee of career officials and political appointees, which Darwin has tasked with drafting a vision for EPA (Greenwire, Feb. 6).

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060074393/search?keyword=EPA
IG to examine emergency-response gear
By Kevin Bogardus, 2/21/18

U.S. EPA's inspector general plans to take stock of equipment used to respond to natural disasters and terrorist attacks.

In a notice dated yesterday, the internal agency watchdog said it plans to begin "preliminary research" on how EPA manages equipment used in counterterrorism activities and emergency response.

"The OIG's objective is to determine whether the EPA has the needed and required counter terrorism and emergency response equipment and whether the equipment is efficiently managed, tracked and available for potential counter terrorism or emergency response incidents," said the notice signed by Michael Davis, director of the Efficiency Directorate in the IG's Office of Audit and Evaluation.

The IG initiated the project on its own and plans to work in several program offices, including the Office of Land and Emergency Management and the Office of Homeland Security, as well as regional branches for the agency.

The watchdog also asked for many documents, such as a list of all such equipment as well as any interagency agreements related to the buying and management of the equipment.

The probe comes after last year's devastating hurricane season, which saw EPA respond to major storms in Texas, Florida and Puerto Rico.

As part of its emergency-response function, EPA works on oil spills, chemical and radiological accidents or attacks, as well as natural disasters. Some of the agency's equipment for the job includes aircraft to detect chemical and radiological leaks and a mobile laboratory, as well as protective gear like hazmat suits.

AP
https://apnews.com/5cbce7f863594d0a96b2d4848c548566/Oil-spill-cleanup-underway-in-suburban-Oklahoma-City
Oil spill cleanup underway in suburban Oklahoma City
2/20/18

YUKON, Okla. (AP) — A spokesman for the Environmental Protection Agency says cleanup is underway in suburban Oklahoma City where about 2,000 barrels of oil spilled from a ruptured pipeline.

EPA on-scene coordinator Mike McAteer said Tuesday workers are skimming oil off the surface of a 7-acre pond near a neighborhood outside Yukon, about 17 miles (27 kilometers) west of Oklahoma City.

McAteer says oil bubbled into the pond early Sunday from a pipeline operated by Centurion Pipeline L.P. He says crews will tunnel beneath the pond to inspect the ruptured pipeline and prevent further releases.

McAteer says cleanup efforts have been slowed by rain and sub-freezing temperatures in the area.

Centurion spokesman Eric Moses says the company is making progress “and will continue to work safely and efficiently until our work is complete.”

Reuters
https://www.reuters.com/article/us-missouri-lawsuit/missouri-residents-sue-over-radioactive-material-storage-sites-idUSKCN1G50AZ
Missouri residents sue over radioactive material storage sites
2/20/18, 11:09 PM

(Reuters) - Residents living near landfill sites in the St. Louis area where radioactive waste has been stored filed lawsuits on Tuesday seeking compensation, claiming negligence in handling materials they said were some of the most dangerous on Earth.

Two lawsuits seeking class action status were filed at St. Louis County court for sites that included the West Lake Landfill in Bridgeton, Missouri, and an area near the Coldwater Creek in the county.

Among the 10 defendants are Republic Services, Exelon Corp and the Cotter Corp. Officials from those companies were not immediately available for comment.

“Defendants treated these hazardous, toxic, carcinogenic, radioactive wastes with about the same level of care that a reasonable person might give to common household garbage, dumping it without authority from the State of Missouri and in violation of law,” the lawsuits contend.

The suits did not state an amount being sought by the plaintiffs.

The history of nuclear waste in the St. Louis area dates back to the U.S. atomic bomb program from World War Two and spans an array of nuclear processing facilities, storage sites, material transfers and suspected leaks along the way.

The U.S. Environmental Protection Agency has deemed some of the St. Louis-area places that were a part of that history “Superfund” sites, placing them among highly polluted areas that are a national priority for clean-up.

The West Lake site, originally used for agriculture, became a limestone quarry in 1939. But starting in the 1950s, portions of the area were used to dispose of municipal refuse, industrial wastes and construction debris, the EPA said.

In 1973, some 8,700 tons of leached radioactive barium sulfate from the Manhattan Project, the World War Two-era atomic bomb-development program, were mixed with 38,000 tons of soil used to cover trash dumped at the site, according to the EPA.

In 1990, the landfill and neighboring waste-disposal facilities occupying a total of 200 acres (80 hectares) were designated by the EPA as a single Superfund site.

E&E Energywire
https://www.eenews.net/energywire/stories/1060074323/search?keyword=EPA
IG report discounted Tar Creek Superfund fraud claims
By Mike Soraghan, 2/21/18

An investigation by U.S. EPA's watchdog agency in 2013 discounted allegations of fraud at the Tar Creek Superfund site in 2013.

The findings of EPA's inspector general run counter to those of Oklahoma State Auditor Gary Jones, who says his audit found criminal violations at the site.

But they track with the decision of then-Oklahoma Attorney General Scott Pruitt, who declined to bring charges after receiving Jones' audit.

"This investigation revealed no evidence to support any allegations by the complainants," states the EPA IG report, first reported by the newspaper Tulsa World.

Pruitt, now EPA administrator, and his replacement, Mike Hunter, kept the audit secret. So it is not clear how similar the investigations might have been.

Daniel Stevens, who heads a group suing to get the audit made public, said people should be able to compare the two reports.

"It sure seems like Pruitt and his allies are worried about the conclusions contained in the state auditor's report," said Stevens, executive director of Campaign for Accountability. "Pruitt should be held accountable for how he responded to the findings of his own state's auditor."

A hearing in the case has been set for Friday in Oklahoma County District Court.

Tar Creek is a 40-square-mile site in the far northeastern corner of Oklahoma where land and water were contaminated by decades of lead and zinc mining that ended in the 1950s. In the early 1980s, EPA deemed it the most contaminated site in the country.

As part of the cleanup, the federal government provided money in 2009 to buy out homeowners and demolish the homes. The work was overseen by a board of prominent residents called the Lead-Impacted Communities Relocation Assistance Trust.

But companies that sought demolition work complained that contracts were being unfairly steered to companies favored by board members. Jones has said his audit showed the government paid six times more than needed.

The investigation by EPA's IG was prompted by a federal whistleblower lawsuit filed in 2012. The suit alleged the trust board and contractors tapped into a "good ole boy network" and hatched a "sophisticated conspiracy" to rig bids and pay for work that was not done.

But the IG report says there were valid explanations for what the whistleblower suit called violations.

For example, the suit alleged that one of the contractors billed for demolition of the Picher, Okla., house where baseball slugger Mickey Mantle got married in 1951, even though the house is still standing at a location in the nearby town of Commerce. The IG report said after the house was moved that the contractor still had to clear debris and other items from the site, and deserved to be paid.

The redacted IG report is available on EPA's Freedom of Information Act release website. It was requested in 2015 by former trust chairman Mark Osborn.

Several entities, including E&E News, have requested Jones' Tar Creek audit and related documents. The requests have been rejected. Campaign for Accountability sued in November.

Hunter, the attorney general, is fighting the suit, citing grand jury secrecy (Energywire, Jan. 19). But Jones, the state auditor, responded by seeking a court order to release the audit. Jones has also said Pruitt "acted improperly" when, as attorney general, he sent a copy of the audit to the attorney for the trust.

Hunter's office filed a pleading last week countering some of Jones' claims and asserting that the audit is "shot full" of grand jury evidence.

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 2/1/2018 4:18:45 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Emails about removing climate and CPP references from current EPA website

Jahan,

Do you guys have a statement on the FOIA docs made public earlier this week by the Environmental Defense Fund showing the Administrator Pruitt was asking to be regularly updated on efforts to remove references to climate change and the Clean Power Plan from epa.gov? Our story will note that the Jan. 2017 snapshot is still available, though many of the archived links to specific documents from the Obama era no longer work.

Can you speak to why this was such a high priority for the incoming administration?

And can you summarize what Administrator Pruitt's current position is on the reliability of climate science? Does he, for example, accept the results of the Fourth National Climate Assessment, which said that global warming is overwhelmingly being driven by man-made carbon emissions?

Thanks,

Michael

AP

ASSOCIATED PRESS

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Wehrum, Bill [Wehrum.Bill@epa.gov]
Sent: 1/27/2018 12:03:53 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Block, Molly [block.molly@epa.gov]; Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]
Subject: Re: Once In Always In News Coverage

I like it.

_____
Bill Wehrum
Assistant Administrator
Office of Air and Radiation
U.S. Environmental Protection Agency
(202) 564-7404

On Jan 26, 2018, at 6:35 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Headline could be worse…

From: Block, Molly
Sent: Friday, January 26, 2018 2:03 PM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Once In Always In News Coverage

And one more:

E&E News
https://www.eenews.net/greenwire/2018/01/26/stories/1060072119
EPA Kills Clinton-Era Industrial Standards
Sean Reilly, 1/26/18

Barely two weeks after Republican lawmakers sought to scrap a Clinton-era air policy intended to limit industrial pollution, U.S. EPA air chief Bill Wehrum obliged yesterday, saying in a memo that the "once in, always in" policy ran contrary to the Clean Air Act.

Wehrum's decision, effective immediately, won swift applause from industry groups but denunciations from environmental organizations, one of which vowed to fight it "with every available tool."

The policy, dating back to 1995, had applied to factories and other "major" industrial pollution sources subject to maximum achievable control technology (MACT) standards because they annually release more than 10 tons of a single air toxic or 25 tons of any combination of hazardous pollutants.

Under the policy, the standards remained in place even if a facility's emissions dropped below the relevant thresholds on the grounds that a polluter could otherwise backslide.

But in yesterday's memo, Wehrum said that interpretation was not authorized by the "plain language" of the Clean Air Act. Revoking it "will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants," he said in an accompanying press release. EPA plans to seek public comment, he indicated in the memo.

Repeal was welcomed by Senate Environment and Public Works Chairman John Barrasso (R-Wyo.). Together with Sen. Shelley Moore Capito (R-W.Va.), Barrasso had urged EPA earlier this month to scrap the policy, saying that it in fact acted as disincentive to curb emissions (E&E Daily, Jan. 10). In a press release yesterday, he called Wehrum's decision "consistent with President Trump's agenda to keep America's air clean and our economy growing."

Also praising the move was the American Forest & Paper Association, where President and CEO Donna Harman said it would reduce and "remove disincentives to voluntary efforts and technical innovations that could reduce emissions."

John Walke, clean air director at the Natural Resources Defense Council, ranked repeal among the "most dangerous actions" yet taken by the Trump administration and said it "drastically weakens" protective limits on arsenic, lead and other air pollutants.

"NRDC will fight this terrible decision to unleash toxic pollutants with every available tool," Walke said.

In ending the "once, in always in" policy, Wehrum could be seen as tending to unfinished business dating back to his stint as acting EPA air chief from 2005 to 2007 during George W. Bush's administration. During that time, EPA proposed rescinding the 1995 directive but was blocked by Congress. While EPA never took final action on that 2007 proposal, Wehrum wrote yesterday, it was never withdrawn.

From: Block, Molly
Sent: Friday, January 26, 2018 1:07 PM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Once In Always In News Coverage

Coverage linked below and attached.

"Once In Always In" Coverage

Wall Street Journal: EPA Withdraws Air Pollution Policy
The Hill: EPA loosens rules on some 'major' air pollution sources
Politico: EPA drops 'once in, always in' policy from key Clean Air Act requirements
Reuters: U.S. EPA Reverse Policy on 'Major Sources' of Pollution
Inside EPA: EPA Ends 'Once In, Always In' Air Policy, Easing Facilities' MACT Mandates
Washington Examiner: EPA Weakens Rules on Emissions From Polluters
BNA: EPA Drops Toxic Pollutant Policy It Called Burden to Business
Associated Press: EPA ends clean air policy opposed by fossil fuel interests

Wall Street Journal

https://www.wsj.com/articles/epa-withdraws-air-pollution-policy-1516935178?mod=searchresults&page=1&pos=4
EPA Withdraws Air Pollution Policy
By Timothy Puko, 1/25/18, 9:52 AM

WASHINGTON—The Trump administration is withdrawing a decades-old air policy aimed at reining in some of the largest sources of hazardous pollutants like mercury and lead.

The Environmental Protection Agency said late Thursday it is getting rid of requirements that it forever keep sites classified as "major sources" of hazardous air pollution once they meet that classification. This

"once-in always-in" policy punished industry by keeping factories and other sites under heavy regulation even if they made improvements that would prevent them from being major sources of pollution, according to the EPA and lawmakers who had requested the move.

Environmentalists and congressional critics decried the change, saying it is one of the EPA's bedrock environmental regulations that keeps polluters from trimming back to just below the major-source classification cutoff to avoid requirements that could further lower their emissions.

President Donald Trump has made a rollback of environmental regulations one of his signature issues, carrying out a main campaign promise by withdrawing or rewriting rules designed to fight climate change, coal-ash pollution and coastal flooding, among many others. It is part of a broad attempt to make oil companies, power plants and manufacturers, among several different industries, more competitive by lowering their costs.

The latest change "will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants," Bill Wehrum, assistant administrator of the EPA's Office of Air and Radiation, said in a statement.

The policy, dating back to 1995, requires facilities that annually emit 10 tons or more of a single air pollutant or 25 tons or more of a group of pollutants to use the maximum achievable technology controls to lower their pollution. Deploying the technology required by that standard can lower pollution by as much as 95%. It applies to nearly 200 pollutants, including arsenic, dioxins, lead and mercury.

Republicans Sen. Shelley Moore Capito of West Virginia and Sen. John Barrasso of Wyoming, both from heavy coal-producing states, sent a letter to the EPA earlier this month asking for the change. They said the inability of plants to escape from being classified as a major source removed an incentive to invest and make further improvements.

Environmentalists argue that the opposite is the case, and they have been successful in blocking the rule's withdrawal in the past. The EPA tried to withdraw the rule during President George W. Bush's administration, too—when Mr. Wehrum last worked at the EPA in the same office—and Congress blocked the effort. At the time, the Natural Resources Defense Council leaked an EPA internal memo in which regional EPA officials criticized the proposal. They said industrial facilities could "backslide" from having to use the stricter technology controls, which would allow them to increase pollution and still meet the standard.

Thursday's move, "drastically weakens protective limits on air pollutants...that cause cancer, brain damage, infertility, developmental problems and even death," John Walke, the NRDC's clean air director, said in a statement. "And those harmed most would be nearby communities already suffering a legacy of pollution."

The change will primarily help steel, paper and chemical makers among other manufacturing sites, said Jeff Holmstead, a partner at law and lobbying firm Bracewell LLP, who led the EPA's Office of Air and Radiation during Mr. Bush's first term. NRDC says hundreds of plants could be affected. The number is unclear, Mr. Holmstead said, and they would all need to go through a recertification process to benefit, he added.

"It certainly does give manufacturing plants more flexibility in terms of how they reduce their pollution," he added. "It certainly does reduce the regulatory burden."

The Hill

http://thehill.com/policy/energy-environment/370786-epa-loosens-rules-on-some-major-air-pollution-sources

EPA loosens rules on some 'major' air pollution sources

By Timothy Cama, 1/25/18, 5:10 PM

The Environmental Protection Agency (EPA) loosened regulatory compliance standards Thursday for certain sources of air pollution previously considered "major."

William Wehrum, head of the EPA's air office, put out regulatory guidance repealing the "once in, always in" policy, in which facilities like power plants or factories considered "major" sources of hazardous air pollutants were always regulated as such, even if the facilities' owners took measures to reduce pollution.

"This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," Wehrum said in a statement. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

The previous standard had been enforced since 1995. "Major" air pollution sources are subject to much stricter rules for what they must do to reduce emissions such as mercury compounds and benzene.

The EPA argued that the "once in, always in" standard disincentivized companies from reducing pollution and targeted it as part of the Trump administration's overarching goal of cutting regulatory burdens.

"Nothing in the structure of the [Clean Air Act] counsels against the plain language reading of the statute to allow major sources to become area sources after an applicable compliance date," Wehrum wrote in his guidance.

The Natural Resources Defense Council slammed the move, saying it will cause the biggest increase in air pollution in United States history.

"This is among the most dangerous actions that the Trump EPA has taken yet against public health," John Walke, the group's clean air director, said in a statement. "This move drastically weakens protective limits on air pollutants like arsenic, lead, mercury and other toxins that cause cancer, brain damage, infertility, developmental problems and even death. And those harmed most would be nearby communities already suffering a legacy of pollution."

Politico

https://www.politicopro.com/energy/whiteboard/2018/01/epa-drops-once-in-always-in-policy-from-key-clean-air-act-requirements-480570

EPA drops 'once in, always in' policy from key Clean Air Act requirements

By Alex Guillen, 1/25/18, 6:11 PM

EPA today withdrew a Clinton-era policy that was designed to prevent major emitters like power plants and factories from getting out of tough requirements to limit their toxic air emissions.

In a new memo, EPA air chief Bill Wehrum wrote that the "once in, always in" policy "is contrary to the plain language" of the Clean Air Act. Wehrum revoked a 1995 guidance memo outlining the policy and said EPA would consider new regulations to clarify its interpretation of the law.

Under the now-revoked guidance, any emitter that qualified as a "major" source of hazardous air pollutants would forever be subject to that tougher standard to comply with MACT rules, even if its emissions dropped low enough to be considered an "area" source subject to fewer or no requirements. Wehrum's memo said the law does not specify that such classifications are permanent.

"EPA has now determined that a major source which takes an enforceable limit on its [potential emissions] and takes measures to bring its HAP emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its" potential pollution emissions, Wehrum wrote.

Wehrum argued that the policy shift will actually encourage sources that hesitated to install emission reduction projects to move forward. Environmentalists, however, quickly blasted the change on social media.

The Bush administration twice attempted to change the OIAI policy but never succeeded.

WHAT'S NEXT: Wehrum's memo says EPA will "soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute."

Reuters

https://www.reuters.com/article/us-usa-trump-epa/u-s-epa-reverses-policy-on-major-sources-of-pollution-idUSKBN1FF075

U.S. EPA Reverse Policy on 'Major Sources' of Pollution

By Eric Beech, 1/25/18, 9:37 pm

The U.S. Environmental Protection Agency said on Thursday it was withdrawing a provision of the Clean Air Act that requires a major source of pollution like a power plant to always be treated as a major source, even if it makes changes to reduce emissions.

The decision to withdraw the "once-in always-in" policy is part of President Donald Trump's effort to roll back federal regulations and was sought by utilities, the petroleum industry and others.

Sources of air pollution previously classified as "major sources" may be reclassified as "area" sources when the facility limits its emissions below "major source" thresholds, the EPA said. Area sources are subject to less strict pollution control standards than major sources.

"It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants," Bill Wehrum, assistant administrator of the EPA's Office of Air and Radiation, said in a statement.

The "once-in always-in" policy, which was established in 1995, has been a disincentive for power plants, factories and other major sources of pollution to pursue technological innovations that would reduce emissions, the agency said.

The Natural Resources Defense Council, an environmental group, said the decision "is among the most dangerous actions that the Trump EPA has taken yet against public health."

"This move drastically weakens protective limits on air pollutants like arsenic, lead, mercury and other toxins that cause cancer, brain damage, infertility, developmental problems and even death," John Walke, director of a clean air program for the NRDC, said in a statement.

Inside EPA
https://insideepa.com/daily-news/epa-ends-once-always-air-policy-easing-facilities-mact-mandates

EPA Ends 'Once In, Always In' Air Policy, Easing Facilities' MACT Mandates

By Stuart Parker, 1/25/18

EPA has withdrawn its contested "once in, always in" policy that subjected industrial facilities to strict maximum achievable control technology (MACT) air toxics rules for their lifetime even if they reduced and kept emissions below MACT levels, a major win for GOP senators, the Commerce Department and others who oppose the policy.

In a Jan. 25 "guidance" memo sent to EPA's regional air directors, the agency's air chief William Wehrum rescinds the 1995 policy, clearing the way for plants to reduce their potential to emit (PTE) and escape MACT emissions limits if they keep their emissions below MACT limits. MACT limits apply to "major" sources of hazardous air pollutants (HAPs), defined as those sources emitting in excess of 10 tons per year (tpy) of one HAP or 25 tpy of a combination of HAPs.

"This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," said Wehrum in a statement. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

EPA in the statement adds that the policy "has been a longstanding disincentive for sources to implement voluntary pollution abatement and prevention efforts, or to pursue technological innovations that would reduce hazardous air pollution emissions," saying the move is part of the Trump administration's deregulatory agenda.

Sources that limit their PTE below the major source thresholds will now be considered "area sources" subject to less-stringent air pollution control requirements.

Wehrum in the memo writes, "EPA has now determined that a major source which takes an enforceable limit on its PTE and takes measures to bring its HAP emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its PTE."

He notes, "Congress placed no temporal limitations on the determination of whether a source emits or has" the potential to emit HAPs "in sufficient quantity to qualify as a major source."

Wehrum in the memo says that "EPA anticipates that it will soon publish a Federal Register notice to take comment on adding regulatory text that will reflect EPA's plain language reading of the statute."

The notice will give critics of the move an opportunity to comment and potentially lay the foundation for eventual litigation against either the memo or a resulting regulation to implement the decision.

Deregulatory Agenda

Industry groups and others responding to earlier Trump administration solicitations for comment on what deregulatory steps would be helpful cited ending the policy as one step that EPA should take.

For example, the Commerce Department in a regulatory review report last year urged the agency to "review the 'once in, always in' policy to clarify the means by which a facility currently classified as a major source can become an area source," identifying it as a potential barrier to industry.

Sources told Inside EPA last year that the White House appears to be supporting states' calls to overhaul smaller "in-the-weeds" EPA rules such as the once in, always in policy, in lieu of calls to undo "big ticket" Obama-era policies.

More recently, Senate Environment & Public Works Committee (EPW) Chairman John Barrasso (R-WY) and EPW clean air panel Chairman Shelley Moore Capito (R-WV) sent a Jan. 9 letter to EPA Administrator Scott Pruittturging him to end the policy. They argued that the policy serves to discourage, rather than promote, emissions reductions.

But environmentalists in early reaction are calling the policy withdrawal reckless. The new policy will "allow hundreds of U.S. industrial facilities to dramatically increase their emissions of the most toxic air pollutants regulated by the Clean Air Act," the Natural Resources Defense Council (NRDC) said in a Jan. 25 statement.

NRDC Clean Air Director John Walke said, "This is among the most dangerous actions that the Trump EPA has taken yet against public health. Rolling back longstanding protections to allow the greatest increase in hazardous air pollutants in our nation's history is unconscionable."

Walke promises NRDC "will fight this terrible decision to unleash toxic pollutants with every available tool." However, because it is a guidance memo rather than a regulation, environmentalists may find the move harder to challenge in court, where it may be more difficult to establish as a "final agency action" subject to judicial review.

Washington Examiner

http://www.washingtonexaminer.com/epa-weakens-rules-on-emissions-from-polluters/article/2647110

EPA Weakens Rules on Emissions From Polluters

By Josh Siegel, 1/25/18, 5:49 pm

The Environmental Protection Agency on Thursday withdrew a policy that imposed strict limits on hazardous air pollutants emitted by factories, plants, or other types of facilities considered "major" polluters.

The longstanding "once-in-always-in" policy, established in 1995, said major polluting facilities failing to meet certain emission thresholds always had to meet those standards from then on, even if the facility made changes to reduce its pollution.

With the new Trump administration policy, sources of hazardous air pollutants previously classified as "major sources" for their high amount of polluting may be reclassified as "area" sources when the facility limits its potential to emit pollution.

"This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," said Bill Wehrum, assistant administrator of EPA's Office of Air and Radiation. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

The EPA said the "once-in-always-in" policy has discouraged facilities from implementing pollution control technology to reduce emissions. Sens. John Barrasso, R-Wyo., chairman of the Senate Environment and Public Works Committee, and Shelley Moore Capito, R-W.Va., had asked the Trump administration to abandon the policy.

"The EPA's decision today is consistent with President Trump's agenda to keep America's air clean and our economy growing," Barrasso said. "Withdrawal of this policy means manufacturers, oil and gas operations, and other types of industrial facilities will have greater incentive to reduce emissions. Now these companies can help protect the environment without wasting time and money on unnecessary red tape."

Environmentalists said the EPA's change would allow facilities to emit more pollution and vowed to fight the move.

"This is among the most dangerous actions that the Trump EPA has taken yet against public health," said John Walke, clean air director and a senior attorney for the Natural Resources Defense Council. "Rolling back longstanding protections to allow the greatest increase in hazardous air pollutants in our nation's history is unconscionable. Those harmed most would be nearby and downwind communities already suffering a legacy of toxic pollution. NRDC will fight this terrible decision to unleash toxic pollutants nationwide with every available tool."

BNA

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=127424104&item=408&prod=deln&cat=AGENCY

EPA Drops Toxic Pollutant Policy It Called Burden to Business (Corrected)

By Sara Merken, 1/26/18

Industrial facilities that reduce their ability to emit toxic air pollutants will be exempted from some requirements to control their emissions in a move the Trump administration said will encourage companies to reduce pollution voluntarily.

The Environmental Protection Agency Jan. 25 issued a memorandum withdrawing the "once-in-always-in" policy under the Clean Air Act, which prevents major sources of toxic air pollutants from removing pollution control devices after emissions fall below a certain threshold. Instead, those facilities can now be reclassified as smaller "area" sources that are subject to less stringent requirements.

"This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," Bill Wehrum, assistant administrator of EPA's Office of Air and Radiation, said in a statement. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

John Walke, director of the clean air project at the Natural Resources Defense Council, called the move "unconscionable and immoral."

"This is the most reckless step taken by any EPA administrator in the agency's history," Walke told Bloomberg Environment. His group and many states will vigorously fight the action, he said.

Policy Began in 1995

The policy originated in a 1995 memorandum that clarified when major sources, which release at least 10 tons per year of a single hazardous air pollutant or 25 tons of any combination of toxic pollutants each year, can be reclassified area sources.

Since area sources are not required to install stringent pollution controls known as maximum achievable control technology, or MACT, major sources can avoid MACT requirements by limiting their emissions to become area source before a certain compliance deadline.

The American Forest & Paper Association, which counts the Procter & Gamble Co. and Georgia-Pacific LLC among its members, and the American Wood Council released a joint statement Jan. 25 welcoming the EPA's action. The move also drew praise from Republican senators who called on the EPA to withdraw the policy earlier this year.

"The EPA's decision today is consistent with President Trump's agenda to keep America's air clean and our economy growing," Sen. John Barrasso (R-Wyo.), chairman of the Senate environment committee, said in a statement. "Withdrawal of this policy means manufacturers, oil and gas operations, and other types of industrial facilities will have greater incentive to reduce emissions. Now these companies can help protect the environment without wasting time and money on unnecessary red tape."

Sens. Barrasso and Shelley Moore Capito (R-W.Va.) said the policy "disincentivizes air emissions reductions" in a Jan. 9 letter to EPA Administrator Scott Pruitt.

Associated Press

https://www.sfgate.com/news/politics/article/EPA-ends-clean-air-policy-opposed-by-fossil-fuel-12526165.php

EPA ends clean air policy opposed by fossil fuel interests

By Michael Biesecker, 1/25/18

The Trump administration announced Thursday it is doing away with a decades-old air emissions policy opposed by fossil fuel companies, a move that environmental groups say will result in more pollution.

The Environmental Protection Agency said it was withdrawing the "once-in always-in" policy under the Clean Air Act, which dictated how major sources of hazardous air pollutants are regulated. Under the EPA's new interpretation, such "major sources" as coal-fired power plants can be reclassified as "area sources" when their emissions fall below mandated limits, subjecting them to differing standards.

Though formal notice of the reversal has not yet been filed, EPA said the policy it has followed since 1995 relied on an incorrect interpretation of the landmark anti-pollution law.

"This guidance is based on a plain language reading of the statute that is in line with EPA's guidance for other provisions of the Clean Air Act," said Bill Wehrum, assistant administrator of EPA's Office of Air and Radiation. "It will reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants."

Prior to his confirmation by the GOP-dominated Senate in November, Wehrum worked as a lawyer representing fossil fuel and chemical companies. The American Petroleum Institute was among the industry groups that had called for the longstanding policy to be scrapped.

The Clean Air Act defines a "major source" as a one that has the potential to emit 10 tons or more per year of any hazardous air pollutant, or 25 tons per year of any combination of hazardous air pollutants. For more than 20 years, EPA's "once-in always-in" required major sources to remain subject to stricter control standards, even if they took steps to reduce their pollution below the threshold.

Republicans quickly cheered the move by EPA Administrator Scott Pruitt, especially those from states that produce oil, gas and coal.

"The EPA's decision today is consistent with President Trump's agenda to keep America's air clean and our economy growing," said Senate Environment Committee Chairman John Barrasso of Wyoming. "Withdrawal of this policy means manufacturers, oil and gas operations, and other types of industrial facilities will have greater incentive to reduce emissions."

Environmentalists predicted the change would drastically weaken limits on toxic heavy metals emitted from power-plant smokestacks.

"This is among the most dangerous actions that the Trump EPA has taken yet against public health," said John Walke, the director for clean air issues at the Natural Resources Defense Council. "Rolling back longstanding protections to allow the greatest increase in hazardous air pollutants in our nation's history is unconscionable.

John Coequyt, who leads climate policy initiatives for the Sierra Club, said the move will lead directly to dirtier air and more deaths.

"Trump and Pruitt are essentially creating a massive loophole that will result in huge amounts of toxic mercury, arsenic, and lead being poured into the air we breathe, meaning this change is a threat to anyone who breathes and a benefit only to dangerous corporate polluters," Coequyt said.

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 1/22/2018 10:52:03 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: News Clips - 22 January 2018

Will do .. they are sending the clips one per email – Liz, can you see if they are going into your press@epa folder thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Monday, January 22, 2018 5:42 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: News Clips - 22 January 2018

We need these one per email, like they used to be. Can you please work with OMR to make sure this happens? Also, we need to make sure they are reviewing the right publications and not putting too much from trade press or the same few outlets in here.

From: Hassell, Emily
Sent: Monday, January 22, 2018 2:35 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 22 January 2018

(Full stories, highlights, and details are listed further down in the email, and can be jumped to by clicking on any of the links below.)

Shutdown
E&E News PM - Report to work next week — Pruitt

BNA - EPA Can Stay Open at Least One Week Amid Shutdown, Pruitt Says

Washington Examiner - EPA's Scott Pruitt will take shutdown one week at a time

E&E Climatewire - Shutdown scuttles Pruitt's Japan trip

E&E Daily - Shutdown continues, but end may be in sight

E&E Greenwire - 'We're not really sure who is working and who is not'

Bloomberg - EPA Disavows Its Own Shutdown Plan

Politico - EPA's inspector general shuts down

Politico - Pruitt cancels foreign travel this week

Washington Post - How shutdown affects key parts of federal government

General

The Hill - Ex-EPA chief: Agency will need '20 to 30' years to recover from Pruitt

Politico - EPA: WOTUS won't go into effect, despite SCOTUS ruling

E&E Greenwire - EPA asks court to delay emission reporting

The Hill - Supreme Court rules against Trump administration on Clean Water rule

The Hill - Week ahead: Trump faces decision on solar panel tariffs

E&E Greenwire - Mining industry group's 'not debating science' — CEO

E&E Greenwire - EPA seeks more time on Texas ozone decision

AP - EPA receives 2,000 comments on Hudson River cleanup

AP - Minot announces plans for new parks, trails

AP - Omaha makes progress in lead contamination cleanup

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E&E News PM

https://www.eenews.net/eenewspm/2018/01/19/stories/1060071483

Report to work next week — Pruitt

By Kevin Bogardus, 1/19/18

U.S. EPA Administrator Scott Pruitt told agency employees today to come to work next week, even if the federal government shuts down.

In an email this afternoon, he said the agency has enough funding to stay open for a short period of time. So EPA employees should stick to their work schedule and come into the office for all of next week.

"At this time EPA has sufficient resources to remain open for a limited amount of time in the event of a government shutdown. All EPA employees should follow their normal work schedule for the week of January 22, 2018," Pruitt said in the email, obtained by E&E News.

But the EPA chief cautioned that if the shutdown continues through next Friday, the agency will update the staff again on EPA's operating status. Further, Pruitt's office will have to sign off on travel.

"Should the shutdown occur and remain in place through January 26, 2018, we will provide further updates on the agency's operating status. In addition, all travel needs to be approved by the Administrator's Office," Pruitt said.

Under EPA's shutdown plan, updated last month, about 95 percent of its 14,000-strong workforce would be furloughed. Nevertheless, EPA spokesman Jahan Wilcox warned earlier today that the agency's contingencies in the event of a shutdown remain in flux and the document doesn't reflect EPA's current plans (Greenwire, Jan. 19).

Other federal agencies are looking to keep as many of their services up and running as possible if a shutdown does occur. Department of Energy spokeswoman Shaylyn Hynes said the department would be "open for business" come Monday, while the National Park Service hopes to keep public lands as accessible as possible to the public.

BNA
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=127212113&item=408&prod=deln&cat=AGENCY
EPA Can Stay Open at Least One Week Amid Shutdown, Pruitt Says
By Jennifer A. Dlouhy, 1/22/18

The Environmental Protection Agency has “sufficient resources to remain open for a limited amount of time in the event of a government shutdown,” Administrator Scott Pruitt told employees in a message Jan. 19.

All EPA employees should follow their normal work schedule for the week of Jan. 22, Pruitt said, even if annual government funding expires without a congressional spending deal at midnight. Travel needs must be approved by Pruitt's office in the meantime.

“Should the shutdown occur and remain in place through Jan. 26, 2018, we will provide further updates on the agency's operating status,” Pruitt said.

Washington Examiner
http://www.washingtonexaminer.com/epas-scott-pruitt-will-take-shutdown-one-week-at-a-time/article/2646495
EPA's Scott Pruitt will take shutdown one week at a time
By John Siciliano, 1/19/18

Environmental Protection Agency Administrator Scott Pruitt appears to be betting on a short-term government shutdown, saying he doesn't see the need to commit to longer-term plans unless it extends beyond next Friday.

"At this time, EPA has sufficient resources to remain open for a limited amount of time in the event of a government shutdown," Pruitt said Friday. "All EPA employees should follow their normal work schedule for the week of Jan. 22, 2018."

However, should the shutdown "occur and remain in place through Jan. 26, 2018, we will provide further updates on the agency’s operating status," he added.

The EPA has a thorough government shutdown plan on its website that was updated on December 2017. But an EPA spokesman advised reporters not to use details from that plan in filing stories.

“The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be," said spokesman Jahan Wilcox. "To take that plan and deduce what is actually going to happen is not accurate reporting."

He said the agency's "plans are in flux," and its actions are consistent with that of other agencies.

E&E Climatewire
https://www.eenews.net/climatewire/stories/1060071505/search?keyword=EPA
Shutdown scuttles Pruitt's Japan trip
By Niina Heikkinen, 1/22/18

The government shutdown thwarted Scott Pruitt's plans to travel to Japan this week.

Pruitt had been slated to leave for Japan on Saturday, but the trip was canceled at the last minute as Congress failed to agree Friday night to continue to fund the federal government, according to a U.S. EPA spokesman.

The international trip had not been formally announced by the agency, but Politico reported he had intended to travel to both Japan and Israel this week. The agency didn't offer details about what Pruitt would have been doing, but many expected him to promote U.S. energy interests, much like his trip to Morocco last month where he discussed exports of liquefied natural gas with Moroccan officials (Climatewire, Jan. 19).

EPA spokesman Jahan Wilcox said over the weekend the administrator was no longer leaving for Asia.

"Our scheduled trip to Japan has been postponed and reports from Politico that we were traveling to Israel this month were always inaccurate. Every meeting Administrator Pruitt attends is available at www.epa.gov," Wilcox said in an email.

While EPA has begun publishing a schedule for the administrator online, meeting details are not available until after the fact.

Pruitt has been criticized by the left for advocating fossil fuels throughout his tenure as administrator. He has actively worked to slash regulations affecting the oil and gas and coal industries, specifically the Clean Power Plan and regulations on methane emissions. During numerous public appearances, he has stated that one of the best ways for the United States to address climate change globally is to promote the spread of technology like horizontal drilling and hydraulic fracturing.

But in recent weeks, Pruitt has also taken on a more proactive role in promoting what the Trump administration has called "energy dominance" abroad.

A press release from EPA after Pruitt's trip to Morocco noted he was the first member of Trump's Cabinet to visit the country. He had met with Moroccan Minister of Energy, Mines and Sustainable Development Aziz Rabbah to discuss exporting LNG to the country.

Pruitt's conversations in Morocco weren't limited to energy issues. EPA also noted the administrator met with Moroccan Minister of Justice and Liberties Mohamed Aujjar. Their discussion "focused on the importance of adhering to the rule of law" and cooperation between the two nations.

"These meetings allowed us to directly convey our priorities and best practices with Moroccan leaders, as well as identify opportunities for continued cooperation, as our two countries further talks around the Environmental Work Plan," Pruitt said in a statement in December. "We are committed to working closely with countries like Morocco to enhance environmental stewardship around the world."

EPA's contingency plan for a shutdown states there will be no travel without appropriations or a continuing resolution. However, there are exceptions for "exempted activities" or when there are "carryover or other funds" to pay for the travel costs of exempted personnel.

Had Pruitt gone ahead with the trip to Japan, he would have been leaving the country just a week after the EPA Office of Inspector General said it would begin investigating the administrator's travel to Morocco, which reportedly cost taxpayers an estimated $40,000. The IG office is also investigating Pruitt for travel expenses related to frequent trips back to Oklahoma and $58,000 in charter and military flights (E&E Daily, Sept. 28, 2017).

The decision to cancel the trip came even as the administrator announced to staff on Friday afternoon the agency would remain open this week and that employees should report to work, as other federal offices shuttered.

"EPA has sufficient resources to remain open for a limited time during the shutdown," Pruitt announced on his official Twitter account Saturday. "Thanks to EPA staff for your hard work, dedication, and all you do for the American people."

E&E Daily
https://www.eenews.net/eedaily/stories/1060071517/search?keyword=EPA
Shutdown continues, but end may be in sight
By Manuel Quinones and Kevin Bogardus, 1/22/18

The Senate adjourned late last night without a deal to end a government shutdown, which is entering its third day.

The chamber was supposed to hold a procedural vote at 1 this morning on a continuing spending resolution to open the government through Feb. 8.

Following an objection from Minority Leader Chuck Schumer (D-N.Y.) to end the shutdown sooner, Majority Leader Mitch McConnell (R-Ky.) set a cloture vote on the CR for noon today.

"Let's step back from the brink, let's stop victimizing the American people, and let's get to work on their behalf," McConnell said last night.

Schumer said: "I am happy to continue my discussion with the majority leader about reopening the government. We have had several conversations. Talks will continue. But we have yet to reach an agreement on a path forward that would be acceptable for both sides."

Despite a continuing war of words, Schumer and McConnell appeared closer to a deal than earlier in the weekend, with the Republican leader promising action on a variety of bipartisan priorities.

That includes the so-called Dreamers, individuals who came to the U.S. illegally as children. Of several reasons Democrats have given for opposing legislation to keep the government open, failure to reach a deal with the GOP and White House on these immigrants appears the most pressing.

Environmental groups have released statements warning of the potential public health consequences of a shutdown, and backing the Dreamers.

"It would be my intention to proceed to legislation that would address [Dreamers], border security and related issues," said McConnell. "It is also my intention to take up legislation regarding increased defense spending, disaster relief and other important matters."

Yesterday, a group of Senate moderates from both parties met to push a compromise. And even though the White House insisted the president would not negotiate on immigration unless Democrats agreed to help reopen the government, Republicans paint him as deeply involved in trying to end the impasse.

Vice President Mike Pence kept a trip to the Middle East, but President Trump canceled a planned escape to his Palm Beach, Fla., home. And it's unclear whether he will be able to leave this week as planned for the World Economic Forum in Davos, Switzerland.

Trump was active on Twitter, saying, "Democrats are holding our Military hostage over their desire to have unchecked illegal immigration. Can't let that happen!"

The president also again floated the idea of scrapping the filibuster and allowing the CR to move by simple majority. McConnell has been cool to such a move.

The House had been scheduled to leave for a weeklong recess Friday but stayed in Washington all weekend waiting for the Senate to act.

The lower chamber last week passed a CR to extend funding through Feb. 16. But leaders advanced a rule to allow for quick consideration of whatever plan senators pass.

Agencies implement plans

On Saturday, the Trump administration went forward with its shutdown plans. Office of Management and Budget Director Mick Mulvaney sent out a memo to agency heads to close up shop.

"Unfortunately, we do not have a clear indication that the Congress will act in time for the President to sign a Continuing Resolution before the end of the day tomorrow," Mulvaney wrote.

"Therefore, agencies should now execute plans for an orderly shutdown due to the absence of appropriations."

Federal employees deemed "excepted" will keep working during the shutdown. Others will head into work for a few hours today to help implement shutdown operations and then return home. The rest will not report to work while the shutdown is on.

As late as Friday, agencies were still updating contingency plans. The White House's own plan has 152 out of 371 West Wing aides staying on the job.

At the White House Council on Environmental Quality, three people out of its 13 employees are considered exempted under the plan.

Still, despite the shutdown, some agencies planned to stay open for days. U.S. EPA employees are expected to report for work today, and the agency has enough funds to keep humming along for some time — a message Administrator Scott Pruitt reiterated on Twitter on Saturday (E&E News PM, Jan. 19).

The administrator did have to cancel a planned trip to Japan because of the lapse in appropriations.

Mulvaney over the weekend told reporters EPA was using "unobligated balances," otherwise known as "carry-forward funds," to stay open. That's different from the 2013 shutdown, when the agency closed once funding expired.

Mulvaney said the administration was planning operations "mostly a day at a time" while it waits on new funding approved by Congress.

"The funds that I mentioned, some agencies are sitting on quite a bit of carry-forward funds. They could go out longer without being impacted; and some have none, so they'd be impacted immediately," Mulvaney said.

The White House budget director also detailed other government functions that are still operational, like information technology staff and trade negotiations.

National parks
Closure of national parks during the 2013 federal government shutdown became a contentious issue, but the Trump administration is keeping national parks open, although no one will be picking up the trash or cleaning the bathrooms during the shutdown.

On "Fox News Sunday," Mulvaney said Trump wants to keep as many federal employees at work and as many agencies open as possible, adding that the effects of the funding lapse will not be as visible as in 2013, which he said the Obama administration chose to "weaponize."

"They wanted it to be very showy. They went out of their way to make it hurt more people and to be more visible," Mulvaney said.

The government was unable to delay all visible signs of a shutdown, however. The Library of Congress in Washington had signs outside warning of closure.

And on Twitter, the National Park Service said the Statue of Liberty and Ellis Island were "Closed Due to a Lapse in Appropriations. Effective immediately and until further notice."

Yesterday, Interior Secretary Ryan Zinke greeted visitors near the Lincoln Memorial, according to his Twitter account. He said he was "happy to announce Statue of Liberty will reopen soon."

Just hours later, NPS said a funding agreement with the state of New York would ensure the statue and Ellis Island will open this morning.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060071585/search?keyword=EPA
'We're not really sure who is working and who is not'
By Hannah Northey and Kevin Bogardus, 1/22/18

This morning was a head scratcher at U.S. EPA.

Even though it was the third day of a government shutdown, today was the first workday for federal employees. EPA had decided to keep its doors open, using leftover appropriations, and told workers to report to the office despite lapsed funding.

"It's a little confusing," an EPA employee said outside agency headquarters this morning. "We're not really sure who is working and who is not."

While an email sent by Administrator Scott Pruitt on Friday afternoon said staffers should report to work today, the employee said he received a robocall from EPA last night repeating that message while some of his colleagues did not.

Another EPA employee said she was glad agency workers were called in. "It's an important job," she said.

The 2018 shutdown so far has been a marked contrast in EPA employees' experiences from the last government closure in 2013.

Back then, thousands of EPA employees were sent home on furlough. Further, this shutdown may only last days compared to weeks, as the Senate found a path forward today to approve new funding to reopen the government (see related story).

Workers' stress levels appear much lower during this time around.

"The only real anxiety is it's a crapshoot as to if we get paid should we miss any days. It's always been mostly a given in the past that we'd get back pay. That's the only thing," an EPA employee said.

Congress has to pass legislation to authorize back pay for federal employees on furlough during a shutdown, which it has done after past closures.

Still, the shutdown's impacts have been felt at the agency.

EPA spokesman Jahan Wilcox said Pruitt's scheduled trip to Japan "has been postponed." The EPA chief also said in his email to staff last Friday that all travel has to be approved by his office during the shutdown.

In addition, the agency's internal watchdog said it would remain closed during the shutdown. The Office of Inspector General said that except for its complaint hotline and some law enforcement functions, the office would shut down.

"While the EPA has announced that most of its offices will be open at least through January 26, 2018, the OIG is independent of the agency and has a separate appropriation. We have determined that, absent an appropriation or continuing resolution, we must shut down," said a notice on its website.

FERC

Other federal employees shuffled into work this morning. They said they're placing bets on Congress to figure things out.

"I'm not going to stress it," said a career employee walking into the Federal Energy Regulatory Commission this morning before greeting another colleague. "I'm trying not to think about it too much or I'll worry."

FERC, an independent agency overseeing pipeline permitting and grid security, is one of a handful of federal agencies dipping into existing funds to stay open — part of the Trump administration's push to maintain a sense of normalcy despite the high-stakes appropriations debate on Capitol Hill.

Given FERC's high-profile handling of oil, gas and pipeline issues, the worker, who asked not to be identified, said she doubts FERC would close. But she admitted shutdown talk was bound to dominate her day.

Yet another FERC employee said she was also unconcerned about the ongoing shutdown but quickly added colleagues of hers were deeply stressed, unsure of the future.

That sentiment was echoed by a career staffer at the Department of Energy's Office of Energy Efficiency and Renewable Energy, where all employees were directed to report to work today.

"I'm not [worried]," said the worker, who asked to remain anonymous because they didn't have clearance to speak to the press. "I trust that our elected officials on the Hill will come to a sensible arrangement soon that lets us get back on track."

FERC, according to its contingency plan, which was updated in December, would keep on 49 employees and 18 contractors, making up around 4.6 percent of total employees.

Those left over would be involved in a wide range of duties — including pipeline and hydropower inspections, monitoring electric reliability, watching for market manipulation, and maintaining FERC's legal and enforcement duties. The 18 contractors, along with 10 federal staff, would be responsible for maintaining FERC's physical and IT infrastructure.

FERC's five commissioners would also be considered exempt employees under the agency's shutdown plan.

An agency spokeswoman would not say how long FERC is prepared to hold out on carryover funds, although the agency's management is supposed to develop a financial plan to figure out how long regular operations can be supported.

Bounce-back calls at the White House
Across Washington, signs of a shuttered government emerged.

Businesses put out signs offering free coffee for federal workers, and the Capitol Lounge, a popular pub, offered a menu featuring "shutdown cocktails." On Capitol Hill, entrances into congressional facilities were limited, causing long lines outside of the Russell Senate Office Building.

White House officials and Cabinet members have gone on the defense, blaming Democrats for the shutdown.

Office of Management and Budget Director Mick Mulvaney on "Fox News Sunday" said the shutdown won't be as "showy" as the closure of 2013. Mulvaney said the shutdown could last through the end of the month (E&E Daily, Jan. 22).

Despite the public face, it appears no one's home at 1600 Pennsylvania Ave., where emails to White House spokeswoman Natalie Strom bounced back with a message blaming Democrats for the shutdown.

"Unfortunately, I am out of the office today because congressional Democrats are holding government funding — including funding for our troops and other national security priorities — hostage to an unrelated immigration debate. Please contact Raj Shah, Hogan Gidley or Lindsay Walters for all media inquiries," the message said.

Energy agencies, Pentagon
While the length of the federal shutdown might be short, offices across the federal footprint were sizing up their funding status today.

Workers at DOE's Office of Energy Efficiency and Renewable Energy, for example, were advised in an internal memo obtained by E&E News that the office has enough prior-year funds to operate for "a little more" than three weeks and all fiscal 2018 unobligated balances had expired and no new obligations should be made, unless they use prior year funds.

In the meantime, DOE is curbing travel outside the Washington metro area during the shutdown and collecting data on labs, contracts and financial assistance projects to determine what projects do not have three weeks' worth of available funds.

"For individuals on travel, they should return to D.C. as soon as possible," DOE told staff in the notice.

The U.S. Energy Information Administration also released a statement this morning, stating the agency will be able to operate, update its website and issue publications as scheduled for a "short period of time" during the lapse in appropriations.

At the Nuclear Regulatory Commission, the agency tasked with regulating the country's nuclear plants, there is enough carryover funding to last approximately 7 business days, Executive Director for Operations Victor McCree wrote in a memo to staff.

An agency spokesman said that management is still determining exactly how many workers would be exempt, but the agency would need to keep on enough employees to be able to respond to an emergency, as well as to maintain regular inspections at the dozens of sites it oversees in its four regions, the plan says.

The three NRC commissioners would be included in the list of exempt employees if the agency ran out of funds.

At the Department of Defense, military personnel will stay on duty, with some limits on training. Contractors working on fully funded projects will continue work, as well, though much of DOD's civilian workforce will be furloughed without pay, according to guidance issued by the agency late last week.

DOD will continue monitoring waste — such as old ammunition and stored chemicals — and existing environmental hazards at its installations. But cleanup projects and remediation will be limited to "the extent necessary to prevent imminent danger to the safety of human life or the protection of property."

In a memo issued Friday, Secretary of Defense Jim Mattis urged the military to "hold the line."

"I recognize the consequences of a government shutdown," Mattis wrote. "You have my personal commitment that the Department's leadership will do our best to mitigate the impacts of the disruptions and any financial burdens to you and your families."

Bloomberg
https://www.bloomberg.com/news/articles/2018-01-19/environmental-protection-agency-disavows-its-own-shutdown-plan
EPA Disavows Its Own Shutdown Plan
By Christopher Flavelle, 1/19/18, 1:43 PM

The Environmental Protection Agency's public contingency plan for a federal shutdown isn't necessarily accurate and may not reflect its current plans, according to a well-placed source familiar with the situation.

The source? The Environmental Protection Agency itself.

With a shutdown possible starting midnight Friday, federal agencies have posted contingency plans on their website, outlining how many staff would be sent home and what functions would be curtailed. According to a 16-page document the EPA posted last month, the Environmental Protection Agency would send 95 percent of its 14,000-person workforce home, effectively shuttering offices that protect Americans' air and water.

Then again, maybe not.

"The plan on the website is required to be put on the site as a contingency plan, but it doesn't necessary accurately reflect what our current plans will be," Jahan Wilcox, an EPA spokesman, said in an email. "To take that plan and deduce what is actually going to happen is not accurate reporting. Our plans are in flux and we are doing what is consistent with other agencies."

Wilcox didn't respond to an email seeking clarification.

The Office of Management and Budget, which is responsible for ensuring that federal agencies comply with the rules surrounding a shutdown, wouldn't immediately say how many other agencies have posted shutdown plans on their websites that shouldn't be construed as accurate.

Politico
https://www.politicopro.com/energy/whiteboard/2018/01/epas-inspector-general-shuts-down-442746
EPA's inspector general shuts down
By Alex Guillen, 1/22/18, 11:40 AM

Although EPA has enough funds on hand to continue operating this week, the agency's inspector general has closed its doors because of the government shutdown, according to a notice on its website.

"While the EPA has announced that most of its offices will be open at least through January 26, 2018, the OIG is independent of the agency and has a separate appropriation. We have determined that, absent an appropriation or continuing resolution, we must shut down," the notice says.

EPA's contingency shutdown plan, which the agency has said does not necessarily reflect current plans, says that just 19 of the OIG's 261 employees would continue working in a shutdown. That includes IG Arthur Elkins Jr., a presidential appointee, as well as other personnel involved with its reporting hotline and certain law enforcement activities.

Politico
https://www.politicopro.com/energy/whiteboard/2018/01/pruitt-cancels-foreign-travel-this-week-439899
Pruitt cancels foreign travel this week
By Emily Holden, 1/22/18, 9:08 AM

EPA Administrator Scott Pruitt will not be traveling to Japan or Israel this week, an agency spokesman said as the government shutdown enters its third day.

The agency did not say if the change in his travel plans is directly related to the shutdown. "Our scheduled trip to Japan has been postponed," EPA spokesman Jahan Wilcox wrote in an email today.

An administration official told POLITICO last week that Pruitt would visit Japan to discuss "general environment cooperation." POLITICO has also cited Israeli media reports of his planned trip to Israel this week. Wilcox said the Israel reports were inaccurate.

EPA's inspector general is already investigating Pruitt's travel, including a December visit to Morocco where the administrator reportedly promoted liquefied natural gas exports.

Wilcox did not say when the Japan trip would be rescheduled or if Pruitt planned to travel to Israel at a later date. The agency routinely refuses to share Pruitt's travel plans ahead of time, citing security concerns. The information it posts online after the fact does not include full details of his schedule.

Washington Post
https://www.washingtonpost.com/business/how-shutdown-affects-key-parts-of-federal-government/2018/01/21/2375154c-fe6e-11e7-9b5d-bbf0da31214d_story.html?utm_term=.9ddd85a25d6f
How shutdown affects key parts of federal government
By Richard Lardner, 1/21/18

ENVIRONMENTAL PROTECTION AGENCY

EPA Administrator Scott Pruitt has instructed workers there to come to work next week even with a shutdown. Pruitt said in an email to all EPA employees on Friday that the agency had "sufficient resources to remain open for a limited amount of time." He said further instructions would come if the shutdown lasts for more than a week.

The instructions from Pruitt are different from how the agency has operated during prior shutdowns and the contingency plan posted on EPA's website. A spokesman for the agency said earlier on Friday that the December 2017 plan was no longer valid.

The Hill
http://thehill.com/policy/energy-environment/369934-ex-epa-administrator-epa-will-need-20-to-30-years-to-recover-from
Ex-EPA chief: Agency will need '20 to 30' years to recover from Pruitt
By Jacqueline Thomsen, 1/20/18

A former administrator for the Environmental Protection Agency (EPA) predicted that it could take the agency "20 to 30" years to regain its full capability after the Trump administration cut its budget and repealed many of its regulations.

Carol Browner, who served as EPA administrator from 1993 to 2001, during the Clinton administration, told The Huffington Post that the agency would have to start from the beginning if the Trump administration is able to successfully repeal the Obama-era Clean Power Plan.

"Under Pruitt, what they're doing is conscientiously tearing the place down," Browner said, referring to current EPA Administrator Scott Pruitt.

She also noted the Trump administration's proposals to significantly cut the EPA's budget, saying the agency would need a bigger budget to restore it to full function.

Other former EPA administrators also told The Huffington Post that the agency had been damaged under Pruitt.

"If [former President] Obama's name is near it — irrespective of whether it's good, bad or indifferent — they're undoing it," Christine Todd Whitman, who was EPA administrator from 2001 to 2003 under former President George W. Bush, told The Huffington Post.

"To just mindlessly do it is … mindless. There's no other word for it."

And Gina McCarthy, an Obama-era EPA administrator who led the agency from 2013-2017, said Pruitt's efforts are actually creating more confusion after he promised to make it easier for businesses.

"The challenge that this administration is posing, and it's certainly not limited to the EPA, is they've created a wealth of uncertainty. At EPA, it's uncertainties in the business community. Do they ever take rules seriously if every administration undoes everything the prior administration did?" McCarthy said.

Pruitt has promised to revamp the EPA, and has undone many regulations put in place by previous administrators.

Politico
https://www.politicopro.com/agriculture/whiteboard/2018/01/epa-wotus-wont-go-into-effect-despite-scotus-ruling-442507
EPA: WOTUS won't go into effect, despite SCOTUS ruling
By Annie Snider, 1/22/18, 11:42 AM

The Obama administration's Waters of the U.S. rule won't go into effect, EPA says, despite this morning's Supreme Court ruling that invalidates the stay of the 2015 rule.

EPA water chief David Ross told POLITICO that his agency will finalize a rule delaying implementation of the Obama rule in about a month, which is how long he expects the legal formalities at the Supreme Court and the 6th Circuit Court of Appeals to take before the nationwide stay is lifted.

"We had a plan in place to address this exact situation," Ross said. He said the process for finalizing the delay rule is moving "very quickly" and does not expect it to be delayed by the government shutdown, even if it lasts beyond this week and affects EPA employees.

The Supreme Court ruled today that litigation against the Obama rule, also called the Clean Water Rule, should have gone through district court first, meaning that the nationwide stay issued by the 6th Circuit is invalid. Without swift action from EPA, that would mean the rule would go into effect in the 37 states not covered by a stay issued by a North Dakota district court.

Ross, who was confirmed for the water post in December and arrived at EPA earlier this month, said he is focused on rulemakings relating to the water rule but is recused from litigation over the Obama regulation. In a previous job with Wyoming's attorney general's office, Ross sued over the Obama rule.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060071555/search?keyword=EPA
EPA asks court to delay emission reporting
By Amanda Reilly, 1/22/18

U.S. EPA is seeking another delay in complying with an April 2017 court order to enforce pollution reporting rules on animal feeding operations.

The agency filed a motion Friday seeking to stay compliance for at least three months. Tomorrow is the deadline for EPA to begin requiring livestock producers to report emissions data.

At issue is a George W. Bush-era rule exempting all animal feeding operations from reporting releases of hazardous air pollution from animal waste under the Comprehensive Environmental Response, Compensation and Liability Act.

EPA's rule also exempted all but large concentrated animal feeding operations, or CAFOs, from reporting emissions to local and state emergency officials under the Emergency Planning and Community Right-to-Know Act.

In a win for environmentalists, the U.S. Court of Appeals for the District of Columbia Circuit in April 2017 tossed out the rule, finding that Congress never intended to give EPA the authority to exclude operations from reporting requirements.

But EPA has argued it needs time to develop guidance for producers to report emissions.

The D.C. Circuit has already twice granted agency requests to delay compliance with the April ruling. In August, the court bumped back compliance by three months, setting a Nov. 14 deadline for EPA to comply. The court later agreed to set a Jan. 23 deadline (Greenwire, Nov. 27).

In its latest motion for more time, EPA says it has been developing the guidance but "there is still confusion among farmers as to how they will meet their reporting obligations."

Having three more months would allow EPA "time to revise its guidance to be more effective at assisting farms in coming into compliance and to conduct outreach to farms without internet access that may not be aware of the reporting requirements and guidance."

The agency also told the court it wants to finalize a form for reporting emissions and coordinate with the National Response Center on how to manage the new reports. The National Pork Producers Council and the U.S. Poultry & Egg Association both support EPA's motion.

The Waterkeeper Alliance — which brought the suit challenging the rule — has taken no formal position on the request.

"Waterkeeper Petitioners have advised EPA they are concerned that first responders, government agencies, and communities across the country have waited nearly a decade for this reporting information," EPA told the court. "Nevertheless, Waterkeeper Petitioners take no position on this further stay of the mandate. Waterkeeper Petitioners have advised EPA that it should utilize this additional time to fully and finally resolve any remaining matters so that the mandate can issue with no further request for a stay."

The Hill
http://thehill.com/policy/energy-environment/370103-supreme-court-rules-against-trump-administration-on-clean-water
Supreme Court rules against Trump administration on Clean Water rule
By Miranda Green, 1/22/18, 12:08 PM

In a hit to the Trump administration, the Supreme Court unanimously ruled Monday that cases litigating the Clean Water Act should be heard by federal district courts.

The administration had argued those cases should be heard in federal appeals courts.

The Supreme Court agreed to hear the case over an Obama-era regulation, known as the Waters of the United States rule, back in January 2017, after debate as to whether the U.S. Court of Appeals or federal district courts had the authority to hear the lawsuits from industry groups and states that say the rule went too far.

Dozens of parties had filed lawsuits over the regulation in both federal appeals courts and district courts.

Industry groups involved, led by the National Association of Manufacturers (NAM), argued that under the Clean Water Act, lower district courts should first hear the challenges, which can then be appealed to the Supreme Court.

The Trump administration, on the other hand, said the challenges were legally within the purview of appeals courts because the rule touched on the Environmental Protection Agency's (EPA) permitting authority.

“Today’s unanimous Supreme Court decision provides much needed clarity and affirms our longstanding position that the Clean Water Act empowers the federal district courts, not the courts of appeals, to initially review legal challenges to the Waters of the U.S. Rule,” NMA President and CEO Hal Quinn said in a joint statement Monday.

“This win, coupled with the administration's actions in proposing to repeal the rule and seek input on how to properly define ‘waters of the U.S.,’ puts us one step closer to addressing this deeply problematic rule and the confusion it has created.”

The case, National Association of Manufacturers v. Department of Defense, did not concern the merits of the 2015 Obama-era rule, under which the EPA and Army Corps of Engineers asserted jurisdiction over small waterways like ponds and streams.

The regulation aimed to clarify which wetlands and streams were to be given automatic protection under the law.

However, the lawsuits are nearly moot. In June 2017, the EPA took the first formal step to uphold President Trump's campaign promise to repeal and replace the 2015 regulation.

The proposal said federal officials would go back to enforcing a guidance document from 2008 when deciding whether a waterway is subject to federal oversight for pollution control purposes.

The Hill
http://thehill.com/policy/energy-environment/369838-week-ahead-trump-faces-decision-on-solar-panel-tariffs
Week ahead: Trump faces decision on solar panel tariffs
By Miranda Green, 1/22/18, 6:00 AM

President Trump will decide in the coming week whether to impose trade tariffs or quotas on imported solar panels.

The decision, expected Friday, will close a major chapter in a dispute that puts tens of thousands of jobs on the line and has tested longstanding alliances.

Trump has repeatedly criticized China and past administrations for setting up a trade system in which Beijing has been "ripping us off."

Solar panels imported from China already have hefty tariffs, but proponents of heavier tarrifs say Chinese manufacturers get around those trade remedies by establishing operations in Vietnam and Malaysia and exporting to the U.S. from those countries.

The legal deadline for Trump to take action is Jan. 26. He has said his decision would come "pretty soon."

All eyes will also be on Congress, as a partial government shutdown enters its third day on Monday.

The House passed a month-long continuing resolution to fund the government, but Senate Democrats opposed the measure, holding out for an immigration fix to protect so-called Dreamers, young immigrants brought to the country illegally by their parents, who could face the threat of deportation.

The blame game heated up over the weekend, with both sides digging in. A bipartisan group of senators, though, is pushing their own plan to reopen the government.

If lawmakers are able to pass a funding measure and keep the government open, they'll be able to turn their attention to energy and environment issues.

The Senate Committee on Energy and Natural Resources is slated to consider how weather patterns affect the U.S. electric grid.

The meeting, scheduled for Tuesday, aims to focus on the Northeast and Mid-Atlantic regions and specifically will look at how electric systems faired in winter weather storms, such as the most recent bomb cyclone that brought record breaking freezing temperatures to the east coast.

Representatives from the Federal Energy Regulatory Commission (FERC) and Department of Energy (DOE) are scheduled to testify.

Members of the Senate Energy Committee as well as an Environmental Protection Agency (EPA) representative will be attending and holding meetings at the Washington Auto Show on Thursday to talk public policy. The event will be keynoted by Gov. Rick Snyder (R-Mich.) who is expected to talk about his vision for the auto industry's future. EPA

Assistant Administrator Bill Wehrum is slated to hold his own keynote address at lunchtime. Wehrum heads the EPA's Office of Air and Radiation.

The EPA plans to remain open in the coming week, despite the shutdown. Administrator Scott Pruitt announced Friday afternoon that EPA funding levels would allow employees to work normal hours next week if a shutdown occurs. If the shutdown were to continue through January 26 though, Pruitt said further updates would be made about the agency's operating status.

The status for camping at national parks during the shutdown looks more bleak. The National Park Service (NPS) said Friday that all campgrounds would be closed in the event of a shutdown and contingency plans listed on the Interior Department's website said that roads in and out of parks are to be restricted "wherever possible."

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060071561/search?keyword=EPA
Mining industry group's 'not debating science' — CEO
By Hannah Northey, 1/22/18

The National Mining Association is going to stay out of arguments about climate science, Hal Quinn, the trade group's president and CEO, said in an interview last week.

When asked about U.S. EPA's endangerment finding — the scientific basis underpinning federal regulation of greenhouse gases — Quinn shrugged.

"We really haven't had a discussion on it, frankly," he said. "We're focused on what the immediate needs are."

Reversing the finding is considered a "massive undertaking" by NMA's more than 300 members — coal and hardrock mining companies and equipment suppliers, Quinn said.

That time and effort, he added, is better spent focusing on immediate policy relief.

And as for EPA Administrator Scott Pruitt's plans for a so-called "red team, blue team" debate on climate science, Quinn said, NMA doesn't plan to play an active role.

To be sure, he said, the debate would be "interesting to watch," but NMA is focused on a "full plate" of work aimed at helping coal-fired power plants — including scrapping Obama-era climate regulation the Clean Power Plan and addressing regional haze and cross-state pollution rules.

What's NMA's stance on climate change?

"We're not debating science, but we take a position to say we need to address all these concerns and issues — whether it's carbon or other emissions — in a holistic fashion through technology solutions," Quinn said.

"And they have to be applied in a way that makes sense for particular countries and their capabilities."

Quinn's comments highlight the split within NMA's membership between companies that are dead set against acknowledging climate change as a problem and others that want to adapt to a world demanding less carbon emissions.

Highlighting that fracture are industry attitudes toward carbon capture and sequestration (CCS) technologies.

Outspoken Murray Energy Corp. CEO Bob Murray has described the technology as an uneconomical "boondoggle," while Peabody Energy Corp. touts CCS as vital to the world being able to meet its climate emission goals (Climatewire, Dec. 20, 2017).

And despite Quinn's statement that NMA hasn't discussed the endangerment finding, Murray has made scrapping the finding a top priority in a highly publicized list he gave to President Trump and Cabinet members (Greenwire, Jan. 11).

When asked if he has a similar list, Quinn laughed.

"The Obama administration already drafted my list," he said.

So what are NMA's top priorities?

With the help of Congress and the Trump administration, NMA has already scored major policy wins since President Trump took office, including the Interior Department's lifting of a ban on coal leasing on federal land and EPA's decision to curb the Obama administration's climate rule.

That's not to mention dozens of regulations that have been rolled back, like the Obama rule for protecting water quality in streams from mining-related discharges.

Next up, Quinn said, NMA is focused on regulatory rollback, weighing in on an infrastructure package, boosting exports, ensuring rail rates are competitive, and finding lifelines for existing and new coal plants now that a Trump proposal that would have benefited them has died at the Federal Energy Regulatory Commission.

On infrastructure, NMA is considering a push to improve shipping on inland waterways and ports — including channel deepening to better handle coal and other exports — and easing permit delays.

The lobbying group is also riding the Trump administration's hard push for exporting domestic energy, and recently met with Commerce Secretary Wilbur Ross' team on "self-inflicted issues" that make it tough to export products.

The last of a slew of proposed coal export projects along the West Coast — the Millennium terminal in Longview, Wash. — is tied up in litigation after state regulators rejected several permits (E&E News PM, Oct. 24, 2017).

"If we can't build a tier one port in the West, we're cutting the United States off from the most burgeoning market out there in terms of coal," Quinn said.

E&E Greenwire
https://www.eenews.net/greenwire/stories/1060071577/search?keyword=EPA
EPA seeks more time on Texas ozone decision
By Sean Reilly, 1/22/18

In twin legal filings, U.S. EPA officials are offering the same message to two different courts: They will make all past-due compliance decisions for the 2015 ground-level ozone standard by the end of April — with one big exception.

The agency needs until early August to finish up work on the "area attainment designations" for eight counties in the fast-growing San Antonio region, EPA air chief Bill Wehrum said in a Friday declaration with the U.S. District Court for the Northern District of California.

Last fall, state officials backed off their original recommendation to deem the most heavily populated of those counties in nonattainment. EPA is now waiting for Texas regulators to release more data to support their contention that Bexar

County — home to an estimated 1.9 million people — now warrants a designation of at least "unclassifiable/attainment," Wehrum wrote. The agency will then need months more to assess that information, give the state notice of its decision and allow for public comment, Wehrum wrote.

As a result, the earliest EPA "can feasibly complete" the designations for those eight counties, he said, is Aug. 10. The same declaration was also filed with the U.S. Court of Appeals for the District of Columbia Circuit.

EPA is facing legal challenges in both courts from coalitions of public health advocacy groups and Democratic-led states related to the agency's failure to make all attainment designations for the 70-parts-per-billion ground-level ozone standard by last October's statutory deadline.

Ozone, the main ingredient in smog, is linked to asthma attacks in children and worsened breathing problems for people with cystic fibrosis and other chronic respiratory diseases.

The designations carry considerable practical weight because they start the clock for states to come up with cleanup plans for areas that are in violation of the standard. In a report last February, the San Antonio area council of governments predicted that a nonattainment designation could lead to at least $3.2 billion in long-term economic damage because of lost manufacturing projects and other factors.

In November, EPA had declared the bulk of the country effectively in attainment with the 70 ppb standard. But the agency punted decisions for hundreds of counties in Texas, California and other areas that could be in violation. While the agency recently set a goal of setting the remaining designations by April 30, the American Lung Association and other plaintiffs in the California suit asked U.S. District Judge Haywood Gilliam to make that timetable binding (Greenwire, Jan. 8). They also asked Gilliam to order the agency to make the overdue designations effective immediately.

For the last two rounds of ozone attainment decisions in 2004 and 2012, EPA allowed up to two months' lag time before those decisions became effective; in Friday's declaration, Wehrum argued that a similar delay is warranted for the 2015 standard, in part to allow affected parties "to prepare for compliance."

In the district court filing Friday, EPA did not dispute that it's tardy in making the remaining attainment designations. The status report submitted to the D.C. Circuit was a follow-up to one filed Jan. 12 after the court ordered EPA to lay out "with precision and specificity" its plans for finishing up those designations (Greenwire, Jan. 15).

AP
https://apnews.com/203f29ad8de342c2bfcc4eceb96ddc7b/EPA-receives-2,000-comments-on-Hudson-River-cleanup
EPA receives 2,000 comments on Hudson River cleanup
1/21/18

ALBANY, N.Y. (AP) — The U.S. Environmental Protection Agency says it has received about 2,000 public comments as it reviews a $1.7 billion Superfund cleanup of the upper Hudson River.

The federal agency is expected to finalize its five-year review of the cleanup early this year. The comments from government agencies, organizations, businesses and individuals total almost 3,000 pages.

General Electric completed removal of 2.75 million cubic yards of polychlorinated biphenyl-contaminated sediment from a 40-mile stretch of the river in 2015.

But New York state officials and other critics pushing for a broader cleanup say too much PCB-contaminated sediment remains in the river.

Boston-based GE has asked the EPA for a "certificate of completion" for the cleanup.

AP
https://apnews.com/53e0ea1a50774f3bbd7808851d304be4/Minot-announces-plans-for-new-parks,-trails
Minot announces plans for new parks, trails
1/21/18

MINOT, N.D. (AP) — A park district in northern North Dakota is planning to add new parks, trails and recreation areas for residents and visitors.

The Minot Park District announced plans for cross-country, mountain bike and multi-use trails, a neighborhood park and a new 18-hole golf course and recreation area.

"There's a lot of neat terrain in this area. These are not super-expensive projects either," said Parks Director Ron Merritt. "This is a huge outdoor recreation area that won't be at a huge expense."

Merritt told the Minot Daily News that the district is seeking approval from the U.S. Environmental Protection Agency for its new trails, which would be located on a former Superfund site.

The neighborhood park planned for east Minot includes a multi-use sports court, playground, dog park, restrooms and parking. Merritt said the park's development is still a year or two away.

The park district is working with architects to move forward with the golf course. The district purchased the 240 acres for the course about a year and a half ago. The recreation area may include trails, a tubing hill, a playground and an outdoor skating rink.

"The end goal of this project is truly for all our citizens, whether they are golfers or wildlife enthusiasts or just a family, to get out and enjoy this piece of land because it is beautiful and we want everybody to be able to use it," said Elly DesLauriers, director of marketing and development for the park district.

Merritt said the district has enough money set aside to get started on the golf course.

Merritt said that the park board has been financially preparing the district for these projects without burdening taxpayers. He said the park board has remained thoughtful in how many projects the city can take on, when considering the costs of maintaining the Minot's park system.

AP
https://apnews.com/1ec08ecb162c470b8891ebcfd047340b/Omaha-makes-progress-in-lead-contamination-cleanup
Omaha makes progress in lead contamination cleanup
1/22/18

OMAHA, Neb. (AP) — Officials say they've cleaned up the majority of eastern Omaha homes found to be highly contaminated with lead.

The Omaha World-Herald reports that almost 300 affected properties were removed from a list of contaminated locations last year.

Testing originally revealed more than 14,000 homes with high lead levels, but fewer than 1,000 properties still need to be remediated. Cleanup requires removing about a foot of dirt, which is then replaced and covered with sod.

The Environmental Protection Agency assigned the city Superfund status largely due to contamination from a lead-refining plant that operated near the riverfront until 1997. The city took over cleanup duties from the agency through a cooperative agreement in 2015. The city has spent about $3.2 million in EPA funds on staff, soil testing and cleanup.

Message

From: Block, Molly [block.molly@epa.gov]
Sent: 1/12/2018 9:56:34 PM
To: Beck, Nancy [Beck.Nancy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]; Bolen, Brittany [bolen.brittany@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: APPROVAL: Biological opinion on chlorpyrifos, diazinon and malathion

Deliberative Process / Ex. 5

From: Beck, Nancy
Sent: Friday, January 12, 2018 4:31 PM
To: Block, Molly <block.molly@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: APPROVAL: Biological opinion on chlorpyrifos, diazinon and malathion

Yep. Its still a work in progress. Deliberative Process / Ex. 5

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator, OCSPP
P: 202-564-1273
M: Ex. 6
beck.nancy@epa.gov

From: Block, Molly
Sent: Friday, January 12, 2018 4:30 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: APPROVAL: Biological opinion on chlorpyrifos, diazinon and malathion

There was a wonky one in the works. See below:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Beck, Nancy
Sent: Friday, January 12, 2018 4:26 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: RE: APPROVAL: Biological opinion on chlorpyrifos, diazinon and malathion

Deliberative Process / Ex. 5

Thanks.

Nancy B. Beck, Ph.D., DABT
Deputy Assistant Administrator, OCSPP
P: 202-564-1273
M: Ex. 6
beck.nancy@epa.gov

From: Wilcox, Jahan
Sent: Friday, January 12, 2018 3:17 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: RE: APPROVAL: Biological opinion on chlorpyrifos, diazinon and malathion

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Friday, January 12, 2018 2:55 PM
To: Beck, Nancy <beck.nancy@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Bolen, Brittany <bolen.brittany@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Block, Molly <block.molly@epa.gov>
Subject: APPROVAL: Biological opinion on chlorpyrifos, diazinon and malathion

Nancy –

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, January 12, 2018 2:42 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Biological opinion on chlorpyrifos, diazinon and malathion

Liz, Jahan,

As you may have seen, the National Marine Fisheries Service has released its biological opinion on chlorpyrifos, diazinon and malathion. NMFS scientists concluded that chlorpyrifos and malathion were found to jeopardize 38 out of the 77 species under NMFS' jurisdiction here and diazinon was found to jeopardize 25 of these species. Of particular concern were west coast salmon, Atlantic sturgeon and orcas in Puget Sound.

https://www.fisheries.noaa.gov/resource/document/biological-opinion-pesticides-chlorpyrifos-diazinon-and-malathion

The report makes numerous recommendations and restrictions EPA, as the designated "action agency" under the Endangered Species Act, should implement under the to limit the harm.

Can you provide any insight into whether EPA has yet had a chance to review the opinion and what the next steps are for the agency?

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
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Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 1/11/2018 8:31:02 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: White House Report: Daily Wrap and Top Stores, 11 January 2018

Usually comes before 3pm / 3:30pm every day.

From: Bowman, Liz
Sent: Thursday, January 11, 2018 3:27 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: FW: White House Report: Daily Wrap and Top Stores, 11 January 2018

This is pretty early for a Daily Wrap up – shouldn't this come at least no earlier than 4?

From: Hassell, Emily
Sent: Thursday, January 11, 2018 2:17 PM
To: Press <Press@epa.gov>
Subject: White House Report: Daily Wrap and Top Stores, 11 January 2018

Daily Wrap

AP (Michael Biesecker) - Bob Murray's coal industry "Action Plan."

Bloomberg (Eric Roston) - Updates on lean manufacturing.

Bloomberg BNA (Sylvia Carignan) - Chris Zarba leaving the agency.

Bloomberg Environment (Pat Rizzuto) - TSCA inventory reports.

CBS News (Jacqueline Alemany) - Kathleen Hartnett White's renomination.

Chicago Tribune (Ted Gregory) - Cause of decline of bald eagles in the Midwest.

Ensia Magazine (Lindsey Konkel) - Amonia emissions and PM 2.5.

E&E News (Maxine Joselow) - EPA webpage on deregulatory actions.

Florida Weekly (Robbie Spencer) - Report on the fracking process.

Fuji TV (Shotaro Imazu) - Federal fuel efficiency standards.

Harper's Magazine (Victoria Uren) - EPA budget.

Inside EPA (Lee Logan); Politico (Emily Holden) - Public comment period for Clean Power Plan.

Market Watch (Quentin Fottrell) - Report on purported cancer risk of tap water.

Milwaukee Business Journal (Rich Kirchen) - Air quality and ozone designations in Wisconsin.

New York Times (JoAnna Klein) - Effects of cold weather in insects.

Politico (Christine Haughney) - Pesticide's effects on orcas and salmon.

Politico (Kelsey Tamborrino) - Clean Power Plan public hearing dates.

S&P Global Market Intelligence (Molly Christian) - Employee numbers and staff reductions.

Wall Street Journal (Chester Dawson); Vox (Umair Irfan); Argus Media (Chris Knight) - Fuel economy trends report.

Weather.com (Pam Wright) - Changes to EPA webpages.

WHYY (Catalina Jaramillo) - Environmental Justice grants in Philadelphia.

WRAL-TV (Travis Fain) - Water testing in North Carolina.

WSB-TV Atlanta (Nicole Carr) - Hurricane recovery and dumping in the Bovani Landfill.

Region 2

NorthJersey.com (Rodrigo Torrejon) - Teterboro Airport.

Poughkeepsie Journal (Amy Wu) - Hudson River PCBs Superfund Site.

Top Stories

https://www.washingtonpost.com/politics/federal_government/coal-executives-wish-list-finds-success-under-trump/2018/01/11/3d150830-f690-11e7-9af7-a50bc3300042_story.html?utm_term=.df2861883eda
Coal executive's 'action plan' finds success under Trump

https://www.politicopro.com/energy/whiteboard/2018/01/trump-renews-plans-to-exit-unfair-paris-deal-368849
Trump renews plans to exit 'unfair' Paris deal

https://www.reuters.com/article/us-autos-emissions/u-s-vehicle-fuel-economy-hits-new-record-epa-idUSKBN1F02BX
U.S. vehicle fuel economy hits new record: EPA

https://www.law360.com/articles/1000939/white-house-deregulation-push-is-just-getting-started
White House Deregulation Push Is Just Getting Started

https://apnews.com/0363d5ec5da84dd6925717accfa47070/Auto-efficiency-makes-gains,-but-falls-short-of-targets
Auto efficiency makes gains, but falls short of targets

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=126673342&item=408&prod=deln&cat=AGENCY
Top EPA Air Official Will Return to California for Car Talks

https://www.bloomberg.com/news/articles/2018-01-10/exxon-bp-chevron-should-pay-for-climate-costs-new-york-says
Big Apple Sues Big Oil Over Climate Change

https://www.huffingtonpost.com/entry/trumps-epa-could-expose-child-workers-to-dangerous-pesticides_us_5a565e90e4b0a300f9054405
Trump's EPA Could Allow Teenage Workers To Handle Dangerous Pesticides

http://www.kcrg.com/content/news/468522343.html
EPA brings 'sue and settle' ban into 2018, environmentalists concern grows

https://www.washingtonpost.com/business/michigan-sues-company-over-chemical-contaminants-in-water/2018/01/10/846a8aa6-f664-11e7-9af7-a50bc3300042_story.html?utm_term=.caca5b99ff77
Michigan sues company over chemical contaminants in water

https://apnews.com/d679c52fc14f4c8fb6b49bd5fa372fe1/NW-Indiana-residents-question-DuPont-site-cleanup-plan
NW Indiana residents question DuPont site cleanup plan

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=126673354&item=408&prod=deln&cat=AGENCY
Surfers in Indiana to Sue U.S. Steel, Say Pollution Led to Illnesses

Message

From: Hassell, Emily [hassell.emily@epa.gov]
Sent: 1/9/2018 10:02:56 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: News Clips - 9 January 2018

That would be great! The only things on my calendar are a 9:45 meeting every morning and the clips that I need to organize around 2, but aside from that I am free at any time that works well for you.

From: Bowman, Liz
Sent: Tuesday, January 9, 2018 5:01 PM
To: Hassell, Emily <hassell.emily@epa.gov>
Subject: RE: News Clips - 9 January 2018

Let's grab coffee when you have time…maybe Friday?

From: Hassell, Emily
Sent: Tuesday, January 9, 2018 4:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: News Clips - 9 January 2018

Hello! Thank you!

From: Bowman, Liz
Sent: Tuesday, January 9, 2018 2:14 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>; AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: RE: News Clips - 9 January 2018

Welcome, Emily!

From: Lynn, Tricia
Sent: Tuesday, January 9, 2018 2:08 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: News Clips - 9 January 2018

Beginning tomorrow, please look for clips to be sent by Emily Hassell, the new OPA intern. She did the bulk of today's work. Great job Emily!

AP - Sen. Doug Ericksen says rumors about EPA job false

Reuters - U.S. regulators meet with California on fate of vehicle fuel rules

Montana Standard - Anaconda's schools to be sampled for lead, arsenic over spring break

Bloomberg Environment - EPA Gives Utilities Four Hours to Notify Public of Sewer Overflow

Bloomberg Environment - Six New Areas Exceed Sulfur Air Pollution Standards, EPA Says

Bloomberg Environment - Trump Renominates Candidates for Environmental, Safety Posts

The Hill - EPA staffing falls to Reagan-era levels

Washington Post - Delaware officials take public input on EPA plan repeal

Washington Examiner - Success: EPA set to reduce staff 50% in Trump's first term

Daily Caller - Confirmed: Government Employees Using Encrypted Messaging Apps On Work Phones, Potentially Violating Federal Law

Daily Caller - Trump's EPA Is On Course To Retire Half Its Staff

Politico - EPA says still mulling ozone rewrite as implementation progresses

WAMC Northeast Public Radio - EPA Delays Decision On GE's Hudson River PCB Cleanup

FarmFutures - EPA will award up to $3 million in environmental education grants

InsideEPA - GAO agrees to investigate natural disaster risks to Superfund sites

+++

AP
https://apnews.com/353aa9e293284f199bac6df95cebe343/Sen.-Doug-Ericksen-says-rumors-about-EPA---job-false
Sen. Doug Ericksen says rumors about EPA job false
By AP, 1/8

Sen. Doug Ericksen says rumors about EPA job false

OLYMPIA, Wash. (AP) — Washington Sen. Doug Ericksen says rumors of his appointment to a job with the Environmental Protection Agency are false and that he's running for re-election this year.

Shortly before the start of the new legislative session Monday, Ericksen told reporters that while he had considered job offers from the Trump administration over the past year he wanted to continue representing his district in the state Senate.

The Bellingham Herald had reported Friday that the Ferndale Republican was appointed as the senior adviser to the Region 10 administrator for the Environmental Protection Agency. Ericksen refused to confirm or deny the news at the time, and told several other news organizations that he would have something to say Monday. When asked why he didn't just correct the newspaper on Friday he said that he needed to notify others first, but still wouldn't confirm that a job offer was on the table Friday.

Reuters
https://www.reuters.com/article/us-usa-autos-california/u-s-regulators-meet-with-california-on-fate-of-vehicle-fuel-rules-idUSKBN1EY01O
U.S. regulators meet with California on fate of vehicle fuel rules
By David Shepardson, 1/8, 7:36 PM

WASHINGTON (Reuters) - Senior U.S. government officials held talks in recent weeks with California's Air Resources Board (CARB) to discuss the goal of maintaining one set of national requirements for automakers, a move that will determine the fate of vehicle emissions rules.

The Dec. 15 meeting held in California included William Wehrum, head of the Environmental Protection Agency's Office of Air and Radiation, National Highway Traffic Safety Administration (NHTSA) deputy chief Heidi King, and Mike Catanzaro, a senior White House aide on environment and energy issues, a spokesman for CARB confirmed on Monday.

Automakers want the White House and California to reach agreement on revisions because a legal battle over the rules could result in lengthy uncertainly for the industry. They also want changes in the rules to address lower gas prices and a shift in U.S. consumer preferences to larger, less fuel-efficient vehicles.

"We've had productive conversations under way with CARB and I would hope those conversations continue to be productive," Wehrum said in an interview Friday at EPA headquarters. "I think a shared goal is to maintain one national program."
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IliiIn 2011, California's air emissions regulator and the Obama administration reached an agreement with major automakers to nearly double average fleetwide fuel efficiency to more than 50 miles per gallon by 2025, but included a "midterm review" to determine by April 2018 whether the final requirements were feasible.

California, joined by nearly a dozen other states, could seek to enforce its own current stricter emissions rules even if the Trump administration softens the 2022-2025 requirements.

The Obama administration announced it had completed the midterm review in its final days in January 2017 without making changes.

In a move widely seen as a preamble to loosening fuel standards, U.S. President Donald Trump announced in March he was revisiting the 2025 requirements. "The assault on the American auto industry is over," Trump said. "We are going to ensure that any regulations we have protect and defend your jobs, your factories."

Wehrum said if there was a "good solid technical basis" for revising the requirements, he hoped California would agree, adding the talks have been "very collegial and collaborative," including that the December 15 meetings with California officials lasted for a couple of hours. He emphasized EPA has made no decisions on whether the requirements should be lowered.

CARB spokesman Stanley Young confirmed the discussion but declined to elaborate. Catanzaro did not respond to a request for comment.

NHTSA has said it plans to issue its proposed changes, if any, for the 2022-25 model years by March 30. NHTSA's King declined to comment Monday on the status of the agency's review or California talks. Regulators could also propose changes for 2021.

In June, New York state's attorney general and 12 other top state law officials said they would mount a court challenge to any effort to roll back vehicle fuel rules.

Gloria Bergquist, a spokeswoman for the Alliance of Automobile Manufacturers, a trade group representing General Motors Co , Toyota Motor Corp, Volkswagen AG (VOWG_p.DE) and others, said the companies "fully support conversations between all the relevant parties."

Montana Standard
http://mtstandard.com/news/local/anaconda-s-schools-to-be-sampled-for-lead-arsenic-over/article_294cbd30-0aff-5337-81a9-a426b02a9c5d.html

Anaconda's schools to be sampled for lead, arsenic over spring break
By Susan Dunlap, 1/9

Anaconda's three schools, including Lincoln Elementary, will be tested for arsenic and lead over spring break.

Ever since the county found high levels of lead in a sand box in Anaconda's Benny Goodman Park last spring, Anaconda-Deer Lodge County Chief Executive Bill Everett has been pushing to have Anaconda's three schools tested for both lead and arsenic in the air ducts and attics. The Environmental Protection Agency tested for arsenic in the soil on school grounds years ago, but never tested for lead and never checked for either metal inside school buildings.

EPA Regional Administrator Doug Benevento told The Montana Standard last month that he wanted to see the schools' air ducts and attics checked for potential metal contamination before the end of 2017. Everett said he hoped "we go in next week," to test for the potential hazardous waste during a meeting with Benevento in November. Anaconda School Superintendent Gerry Nolan said, at the same meeting, "We'll work with anybody to get that (testing) done this year."

But that deadline has come and gone.

EPA said that the agency is working with the school district and the school superintendent. The plan is to test for arsenic and lead during spring break, which is March 26 to April 2. That way, the students will be out and the process will not be disruptive for the children.

"EPA has been coordinating with the superintendent and school district, and they indicated a preference for sampling over spring break 2018 to minimize disruption of class schedules," Montana Superfund Chief Joe Vranka said by email last week.

Anaconda School Board Chair Bryan Lorengo did not respond to requests for comment.

Nolan did not respond to requests for an interview, but emailed a statement that said, "There will be an update from the EPA at the board meeting on Wednesday."

EPA officials do intend to give a presentation at the Anaconda School Board meeting at 7 p.m. Wednesday at the Anaconda High School's Little Theater. EPA will offer up a draft plan for sampling.

The school board must give approval of EPA's plan before the agency can go forward. EPA says agency officials will be listening for comments and feedback from the school board Wednesday.

But, despite the delay, officials have been busy behind the scenes to get ready to sample the schools' interiors for months, said Anaconda-Deer Lodge County Superfund Coordinator Carl Nyman last week.

"We want to make sure we're doing it right so the data is valid and credible whether there is something or there isn't. Everyone wants to do it right and hopefully do it once," Nyman said.

Nyman participated in a 6½-hour walk-through of all three schools in December. The walk-through included the agencies, Atlantic Richfield Company, and various consultants to take a close look at the interior of the schools.

"We hit every classroom and closet imaginable. But we needed to do that to get an idea of what we were looking at," Nyman said.

Nyman said the group paid particular attention to the ceilings to look for cracks or other potential openings, and found the ceilings in all three buildings to be "sealed up pretty good."

Overall, the schools are "very clean," Nyman said. So much so, that it may be hard to get a dust sample that's valid.

"It can be tough to get enough of a sample to get it analyzed. The janitors clean the classrooms five days a week," Nyman said.

Anaconda's Washoe Smelter processed 8,000 tons of Butte's copper ore daily for about eight decades until 1980, sending heavy metals into the air. Anaconda's Superfund site is about 300 square miles.

All three schools, Lincoln Elementary, Anaconda High School and Fred Moodry Middle School, were likely built in the 1940s or 1950s, Nyman said.

Despite the behind-the-scenes efforts, Everett said he is "frustrated and disappointed" over the delay.

"The process has become more intensive than we originally anticipated. But we're pushing on it every day," Everett said.

Bloomberg Environment
http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=126046546&item=408&prod=deln&cat=AGENCY
EPA Gives Utilities Four Hours to Notify Public of Sewer Overflow
By Amena H. Saiyid, 1/8

Cities and towns operating in the Great Lakes region will have to notify the public no later than four hours after becoming aware of combined sewer overflows, under a rule the EPA is publishing Jan. 8.

The Environmental Protection Agency said the congressionally mandated requirement will apply starting Aug. 8 to 168 communities that hold Clean Water Act discharge permits to operate combined sewer systems, which transport both wastewater and stormwater in a single pipe.

Combined sewer overflows (CSOs) of stormwater and wastewater that occur at outfall points during heavy rains contain human and industrial waste and other toxic materials that pose a threat to public health by contaminating drinking water and that could harm aquatic life.

The purpose of the rule is to notify the public in a timely fashion to avoid exposure to contaminated waters.

The rule (RIN: 2040-AF67) will require these 168 communities to notify the public electronically by either posting on the websites or via text, email, or other forms of social media "as soon as possible"—but no more than four hours—after learning of the overflow through monitoring, modeling, or other means. The communities are located in Illinois, Indiana, Michigan, New York, Ohio, Pennsylvania, and Wisconsin.

The municipalities will be required to post signs at public swimming and boating areas, but not necessarily where there is limited public access. These communities also will be required to provide a status update at least five days after the event occurs.

The same requirements would apply in notifying local public health agencies and drinking water agencies.

Prompt Notification

The EPA selected the four-hour window because it is "prompt enough" to give public the time to decide whether to visit the Great Lakes for boating or swimming, and to give the municipalities time to address the problem and notify the public.

The agency initially required notice within four hours of a spill, rather than four hours after officials became aware of it. The EPA modified the final rule when informed that wastewater utilities don't always become aware of spills immediately after they occur.

Section 425 of the Consolidated Appropriations Act of 2016 (Pub. L. No. 114-113) requires the agency to establish public notification procedures for combined sewer overflows.

The urgency and timeliness of reporting is critical, especially within the first 24 hours of a combined sewer overflow when the public can be exposed to bacteria and viruses, Joel Brammeier, president and chief executive officer for the Chicago-based Alliance to Save the Great Lakes, told Bloomberg Environment Dec. 5.

Flexibility in reporting will help smaller utilities, which often lack staff and resources to notify the public within four hours after an overflow occurs, Brammeier said. But larger utilities in metropolitan areas like Detroit and Chicago are staffed 24-7 and can probably alert the public shortly after the pollution releases occur, he added.

Brammeier also was surprised that the EPA decided to allow wastewater utilities to not post signs at CSO outfalls into waters where there is limited public access. "That's a circular argument because the public won't go to a certain water body if the water is dirty," he said.

The National Association of Clean Water Agencies, which represents publicly owned wastewater utilities, welcomed the changes to the rule, particularly in recognizing that signs don't need to be posted where there is limited or little public access.

"The added flexibility has helped relieve reporting burdens on utilities across the board," Cynthia Finley, NACWA's regulatory affairs director, told Bloomberg Environment.

Bloomberg Environment

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=126610160&item=408&prod=deln&cat=AGENCY

Six New Areas Exceed Sulfur Air Pollution Standards, EPA Says

By Jennifer Lu, 1/9

Six new areas exceed federal air pollution standards for sulfur dioxide, the Environmental Protection Agency said.

This brings the number of areas with excess sulfur dioxide pollution to 42, according to a rule to be published in the Federal Register Jan. 9. States are required to submit plans to the EPA to improve air quality in those regions, which could lead to new pollution control requirements for industries.

Sulfur dioxide is formed during fossil fuel combustion and is harmful to human health and the environment.

The Environmental Protection Agency last set new sulfur dioxide standards in 2010 at a 1-hour standard of 75 parts per billion. It completed its first round of designations in July 2013. A second round was added in 2016 following a court-ordered deadline.

In addition to the six new nonattainment areas, the EPA also said 23 areas were unclassifiable because it lacked enough information to make designations.

Bloomberg Environment

http://esweb.bna.com/eslw/display/no_alpha.adp?mode=si&frag_id=126610152&item=408&prod=deln&cat=AGENCY

Trump Renominates Candidates for Environmental, Safety Posts

By Rob Tricchinelli, 1/9

President Donald Trump Jan. 8 renominated Kathleen Hartnett White to serve as White House Council on Environmental Quality director and Andrew Wheeler to be deputy administrator of the Environmental Protection Agency.

The pair of nominees weren't automatically held over from 2017 after Senate Democrats objected to a procedural move to preserve nominees' active status into 2018.

Dozens of nominees weren't held over, forcing the White House to renominate them.

The top Democrat on the Senate Environment and Public Works Committee, who essentially led efforts to derail White, expressed dismay when told of her renomination, which sets up a bitter confirmation battle for 2018.

"No, you're kidding. That's very disappointing," Sen. Tom Carper (D-Del.) told Bloomberg Environment. "I was hopeful that we could look for some common ground and consensus on nominees—and this is not the best start to the new year."

Other Nominees

On Jan. 8, Trump also renominated Scott Mugno to be head of the Occupational Safety and Health Administration, Steven Gardner to lead the Office of Surface Mining Reclamation and Enforcement, and a pair of Interior Department nominees: assistant secretary pick Susan Combs and solicitor nominee Ryan Nelson.

Earlier in the day, the former Department of Energy general counsel nominee David Jonas, who also wasn't held over, withdrew from consideration.

The Hill

http://thehill.com/policy/energy-environment/368090-epa-staffing-hits-reagan-levels

EPA staffing falls to Reagan-era levels

By Timothy Cama, 1/9, 11:39 AM

The Environmental Protection Agency's (EPA) staffing is now lower than it was in former President Ronald Reagan's final year in office.

An EPA spokeswoman said Tuesday that, as of Jan. 3, the agency had 14,162 employees, down from about 15,000 at the beginning of last year.

That's even lower than the 14,400 employees the agency had in fiscal year 1988, Reagan's final year.

The figures come after President Trump and EPA Administrator Scott Pruitt's pledges to shrink the size of the federal government, as part of their efforts to demonstrate that they are saving money and reducing regulatory burdens.

"We're proud to report that we're reducing the size of government, protecting taxpayer dollars and staying true to our core mission of protecting the environment," Pruitt said in a statement.

If every EPA employee eligible to retire by 2021 does so, the EPA would have less than 8,000 employees by the end of Trump's first term, a cut of nearly half.

The reductions have come from employees leaving on their own will and not being replaced, including through early retirements and buyouts.

The New York Times and ProPublica reported last month that some of the hundreds of employees who have left were key to critical missions at the agency.

For example, about 200 scientists had left as of last month, along with 96 environmental specialists, and nine department directors, many of whom won't be replaced, the news organizations reported.

Washington Post

https://www.washingtonpost.com/national/delaware-officials-seek-public-input-on-epa-plan-repeal/2018/01/08/c7539e2c-f44b-11e7-9af7-a50bc3300042_story.html?utm_term=.457034ce006b

Delaware officials take public input on EPA plan repeal

By Associated Press, 1/8, 3:14 PM

DOVER, Del. — State officials are hearing from Delawareans on the Environmental Protection Agency's proposal to repeal a plan to reduce carbon pollution from power plants.

The Department of Natural Resources and Environmental Control scheduled a meeting and listening session Monday at the Chase Center on the Riverfront in Wilmington to allow Delawareans to express their views on the proposal.

The EPA announced in October that it intends to repeal former President Barack Obama's plan to restrict greenhouse gas emissions from coal-fired power plants in order to slow global warming.

Meanwhile, Delaware officials announced last week that they intend to sue the EPA over its failure to rein in power plant emissions from other states that are blamed for air pollution in Delaware.

Washington Examiner

http://www.washingtonexaminer.com/success-epa-set-to-reduce-staff-50-in-trumps-first-term/article/2645362

Success: EPA set to reduce staff 50% in Trump's first term

By Paul Bedard, 1/9, 9:33 AM

The Environmental Protection Agency, seen by President Trump as a bloated bureaucratic whale, is on schedule to fulfill his promise to reduce its staff nearly in half by the end of his first term mostly through retirements, not cuts, according to officials.

The EPA Tuesday provided to Secrets its first year staff results which show that the agency is below levels not seen since former President Reagan's administration.

And if just those slated to retire by early 2021 leave, Administrator Scott Pruitt and his team will have reduced a staff of nearly 15,000, to below 8,000, or a reduction of 47 percent.

"We're proud to report that we're reducing the size of government, protecting taxpayer dollars and staying true to our core mission of protecting the environment," Pruitt said in a statement to Secrets.

Several agencies have succeeded in making some cuts, but EPA is taking a lead.

The numbers:

As of January 3, 2018, the EPA has 14,162 employees.
The last time EPA was at an actual employment level of 14,440 was in fiscal year 1988 when Reagan was president.
23 percent of EPA employees can retire with full benefits and another 4 percent can retire at the end of 2018.
Additionally, another 20 percent of EPA employees will be eligible for retirement in the next five years.
Taken together, 47 percent of the EPA will be eligible to retire with full benefits in the next 5 years.
Said an EPA official, "We're happy to be at Reagan-level employment numbers and the future retirements shows a preview of how low we could get during this administration. It would be fair to say anywhere from 25 to 47 percent of EPA could retire during this administration."

Pruitt has used buyouts to spur some of the changes and attractive retirement benefits have also led many to leave the agency. He also instituted a hiring freeze.

Under Pruitt, the agency has gone the "back to basics" of protecting the environment while shucking former President Obama's political agenda focused heavily on climate change.

Daily Caller

http://dailycaller.com/2018/01/08/government-employees-using-encrypted-messaging-apps-on-work-phones-potentially-violating-federal-law/

Confirmed: Government Employees Using Encrypted Messaging Apps On Work Phones, Potentially Violating Federal Law

By Joe Simonson, 1/8, 7:22 PM

Over a dozen Consumer Financial Protection Bureau employees have downloaded encrypted messaging applications on government-issued phones and are potentially violating federal law, according to documents obtained by the Cause of Action Institute and provided exclusively to the Daily Caller News Foundation.

This demonstrates a culture of secrecy within some segments of the agency's staff under President Donald Trump.

The Cause of Action Institute (CoA), a nonprofit dedicated to government transparency, received the documents in response to a Freedom of Information Act (FOIA) request following a December New York Times article describing a cohort of agency employees who are conspiring to undermine acting director and Trump appointee Mick Mulvaney's agenda. The individuals call themselves "Dumbledore's Army," named after a group of fictional wizards in the children's series "Harry Potter."

The different apps include popular ephemeral messaging app Snapchat and encrypted messaging apps Signal, WhatsApp along with others.

The Federal Records Act requires federal agencies to preserve the records of anything that relates to a government employee's duties. An amendment was added in Nov. 2014 that defines all "electronic messages" as official records covered by the law.

If Consumer Financial Protection Bureau (CFPB) employees are using third-party applications to avoid having their conduct or day-to-day work recorded, this would potentially violate federal law.

The FOIA request asked for any efforts by CFPB to recover, investigate the use of, or archive any messages sent on these applications from employees as well as any actual messages sent or received on any of these applications. In the agency's response to CoA, the agency claimed it could not locate any of these records.

Emails retrieved through the FOIA request show CFPB employees exchanging random Harry Potter characters to one another with no context. It's unclear whether these employees are the same ones referenced in the original Times article. Another email shows employees from the "Matters Most" team discussing the FOIA request with other Harry Potter references bizarrely included throughout.

One email, however, does show some CFPB managers in a positive light. When an assistant regional director sent two of his managers the Times article, he appears upset by the reporting and replies with the following:

"Thanks for the heads up Andrew. Interesting article. I would hope no one on our team is quietly resisting leadership that all 4 ADs are following."

Rogue employees at federal agencies using encrypted messaging apps has been an ongoing issue under the Trump administration. The Daily Caller News Foundation reported on a CoA lawsuit filed in November against the Environmental Protection Agency for records related to staff members' use of Signal.

"We now know that a small group of career EPA employees used Signal to avoid transparency," CoA counsel Ryan Mulvey told TheDCNF at the time.

"These employees' work-related communications—including their messages concerning any proposed efforts to thwart the new Administration's political appointees from carrying out the President's policy agenda—should have been preserved for disclosure to the public," Mulvey said. "Records released by the EPA, however, prove that this preservation never took place."

Daily Caller
http://dailycaller.com/2018/01/09/trumps-epa-is-on-course-to-retire-half-its-staff/
Trump's EPA Is On Course To Retire Half Its Staff
By Tim Pearce, 1/9, 11:57 AM

Due to a series of buyouts and retirements, the Environmental Protection Agency (EPA) could cut its workforce by half by the end of President Donald Trump's first term in office, The Washington Examiner reports.

Several agencies in the Trump administration are focused on a leaner workforce and cutting spending. The EPA is leading the pack. It is on track to reduce the size of the agency anywhere from 25 to 47 percent.

"We're proud to report that we're reducing the size of government, protecting taxpayer dollars and staying true to our core mission of protecting the environment," EPA administrator Scott Pruitt said in a statement to The Washington Examiner.

At the start of 2018, EPA employed 14,162 workers. Through Pruitt's series of buyouts and generous retirement packages, as well as normal retirements, up to 47 percent of employees will leave the agency in the next five years.

Trump initiated a hiring freeze in Jan. 2017 that will prevent retirees being replaced by new hires.

If the EPA remains on its current course, agency could employ less than 8,000 people in the next few years. It would be the leanest workforce the agency has seen since 1972, two years after it was created.

Politico
https://www.politicopro.com/energy/whiteboard/2018/01/epa-says-still-mulling-ozone-rewrite-as-implementation-progresses-349262
EPA says still mulling ozone rewrite as implementation progresses
By Alex Guillen, 1/8, 3:14 PM

EPA today told a federal court that its review of the 2015 ozone standard is ongoing, but it did not provide any details on when that process might conclude, even as the agency takes steps with states toward implementing the rule.

The D.C. Circuit Court of Appeals last year paused litigation over the standard of 70 parts per billion at the Trump EPA's request.

EPA has dragged its feet on the rule's implementation, but late last month it told states which areas it is considering designating as "nonattainment," which would trigger requirements for those areas to act to limit air pollution. Environmental groups last week asked a federal court to set a hard deadline of April 30 for EPA to issue those designations — which would give the states the 120 days they are allotted to contest EPA designations with which they disagree.

The Obama administration similarly reviewed the Bush administration's 2008 ozone standard upon taking office, and announced in September 2009 that it would formally rewrite the rule. (That effort was ultimately halted by former President Barack Obama himself in 2011 before the standard could be lowered.) EPA's update today indicates that the agency may not be close to deciding whether to weaken the standard or keep it in place.

WHAT'S NEXT: EPA said it will file another update on its review of the 2015 ozone standard in 90 days.

WAMC Northeast Public Radio
http://wamc.org/post/epa-delays-decision-ges-hudson-river-pcb-cleanup
EPA Delays Decision On GE's Hudson River PCB Cleanup
By Allison Dunne, 1/8

The U.S. Environmental Protection Agency has informed General Electric that its decision about whether to formally determine that the Upper Hudson River PCB cleanup is complete is delayed. Meantime, the U.S. Fish and Wildlife Service sent a letter to the EPA, saying additional cleanup would accelerate recovery of the river and its resources.

EPA received GE's Remedial Action Completion Report, in which GE requested EPA's Certification of Completion, January 3, 2017. The agency had one year to respond. But in its January 2, 2018 letter to GE, it says that it is not ready to respond because it is has not yet finalized its second Five Year Review report for the Hudson River PCBs Superfund site, which it had wanted to do before deciding whether the PCB cleanup is complete. GE Spokesman Mark Behan says EPA recently did advise that it would need a bit longer to complete its five-year review report.

"It expects to do so shortly and then will consider GE's application for Certificate of Completion," Behan says. "And we look forward to EPA promptly completing and issuing both documents."

EPA explains in the letter that completing the five-year report is taking longer than anticipated, given the number and complexity of comments submitted during the public comment period. EPA said last year that the review does conclude that the $1.7 billion, six-year cleanup is working, and will accomplish its long-term goal of protecting human health and the environment when complete. EPA in its letter also notes that it has received comments on GE's certification request from the federal trustees and New York state, and requires additional time to carefully consider these comments. One of the federal trustees is the U.S. Department of the Interior's Fish and Wildlife Service, where Kathryn Jahn is Hudson River Case Manager. Jahn signed a December 2017 letter to EPA.

"As we note in our letter, additional PCB removal and robust habitat reconstruction under the CERCLA, the Superfund remedial program, will accelerate the recovery of the river and its resources, which reduces the restoration that's required, which facilitates the overall recovery, which is our goal, and EPA's goal and our co-trustees' goal, successful recovery of the Hudson River," Jahn says.

NOAA, the National Oceanic and Atmospheric Administration, is the other federal trustee and New York, the state trustee. Ned Sullivan is president of Poughkeepsie-based Scenic Hudson, which has long called for more dredging.

"Well, we're very pleased that the U.S. Fish and Wildlife Service has reaffirmed its position that additional cleanup is needed, that it would accelerate the recovery of the river," Sullivan says.

GE's Behan responds to the calls for additional dredging.

"There really is no dispute that the dredging project was a success. PCBs measured in the river at every environmental monitoring station have declined since dredging. All of the PCBs that EPA targeted for removal have been removed," says Behan. "EPA has called the project a success and has determined that it will protect human health and the environment going forward."

During his State of the State address January 3, New York Governor Andrew Cuomo reiterated his vow from December to take legal action should the EPA deem the cleanup complete.

"The Hudson River is one of our greatest and most scenic waterways in the nation. For many years, General Electric polluted the river with PCBs. There has been progress made in cleaning it up but the job is not done," Cuomo said. "So if the federal government releases GE saying the cleanup is complete, I'll tell you what this state is going to do. We're going to sue the federal government to stop it because we will not end our efforts until our future generations can once again fully enjoy the beautiful Hudson River."

Again, Scenic Hudson's Sullivan.

"So we're hopeful, I am hopeful, that EPA will heed the calls of all the trustees, federal and state, and avoid the litigation that the governor and attorney general are very explicitly stating will occur if they do the wrong thing," says Sullivan. "We don't want to see litigation. We want to see a clean river."

General Electric removed 2.65 million cubic yards of contaminated sediment from a 40-mile stretch of the upper Hudson through 2015. Jahn says her agency continues to be concerned about the significant PCB contamination left in the Hudson River.

"Well, as trustees, what we are doing is pursuing damages from GE to restore the injured natural resources. An example of an injury is the consumption advisories that have been in place for fish for the Hudson River for decades, and those advisories will continue for decades because of the residual PCB contamination," says Jahn. "So, as trustees, we'll be looking at restoration options to put back those lost uses."

EPA officials say that in 15 years, people will be able to safely eat one fish meal every two months and that it likely will be more than 55 years before all local species of fish are clean enough to eat once a week.

FarmFutures
http://www.farmfutures.com/epa/epa-will-award-3-million-environmental-education-grants
EPA will award up to $3 million in environmental education grants
(no author listed), 1/9

Up to $3 million in funding is available for locally-focused environmental education grants under the 2018 EE Local Grant Program. EPA will award three to four grants in each of EPA's ten Regions, for no less than $50,000 and no more than $100,000 each, for a total of 30-35 grants nationwide. Proposals are due March 15, 2018. The Requests for Proposals will be posted on http://www.grants.gov/ later this week.

The 2018 EE Local Grant Program includes support for projects that reflect the intersection of environmental issues and agricultural best-practices, conservation of natural resources, food waste management, and natural disaster preparedness. Funded projects will increase public awareness of those topics and help participants to develop the skills needed to make informed decisions. A Request for Proposals (also called a Solicitation Notice) containing details will be issued by each of the ten EPA Regions.

"By recognizing these locally-based learning and awareness opportunities, the Environmental Protection Agency is taking both a local and national leadership role in promoting sound agricultural conservation practices, environmental disaster preparedness, adequate food waste management and other important environmental best-practices," said Administrator Scott Pruitt. "Environmental education starts locally in our own backyards, classrooms and in the fields of farmers who work the land directly, and I'm proud to play a role in enhancing such learning opportunities."

Through this grant program, EPA intends to provide financial support for projects that:
•design, demonstrate; and/or disseminate environmental education practices, methods, or techniques, as described in this notice,
•will serve to increase environmental and conservation literacy, and
•encourage behavior that will benefit the environment in the local communities in which they are located.

Since 1992, EPA has distributed between $2 million and $3.5 million in annual grant funding under this program, supporting more than 3,700 grants.

Proposals are due by March 15, 2018. The full solicitation notices will be posted later this week at http://www.grants.gov/ and at http://www.epa.gov/education/environmental-education-ee-grant-solicitation-notice.

Source: EPA

InsideEPA

https://insideepa.com/daily-feed/gao-agrees-investigate-natural-disaster-risks-superfund-sites

GAO agrees to investigate natural disaster risks to Superfund sites

1/8

The Government Accountability Office (GAO) has agreed to investigate how well EPA is prepared to protect Superfund sites from the impacts of natural disasters caused by climate change, following a request last year from Democratic senators who serve on the Environment and Public Works Committee.

In a Dec. 21 letter to Sen. Tom Carper (D-DE), first reported by BuzzFeed, GAO says it is accepting the senators' "request as work that is within the scope of its authority. At the current time we anticipate that staff with the required skills will be available to initiate an engagement in about four months."

Carper and the committee's other Democrats asked GAO last year to investigate the risks to Superfund sites from strong hurricanes, flooding, wildfires and sea-level rise caused by climate change, and to suggest actions to mitigate their risks. The senators raised their concerns over the impacts of climate change on waste sites in a Dec. 4 letter to GAO and during a Dec. 6 hearing highlighting challenges facing waste cleanup in the wake of natural disasters.

In the GAO request, the senators asked the office to "undertake a study on the risks to human health and the environment posed by natural disasters' impacts on Superfund sites and evaluate what federal actions may be taken to reduce those risks."

As Suzanne Yohannon reported for Inside EPA's Outlook 2018, EPA Administrator Scott Pruitt has, in at least one instance, taken climate considerations into account when setting cleanup remedies at a Superfund site -- despite his and the Trump administration's general reluctance to consider such effects.

Pruitt's cleanup decision at the San Jacinto Waste Pits site in Houston, TX, which sought to limit potential contamination as a result of more intense storms and other climate impacts, resulted in stricter and costlier remedies for the site than what the Obama administration had proposed, drawing significant concerns from industry.

Pruitt's push for such strict cleanups is "a way to shake up the narrative" in the face of criticisms from Democrats and environmentalists that the administrator is undermining environmental protections, says one industry source.

Message

From: Block, Molly [block.molly@epa.gov]
Sent: 1/9/2018 7:17:54 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: EPA Updates the National Priorities List to Clean Up Contamination and Protect Communities

Adding now.

From: Bowman, Liz
Sent: Tuesday, January 9, 2018 2:04 PM
To: Block, Molly <block.molly@epa.gov>
Subject: FW: EPA Updates the National Priorities List to Clean Up Contamination and Protect Communities

Please make sure that Carole Feldman is on our list.

From: Bowman, Liz
Sent: Tuesday, January 9, 2018 12:51 PM
To: Feldman, Carole <CFeldman@ap.org>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: EPA Updates the National Priorities List to Clean Up Contamination and Protect Communities

Thank you, Carole. We will add you.

On Jan 9, 2018, at 12:46 PM, Feldman, Carole <CFeldman@ap.org> wrote:

> Hi Liz and Jahan,
> Seems I'm still not on your email distribution list.
> This was forwarded to me by one of my colleagues.
> Thanks,
> Carole

> **From:** EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
> **Sent:** Tuesday, January 09, 2018 9:00 AM
> **To:** Reiterman, Tim F. <TReiterman@ap.org>
> **Subject:** EPA Updates the National Priorities List to Clean Up Contamination and Protect Communities

EPA Updates the National Priorities List to Clean Up Contamination and Protect Communities

WASHINGTON (January 9, 2018) — The U.S. Environmental Protection Agency (EPA) is adding four and proposing to add 10 hazardous waste sites to the Superfund program's National Priorities List (NPL).

“Today’s action ensures the necessary resources are available for effective and safe revitalization of some of the most contaminated sites across the country,” **said EPA Administrator Scott Pruitt**. “Superfund clean-up continues to be a priority at EPA as we work intently to create a safer and healthier environment for all communities affected.”

Superfund, which Congress established in 1980, investigates and cleans up hazardous waste sites and converts them into community resources. The Superfund law directs EPA to update the NPL annually. Only sites added to the NPL are eligible to receive federal funding for long-term cleanup.

EPA adds sites to the NPL when contamination threatens human health and the environment. EPA deletes sites from the NPL once all response actions are complete and all cleanup goals have been achieved. EPA typically initiates Superfund involvement because states, tribes or citizens ask for the Agency’s help.

The following sites are being added to the NPL:

- Newark South Ground Water Plume in Newark, Delaware;

- American Creosote DeRidder in DeRidder, Louisiana;

- Mississippi Phosphates Corporation in Pascagoula, Mississippi; and

- Eagle Industries in Oklahoma City, Oklahoma.

The following sites are being proposed for addition to the NPL:

- Hockessin Groundwater in Hockessin, Delaware;

- Rockwell International Wheel & Trim in Grenada, Mississippi;

- Burlington Industries Cheraw in Cheraw, South Carolina;

- Southside Chattanooga Lead Site in Chattanooga, Tennessee;

- Broadway Street Corridor Groundwater Contamination in Anderson, Indiana;

- Franklin Street Groundwater Contamination in Spencer, Indiana;

- Spring Park Municipal Well Field in Spring Park, Minnesota;

- Lane Plating Works, Inc. in Dallas, Texas;

- River City Metal Finishing in San Antonio, Texas; and

- Orange County North Basin in Orange County, California.

While many Superfund sites were contaminated decades ago, at least six of the sites EPA is adding or proposing today were in operation within the last 15 years. These sites have contamination from a variety of sources, including manufacturing, electroplating and metal finishing.

Community partnerships are critical to Superfund site cleanups. EPA's goal is to work with community partners at every site by establishing and utilizing a process to explore future uses before the cleanup remedy is selected. This gives EPA the best chance of ensuring that sites are cleaned up in a manner that is consistent with a site's anticipated future use.

The NPL is one focus area of the Superfund Task Force Recommendations that were announced in July 2017 to improve and revitalize the Superfund program.

The task force's recommendations focused on five overarching goals: expediting cleanup and remediation, reinvigorating cleanup and reuse efforts by potentially responsible parties, encouraging private investment to facilitate cleanup and reuse, promoting redevelopment and community revitalization and engaging with partners and stakeholders.

The Superfund Task Force Recommendations can be viewed at https://www.epa.gov/superfund/superfund-task-force-recommendations

For Federal Register notices and supporting documents for the final and proposed sites: http://www.epa.gov/superfund/current-npl-updates-new-proposed-npl-sites-and-new-npl-sites

For information about Superfund and the NPL: http://www.epa.gov/superfund

<image002.png>

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 1/5/2018 5:35:07 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: FW: DC Visit and Houston Media
Attachments: JY LTE 1.5.18.PNG

FYI – this could be helpful to point to for future stories about Kell/Superfunds

From: Bennett, Tate
Sent: Friday, January 5, 2018 12:32 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>
Cc: Kelly, Albert <kelly.albert@epa.gov>
Subject: FW: DC Visit and Houston Media

Deliberative Process / Ex. 5

From: Jackie Young [mailto:jyoung@txhea.org]
Sent: Friday, January 5, 2018 10:47 AM
To: Bennett, Tate <Bennett.Tate@epa.gov>
Subject: DC Visit and Houston Media

Tate,

I will be visiting Washington D.C the week of January 22 for a meeting with Albert Kelly on January 24. Lois Gibbs arranged the meeting with Kelly and stakeholders from across the country. I believe there are 10 of us. It would be wonderful if Administrator Pruitt could join the meeting and hear from our experiences first hand with the Superfund process, what hinders and facilitates the process.

Also, the Houston Chronicle Editorial Board published a piece earlier this week that was a bit unfair to Kelly and the Administrator. My response Letter to The Editor was published in the Chronicle today. Both are attached.

Hope you had a wonderful holiday season!

Sincerely,
Jackie

--
Jackie Young
Executive Director
Texas Health and Environment Alliance, Inc
3262 Westheimer Rd #142
Houston, TX 77098
281-315-5242
TXHEA.org

Message

From: Falvo, Nicholas [falvo.nicholas@epa.gov]
Sent: 1/5/2018 3:31:27 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: 2017 Superfund NPL deletions

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Friday, January 5, 2018 10:02 AM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: 2017 Superfund NPL deletions

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, January 5, 2018 8:46 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: 2017 Superfund NPL deletions

Liz, Jahan,

Following your release from Tuesday on the "significant improvement" in the number of deletions from the NPL list between 2016 and 2017, AP has gone back and looked at the numbers of deletions since 2001.

As you are likely aware, 2016 was the lowest year for deletions under Obama. Over the full eight years, EPA averaged better than 10 deletions a year. Under Bush, there were on average more than 17 deletions each year.

Though EPA's media release this week credited Administrator Pruitt's leadership with tripling the number of sites deleted, records show that construction/remediation work at all seven sites was completed before he was confirmed at the agency. Filings from the Federal Register show EPA announced its move to withdraw four of the seven sites in public announcements dated in 2016. The planned deletions of two others were announced prior to Pruitt's May 22 directive establishing his Superfund Task Force.

Please provide on-the-record comment regarding any speciffic action or change in EPA's NPL delisting proceedures that occurred in calendar year 2017 that directly led to the seven sites cited in your release being taken off the NPL earlier than they otherwise would have been.

Thanks,

Michael

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

ASSOCIATED PRESS

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Falvo, Nicholas [falvo.nicholas@epa.gov]
Sent: 1/5/2018 2:54:31 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: 2017 Superfund NPL deletions

Deliberative Process / Ex. 5

More to come…

From: Bowman, Liz
Sent: Friday, January 5, 2018 9:38 AM
To: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: FW: 2017 Superfund NPL deletions

Can you please help us pull a response on this?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, January 5, 2018 8:46 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: 2017 Superfund NPL deletions

Liz, Jahan,

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Thanks,

Michael

AP

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Michael Biesecker
Reporter
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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 12/28/2017 6:15:59 PM
To: Gray, David [gray.david@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Hey David -

Great fire away whenever you want.

Deliberative Process / Ex. 5

On Dec 28, 2017, at 11:01 AM, Gray, David <gray.david@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Thursday, December 28, 2017 10:20 AM
To: Gray, David <gray.david@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Hey David -

Feel free to start looking/drafting responses.

Deliberative Process / Ex. 5

Jahan

Begin forwarded message:

From: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Date: December 28, 2017 at 8:35:17 AM CST
To: "Bajak, Frank" <FBAJAK@ap.org>
Cc: "Gray, David" <gray.david@epa.gov>, Press <Press@epa.gov>
Subject: Re: AP request - Harvey-related contaminant monitoring

Which reporter from the Houston Chronicle are you working with on this story?

On Dec 28, 2017, at 7:52 AM, Bajak, Frank <FBAJAK@ap.org> wrote:

David et al,

In collaboration with the Houston Chronicle, we're trying to get a sense of exactly what environmental and public health monitoring was done in metropolitan Houston after Harvey hit, what it determined and which polluters may have been deemed negligent. Our focus is the petrochemical industry. I'd much appreciate your help answering the following questions. We've also queried the TCEQ:

1. What specific testing of soil, air and water was done by EPA in the Houston metro area to determine if public health, parks, schools, marine life and ecosystems may have been affected by contaminants released in Harvey-related events? We would appreciate a detailed response. (If you have data for all of Region 6 at your fingertips we are also interested, though our primary focus is the Houston area, particularly around the ship channel and adjacent waterways).

2. In a joint Sept. 14 status report posted on the TCEQ site the agencies said: "Water quality sampling will be focused on industrial facilities and hazardous waste sites." Where exactly did you take soil and water samples and what substances did you test for? What did the results show? Can we see the reports? What testing was done at federal Superfund sites and when? What did you test for and what were the results?

   The last update I see on your monitoring efforts and findings is here and the most recent document I see posted related to Harvey is dated Oct. 11: (https://response.epa.gov/site/site_profile.aspx?site_id=12353

3. Did you open investigations into any particular spills or unpermitted air emissions in greater Houston? If so, which plants and companies are under investigation? Has the EPA fined any parties (or initiated proceedings to do so) for spills or unpermitted emissions from Aug. 23-Sept. 22 in Region 6?

4. Did EPA obtain or spend any extra funds on Harvey-related spill/upset responses from August through December?

Many thanks and Happy Holidays!
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak
Cel. Ex. 6 (Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu –Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

<image001.jpg> <image002.jpg>

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 12/21/2017 4:32:04 AM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: 1

Sent from my iPhone

On Dec 20, 2017, at 8:48 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Jahan,

The article quotes the letter from EPA's attorney. Are you suggesting he misrepresented the agency's position?

Also, you can understand my hesitancy to reach out in advance of an exclusive story. You would just give it to my completion.

Michael

Get Outlook for iOS

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, December 20, 2017 5:12:32 PM
To: Pace, Julie; Biesecker, Michael
Cc: Bowman, Liz
Subject: Hey Julie

Looking forward to meeting you tomorrow, so no need for a long conversation about this. That said, Michael never reached out to us regarding his story this morning.

Here is our on the record statement that we are asking the AP to include:

"The statement in the Associated Press story is not accurate, nor was EPA contacted by the AP or given an opportunity to confirm the accuracy of the statement. The communication at issue was sent by the Department of Justice, U.S. Attorney's Office of D.C., as part of an ongoing effort to resolve litigation." – EPA spokesman, Jahan Wilcox

EPA Says Superfund Task Force Left Behind Little Paper Trail
December 20, 2017
https://www.voanews.com/a/epa-reports-task-force-on-pollution-left-no-records/4171421.html

The Environmental Protection Agency says an internal task force appointed to revamp how the nation's most polluted sites are cleaned up generated no record of its deliberations.

EPA Administrator Scott Pruitt in May announced the creation of a Superfund Task Force that he said would reprioritize and streamline procedures for remediating more than 1,300 sites. Pruitt, the former attorney general of Oklahoma, appointed a political supporter from his home state with no experience in pollution cleanups to lead the group.

The task force in June issued a nearly three-dozen page report containing 42 detailed recommendations, all of which Pruitt immediately adopted. The advocacy group Public Employees for Environmental Responsibility, known as PEER, quickly filed a Freedom of Information Act request seeking a long list of documents related to the development of Pruitt's plan.

After EPA didn't immediately release any records, PEER sued.

Now, nearly six months after the task force released its report, a lawyer for EPA has written PEER to say that the task force had no agenda for its meetings, kept no minutes and used no reference materials.

Further, there was no written criteria for selecting the 107 EPA employees the agency says served on the task force or background materials distributed to them during the deliberative process for creating the recommendations.

According to EPA, the task force also created no work product other than its final report.

"Pruitt's plan for cleaning up toxic sites was apparently immaculately conceived, without the usual trappings of human parentage," said Jeff Ruch, the executive direction of PEER. "It stretches credulity that 107 EPA staff members with no agenda or reference materials somehow wrote an intricate plan in 30 days."

The task force was led by Albert "Kell" Kelly, whom Pruitt hired at EPA as a senior adviser. Kelly was previously the chairman of Tulsa-based SpiritBank, where he worked as an executive for 34 years.

The Associated Press reported in August that Kelly was barred by the Federal Deposit Insurance Corporation from working for any U.S. financial institution after officials determined he violated laws or regulations, leading to a financial loss for his bank. The FDIC's order didn't detail what Kelly is alleged to have done. Without admitting wrongdoing, he agreed to pay a $125,000 penalty.

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 12/14/2017 6:31:11 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: AP: EPA chemical safety nominee drops out amid strong opposition, 12/14/17

I guess. Whatever.

From: Bowman, Liz
Sent: Thursday, December 14, 2017 1:28 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: AP: EPA chemical safety nominee drops out amid strong opposition, 12/14/17

He is still peddling this lie –

From: Sorokin, Nicholas
Sent: Thursday, December 14, 2017 10:32 AM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: AP: EPA chemical safety nominee drops out amid strong opposition, 12/14/17

Associated Press
https://apnews.com/4895597cb0f64b1ba77b16f1dca7f538/EPA-chemical-safety-nominee-drops-out-amid-strong-opposition
EPA chemical safety nominee drops out amid strong opposition
By Michael Biesecker and Jill Colvin, 12/14/17

WASHINGTON (AP) — President Donald Trump's pick to oversee chemical safety at the Environmental Protection Agency withdrew his nomination Wednesday after bipartisan opposition made his Senate confirmation unlikely.

Officials at the White House and the Senate told The Associated Press that Michael Dourson had sent a letter asking his name to be removed from consideration to serve as head of the EPA's Office of Chemical Safety and Pollution Prevention. The two officials were not authorized to discuss the matter publicly and spoke on condition of anonymity.

North Carolina's two Republican senators, Richard Burr and Thom Tillis, said last month they would vote against Dourson's nomination after The Associated Press and other media outlets detailed his past work as a toxicologist hired to defend major chemical companies.

The Senate's 48 Democrats were united in opposition, meaning only one more GOP defection would be needed to defeat Dourson's nomination.

In his letter asking the president to withdraw his name from consideration, which was obtained by the AP, Dourson said his stepping aside "avoids unnecessarily politicizing the important environmental protection goals of Administrator Pruitt."

"I sincerely and deeply appreciate all the love and support by my family, friends and colleagues during this 'surprising' confirmation process," he went on to say.

Sen. Tom Carper of Delaware, the top Democrat on the Senate Environment and Public Works Committee, said his staunch objections to Dourson's nomination were never a matter of partisanship.

"I sincerely believe he is the wrong person to hold this important position, and it's become clear that, even with a Republican majority in the Senate, he could not be confirmed," Carper said. "Dourson, an individual who has spent most of his career promoting less protective chemical safety standards, had no business overseeing our nation's chemical safety laws."

The EPA's press office did not respond to requests for comment Wednesday evening. Dourson has already been serving at the agency as a senior adviser to EPA administrator Scott Pruitt. It was not immediately clear whether he will continue in that role, which does not require Senate confirmation.

The AP reported in September that Dourson has for years accepted payments for criticizing studies that raised concerns about the safety of his clients' products, according to a review of financial records and his published work.

Past corporate clients of Dourson and of a research group he ran include Dow Chemical Co., Koch Industries Inc. and Chevron Corp. His research has also been underwritten by industry trade and lobbying groups representing the makers of plastics, pesticides, processed foods and cigarettes.

Burr and Tillis, both of whom are considered reliably pro-business conservatives, cited Dourson's past work and worries among their home-state constituents about tainted drinking water in opposing his nomination.

Marine veterans and their families have blamed decades-old contamination of wells at a North Carolina base with solvents and dry-cleaning chemicals for infant deaths and serious health problems, including cancer.

More recently, concerns have been raised about undisclosed discharges of chemicals used to manufacture Teflon and GoreTex into the Cape Fear River, a source of municipal drinking water for Wilmington and other southeastern North Carolina communities.

Dourson worked at the EPA for more than a decade, leaving in 1994 as the manager at a lab that assessed the health risks of exposure to chemicals. The following year, he founded Toxicology Excellence for Risk Assessment, a private, nonprofit organization that tests chemicals and produces reports on which chemicals are hazardous in what quantities.

Dourson's views toward industry are consistent with others Trump has selected as top federal regulators. Among them is Pruitt, who in March overruled the findings of his agency's own scientists to reverse an effort to ban chlorpyrifos, one of the nation's most widely used pesticides.

Court records show Dourson and his work have also often been called on when his corporate clients are seeking to fend off lawsuits.

Dourson's withdrawal was first reported Wednesday by Bloomberg News.

___

Nicholas Sorokin
Office of Media Relations Intern
U.S. Environmental Protection Agency
Telephone: (202) 564-5334
sorokin.nicholas@epa.gov

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 12/15/2017 3:19:04 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: D'Andrea, Michael
Sent: Friday, December 15, 2017 10:17 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fwd: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

Sent from my iPhone

Begin forwarded message:

From: "Seneca, Roy" <Seneca.Roy@epa.gov>
Date: December 15, 2017 at 10:07:08 AM EST
To: "D'Andrea, Michael" <DANDREA.MICHAEL@EPA.GOV>, "White, Terri-A" <White.Terri-A@epa.gov>, "schafer, joan" <schafer.joan@epa.gov>, "Sternberg, David" <Sternberg.David@epa.gov>, "Wzorek, Katherine" <wzorek.katherine@epa.gov>, "Smith, Bonnie" <smith.bonnie@epa.gov>, "Smith, William (Region 3)" <smith.william@epa.gov>, "McIlwain, Jaclyn" <Mcilwain.Jaclyn@epa.gov>, "Miles, Amanda" <miles.amanda@epa.gov>, "Hamilton, Brian" <Hamilton.Brian@epa.gov>, "Zieba, Kyle" <Zieba.Kyle@epa.gov>, "Brown, Kinshasa" <Brown.Kinshasa@epa.gov>, "Ferrell, Mark" <Ferrell.Mark@epa.gov>
Subject: Mother Jones (12-15) The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

http://www.motherjones.com/politics/2017/12/the-epa-hired-a-major-republican-opposition-research-firm-to-track-press-activity/#

The EPA Hired a Major Republican Opposition Research Firm to Track Press Activity

It promises "war room" style media monitoring.

Rebecca Leber, Andy Kroll and Russ ChomaDec. 15, 2017 6:00 AM

Using taxpayer dollars, the Environmental Protection Agency has hired a cutting-edge Republican PR firm that specializes in digging up opposition research to help Administrator Scott Pruitt's office track and shape press coverage of the agency.

According to federal contracting records, earlier this month Pruitt's office inked a no-bid $120,000 contract with Definers Corp., a Virginia-based public relations firm founded by Matt Rhoades, who managed Mitt Romney's 2012 presidential campaign. Following Romney's defeat, Rhoades established America Rising, an ostensibly independent political action committee that works closely with the Republican National Committee and Republican candidates to mine damning information on opponents. Other higher-ups at Definers include former RNC research director Joe Pounder, who's been described as "a master of opposition research," and senior vice president Colin Reed, an oppo-research guru billed as "among the leaders of the war on [Sen. Elizabeth] Warren."

This for-profit consulting firm offers a variety of public relations services such as digital strategy, political consulting, and media relations. According to its website, Definers' clients include Fortune 500 corporations, political groups, and nonprofits. In the past, both Marco Rubio and John McCain used their services, and since the 2016 election so has Rep. Diane Black (R-Tenn.). The client list for America Rising includes the RNC, Republican candidates, such as Sen. Pat Toomey (R-Penn.), and super-PACs such as the Mitch McConnell-linked Senate Leadership Fund and Karl Rove's American Crossroads.

The company also specializes in using the press and social media to "validate your narrative." According to the company's website, one of the tools to help do this is its "Definers Console" media-tracking technology. Reed said his firm contracted with Pruitt's office at the EPA, which is the first governmental client to pay for the Definers Console. The technology promises "war room" style media monitoring, analysis and advice, according to marketing materials. A brochure for the Console assures users that they will be able to "monitor for potential crises, as well as to track their message dissemination, relevant responses to their messaging, and what competitors' actions have been."

Besides monitoring media, users will get analysis and input from their employees whose experience in political campaigns and the business world helps create a unique approach "to intelligence gathering and opposition work. This experience informs the way we gather, synthesize, and disseminate information."

"Definers has been contracted to provide media monitoring services through our Console by the EPA," Reed says. "We provide the same service to a number of corporate and non-profit organizations."

In response to *Mother Jones'* questions about the Definers contract, EPA spokesperson Nancy Grantham said, "The Definers contract is for media monitoring/newsclip compilation." To a question on how the contract came about, she said: "The contract award was handled through the EPA Office of Acquisition Management."

USASpending.gov, a website that tracks federal spending, shows that in early 2016 the EPA signed a $207,000 contract with a firm called Bulletin Intelligence, requesting similar services. Bulletin is owned by public relations giant Cision, a well-known international PR firm. According to OpenSecrets.org's expenditure data, Bulletin is not political and has not done any recent work for any candidates or PACs. The contract expired in February.

Definers also recently launched a new venture with the global law firm Dentons, which describes itself as combining "political intelligence, legal advisors, campaign-style tactics, lobbying, governmental affairs, research, and communications into one unique offering" to help clients.

The career of at least one of Pruitt's staffers has overlapped with the Republican operatives at Definers. Jahan Wilcox, who previously worked for Marco Rubio's presidential campaign and in rapid response for the Republican National Committee, is now a spokesperson for the EPA.

Wilcox, along with other political staff in Pruitt's EPA press shop, has had some contentious interactions with the press. In one case, when Eric Lipton from *The New York Times* was confirming facts for an investigation into the EPA's industry-friendly approach to chemical regulation, EPA spokesperson Liz Bowman diverted the discussion to other outlets' reporting rather than confirming his questions. Wilcox added, "If you want to steal work from other outlets and pretend like it's your own reporting that is your decision."

On another occasion, shortly after the *Associated Press* reported on the Superfund sites affected by Hurricane Harvey, the EPA went after one of the bylined reporters in a statement, and an unnamed official later admitted to removing one of the bylined *AP* reporters from the agency's press list, saying, "We don't think he's a trustworthy reporter." When Pruitt has faced criticism, the EPA highlights friendlier stories from conservative outlets—including *Breitbart.*

Pruitt has come under fire for a general lack of transparency at the EPA. The latest example is his trip promoting natural gas in Morocco. The public learned of his travels when his office posted a media release, causing confusion over why the EPA would not notify reporters ahead of time. This means that information on Pruitt's activities in Morocco will be restricted to the EPA's own spin.

The EPA's work with groups affiliated with Pounder predate this contract. On a handful of occasions, the EPA has promoted positive coverage of Pruitt's actions from the news-aggregation website Need To Know Network. Earlier this year, the website wrote a series of stories designed shed positive light on the controversial administrator. In one story, the site describes Pruitt as "busy racking up accomplishments that both protect Americans and save millions in taxpayer dollars." Another congratulated Pruitt for moving ahead with plans to open Alaska's Bristol Bay to mining, writing it was "a move that will prove to be a massive job creator for President Trump and Pruitt."

The Need to Know Network was started by Pounder and other operatives connected to America Rising and Definers Corp.

Message

From: Bolen, Brittany [bolen.brittany@epa.gov]
Sent: 11/1/2017 11:17:20 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Yamada, Richard (Yujiro) [yamada.richard@epa.gov]; Feeley, Drew (Robert) [Feeley.Drew@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: For Approval

Deliberative Process / Ex. 5

Sent from my iPhone

On Nov 1, 2017, at 6:42 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Is this ok?

Deliberative Process / Ex. 5

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: "Biesecker, Michael" <MBiesecker@ap.org>
Date: October 31, 2017 at 7:09:34 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees

Liz, Jahan,

Still hoping to get a response. It is difficult to see how ignoring even basic questions about EPA's polices meets the spirt of Administrator Pruitt's publicly stated goal of making the agency more transparent.

I'll also continue to object to your practice of selectively distributing the agency's media releases. Hard to see what you guys hope to accomplish by this.

Thanks,

Michael

From: Biesecker, Michael
Sent: Tuesday, October 31, 2017 5:38 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; 'wilcox.jahan@epa.gov' <wilcox.jahan@epa.gov>
Cc: 'Press' <Press@epa.gov>
Subject: FW: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees

Liz, Jahan,

Can you clarify whether the administrator is replacing all the science advisory board members of the various boards at once, or as their current terms expire?

Thanks,

Michael

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, October 31, 2017 2:00 PM
To:
Subject: Administrator Pruitt Issues Directive to Ensure Independence, Geographic Diversity & Integrity in EPA Science Committees

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

<image002.jpg>

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 10/27/2017 12:03:10 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Associated Press Request -- Superfund Assessments

Checking - **Deliberative Process / Ex. 5**

Sent from my iPhone

On Oct 26, 2017, at 7:44 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Grantham, Nancy
Sent: Thursday, October 26, 2017 5:49 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Associated Press Request -- Superfund Assessments

Liz ..

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Rodriguez, Elias
Sent: Thursday, October 26, 2017 3:56 PM
To: Kluesner, Dave <kluesner.dave@epa.gov>
Cc: Mears, Mary <Mears.Mary@epa.gov>
Subject: FW: Associated Press Request -- Superfund Assessments

Deliberative Process / Ex. 5

Elias Rodriguez, M.P.A.
Public Information Officer

U.S. Environmental Protection Agency
290 Broadway, New York, NY 10007
rodriguez.elias@epa.gov
212-637-3664

<image002.jpg>

EPA's Region 2 Covers N.J., N.Y., P. R. and the U.S. V.I.

From: Dearen, Jason H. [mailto:JDearen@ap.org]
Sent: Thursday, October 26, 2017 3:28 PM
To: Rodriguez, Elias <Rodriguez.Elias@epa.gov>
Subject: Associated Press Request -- Superfund Assessments

Hello Elias,
Jason Dearen from The AP in Florida here. I've been following the agency's updates on Maria, and am interested in getting copies of EPA assessment of damage to Superfund sites in Puerto Rico and the US Virgin Islands. I am seeking any written reports with details for each site assessed, as mentioned in EPA's latest news release. Here's what I'm referring to:

"EPA has completed preliminary assessments at EPA-led Superfund sites, oil sites, and chemical facilities in both Puerto Rico and the USVI to determine if the sites were affected by Hurricane Maria, and is conducting follow-up actions, such as fence and structure repairs. In addition, EPA is coordinating with the lead federal agencies for two other sites, Culebra and Vieques.

EPA teams have assessed 240 fixed facilities in Puerto Rico and 65 in the USVI that are regulated under the Risk Management Plan (RMP), Facility Response Plan (FRP), or Spill Prevention, Control, and Countermeasure (SPCC) programs."

If there are no reports, than I'm requesting any notes, emails or other communications that would detail the assessment for each of the sites.

I'm at 352-213-9949 or can be reached at this email.

Please let me know if you need any further information from me about this request.

Regards,
Jason Dearen/AP

<image003.jpg>

Jason Dearen -- Correspondent
The Associated Press
PO Box 5696
Gainesville, FL 32627
T 352.213.9949
Twitter: @JHDearen
Email: jdearen@ap.org
www.ap.org

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Message

From: Gersh Kuntzman [g.kuntzman@newsweekgroup.com]
Sent: 10/4/2017 2:23:34 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: FW: Quick question

Liz

Thank you for your patience. Believe me, I am on this today. Thanks

---
GERSH KUNTZMAN
Breaking News Editor
Newsweek
w) 646-484-7556
c) Ex. 6

If you work at Newsweek, please make sure I always have easy access to your phone number. I like calling. Old school.

On Mon, Oct 2, 2017 at 2:47 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Gersh – *The Associated Press* is supposed to be the gold standard in news, so that is why we hold them to a high standard. As a follow-up, I think it's important to at least reach out to you, as an editor and manager, to highlight clarifications based on the article: http://www.newsweek.com/after-slamming-ap-reporter-toxic-waste-story-epa-finds-damage-site-674789. Thank you – Liz

After criticizing an AP report, EPA finds damage and leak at a toxic waste site caused by Hurricane Harvey

- **This is misleading, EPA did not criticize the AP over whether there was damage or a leak mentioned in their article. AP's story never mentioned either of these items, and only stated that floodwater may have flowed into the nearby river.**

The Environmental Protection Agency, which slammed an Associated Press (AP) reporter's story on flooded Houston-area Superfund toxic waste sites as "yellow journalism" after Hurricane Harvey, now admits the dangerous spills occurred.

On Thursday, the EPA said it found damage and toxic material exposed at the San Jacinto River Waste Pits site, one of seven Superfund locations AP writer Michael Biesecker revealed was covered by floodwaters, in a report the agency had derided.

- **AP never reported that there was damage at the site and this is not why the AP reporter and his story was criticized by EPA. The story was criticized due to sensationalized and misleading journalism that failed to report the steps EPA was taking to work with PRPs to secure superfund sites prior to Hurricane Harvey and ensure they address any damage that occurs to the sites following the Hurricane. EPA is directing the potentially responsible parties of the San Jacinto River Waste Pits Superfund site in Texas to take immediate action.**

Samples showed dioxins at 70,000 nanograms per kilogram – more than 2,333 times the level that calls for a cleanup, according to the EPA. Superfund sites have been designated by the agency as some of the most contaminated places in the U.S., and homes sit blocks away from the San Jacinto River Waste Pits.

The EPA on Thursday said initial repairs had already been done at the damaged area where a protective rock was missing and ordered the International Paper and Industrial Maintenance Corporation to conduct supplemental sampling to ensure that the exposed waste material was isolated. The dioxin in the waste material does not dissolve easily in water but can migrate to surrounding sediments.

The announcement came 24 days after the agency accused Biesecker of an "incredibly misleading story" on the flooded sites. The reporter wrote about the toxic waste sites on September 3.

- **Again, this is making the conflation that EPA's criticism of the AP's reporting was due dioxins leaking into the San Jacinto sites. The AP did not run any tests, and had no way of knowing if a leak occurred. What AP reported was what EPA was already stating publicly.**

EPA associate administrator Liz Bowman in a statement said that "the Associated Press is cherry-picking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism."

Hours after the AP published its first story, EPA said its officials had reviewed aerial imagery confirming that 13 of the 41 Superfund sites in Texas had been flooded by Hurricane Harvey and were "experiencing possible damage." Biesecker and co-author Jason Dearen used that as confirmation that the EPA had not yet physically visited the sites, whereas they as journalists went there by boat, vehicle and foot.

Nearly one-third of the reporters' story focused on the San Jacinto River Waste Pits site, which they observed "was completely covered with floodwaters." They added that "the flow from the raging river washing over the toxic site was so intense..."

- **At the time of the AP's story, EPA had already conducted initial assessments at 41 Superfund sites through aerial imaging – 28 of those sites showed no damage, and 13 experienced flooding. As was**

communicated to the reporter, additional sites - including San Jacinto - would be evaluated as soon as flood waters receded in those areas and it was safe for personnel to access the sites.

"There was no way to immediately assess how much contaminated soil from the site might have been washed away.

- **This statement speaks for itself. There was no way to immediately assess the impact of Hurricane Harvey on this site.**

According to an EPA survey from last year, soil from the former waste pits contains dioxins and other long-lasting toxins linked to birth defects and cancer," they wrote.

An EPA spokesperson told *Newsweek* in an email Friday that samples were taken, damage to the cap was addressed on September 15 and preliminary data was received in about two weeks, which showed damage to the cap had occurred.

"This watershed has been exposed to dioxin since before the hurricane, and a ban on fishing and consumption of fish has been in place at the site," the agency spokesperson said.

It is the second Superfund site where the EPA has found evidence of spills after the AP story. The first seepage discovery happened September 19 at U.S. Oil Recovery, a former petroleum industry waste processing plant contaminated with cancer-causing chemicals.

- **The AP's reporting on the U.S. Oil Recovery has also been misleading. EPA conducted an inspection of Vince Bayou to follow up on a rumor that material was offsite and did not find any evidence of a black oily discharge or material from the U.S. Oil Recovery site. The party responsible for ongoing cleanup has been directed to sample the water standing in the open tanks and remove the excess storm waters. The responsible party has conducted operations to remove the excess water, and ensure that all materials in the former wastewater treatment tanks is secured.**

"Our reporting speaks for itself," AP spokeswoman Lauren Easton told *Newsweek* in an email Friday.

The EPA said it will commission more visual dive operations to the San Jacinto River Waste Pits to check for displacement in the stone cover of the protective cap and more fully evaluate it for Hurricane Harvey damage, "if necessary."

From: Abboud, Michael
Sent: Monday, October 2, 2017 1:58 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Fwd: Quick question

Sent from my iPhone

Begin forwarded message:

> **From:** Jessica Kwong <j.kwong@newsweekgroup.com>
> **Date:** October 2, 2017 at 1:53:26 PM EDT
> **To:** "Abboud, Michael" <abboud.michael@epa.gov>
> **Subject: Re: Quick question**
>
> Hello Michael,
>
> My editor is Gersh Kuntzman, g.kuntzman@newsweekgroup.com.

Jessica Kwong | Staff Writer

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On Mon, Oct 2, 2017 at 12:45 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Hey Jessica, just left you a voicemail and wanted to drop you an email as well. Who is your editor, and do you have contact information for them? Thanks.

Michael Abboud

U.S. Environmental Protection Agency

Office of Public Affairs

M: 202-564-6461

Message

From: Hewitt, James [hewitt.james@epa.gov]
Sent: 10/2/2017 4:05:47 PM
To: Kluesner, Dave [kluesner.dave@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Mears, Mary [Mears.Mary@epa.gov]
Subject: RE: Special Edition of Region 2 News: Incoming Regional Administrator Pete Lopez

Great, thank you.

From: Kluesner, Dave
Sent: Monday, October 2, 2017 12:03 PM
To: Hewitt, James <hewitt.james@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Mears, Mary <Mears.Mary@epa.gov>
Subject: Special Edition of Region 2 News: Incoming Regional Administrator Pete Lopez

[NEWS CLIPS COMPILATION as of Monday AM, October 2. September 28 thru October 1]

TIMES HERALD-RECORD

The Fray: EPA hires Republican assemblyman to oversee NY, NJ operations

September 30, 2017

An 11-year, Republican assemblyman whose district dips into Ulster County has landed a job as the Region 2 administrator for the Environmental Protection Agency, overseeing EPA operations in New York and New Jersey as well as Puerto Rico and the Virgin Islands.

Peter Lopez, who lives about 50 minutes west of Albany in Schoharie, was first elected to the Assembly in 2006 and represents a six-county district that includes a single town in Ulster — Saugerties. He started to run for Congress in 2015 but stepped aside for fellow Republican John Faso, who went on to win New York's 19th Congressional District seat.

Lopez, 56, is a longtime politico who started out as a Schoharie village trustee at age 21 and has been elected town councilman, town supervisor, county legislator and county clerk, according to his Assembly website. He also has worked for various state legislators, including Faso when he was an assemblyman and state Sen. John Bonacic of Mount Hope. He serves on the Assembly's environmental conservation committee.

The EPA announced his appointment on Thursday.

Basil Seggos, New York's environmental conservation commissioner, congratulated Lopez on his new job, with a passing note of anxiety about the EPA's new direction in the Trump administration.

"While his arrival at EPA comes at a time of great uncertainty for the future of the agency, I look forward to working with him to ensure our environment and precious natural resources remain protected for all New Yorkers," Seggos said in a statement.

Their first test could be the EPA's oversight of the removal of toxic PCB chemicals that General Electric and other factories dumped in the Hudson River decades ago. Seggos declared in June that the EPA had "failed" New York by determining that dredging has done its job and left the river "protective of human health and the environment."

"We strongly dispute their conclusions and maintain that the significant amount of contamination left in the river threatens both public health and the environment," Seggos said at the time.

Lopez also faces a host of environmental issues in Puerto Rico and the Virgin Islands as those Caribbean islands struggle to recover from devastating storms.

Chris McKenna

Sullivan pulls out of 2018 congressional race

Sue Sullivan, an Ulster County resident and former hospital administrator who hoped to run for Congress next year, announced last week that she's leaving the already crowded field of Democrats vying to challenge Rep. John Faso after learning the brutal fundraising demands of today's campaigns.

"I've made the decision to withdraw my candidacy after assessing my ability, as a first-time candidate, to raise the resources necessary to win this election," Sullivan said in a message to her supporters posted on her campaign Facebook page on Monday. "We live in a political fundraising environment that dictates more time is spent on raising money than talking to people about the issues that affect our lives."

Four other Democrats already had declared their candidacy for New York's 19th Congressional District by the time Sullivan joined the pack in May. At the time, the 52-year-old Plattekill resident said that participating in the massive women's march in Washington after President Trump's inauguration inspired her to run, something she said had not been part of her "life's strategic plan." Sullivan is a business consultant who founded the non-profit Greater Newburgh Partnership and used to be vice president of government affairs and development with St. Luke's Cornwall Hospital in Newburgh.

As of June 30, Sullivan ranked fifth in fundraising among the various Democrats courting support to challenge Faso when the Republican runs for a second term in 2018. Brian Flynn led the field at that time with nearly $716,000 on hand, followed by Antonio Delgado with $590,000 and Patrick Flynn with around $205,000. Sullivan had $40,000 in her coffers. The fundraising pace was so torrid that both Flynn and Delgado had managed to amass more cash than Faso.

Chris McKenna

CSEA praises Neuhaus, endorses re-election

The union representing roughly 1,500 Orange County government workers endorsed County Executive Steve Neuhaus for re-election and praised him last week, burying their feud over Neuhaus' effort to privatize the county nursing home after taking office in 2014.

The Civil Service Employees Association announced its endorsement on Monday with complimentary statements from three CSEA leaders, including a regional president and the heads of one CSEA unit representing county employees and another representing municipal and school district workers in Orange. The press release made sure to mention that Rosemarie Kukys, president of the county employees' CSEA unit, is a registered nurse at the county-owned Valley View Center for Nursing Care and Rehabilitation — the 360-bed home that Neuhaus proposed to sell.

"Steve has had an open door policy over the past four years, which has allowed us to work together on problem-solving, and finding solutions that are acceptable to the workforce and taxpayers," Kukys said. "We appreciate that he understands that everyone benefits when the union and management can work together."

Neuhaus, a Republican, is running for a second, four-year term on Nov. 7, challenged by Democrat Patrick Davis, an Iraq War veteran and financial consultant who is making his first foray into politics.

The CSEA, the largest of the various unions representing county employees, had endorsed Neuhaus' Democratic opponent, Roxanne Donnery, in 2013, following her outspoken resistance to attempts by Neuhaus' predecessor, Ed Diana, to sell Valley View. The CSEA clashed with Neuhaus after he took up the privatization cause in 2014, and sued the county after lawmakers agreed to transfer Valley View to a local development

corporation in preparation for sale. A separate lawsuit by attorney Michael Sussman later voided that transfer and effectively stopped the push to sell the home.

Valley View, once depicted as a cost drain for the county with mounting deficits, turned a $7 million profit in 2016.

Despite the heated conflict over Valley View, CSEA settled protracted contract negotiations with county officials in 2015, a carryover from the Diana administration, and evidently has set aside the early rift.

"I am honored to have the endorsement of CSEA," Neuhaus said in press releases from the CSEA and his own campaign. "I am very pleased that we have been able to both reduce spending and settle all union contracts. Fairness to residents, taxpayers, and our workforce is important."

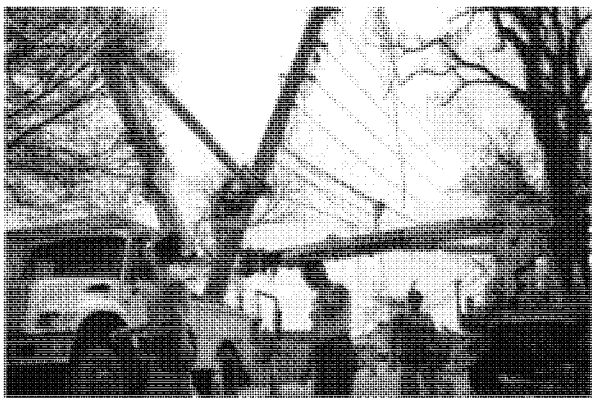
VOX.COM

Army Corps: Puerto Rico looks a lot like Iraq in 2003

The power infrastructure is in ruins, and huge logistical hurdles lie ahead.

Updated by Umair Irfan

Oct 1, 2017, 10:01am EDT



Most of Puerto Rico's 3.4 million residents are still in the dark, 11 days after Hurricane Maria engulfed the island.

The storm's 150 mph winds and a 20-inch cascade of rain created a vast humanitarian crisis, with residents now scrounging for food, clean water, and fuel to keep cool in the sweltering heat.

The damage is especially stark for Puerto Rico's energy network, which was struggling with bad finances and poor maintenance even before the hurricane swept through.

And for Col. James DeLapp, commander of the Recovery Field Office for Puerto Rico at the US Army Corps of Engineers, the scene on the ground — and the challenge ahead — looks lot like what the Army Corps faced after the 2003 US invasion of Iraq.

"We had a very similar situation following the opening of the Iraq War," said DeLapp. "This is very reminiscent of that type of effort."

The island's utility monopoly, Puerto Rico Electric Power Authority, is $9 billion in debt and missed an interest payment in July, as Vox's Alexia Fernández Campbell explained.

Its power lines, transformers, and generators suffered from neglect, making it one of the most expensive and least reliable electricity grids in the United States.

And then the strongest hurricane in 89 years struck.

“PREPA, as they’ve described it, 80 percent of infrastructure is down, meaning literally on the ground,” said DeLapp.

The Department of Energy’s most recent status update reports “significant damage to transmission and distribution systems,” with about 100 percent of utility customers still without power.

“It was a catastrophic storm ... to the point that concrete transmission lines were knocked down and destroyed,” said John Rabin, acting regional administrator for FEMA’s Region II, which includes Puerto Rico, during a call Friday with reporters. “Transmission is going to have to be rebuilt throughout the entire island."

In April 2003 after the invasion, Iraq’s power generation capacity was at 1.27 gigawatts due to fuel supply disruption, infrastructure damage from US bombing, and looting. This was down from 4.3 gigawatts prior to the war, a capacity that only managed to provide Baghdad with 24 hours of electricity while sending six to eight hours of power to other parts of the country.

The Coalition Provisional Authority cited unreliable electricity as one of the factors driving discontent in Iraq, and in August 2003, CENTCOM authorized the Army Corps to form Task Force Restore Iraqi Electricity.

The task force mustered 84 civilians and 90 soldiers from the Army Corps and spent $1.07 billion to restore electricity production to prewar levels by installing new generators and repairing transmission lines, but attacks from insurgents stalled further progress.

Restoring electricity to Puerto Rico is already shaping up to be similarly difficult (though without the IEDs).

“The biggest and unique challenge is we’re on an island,” DeLapp said. That means every new utility pole, every yard of cable, every repair truck, and every gallon of fuel has to come by boat or by air.

This has already formed a major bottleneck for relief efforts and is driving up the price of the recovery.

The Army Corps is focusing on getting generators back online to power hospitals and sanitation facilities.

DeLapp noted that contrary to prior media reports, the Guajataca Dam in western Puerto Rico was not breached.

“Right now, just to clarify, it definitely has not failed and not collapsed,” said DeLapp, who visited the site this week. “The main embankment of the dam is all there and appears solid.”

The dam, which provides drinking water for the region, did suffer some damage to an overflow spillway, and the Army Corps is providing technical expertise to repair the structure.

Meanwhile, federal agencies including FEMA, the Environmental Protection Agency, and the Department of Energy are still trying to grapple with the extent of the damage to Puerto Rico’s energy infrastructure and the scope of their responsibilities.

“That’s currently being finalized in terms of what that actually means,” DeLapp said.

Peter Lopez, who was appointed yesterday to lead EPA’s Region II, which includes Puerto Rico, said that the agency is concentrating on providing clean water and controlling waste, but Puerto Rico’s isolation, mountainous terrain, and public debt are all confounding relief efforts for one of the largest hurricanes to ever strike the island.

“They have seen tropical storms and hurricanes before, but the magnitude for this is unprecedented,” Lopez said.

He is expecting to take over for acting Regional Administrator Catherine McCabe on October 10 and said that restoring power to Puerto Rico could take months, and for some parts of the country, up to a year.

And other aspects of island life could take even longer to return to an antediluvian state.

Lopez, who served in the New York State Assembly since 2007, said he knows firsthand how long recovery can take.

"In my region we're now six years out from [Hurricanes] Irene and Sandy," he said. "People are still suffering."

INSIDE EPA

EPA's Lopez Sees Region 2 As 'Incubator' For Environmental Sustainability

September 29, 2017

Incoming EPA Region 2 Administrator Peter Lopez says he wants the region to be an "incubator" for promoting new pollution-reduction strategies that also promote sustainability, for example working with New York and New Jersey on alternatives to the Regional Greenhouse Gas Initiative (RGGI) to assess the benefits of other strategies.

In an exclusive Sept. 28 interview with *Inside EPA*, Lopez -- who starts at the agency on Oct. 10 -- says he wants to involve all stakeholders to engage in talks with "constructive tension" to try developing new ideas on how to target air, climate, water and other pollution.

Climate change is an issue where this approach could potentially yield results, he said in response to a question about how he would balance the Trump administration's general opposition to climate regulation with New York's participation in RGGI and New Jersey's expected rejoining of the power sector greenhouse gas cap-and-trade program next year under a new governor.

"States certainly have the ability to self-govern in that respect, I believe in our republic," Lopez said. "But it needs to be part of broader conversation that engages businesses to make sure we stay competitive. Some other nations are not acknowledging climate change and are outproducing us. So we want to avoid putting our own companies at an economic disadvantage, we want to be good environmental stewards without undercutting them."

Lopez said he hopes to lead broad stakeholder discussions generating "constructive tension" that could spur new ideas for how to target environmental issues such as tackling climate change -- while also ensuring that Region 2 operates in line with the philosophies of Pruitt and President Donald Trump.

"Let's see if we can work on different approaches, testing different ideas. I would love for Region 2 to be an incubator for programs like technology transfer, see if they yield the results we want. I'm a policy person, that's my history, and I acknowledge no one person or group has all the answers," he said.

Underpinning such engagement will be what he said is his long-running focus on sustainability, which refers to balancing humans' needs with protecting the environment.

"I will be thoughtful and take time to manage EPA's priorities, finding ways to ensure that businesses can be viable and sustainable," he said, suggesting incentives for private sector, local governments, and others will help "to provide the outcomes we want: a clean environment and profitability for our businesses."

Lopez is currently a Republican member of the New York Assembly and said his sustainability approach has yielded benefits, for example in helping craft legislation to provide assistance for concentrated animal feeding operation (CAFO) operators to build manure storage facilities in response to a state prohibition on spreading manure during winter months. "We found a way to provide support that allows environmental protection to occur," he said.

In addition to reviewing existing and future Region 2 policies in line with his sustainability focus, Lopez also said that he anticipates one of his first priorities will be leading the response to the recent hurricanes, because his region covers Puerto Rico and the U.S. Virgin Islands, as well as New Jersey and New York.

EPA Administrator Scott Pruitt on Sept. 28 announced Lopez' appointment, which does not require Senate confirmation. The only other regional chief EPA has announced is the selection of former Alabama Department of Environmental Management chief Trey Glenn to head Region 4.

'Gasp of Relief'

One New York environmental attorney says of Lopez' appointment, “The collective response from the New York environmental law community has been a gasp of relief considering what the possibilities could have been.”

His announcement also drew qualified support from Judith Enck, the former Obama-era Region 2 administrator. She told a local paper that Lopez is “smart . . . cares about the environment . . . [and will be] respectful of the career staff there.” But she added that his selection “is as good as it's going to get in this administration” for ensuring environmental protection.

And a New Jersey-based environmentalist says Lopez is a “typical moderate Republican” who has taken some pro-environment stances in the Assembly but voted against many high-profile climate and environmental protection bills. “We could do a lot worse, given Trump.”

Lopez was elected to the Assembly on Nov. 7, 2006, and is a member of the Committee on Environmental Conservation among several other panels.

His district, an area west of Albany, NY, covers parts or all of seven counties, and he said his experiences in touring the mix of urban and rural areas will help inform his work at EPA.

“My background is in environmental studies,” he said -- Lopez has a bachelor's degree in public affairs with a minor in environmental studies -- “and my family and career has taught me that we are stewards of the environment. To me, the definition for a steward is someone that understands we need to provide for the well-being of a children, and do that with an eye to ensuring our natural resources are used wisely and not squandered.”

'Holistic' Philosophy

Lopez' philosophy at Region 2 will be pursuing a “holistic” sustainable approach that balances environmental protection with also ensuring that business in the region can be profitable. He plans to use that approach by “diving in to existing programs, projects and policies and see how I can use that filter on how we're approaching issues.”

During his time in state and local government, Lopez said that “part of the challenge I've seen is when the federal government seeks to pursue certain social outcomes with a regimen of taxing, fining, or regulating -- those might produce outcomes, but not mesh with the broad philosophy I just talked about.”

Instead, Lopez said, “My belief is that we can be thoughtful and take some time and manage our priorities” to make them sustainable. One such approach could be trying to identify ways that Region 2 could encourage businesses to achieve certain environmental goals as an alternative to “taxing, fining, or regulating.”

During his time as a New York lawmaker, Lopez noted that this approach has worked for some environmental issues such as responding to a state ban on CAFOs spreading manure in winter months. Lopez said small dairy farmers suffering “historically low milk prices” would struggle to meet the compliance costs.

“My response was putting funding in the state budget to help construct manure management facilities,” he said. “It was a way to provide support that allows environmental protection to occur while keeping our local businesses viable.”

Meanwhile, Lopez -- whose website touts his use of a biodiesel vehicle -- said he will continue to promote the fuel as an alternative fuel source and biomass for home heating where viable. “I'm a very passionate advocate of alternative energy, but I realize that has issues too” such as intermittent power production from such resources, he said.

And he also expects Region 2's response to the recent hurricanes to be a major focus once he starts at the agency. Lopez received a *Times Journal* award in 2012 for his efforts to help New York communities recover from Hurricane Irene in 2011 and was involved in Hurricane Sandy recovery efforts. Lopez plans on using those experiences to “work aggressively with Administrator Pruitt and my colleagues to find ways to help people suffering and to regain their balance, addressing issues with water pollution and oil spills get people back on their feet.”

He added, “My heart goes out to Puerto Rico, I have family there,” saying that one issue he will consider is the vulnerability of infrastructure to massive storms. “We need to talk about intelligent placement of our man-made structures so that they can stand up to these intense storm events,” he said.

Returning to discussion of his focus on sustainability to drive Region 2's agenda, he concluded, “I'm looking forward to coming in and working with the administration and the very skilled people in the agency to begin the work on achieving a clean environment with profitability for our businesses.”

and electric vehicles bills," Jeff Tittel, the New Jersey Sierra Club's director, said in a statement. "For a Republican, he is sort of moderate, and he is better than most."

PRESS REPUBLICAN

Upstate lawmaker tapped to be regional EPA administrator

POST: Pete Lopez will oversee New York state, New Jersey, Puerto Rico, U.S. Virgin Islands

By Joe Mahoney

September 29, 2017

Veteran state Assemblyman Pete Lopez, whose family endured a devastating flood in 2011, has been tapped by the Trump administration to be the top administrator of U.S. Environmental Protection Agency Region 2.

The region includes New York, New Jersey, Puerto Rico and the U.S. Virgin Islands.

EPA Administrator Scott Pruitt, a Trump appointee, said in a statement that Lopez’s experience in tackling environmental problems “will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean.”

His new boss, Pruitt, has raised concerns among environmental scientists by indicating he is not convinced that carbon dioxide released through the combustion of fossil fuels has influenced climate change. Pruitt has signaled that he wants Congress to examine whether carbon dioxide is a pollutant that needs strong regulation.

Lopez is joining the Trump administration at a time when environmental activists are linking recent hurricanes to global warming and calling for federal policies that recognize the role of human activities in bringing about climate change.

In an interview, Lopez did not rule out the role of human actions in global warming, but noted, “I’m not a scientist.”

“One of our challenges in being good stewards of the environment is how do we ensure that our manufacturers, our businesses and our family farms are economically sustainable,” he said.

“The challenge as policymakers is how do we drive towards environmental sustainability while recognizing we have multiple responsibilities in addition to the environment.”

FUNDAMENTAL SHIFT?

Aaron Mair of Albany, former president of the Sierra Club and a current board member of Sloop Clearwater, questioned the appointment to a key role in environmental policy.

"In the wake of Puerto Rico and the Virgin Islands being ground zero for current and future climate-related crises, we are left to wonder if this EPA Region II appointment signals a fundamental shift in the Trump administration's efforts to act on climate change, or is it a cynical, pandering, fake gesture," he said.

Lopez (R-Schoharie), a Miami native who was raised in Schenectady and Schoharie, is the son of the late Pedro Lopez, a native of Puerto Rico. He is the only Hispanic Republican in the state Legislature. His official Assembly biography notes that "Pete scrubbed floors, stocked shelves, baled hay and scraped fish in order to finance his education."

MIXED MESSAGE

He was praised by leaders of various organizations in a press release forwarded by the assemblyman to news outlets.

Lopez, said Gavin Donohoe, president of the pro-pipeline Independent Power Producers of New York, has taken "a balanced approach to energy and environmental policy.

"He will be a credit to the EPA, and independent power producers look forward to working with him."

In 2015, Lopez came out against a controversial interstate project known as the Northeast Energy Direct pipeline, proposed by energy giant Kinder Morgan, arguing the company displayed "tremendous insensitivity" to a region still reeling from flood damage.

But critics of a second project, the Constitution Pipeline, said they were left disappointed when he did not object forcefully to that project, which was favored by many business leaders and trade unions.

'SKILLED FACILITATOR'

Lopez's Assembly district includes Schoharie County and portions of the Hudson Valley, the Northern Catskills, the Southern Tier and the Capital District.

Peter Baynes, director of the New York State Conference of Mayors, described Lopez as "hardworking, responsive and a problem solver."

The president of the New York Farm Bureau, David Fisher, said Lopez "understands the needs of the agricultural community and the important role farmers play in environmental stewardship."

The director of the Alliance for Clean Energy New York, Anne Reynolds, noted that Lopez has experienced the impacts of both severe storms and climate change.

She said her organization will work with him as he "uses his well-respected skills at facilitation and problem-solving, and works to protect the air, water and land of EPA Region 2."

Lopez, as the regional EPA administrator, is also expected to work with local government officials to facilitate wastewater and water infrastructure projects.

MID-HUDSON NEWS

Assemblyman Lopez named regional EPA chief

September 29, 2017

Assemblyman Peter Lopez, whose district includes northern Ulster County and Greene County, has been appointed on Thursday as the regional administrator of the US Environmental Protection Agency. He will oversee EPA efforts in New York, New Jersey, Puerto Rico and the US Virgin Islands.

Lopez, a Republican eleted to state Assembly in 2007, is a member of the Assembly Committee on Environmental Conservation. He is also a member of the Task Force on Food, Farm and Nutrition Policy.

"Pete Lopez has spent nearly a decade in one of the country's largest state legislatures working to improve the quality of life of his constituents," said EPA Administrator Scott Pruitt. "His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

State Department of Environmental Conservation Commissioner Basil Seggos said Lopez's "arrival at EPA comes at a time of great uncertainty for the future of the agency. I look forward to working with him to ensure our environment and precious natural resources remain protected for all New Yorkers."

CLIMATE WIRE

Agency's Puerto Rico chief knows disasters, resists climate

By Niina Heikkinen

September 29, 2017

A state politician experienced with hurricane relief — but who's opposed to action on climate change — is taking the helm of U.S. EPA's regional office with jurisdiction over reeling Puerto Rico.

Pete Lopez (R), a New York state assemblyman, has been appointed by Administrator Scott Pruitt as the new head of the Region 2 office, which also oversees New York, New Jersey and the U.S. Virgin Islands. The office is located in New York.

The selection of Lopez, the son of a Puerto Rican father and a representative of hurricane-ravaged districts in upstate New York, comes as the Trump administration has faced mounting criticism for not providing relief quickly enough to U.S. Caribbean territories slammed by Hurricane Maria.

Lopez has firsthand experience managing storm response efforts when Hurricane Irene and Tropical Storm Lee hit his district in 2011. The storms brought torrential rains and flooding, wreaking havoc on large portions of his district.

New York Assemblyman Pete Lopez (R). New York Assembly

"He has been very empathetic and very articulate in arguing for relief for those citizens whose properties have been damaged. That's why I think he may be a positive force and advocate [at EPA]," said New York Assemblyman Steve Englebright (D), chairman of the environmental conservation committee, on which Lopez sat as a lawmaker.

The experience could prove helpful in coordinating the ongoing response to Maria's destruction. In the last few days, the agency has focused on assessing water and wastewater systems, as well as potential releases of toxic chemicals from oil and gas facilities and Superfund sites, according to EPA.

But while Lopez may be prepared for taking the lead on emergency management in the hurricane's aftermath, it's unclear if he will work to prepare the region for climate change and the stronger storms expected to come with it. For most of his time as assemblyman, Lopez has voted against bills aimed at limiting greenhouse gas emissions in New York state.

Mustafa Ali, the former chief environmental justice official at EPA, expressed concern about how funding might be allocated by a regional administrator unconcerned by climate change. In his new role, Lopez would have a "huge role" in determining what types of resources are used, and how, throughout the region, he said.

"If you are looking at rebuilding the communities, if you don't think climate change is a concern, then the rebuilding that may happen may be less than what is needed in this new paradigm," Ali said.

EPA's cleanup efforts at Superfund sites, and the stringency with which the agency manages waste going into landfills, could also impact when the islands can start rebuilding, he added.

A longtime New York resident and local official, Lopez was elected to the state Assembly in 2006. Before that, he served as Schoharie County clerk and Schoharie town councilman, among other roles. Over his decade in the Assembly, he gained the respect of his colleagues across the political aisle, despite often holding differing view on issues.

Lopez's opposition to addressing climate change impacts falls in line with Pruitt and the Trump administration, which has cast doubt on the degree humans contributed to rising global temperatures and whether those greenhouse gas emissions posed an "existential threat."

That contrasts to the Obama administration, which had begun to ramp up climate action in the president's second term. At EPA, that had included supporting resiliency planning in Puerto Rico and the U.S. Virgin Islands, such as promoting green infrastructure and preserving wetlands. The regional office also did a lot of work in the Martín Peña Channel, a flood-prone community with low-income residents in San Juan, according to Judith Enck, former Region 2 administrator.

Enck called it "irresponsible" for the Trump administration to not recognize how warming oceans and rising sea levels are making hurricanes more intense.

"By ignoring the reality of climate change, they are putting American lives at risk," she said in an email.

Lopez has not always opposed climate action. In 2008, he voted in favor of creating regulations controlling greenhouse gas emissions and providing funding for energy efficiency initiatives. The following year, he voted in favor of another bill to amend the state's environmental conservation law and regulate greenhouse gas emissions.

By 2010, however, Lopez began consistently voting against similar measures aimed at limiting greenhouse gases and setting statewide emissions targets.

Englebright described Lopez as someone who is diligent and sincere and "does his homework."

He could not recall any comments Lopez had made on climate change but noted that Republicans in the state Assembly tended to lean toward climate denialism.

"I think his involvement with Region 2 is likely to be a very positive one because he comes from a part of New York state that has been ravaged by storms," said Englebright. "I believe in that context he is well-suited from the experience in his own district to have a wellspring of sympathy for the people of Puerto Rico and the U.S. Virgin Islands."

Trump administration picks new EPA chief for New Jersey and New York **(BERGEN RECORD; 1:50 PM)**

September 28 2017

A New York lawmaker was tapped Thursday by the Trump administration to lead the important U.S. Environmental Protection Agency office that oversees New Jersey's leading-the-nation 114 Superfund sites.

The selection of New York Assemblyman Pete Lopez, a Republican, as EPA Region 2 administrator goes against tradition that a New Jersey resident would be chosen for the job following the seven-year tenure of New Yorker Judith Enck, an Obama appointee. The appointment usually swings between each state when there is a vacancy.

Along with New York and New Jersey, Region 2 also oversees Puerto Rico and the U.S. Virgin Islands, both rocked hard by hurricanes.

EPA Region 2 staff was informed of Lopez's selection in a staff-wide email Thursday morning. He starts Oct. 10.

Lopez was first elected to the Assembly in 2006 and represents an area west of Albany. He was born in Miami. His father is a native of Puerto Rico and his mother is from New York. He holds a bachelor's degree in public affairs with a minor in environmental studies, and a Master's Degree in Public Administration.

Lopez interned with the group Environmental Advocates when Enck led that organization, the Times Union of Albany reported Thursday.

Between 2012 and 2016, Lopez received ratings from Environmental Advocates between 40 percent and 70 percent based on his voting record on the environment, said Jeff Tittel, director of the New Jersey Sierra Club.

“Given the Trump Administration’s war on the environment, they could have selected someone much worse than Assemblyman Lopez as EPA Region 2 Administrator," Tittel said. "We still have major concerns because he has a record of being pro-fracking and voted against major climate and electric vehicles bills"

There are a number of critical issues facing New Jersey that Lopez will have a significant role in determining.

These include:

- Will Garfield's Superfund site get the $37 million it needs to be cleaned up? The site is currently on an EPA waiting list for funding?
- Will EPA continue to fund programs that monitor and minimize sewage overflows from old storm water systems in several New Jersey municipalities?
- Will the agency continue to support a plan to place a barrier over a large part of the Ford Superfund site in Ringwood in lieu of a full excavation?
- Will EPA uphold its $1.38-billion dredge-and-cap plan for the polluted Passaic River despite still lobbying by dozens of polluters to make it a smaller, less-costly cleanup?
- Will EPA make the lower Hackensack River a Superfund site?

“With the abundance of contaminated sites residing in New Jersey, including the most complex in the nation at the lower Passaic River, it leaves little time to waste for the new Region 2 Administrator to get up to speed on our many environmental priorities," said Rep. Bill Pascrell Jr., D-Paterson.

A candidate for regional administrator is usually pushed by a governor or members of a state's congressional delegation.

But neither Gov. Chris Christie nor New Jersey's five Republican representatives have had much pull in Trump's administration.

The New Jerseyans closest to the president are Kellyanne Conway, his counselor, and Bill Stepien, White House political director and former Christie aide who was banished from Christie's inner circle after his name came up in the Bridgegate emails.

The EPA news release announcing Lopez taking the job had 10 quotes from people reacting to the news. Only one was from New Jersey: Bob Martin, commissioner of the state Department of Environmental Protection.

"I have had the chance to talk with Assemblyman Lopez and found that he has a strong commitment to protecting the environment, and especially, to working closely with the states and territories within his region," Martin said.

HUFFINGTON POST

EPA Fills Puerto Rico Post Left Vacant For 9 Months Amid Hurricane Disaster

New Yorker Peter Lopez, who takes office Oct. 10, has his work cut out for him. He earns high marks from an EPA predecessor.

By Alexander C. Kaufman

September 28, 2017

The Environmental Protection Agency named a new administrator for the region encompassing New York, New Jersey, Puerto Rico and the U.S. Virgin Islands on Thursday, filling a post left vacant for nearly nine months.

Peter Lopez has little time to waste.

The Republican state assemblyman from upstate New York faces a staggering environmental and humanitarian disaster in the Caribbean part of EPA Region 2. Puerto Rico and the U.S. Virgin Islands suffered widespread destruction after Hurricane Irma and, two weeks later, Hurricane Maria marauded the territories, tearing down power lines and flooding homes and crops. The islands could be without electricity for up to six months — and maybe more.

Lopez takes office Oct. 10. He'll likely spend his first day getting briefed on the scope of the environmental catastrophe, according to Judith Enck, the regional administration from 2009 to January 2017. On his second day, he should fly down there, she said.

"One of Peter's first challenges will be getting down to Puerto Rico and the U.S. Virgin Islands and seeing it firsthand," Enck told HuffPost by phone Thursday afternoon. "It is an unfolding environmental and humanitarian crisis that the federal government has been doing a bad job handling so far."

Lopez, 56, who was still working at the New York State Assembly on Thursday afternoon, could not immediately be reached for an interview.

In catastrophes like the one facing Puerto Rico and the U.S. Virgin Islands, the EPA generally takes a backseat to the Federal Emergency Management Agency but still plays a key role in directing relief efforts and identifying and cleaning up pollution unleashed by the storms.

Lopez arrives at an agency facing growing demands and shrinking resources. President Donald Trump made dismantling huge portions of the EPA a priority and proposed shrinking its budget by 31 percent, a plan endorsed by controversial EPA Administrator Scott Pruitt.

"Pete Lopez has spent nearly a decade in one of the country's largest state legislatures working to improve the quality of life of his constituents," Pruitt said in a statement. "His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

Enck said Region 2 — with a $700 million budget and 800-person staff, including 50 in San Juan, Puerto Rico, and two in the U.S. Virgin Islands — risks losing capacity to respond to disasters. She said it's not unusual to name a regional administrator months after a new administration takes office, but she declined to comment on the timing of the EPA's announcement. Still, she described Lopez's appointment as "a pleasant surprise."

About 32 years ago, Lopez, whose father is from Puerto Rico, interned for her at the nonprofit Environmental Advocates in Albany, New York's capital.

Plus, he has experience managing disaster relief in his upstate New York district after back-to-back storms tore roofs off barns and flooded businesses throughout Schoharie County. In August 2011, Hurricane Irene, then the worst storm in decades, made landfall in the state, causing $1.3 billion in damage and leaving 1.1 million without power. Weeks later, Tropical Storm Lee hit, inducing another round of devastating flooding.

The state Assembly affords little power to the minority party, so, Enck said, leaving in the middle of his term could offer Lopez a chance to wield real power. New York Gov. Andrew Cuomo (D) must now either call for a special election or wait until 2018 to replace Lopez, as the deadline to run in the state's Nov. 7 election has passed.

"He's terrific," Enck said. "He's smart, he cares about the environment and he's super nice, which counts when you're working with a demoralized workforce."

The EPA drew criticism last month after The Associated Press reported that agency officials were nowhere to found as toxic waste sites in Houston flooded during Hurricane Harvey. The agency, which has become

increasingly politicized under Pruitt, took the unusual step of publicly attacking the reporter who uncovered the story.

Pruitt, who sued the EPA to block environmental rules at least a dozen times in his previous job as Oklahoma's attorney general, has taken drastic steps to redefine the agency's mission since taking office in February. He's embraced executives from heavily polluting industries and scrapped regulations, including ones to reduce planet-warming emissions and limit exposure to toxic chemicals. He helped orchestrate the U.S. withdrawal from the Paris climate agreement and has repeatedly repudiated the widely accepted science linking global warming to human activities.

"He should buy boxes of Wheaties by the cart," Enck said, "because he's going to have to be very strong, standing up to Pruitt."

BUFFALO NEWS

Upstate assemblyman chosen to lead regional EPA office

By T.J. Pignataro

September 28, 2017

Pete Lopez, a Republican state assemblyman from Schoharie County, will lead the U.S. Environmental Protection Agency's Region 2 office, which covers Western New York, the EPA announced today.

Lopez, 56, was appointed Thursday by EPA Administrator Scott Pruitt. He will oversee the EPA's regional office that covers all of New York, New Jersey, Puerto Rico and the U.S. Virgin Islands.

Lopez replaces Judith Enck of Rensselaer County, who served during the Obama's administration.

Lopez, who was born in Miami, moved to New York as an infant. His father is from Puerto Rico and his mother is from Schenectady, according to a biography on his Assembly page.

Lopez joined the Assembly 10 years ago. He serves as a member of the assembly's Environmental Conservation Committee.

"Pete Lopez has spent nearly a decade in one of the country's largest state legislatures working to improve the quality of life of his constituents," Pruitt said in a statement. "His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

State Department of Environmental Conservation Commissioner Basil Seggos congratulated Lopez in a statement Thursday afternoon.

"While his arrival at EPA comes at a time of great uncertainty for the future of the agency, I look forward to working with him to ensure our environment and precious natural resources remain protected for all New Yorkers," Seggos said.

WNYT TV-13

Lopez leaving state Assembly for EPA

September 28, 2017

State Assemblyman Pete Lopez is leaving New York state government. He's been appointed the Environmental Protection Agency's regional administrator for Region 2.

Lopez will oversee environmental protection efforts in New York, New Jersey as well as Puerto Rico and the U.S. Virgin Islands, which are recovering from Hurricanes Irma and Maria.

As an Assemblyman, Lopez represented communities in six counties, including Schoharie and Greene Counties.

DAILY GAZETTE

Schoharie assemblyman tapped as EPA regional administrator

Lopez will oversee New York, New Jersey, Puerto Rico, U.S. Virgin Islands

By Brett Samuels

September 28, 2017

A local lawmaker has been tapped for a leadership role with the U.S. Environmental Protection Agency, officials announced Thursday.

Assemblyman Peter Lopez, R-Schoharie, has been chosen as the EPA's new administrator for Region 2, which encompasses New York, New Jersey, Puerto Rico and the U.S. Virgin Islands. Lopez, who has spent the past decade as a state assemblyman, will oversee environmental protection efforts in those areas.

"His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean," EPA administrator Scott Pruitt said in a prepared statement.

Lopez did not respond to requests for comment on the appointment. He replaces Catherine McCabe, who was serving as acting director for Region 2.

Among his first responsibilities will be responding to the fallout of Hurricanes Irma and Maria, which devastated parts of the U.S. Virgin Islands and Puerto Rico. Residents have struggled to establish contact with loved ones and still lack necessary food, water and medical supplies.

He will likely lean on his experience aiding recovery efforts in the Capital Region from tropical storms Irene and Lee, which battered Schoharie County, in particular.

On a local level, Lopez will coordinate the agency's response to PFOA water contamination in Hoosick Falls.

"While his arrival at EPA comes at a time of great uncertainty for the future of the agency, I look forward to working with him to ensure our environment and precious natural resources remain protected for all New Yorkers," said Basil Seggos, commissioner of the state Department of Environmental Conservation.

Peter Baynes, executive director of the New York State Conference of Mayors, said in a prepared statement that the organization looks forward to Lopez "working collaboratively with city and village officials to protect the environment and enhance the quality of life in our communities."

Lopez's departure leaves a void in representation for the 102nd Assembly District, which includes Schoharie and Greene counties and parts of Albany, Columbia, Ulster, Delaware and Otsego counties. It was unclear when a new Assembly representative will be elected.

POUGHKEEPSIE JOURNAL

Pete Lopez to head EPA's NY, NJ region
By Jon Camphell, Albany Bureau

September 28, 2017

Veteran New York Assemblyman Pete Lopez will lead the regional office of the Environmental Protection Agency that includes New York and New Jersey.

EPA Administrator Scott Pruitt announced Thursday that Lopez, a Schoharie County Republican, will take over as the agency's Region 2 administrator, giving him oversight of a sprawling area that includes the two states, Puerto Rico and the U.S. Virgin Islands.

Lopez succeeds Judith Enck, a longtime environmental activist in New York who served seven years in the role under President Barack Obama.

"Pete Lopez has spent nearly a decade in one of the country's largest state legislatures working to improve the quality of life of his constituents," Pruitt said in a statement.

"His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

First elected in 2006, Lopez has been a member of the Assembly's Republican minority, sitting on the chamber's Environmental Conservation Committee.

He takes over the region at a time when Puerto Rico and the U.S. Virgin Islands recover from hurricane damage and the environmental challenges brought on by the storm, including concerns about drinking water.

Lopez's Assembly district, which stretches from the area west of Albany to Saugerties in Ulster County, was heavily damaged by Tropical Storm Irene in 2011.

The EPA regional administrator often plays a key role in environmental issues in New York, including ongoing issues with drinking water in Hoosick Falls, north of Albany.

Enck, for example, rejected much of Gov. Andrew Cuomo's administration's plan in 2014 to use money from a loan fund for water-quality projects to help pay for projects associated with the 4 billion Tappan Zee Bridge replacement project.

Lopez did not immediately return a call seeking comment on his appointment.

His new position does not require Senate confirmation.

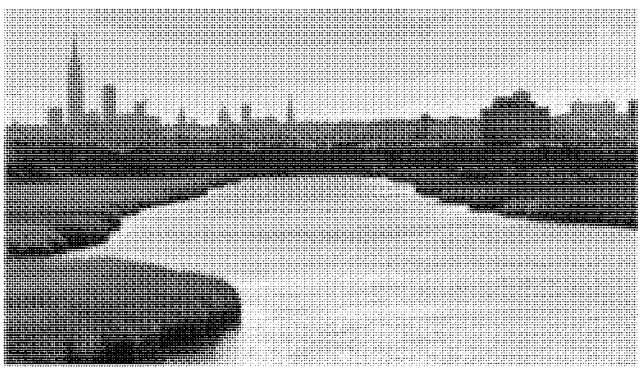
The Sierra Club, a top environmental group, gave Lopez's appointment a mixed review, saying Pruitt could have "selected someone much worse than Assemblyman Lopez."

"We still have major concerns because he has a record of being pro-fracking and voted against major climate and electric vehicles bills," Jeff Tittel, the New Jersey Sierra Club's director, said in a statement. "For a Republican, he is sort of moderate, and he is better than most."

NORTH JERSEY. COM

Trump administration picks new EPA chief for New Jersey and New York
By Scott Fallen

September 28, 2017



A New York lawmaker has been tapped by the Trump administration to lead the important U.S. Environmental Protection Agency office that oversees New Jersey's leading-the-nation 114 Superfund sites, sources said Thursday.

The selection of New York Assemblyman Pete Lopez, a Republican, as EPA Region 2 administrator goes against tradition that a New Jersey resident would be chosen for the job following the seven-year tenure of New Yorker Judith Enck, an Obama appointee. The appointment usually swings between each state when there is a vacancy.

Along with New York and New Jersey, Region 2 also oversees Puerto Rico and the U.S. Virgin Islands, both rocked hard by hurricanes.

EPA Region 2 staff was informed of Lopez's selection in a staff-wide email Thursday morning. He starts Oct. 10.

Lopez was first elected to the Assembly in 2006 and represents an area west of Albany. He was born in Miami. His father is a native of Puerto Rico and his mother is from New York. He holds a bachelor's degree in public affairs with a minor in environmental studies, and a Master's Degree in Public Administration.

Lopez interned with the group Environmental Advocates when Enck led that organization, the Times Union of Albany reported Thursday.

There are a number of critical issues facing New Jersey that Lopez will have a significant role.

These include:

- Will Garfield's Superfund site get the $37 million it needs to be cleaned up? The site is currently on an EPA waiting list for funding.
- New Jersey is also plagued by sewage overflows from old storm water systems. Municipalities depend on EPA funding to monitor and minimize the spills.
- In Ringwood, residents are still trying to convince the EPA to scrap support for a plan that would place a barrier over a large part of the Ford Superfund site in lieu of a full excavation.
- Companies on the hook for a $1.38-billion dredge-and-cap plan for the polluted Passaic River are still lobbying EPA to make it a smaller, less-costly cleanup.
- And the EPA is evaluating whether to make the lower Hackensack River a Superfund site.

A candidate for regional administrator is usually pushed by a governor or members of a state's congressional delegation.

But neither Gov. Chris Christie nor New Jersey's five Republican representatives may have much pull in Trump's administration.

The New Jerseyans closest to the president are Kellyanne Conway, his counselor, and Bill Stepien, White House political director and former Christie aide who was banished from Christie's inner circle after his name came up in the Bridgegate emails.

ALBANY TIMES-UNION

Assembly GOPer Peter Lopez picked as new EPA regional administrator

By Matthew Hamilton

September 28, 2017 at 11:37 AM

Assemblyman Peter Lopez, R-Schoharie County, has been selected as the U.S. Environmental Protection Agency's new Region 2 administrator.

Region 2 covers New York, New Jersey, Puerto Rico and the U.S. Virgin Islands.

The announcement was made Thursday morning, and Lopez is slated to join the EPA Oct. 1, according to the announcement.

“Pete Lopez has spent nearly a decade in one of the country’s largest state legislatures working to improve the quality of life of his constituents,” EPA Administrator Scott Pruitt said in a statement. “His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean.”

Lopez did not immediately return a call requesting comment.

JOURNAL NEWS

Pete Lopez to head EPA's NY, NJ region

By Jon Campbell

Published 2:44 p.m. ET Sept. 28, 2017 | Updated 3:37 p.m. ET Sept. 28, 2017

ALBANY - Veteran New York Assemblyman Pete Lopez will lead the regional office of the Environmental Protection Agency that includes New York and New Jersey.

EPA Administrator Scott Pruitt announced Thursday that Lopez, a Schoharie County Republican, will take over as the agency's Region 2 administrator, giving him oversight of a sprawling area that includes the two states, Puerto Rico and the U.S. Virgin Islands.

Lopez succeeds Judith Enck, a longtime environmental activist in New York who served seven years in the role under President Barack Obama.

"Pete Lopez has spent nearly a decade in one of the country’s largest state legislatures working to improve the quality of life of his constituents,” Pruitt said in a statement.

“His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean.”

First elected in 2006, Lopez has been a member of the Assembly's Republican minority, sitting on the chamber's Environmental Conservation Committee.

He takes over the region at a time when Puerto Rico and the U.S. Virgin Islands recover from hurricane damage and the environmental challenges brought on by the storm, including concerns about drinking water.

Lopez's Assembly district, which stretches from the area west of Albany to Saugerties in Ulster County, was heavily damaged by Tropical Storm Irene in 2011.

The EPA regional administrator often plays a key role in environmental issues in New York, including ongoing issues with drinking water in Hoosick Falls, north of Albany.

Enck, for example, rejected much of Gov. Andrew Cuomo's administration's plan in 2014 to use money from a loan fund for water-quality projects to help pay for projects associated with the $4 billion Tappan Zee Bridge replacement project.

Lopez did not immediately return a call seeking comment on his appointment.

His new position does not require Senate confirmation.

The Sierra Club, a top environmental group, gave Lopez's appointment a mixed review, saying Pruitt could have "selected someone much worse than Assemblyman Lopez."

"We still have major concerns because he has a record of being pro-fracking and voted against major climate

THE HILL

Assemblyman Lopez Picked As EPA Regional Administrator

By Timothy Cama

09/28/17 11:40 AM EDT

The Environmental Protection Agency (EPA) is tapping a New York State lawmaker to lead its regional office based in New York City.

Pete Lopez's responsibilities as Region 2 administrator will include the storm-hit Caribbean territories of Puerto Rico and the U.S. Virgin Islands, as well as New York and New Jersey.

"Pete Lopez has spent nearly a decade in one of the country's largest state legislatures working to improve the quality of life of his constituents," EPA Administrator Scott Pruitt said in a statement.

"His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

Lopez is a Republican representing an area in central New York near Albany. He has been in the assembly since 2007.

Lopez ran briefly for the U.S. House seat that former Rep. Chris Collins (R) left earlier this year, but he dropped out of the race last year.

Judith Enck, the Region 2 administrator under former President told the Times Union that Lopez is a good choice for the job.

"It's going to be a challenge to advance environmental protection policies in this administration, but I think Pete Lopez is as good as it's going to get in this administration," she told the newspaper. "I congratulate him, and I think he'll do a good job."

Lopez is the third permanent regional leader to be picked by Pruitt. Trey Glenn is the administrator for the Southeast region based in Atlanta, and Cathy Stepp is the acting administrator for the Midwest region based in Kansas City.

Regional administrators are political positions, serving at Pruitt's pleasure. But they do not require confirmation by the Senate, unlike some of the other high-ranking EPA leaders.

David W. Kluesner

U.S. Environmental Protection Agency, Region 2
Chief of Public Outreach
290 Broadway, 26th Floor
New York, NY 10007
212.637.3653 (Office)
Ex. 6 Cell)

Message

From: Mears, Mary [Mears.Mary@epa.gov]
Sent: 9/29/2017 4:43:23 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Story, Karen [Story.Karen@epa.gov]; Kluesner, Dave [kluesner.dave@epa.gov]
Subject: Special Edition for Region 2 News Clips (RA Pete Lopez)

Importance: High

Hi Nancy and Liz,
See below for clips that we have collected from today so far. We do expect more. And will send another comprehensive (to collect all of the clips from yesterday through the weekend) package on Monday.

Upstate lawmaker tapped to be regional EPA administrator **(PRESS REPUBLICAN; Sept 29 5:00 AM)**

POST: Pete Lopez will oversee New York state, New Jersey, Puerto Rico, U.S. Virgin Islands

ALBANY - Veteran state Assemblyman Pete Lopez, whose family endured a devastating flood in 2011, has been tapped by the Trump administration to be the top administrator of U.S. Environmental Protection Agency Region 2.

The region includes New York, New Jersey, Puerto Rico and the U.S. Virgin Islands.

EPA Administrator Scott Pruitt, a Trump appointee, said in a statement that Lopez's experience in tackling environmental problems "will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

His new boss, Pruitt, has raised concerns among environmental scientists by indicating he is not convinced that carbon dioxide released through the combustion of fossil fuels has influenced climate change. Pruitt has signaled that he wants Congress to examine whether carbon dioxide is a pollutant that needs strong regulation.

Lopez is joining the Trump administration at a time when environmental activists are linking recent hurricanes to global warming and calling for federal policies that recognize the role of human activities in bringing about climate change.

In an interview, Lopez did not rule out the role of human actions in global warming, but noted, "I'm not a scientist."

"One of our challenges in being good stewards of the environment is how do we ensure that our manufacturers, our businesses and our family farms are economically sustainable," he said.

"The challenge as policymakers is how do we drive towards environmental sustainability while recognizing we have multiple responsibilities in addition to the environment."

FUNDAMENTAL SHIFT?

Aaron Mair of Albany, former president of the Sierra Club and a current board member of Sloop Clearwater, questioned the appointment to a key role in environmental policy.

"In the wake of Puerto Rico and the Virgin Islands being ground zero for current and future climate-related crises, we are left to wonder if this EPA Region II appointment signals a fundamental shift in the Trump administration's efforts to act on climate change, or is it a cynical, pandering, fake gesture," he said.

Lopez (R-Schoharie), a Miami native who was raised in Schenectady and Schoharie, is the son of the late Pedro Lopez, a native of Puerto Rico. He is the only Hispanic Republican in the state Legislature. His official Assembly biography notes that "Pete scrubbed floors, stocked shelves, baled hay and scraped fish in order to finance his education."

MIXED MESSAGE

He was praised by leaders of various organizations in a press release forwarded by the assemblyman to news outlets.

Lopez, said Gavin Donohoe, president of the pro-pipeline Independent Power Producers of New York, has taken "a balanced approach to energy and environmental policy.

"He will be a credit to the EPA, and independent power producers look forward to working with him."

In 2015, Lopez came out against a controversial interstate project known as the Northeast Energy Direct pipeline, proposed by energy giant Kinder Morgan, arguing the company displayed "tremendous insensitivity" to a region still reeling from flood damage.

But critics of a second project, the Constitution Pipeline, said they were left disappointed when he did not object forcefully to that project, which was favored by many business leaders and trade unions.

'SKILLED FACILITATOR'

Lopez's Assembly district includes Schoharie County and portions of the Hudson Valley, the Northern Catskills, the Southern Tier and the Capital District.

Peter Baynes, director of the New York State Conference of Mayors, described Lopez as "hardworking, responsive and a problem solver."

The president of the New York Farm Bureau, David Fisher, said Lopez "understands the needs of the agricultural community and the important role farmers play in environmental stewardship."

The director of the Alliance for Clean Energy New York, Anne Reynolds, noted that Lopez has experienced the impacts of both severe storms and climate change.

She said her organization will work with him as he "uses his well-respected skills at facilitation and problem-solving, and works to protect the air, water and land of EPA Region 2."

Lopez, as the regional EPA administrator, is also expected to work with local government officials to facilitate wastewater and water infrastructure projects.

Assemblyman Lopez named regional EPA chief **(MID-HUDSON NEWS; Sept 29)**

WASHINGTON – Assemblyman Peter Lopez, whose district includes northern Ulster County and Greene County, has been appointed on Thursday as the regional administrator of the US Environmental Protection Agency. He will oversee EPA efforts in New York, New Jersey, Puerto Rico and the US Virgin Islands.

Lopez, a Republican eleted to state Assembly in 2007, is a member of the Assembly Committee on Environmental Conservation. He is also a member of the Task Force on Food, Farm and Nutrition Policy.

"Pete Lopez has spent nearly a decade in one of the country's largest state legislatures working to improve the quality of life of his constituents," said EPA Administrator Scott Pruitt. "His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

State Department of Environmental Conservation Commissioner Basil Seggos said Lopez's "arrival at EPA comes at a time of great uncertainty for the future of the agency. I look forward to working with him to ensure our environment and precious natural resources remain protected for all New Yorkers."

EPA Fills Puerto Rico Post Left Vacant For 9 Months Amid Hurricane Disaster **(HUFFINGTON POST; Sept 28 5:53PM)**
New Yorker Peter Lopez, who takes office Oct. 10, has his work cut out for him. He earns high marks from an EPA predecessor.

The Environmental Protection Agency named a new administrator for the region encompassing New York, New Jersey, Puerto Rico and the U.S. Virgin Islands on Thursday, filling a post left vacant for nearly nine months.

Peter Lopez has little time to waste.

The Republican state assemblyman from upstate New York faces a staggering environmental and humanitarian disaster in the Caribbean part of EPA Region 2. Puerto Rico and the U.S. Virgin Islands suffered widespread destruction after Hurricane Irma and, two weeks later, Hurricane Maria marauded the territories, tearing down power lines and flooding homes and crops. The islands could be without electricity for up to six months — and maybe more.

Lopez takes office Oct. 10. He'll likely spend his first day getting briefed on the scope of the environmental catastrophe, according to Judith Enck, the regional administration from 2009 to January 2017. On his second day, he should fly down there, she said.

"One of Peter's first challenges will be getting down to Puerto Rico and the U.S. Virgin Islands and seeing it firsthand," Enck told HuffPost by phone Thursday afternoon. "It is an unfolding environmental and humanitarian crisis that the federal government has been doing a bad job handling so far."

Lopez, 56, who was still working at the New York State Assembly on Thursday afternoon, could not immediately be reached for an interview.

In catastrophes like the one facing Puerto Rico and the U.S. Virgin Islands, the EPA generally takes a backseat to the Federal Emergency Management Agency but still plays a key role in directing relief efforts and identifying and cleaning up pollution unleashed by the storms.

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Enck said Region 2 — with a $700 million budget and 800-person staff, including 50 in San Juan, Puerto Rico, and two in the U.S. Virgin Islands — risks losing capacity to respond to disasters. She said it's not unusual to

name a regional administrator months after a new administration takes office, but she declined to comment on the timing of the EPA's announcement. Still, she described Lopez's appointment as "a pleasant surprise."

About 32 years ago, Lopez, whose father is from Puerto Rico, interned for her at the nonprofit Environmental Advocates in Albany, New York's capital.

Plus, he has experience managing disaster relief in his upstate New York district after back-to-back storms tore roofs off barns and flooded businesses throughout Schoharie County. In August 2011, Hurricane Irene, then the worst storm in decades, made landfall in the state, causing $1.3 billion in damage and leaving 1.1 million without power. Weeks later, Tropical Storm Lee hit, inducing another round of devastating flooding.

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"He should buy boxes of Wheaties by the cart," Enck said, "because he's going to have to be very strong, standing up to Pruitt."

Upstate assemblyman chosen to lead regional EPA office **(BUFFALO NEWS; Sept 28)**

Pete Lopez, a Republican state assemblyman from Schoharie County, will lead the U.S. Environmental Protection Agency's Region 2 office, which covers Western New York, the EPA announced today.

Lopez, 56, was appointed Thursday by EPA Administrator Scott Pruitt. He will oversee the EPA's regional office that covers all of New York, New Jersey, Puerto Rico and the U.S. Virgin Islands.

Lopez replaces Judith Enck of Rensselaer County, who served during the Obama's administration.

Lopez, who was born in Miami, moved to New York as an infant. His father is from Puerto Rico and his mother is from Schenectady, according to a biography on his Assembly page.

Lopez joined the Assembly 10 years ago. He serves as a member of the assembly's Environmental Conservation Committee.

"Pete Lopez has spent nearly a decade in one of the country's largest state legislatures working to improve the quality of life of his constituents," Pruitt said in a statement. "His familiarity with the region and his experience working to solve environmental problems in New York will be invaluable in helping EPA serve Americans in the Northeast and the Caribbean."

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Lopez leaving state Assembly for EPA **(WNYT-TV 13; Sept 28)**

State Assemblyman Pete Lopez is leaving New York state government. He's been appointed the Environmental Protection Agency's regional administrator for Region 2.

Lopez will oversee environmental protection efforts in New York, New Jersey as well as Puerto Rico and the U.S. Virgin Islands, which are recovering from Hurricanes Irma and Maria.

As an Assemblyman, Lopez represented communities in six counties, including Schoharie and Greene Counties.

Karen Story
U.S. Environmental Protection Agency
Public Affairs Division
Public Outreach Branch
(212) 637-3128 (Direct)
(212) 637-3675 (Branch)

www.epa.gov/region2
https://twitter.com/EPAregion2
https://www.facebook.com/eparegion2
http://blog.epa.gov/blog/category/greeningtheapple/

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/26/2017 9:47:50 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]
Subject: RE: Response to Rep. Green letter?

Deliberative Process / Ex. 5

David

From: Bowman, Liz
Sent: Tuesday, September 26, 2017 3:47 PM
To: Gray, David <gray.david@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: FW: Response to Rep. Green letter?

Do we have a response to this?

From: Osborne, James A [mailto:James.Osborne@chron.com]
Sent: Tuesday, September 26, 2017 4:38 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Response to Rep. Green letter?

Liz,

Does EPA have any response to Rep. Green's letter today?

Rep. Green Letter Requests for Answers from EPA Secretary Pruitt on Exposure Risk from Harvey Superfund Spill

Calls for Details on Threat to Public Health & Safety from Toxic U.S. Oil Recovery Superfund Site in Pasadena

WASHINGTON, DC — Today, Representative Gene Green (D-TX) sent a letter to Secretary Scott Pruitt of the Environmental Protection Agency (EPA) addressing human health and environmental concerns following Hurricane Harvey. Recent news stories reported that the EPA was alerted of toxic spills and provided aerial photos of dark-colored water surrounding the U.S. Oil Recovery Superfund Site in Pasadena, Texas. Despite the risks posed by the site, EPA staff did not immediately investigate the spills.

Rep. Green's letter reads, in part, "It is my fear that the reported toxic spills from U.S. Oil Recovery, a site that received industrial hazardous waste for decades, will harm communities and the environment downstream from the site. **The apparent slow response and lack of transparency from your agency is already causing harm, by fostering fear and distrust."**

Full text of the letter is available below:

September 26, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Pruitt:

I am writing in regards to the growing public concerns over the impacts of Hurricane Harvey on human health and the environment on Harris County, Texas, and troubling reports of toxic spills originating from the U.S. Oil Recovery Superfund site in Pasadena, Texas.

On September 19, the Associated Press (AP) reported that the PRP Group, the designated Potentially Responsible Party for the site, informed the EPA on August 29 that there was a toxic spill originating from U.S. Oil Recovery into Vince Bayou. The AP reported that the PRP Group made reports of separate toxic spills to the EPA on September 6 and September 7. The same report further states that the Harris County Pollution Control Service Department sent photos to the EPA on August 29 of three large concrete tanks that were flooded with water, and the National Oceanic and Atmospheric Administration (NOAA) provided aerial photos to the EPA on August 31 of "dark-colored water" surrounding U.S. Oil Recovery, two days after the initial reports. None of these reports provide information about how much toxic material leaked from the tanks. Despite the risks posed by this site, your staff did not immediately investigate the spills.

On September 22, the Federal Emergency Management Agency issued a press release indicating that EPA has recovered 517 containers of unidentified, potentially hazardous material. On Sunday, EPA clarified this statement by indicating that those containers were not collected at or released from Superfund sites. While I appreciate your clarification, waiting more than two days to address this report worsened the fear and worry of the communities around these Superfund sites.

It is my fear that the reported toxic spills from U.S. Oil Recovery, a site that received industrial hazardous waste for decades, will harm communities and the environment downstream from the site. The apparent slow response and lack of transparency from your agency is already causing harm, by fostering fear and distrust. In order to address the risks from these spills and the very real fears of communities I represent, I request the following:

1) When was the EPA initially informed of the toxic spill at U.S. Oil Recovery? Who was informed initially, and when was notification provided to headquarters and regional staff?
2) EPA requires spills of oil or hazardous substances in quantities that may be harmful to public health or the environment to be immediately reported to the 24 hour hotline when public waterways are threatened. How much time expired between the initial notification of the toxic spill and when the EPA began its assessment of the site? Do you believe this delay compromised EPA's assessment of contamination from the site?

3) What is the average response time for the EPA to begin assessing potential spills, and how long does it usually take to complete these assessments? If the response time for the U.S. Oil Recovery site was longer than average, explain why.
4) Why did the EPA's press released on September 5 exclude notification of the PRP Group's toxic spill report at U.S. Oil Recovery?
5) Why have the EPA's updates to Congress excluded notification of the PRP Group's toxic spill reports at U.S. Oil Recovery?

6) What steps has the EPA taken to date to address the toxic spills at U.S. Oil Recovery? What future actions are planned?

7) Has the EPA taken any enforcement actions towards the Potentially Responsible Party for the toxic spills at U.S. Oil Recovery? If not, at what point will the EPA take an enforcement action?

8) Regarding the 517 containers of potentially hazardous material collected, I request a map of where the containers were required along with an inventory of their contents and the potential risks to surrounding communities.

In addition, I am requesting that the EPA provide to my office, the House Committee on Energy and Commerce, and the Senate Committee on Environment and Public Works, a copy of all soil and water lab tests, as well as a copy of all correspondence relating to the toxic spills at U.S. Oil Recovery.

Please respond to this inquiry as soon as possible, but no later than October 10, 2017. Thank you for your time and assistance with this request. Should you have any questions, please feel free to contact me at (281) 999-5879, or have EPA staff contact Sergio Espinosa with our DC office at (202) 225-1688.

Sincerely,

Gene Green
Member of Congress

###

James Osborne
Washington Energy Correspondent
Houston Chronicle (D.C. Bureau)
1331 H Street NW, 11th Floor
Washington, DC 20005
Tel: 202-263-6516
Twitter: @osborneja

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/24/2017 10:21:51 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Fwd: Bajak calling from AP - environmental testing at Houston spill sites

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** "Gray, David" <gray.david@epa.gov>
> **Date:** September 24, 2017 at 2:46:27 PM CDT
> **To:** "Bajak, Frank" <FBAJAK@ap.org>
> **Subject: RE: Bajak calling from AP - environmental testing at Houston spill sites**
>
> Hi Frank,
>
> Thanks for the email. It appears that the FEMA summary in its release on Friday has created some confusion by combining our submission from the original. We wrote:
>
> ***Hurricane Harvey Texas Response and Recovery***
> ***EPA and TCEQ First 30 Days Roll-Up of Actions (EPA fully integrated with Texas Commission on Environmental Quality in Unified Command to support these actions.)***
>
> - *Drinking Water Assessments:*
> - *625 on-site drinking water assessments completed*
> - *Waste Water Assessments:*
> - *441 on-site waste water assessments completed*
> - *517 orphan containers recovered for proper storage*
> - *43 National Priorities List Superfund Sites assessments completed*
>
> FEMA wrote:
>
> *The **Environmental Protection Agency** (EPA), working with the Texas Commission on Environmental Quality, completed 625 drinking water assessments and 441 waste water assessments. The agency conducted assessments of 43 Superfund sites and recovered 517 containers of unidentified, potentially hazardous material.*
>
> You can read our latest update from Friday Sept 22 on our website at www.epa.gov/hurricane-harvey. We the latest on Superfund sites and many individual site summaries.
>
> Regarding orphan containers. EPA and our response partners have been collecting containers orphaned after the hurricane. We have been reporting these activities. Here is a copy of that update. These are not related to Superfund clean ups.
>
> *Reconnaissance/Orphan Containers: The TCEQ continues to lead in monitoring facilities that have reported spills. Unified Command has completed reconnaissance activities associated with hurricane impacts. Orphan containers, which include drums and tanks, found floating in or washed up near*

waterways continue to be gathered, sorted and grouped by type, prior to shipping them off for safe, proper treatment and disposal. All branches of the Unified Command have collected over 980 orphan containers. The Unified Command is preparing collected oil and hazardous materials for proper disposal. Disposal should be completed within the next three weeks. USCG and Texas General Land Office will continue to complete Vessel Recovery activities.

Best,
David

From: Gray, David
Sent: Saturday, September 23, 2017 8:07 AM
Cc: White, Terri-A <White.Terri-A@epa.gov>
Subject: Re: Bajak calling from AP - environmental testing at Houston spill sites

Terri, I have this one. David

Sent from my iPhone

On Sep 22, 2017, at 10:47 PM, Bajak, Frank <FBAJAK@ap.org> wrote:

> Hi David (and Terri),
>
> This interesting jot appeared in a FEMA email this evening. We're quite curious about your water, air and soil monitoring of course but also wonder about the 517 containers mentioned. Where were they encountered?
>
> I also wonder about some of the spills at plants around the Houston Ship Channel. The 460,000 gallons of gasoline spilled at Magellan and the Valero spill, for which we now have revised numbers.
>
> ----
>
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>
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>
>> Thank you, David
>>
>> I'm interested in getting a rundown on where EPA is collecting air, water and soil samples related to actual or suspected Harvey-related petrochemical spills and releases in 1) the Houston metropolitan area 2) other parts of Texas.
>>
>> I'd appreciate if someone could talk me through this. I know there is Arkema, the Valero refinery and Superfund sites and would like to know the nature and extent of sampling. I'm curious also about various spills reported to the Coast Guard's NRC.

Many thanks,
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak
Cel. [Ex. 6](Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu –Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

<image005.jpg> <image006.jpg>

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Wednesday, September 20, 2017 5:22 PM
To: Bajak, Frank
Cc: Press
Subject: RE: Bajak calling from AP - Question about Valero refinery

Hi Frank,

The latest information is available online at www.epa.gov/hurricane-harvey. We are adding information daily. I should have some additions later today. Most of your questions are answered by information that is posted there. I think you will find it helpful. Air monitoring and sample data information is all there.

I don't have an answer on timing for Valero follow up information but here is more and should be attributed to EPA spokesperson.

"EPA has concluded that the probable source of benzene and volatile organic compound readings in the Manchester community in Houston was the roof failure and spill from a light crude storage tank at the Valero Houston Refinery during Hurricane Harvey. EPA investigation into Valero Houston Refinery response and cleanup activities will continue. EPA has a long-standing practice of not disclosing specific details regarding on-going investigations. However, the complete results of our investigation will be made public upon its conclusion.

Following the review of air monitoring data from EPA's mobile unit and the City of Houston, EPA sent air specialists to the refinery on September 8 to evaluate the incident. Utilizing an infrared camera, EPA identified moderate on-going releases from the 190-foot wide tank. Valero reported to EPA that it was removing residual crude material from the tank using pumps and evaluating safe methods for removing the crumpled roof from the tank.

In addition, Valero has informed EPA that it believes it significantly underestimated the amount of VOCs and benzene released in its

original report to the State of Texas Environmental Electronic Reporting System. Based upon the volume of material in the tank at the time of the roof failure, EPA estimates that the emissions from the tank were highest immediately following the roof failure and have diminished over time due to efforts by the company to remove tank contents and apply foam suppressant to minimize emissions. Valero has informed EPA and TCEQ that they are preparing a follow up report that will indicate as substantial increase in overall reported emissions from the event."

Good hearing from you again.

Best,
David

From: Bajak, Frank [mailto:FBAJAK@ap.org]
Sent: Wednesday, September 20, 2017 3:22 PM
To: Gray, David <gray.david@epa.gov>
Subject: Bajak calling from AP - Question about Valero refinery

Hi David,

I sent this to Austin Vela and haven't heard back. I also signed up Monday to receive EPA news releases on your website but haven't gotten any.

Can you help?

Many thanks,
-fb

From: Bajak, Frank
Sent: Wednesday, September 20, 2017 11:36 AM
To: 'Vela.Austin@epa.gov'
Subject: Question about Valero refinery

Hi Austin,

I've signed up for EPA press releases but did not see anything from you folks that contains the information referred to in this Houston Chronicle story of last week:

"The EPA now says Valero believes it significantly underestimated the volumes leaked near East Houston's Manchester neighborhood. New totals won't be released until the EPA says it has completed its investigation. The EPA said Valero is preparing a new report that will show a "substantial increase" in emissions from the incident."

Can you send along the news release that discusses this matter? Has Valero issued a new report? I see something in the TCEQ database that says "initial report."
http://www2.tceq.texas.gov/oce/eer/index.cfm?fuseaction=main.getDetails&target=266275

Can you tell me when we can expect EPA's report on the Valero leak?

I am also interested in knowing where EPA continues to monitor the air for contaminants in the Houston area in particular and whether it is also doing water and soil samples and if so where exactly?

Many thanks,
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak
Cel. [Ex. 6] Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu –Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

<image007.jpg> <image008.jpg>

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/24/2017 10:20:27 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Fwd: EPA has finished its post-Harvey assesment of Superfund sites?

Sent from my iPhone

Begin forwarded message:

> **From:** "Biesecker, Michael" <MBiesecker@ap.org>
> **Date:** September 24, 2017 at 4:13:21 PM CDT
> **To:** "Gray, David (gray.david@epa.gov)" <gray.david@epa.gov>
> **Subject: Re: EPA has finished its post-Harvey assesment of Superfund sites?**
>
> David,
>
> I understand you sent a statement to the Houston Chronicle says the FEMA statement from Friday night was garbled and that the 517 containers cited were orphans unrelated to Superfund sites.
>
> Is there a reason you could not provide the same clarification to AP?
>
> Thanks,
>
> Michael
>
> _____
> Michael Biesecker
> The Associated Press
> Washington, D.C.
> 202-641-9445 office
> Ex. 6 mobile
> mbiesecker@ap.org
> Twitter: mbieseck
>
> The AP, founded in 1846, has a global network of 240 bureaus, providing news in text, audio, video, graphics and photos to more than 15,000 news outlets with a daily reach of 1 billion people worldwide.
>
> Sent from my iPhone
>
> On Sep 22, 2017, at 7:26 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
>
>> David,
>>
>> I see in the post-Harvey media release issued by FEMA a minutes ago it says EPA has completed its assessments of the 43 Superfund sites in Texas and recovered "517 containers of unidentified, potentially hazardous material."

Will EPA provide any additional information about which sites this material was recovered from and when? Why has EPA been unable to determine what the materials are or whether they're hazardous? Was there any sampling or testing done on the contents of the containers?

What were the results of the underwater survey of damage to the "armored cap" at the San Jacinto River Waste Pits? Was any of the cap displaced or missing? Was it determined whether contaminated sediments washed down river?

At U.S. Oil Recovery, is there any response to our previous questions about the spills reported to the NRC hotline on Aug. 29, Sept. 6 and Sept. 7? Was the agency able to determine whether any contamination from the site entered into Vince Bayou before or after the storm?

Please respond tonight.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/23/2017 1:52:58 AM
To: Gray, David [gray.david@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: EPA has finished its post-Harvey assesment of Superfund sites?

Looping liz and Amy

Sent from my iPhone

On Sep 22, 2017, at 9:06 PM, Gray, David <gray.david@epa.gov> wrote:

> FYI he wrote me also
>
> Sent from my iPhone
>
> On Sep 22, 2017, at 6:34 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:
>
> > FYI
> >
> > Sent from my iPhone
> >
> > Begin forwarded message:
> >
> > **Resent-From:** <Press@epa.gov>
> > **From:** "Biesecker, Michael" <MBiesecker@ap.org>
> > **Date:** September 22, 2017 at 7:26:29 PM EDT
> > **To:** Press <Press@epa.gov>
> > **Cc:** "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>
> > **Subject: EPA has finished its post-Harvey assesment of Superfund sites?**
> >
> > Liz, et al.,
> >
> > I see in the post-Harvey media release issued by FEMA a minutes ago it says EPA has completed its assessments of the 43 Superfund sites in Texas and recovered "517 containers of unidentified, potentially hazardous material."
> >
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Please respond tonight.

Thanks,

Michael

<image001.jpg>

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/23/2017 1:04:30 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Fwd: Bajak calling from AP - environmental testing at Houston spill sites

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** "Bajak, Frank" <FBAJAK@ap.org>
> **Date:** September 22, 2017 at 10:45:37 PM CDT
> **To:** "Gray, David" <gray.david@epa.gov>
> **Cc:** "White.terri-a@epa.gov" <White.terri-a@epa.gov>
> **Subject: Re: Bajak calling from AP - environmental testing at Houston spill sites**
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> Hi David (and Terri),
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>> -fb
>>
>> Frank Bajak, Correspondent
>> Twitter:@fbajak/Skype:fbajak
>> Cel. Ex. 6 Signal) Landline : +1-914-472-1145

PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu --Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

<image005.jpg> <image006.jpg>

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Wednesday, September 20, 2017 5:22 PM
To: Bajak, Frank
Cc: Press
Subject: RE: Bajak calling from AP - Question about Valero refinery

Hi Frank,

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Good hearing from you again.

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David

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Sent: Wednesday, September 20, 2017 3:22 PM
To: Gray, David <gray.david@epa.gov>
Subject: Bajak calling from AP - Question about Valero refinery

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-fb

From: Bajak, Frank
Sent: Wednesday, September 20, 2017 11:36 AM
To: 'Vela.Austin@epa.gov'
Subject: Question about Valero refinery

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"The EPA now says Valero believes it significantly underestimated the volumes leaked near East Houston's Manchester neighborhood. New totals won't be released until the EPA says it has completed its investigation. The EPA said Valero is preparing a new report that will show a "substantial increase" in emissions from the incident."

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http://www2.tceq.texas.gov/oce/eer/index.cfm?fuseaction=main.getDetails&target=266275

Can you tell me when we can expect EPA's report on the Valero leak?

I am also interested in knowing where EPA continues to monitor the air for contaminants in the Houston area in particular and whether it is also doing water and soil samples and if so where exactly?

Many thanks,
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak
Cel. Ex. 6 Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu --Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

<image007.jpg> <image008.jpg>

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Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 9/21/2017 4:10:41 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Lyons, Troy [lyons.troy@epa.gov]
Subject: Re: Response to "EPA Nominee Once Helped Chemical Industry, Lobbyists"

The AP really is not the standard for reporting. Sad to see the lack of management and indifference for accurate reporting.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 20, 2017, at 9:25 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

For awareness

From: Bowman, Liz
Sent: Wednesday, September 20, 2017 9:23 PM
To: 'Pace, Julie' <JPace@ap.org>
Subject: Response to "EPA Nominee Once Helped Chemical Industry, Lobbyists"

Hi Julie – The most recent Associated Press article, "EPA Nominee Once Helped Chemical Industry, Lobbyists" is another example of an article that we believe is in conflict with the Associated Press' values: https://www.ap.org/about/our-story/news-values. Please see below for specific examples of misleading and biased reporting by Michael Biesecker. Not once does Michael refer to Dr. Michael Dourson as proper title as "Dr.," he also does not mention that he has a PhD in toxicology. The only support statement cited is an industry one that is simultaneously being used to in an attempt to discredit Dr. Dourson. We trust that you will take these concerns seriously and address them, as well as those provided to you in my last email. Thank you – Liz

EPA NOMINEE ONCE HELPED CHEMICAL INDUSTRY, LOBBYISTS

President Donald Trump's nominee to oversee chemical safety at the Environmental Protection Agency has for years accepted payments for criticizing studies that raised concerns about the safety of his clients' products, according to a review of financial records and his published work by The Associated Press.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA has spent 1/3 of its time working with industry sponsors and **2/3 of its time working with government sponsors.**

Past corporate clients of Dourson and of a research group he ran include Dow Chemical Co., Koch Industries Inc. and Chevron Corp. His research has also been underwritten by industry trade and lobbying groups representing the makers of plastics, pesticides, processed foods and cigarettes.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was founded on the belief that an independent non-profit organization can provide a unique function to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. One-third of TERA effort has been for industries; **2/3 has**

been for government groups. The TERA's five websites include numerous projects and information that demonstrate this transparent and/or collaborative work. These projects and information are given away freely to the public as part of TERA's 501c3 commitment.

A toxicologist, Dourson worked at the EPA for more than a decade, leaving in 1994 as the manager at a lab that assessed the health risks of exposure to chemicals. The following year, he founded Toxicology Excellence for Risk Assessment, a private toxicity evaluation nonprofit organization that tests chemicals and produces reports on which chemicals are hazardous in what quantities.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was founded as a nonprofit Ohio corporation 1995 and later applied for and received a 501 c3. Its mission was to support the protection of public health by developing, reviewing and communicating risk assessment values and analyses; improving risk methods through research; and, educating risk assessors, managers, and the public on risk assessment issues.

Dourson's views toward industry are consistent with others Trump has selected as top federal regulators. Among them is EPA Administrator Scott Pruitt, who in March overruled the findings of his agency's own scientists to reverse an effort to ban chlorpyrifos, one of the nation's most widely used pesticides.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads and Excludes:** As we have explained **multiple times**, and the AP fails to report: USDA had scientific concerns with studies being used by activists to call for a ban on chlorpyrifos – concerns raised by the Obama Administration USDA. AP is also failing to report that no decision on the 2007 petition was made throughout the entire Obama Administration.

  Administrator Pruitt denied the petition based on the lack of time, divergent views from the previous administration and because FIFRA pesticide reviews are more transparent than a petition serving as a back door 'sue and settle' approach.

- <!--[if !supportLists]--><!--[endif]-->**This is an egregious ongoing falsehood being perpetuated by Michael Biesecker. We have explained this issue multiple times to him, his previous editors, and the AP. This is a complete and utter disregard for the facts in an effort to continue to mislead the public about this issue.**

Dourson and his organization previously worked under contract for Dow AgroSciences, the Dow subsidiary that makes chlorpyrifos. In three papers, Dourson and his colleagues pointed to what they said were flaws in peer-reviewed studies that linked delays in fetal development with even low levels of exposure to the pesticide, commonly sprayed on citrus fruits and apples.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA was funded by DowAgro Sciences to review the Reference Dose (RfD) developed by the EPA and others; results were published in 2005 and 2006. The science for chlorpyrifos has progressed since the time of these publications. One series of epidemiology studies shows an association of neurological effects at exposures lower than the current RfD;
  other epidemiology studies do not show this association. Based on how chlorpyrifos is known to work this association is not expected. **Furthermore, the raw data from this one epidemiology series are not available for review.**

In a 2005 paper on the topic, Dourson and his co-authors passed along thanks to Dow for its support over a number of years to study chlorpyrifos' toxicology and assess its risk and said that money in no way influenced their findings favoring the company's position.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Acknowledging sponsors is now a routine part of scientific publication.

"It is not even subtle," said Krimsky, who reviewed Dourson's recent published work. "He has chosen to be the voice of the chemical industry. His role as a scientist is simply the role of an industry-hired lawyer - only to give the best case for their client."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** 67 percent of Dr. Dourson's papers published while at TERA were sponsored by government or self-sponsored. Furthermore, TERA has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Often TERA develops collaborations with multiple sponsors to resolve difficult risk positions. TERA has on numerous occasions develop risk positions that did not favor a particular sponsor.

According to the nonprofit's most recent publicly available IRS filing, Dourson was paid $131,000 for his work there in 2015. He separately earns $103,000 a year from the University of Cincinnati, where he holds a research position.

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** Dr. Dourson earned $131,000 for part of 2015 leaving on July 31 in 2015. The balance of 2015 was paid for by the University of Cincinnati, College of Medicine. His salary listed is not correct.

"Dourson's pro-industry leanings"

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** This statement is biased and distorted

...were also evident in a now defunct website called "Kids + Chemical Safety," which his group ran. The site, which described itself as a source of information about the safe use of chemicals around children, mirrored talking points by chemical companies and trade groups that financed Dourson's work.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** This website is not defunct. This website is under consideration for adoption by another group. Stories on this website are written by identified experts in a less scientific tone, to explain risks and hazards of chemicals. Related government websites are either data-dense or not user friendly; activists' websites appear to be more designed to support fundraising.
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** TERA received support from the website from: the Alliance for Risk Assessment (*ARA*), American Chemistry Council (ACC), Combined Federal Campaign (CFC) of the US Federal Government and the public. In kind support from Cincinnati Children's Drug & Poison Information Center, Harvard Superfund Research Program, NSF International, and Toxicology Excellence for Risk Assessment (TERA).

Dourson's willingness to align his scientific opinions with those of his corporate patrons has earned him support from influential industry groups now supporting his nomination.

- <!--[if !supportLists]--><!--[endif]-->**AP Distorts:** "Dourson's willingness to align his scientific opinions" – this statement is: biased and distorted.
- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** TERA explains that: "independence from all parties and groups is essential in order for our science and results to be seen as credible by all parties. TERA has instituted policies and procedures, and maintains a corporate environment that ensures that all of our work efforts are conducted in a manner that maintains our independence.

- <!--[if !supportLists]--><!--[endif]-->They also explain that: [TERA is] **transparent about who our funders are and what role they had, if any, in commenting on the TERA scientific opinions or results. We make it clear to all funders and sponsors of our work that TERA is an independent scientific organization and as such we will provide them our independent scientific evaluation and conclusions.**

Court records show Dourson and his work have often been called on when his corporate clients are seeking to fend off lawsuits.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Legal testimony is a very small part of the overall TERA effort, and only done when a larger public health concern is under review.

DuPont was accused of polluting a West Virginia town with Perfluorooctanoic acid, or PFOA, a chemical that the company's internal tests had long ago concluded were toxic. Corporate officials discussed hiring Dourson as part of a strategy to defend themselves.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Dourson has not testified on behalf of Dupont in this capacity. What corporate officials? Where is the citation?

Dourson led a team that found in 2002 that PFOA levels up to 150 parts per billion were safe, a level higher than was found in testing of 188 private wells and springs.

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** In 2002, four governments and one industry recommended TERA as the independent and neutral party to assist in a PFOA evaluation. A West Virginia judge agreed. TERA was hired by the State of West Virginia. Dr. Deanne Statts of West Virginia DEP chaired a 10-member scientific panel, five of whom were government employees (three were from EPA). The panel made a unanimous determination of a safe water level of 150 ppb. **All of this information has been publicly available.** The science of PFOA has progressed since 2002.

That was also well above the 1 part per billion Dupont's own scientists had concluded could be considered safe years before. The EPA now says that only 70 parts per trillion of PFOA are acceptable - or only 0.05 percent of what Dourson's team said was safe.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads**: It is our understanding that the Dupont level was a place holder until the West Virginia panel developed its recommendation.

###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Ringel, Aaron [ringel.aaron@epa.gov]
Sent: 9/18/2017 8:58:37 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
CC: Lyons, Troy [lyons.troy@epa.gov]
Subject: FW: Letter from Rep. McCollum to Admin. Pruitt
Attachments: 2017.0918 Admin Pruitt on FOIA request and funds to Campaign Manager.pdf

Liz/Jahan, wanted to make sure you had visibility on this letter we just received from Ranking Member McCollum re: the FOIA request by the AP on Michael Biesecker and questions regarding Campaign Monitor Pty Ltd in case there were any press inquiries.

-Aaron

From: Taylor, Rebecca [mailto:Rebecca.Taylor@mail.house.gov]
Sent: Monday, September 18, 2017 4:54 PM
To: Scales, Wuanisha <Scales.Wuanisha@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Moody, Christina <Moody.Christina@epa.gov>
Subject: Letter from Rep. McCollum to Admin. Pruitt

Hello Wuanisha, Aaron, & Christina,

Attached please find a letter from Representative McCollum to Administrator Pruitt, which includes questions that she requests a response to in the next two weeks. A physical copy is in the mail.

Best,
Rebecca

Rebecca Taylor
Senior Legislative Assistant
Congresswoman Betty McCollum (MN-04)
2256 Rayburn
202-225-6631

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/18/2017 3:31:48 PM
To: Graham, Amy [graham.amy@epa.gov]; Gray, David [gray.david@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: AP Questions

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Graham, Amy
Sent: Monday, September 18, 2017 11:30 AM
To: Gray, David <gray.david@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: AP Questions

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, September 18, 2017 11:03 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: AP Questions

Liz,

I'm reaching out one last time in the hope EPA will engage on this. AP is prepared to report on the Aug. 29 spill at U.S. Oil recovery, when large tanks that were previously used to store waste at the Superfund site were completely underwater.

Thanks,

Michael

From: Biesecker, Michael
Sent: Friday, September 15, 2017 5:28 PM
To: 'Gray, David'; 'Graham, Amy'
Cc: 'Wilcox, Jahan'; 'Press'
Subject: RE: AP Questions

Just following up on this. It's well past 4 p.m. We want to give EPA every opportunity to engage on this.

From: Biesecker, Michael
Sent: Friday, September 15, 2017 2:31 PM
To: 'Gray, David'; Graham, Amy
Cc: Wilcox, Jahan; Press
Subject: RE: AP Questions

Hi David, et all

Just following up on these additional questions from last night. Do you expect to provide any additional info today?

Also, I need to ask for clarification on Amy's earlier statement that "EPA's On-Scene Coordinator conducted another site inspection and did not find any evidence of a black oily discharge or material from the site." Also, from last night's media release, "Yesterday, an EPA On-scene coordinator conducted an inspection of Vince Bayou to follow up on a rumor that material was offsite and did not find any evidence of a black oily discharge or material from the U.S. Oil Recovery site."

If that is the case, does EPA know the origin of the black, oily-looking water that appears to be plainly visible in the NOAA aerial imagery from Aug. 31?

Meanwhile, call logs from the U.S. Coast Guard's National Response Center hotline note that it received two calls Sept. 9 from "U.S. Oil Recovery Superfund" to report spills of storm water from the site earlier that week as the result of heavy rain.

According to EPA guidelines, responsible parties are required to report "hazardous substance release or oil spill" to the NRC hotline if the release enters "navigable waters or adjoining shorelines."

Did EPA know about the reports of spills from the same site where Amy's statement says EPA found no evidence of discharges? How can we reconcile that? Can you help us understand what steps EPA staff went through? Did they do a visual assessment? Walk the site? Drive past it? Collect and/or test samples?

A press release previously said 45,000 gallons of water were vacuumed up at the site. Was that related to these spills, or a separate issue? Was the recovered storm water all collected on site, or was any collected from neighboring roads, properties or waterways.

Finally, EPA's public statements make no direct reference to spills occurring at U.S. Oil Recovery. Why has the agency elected not to make the public aware of these incidents?

My deadline is 4 p.m. EST

Thanks,

Michael

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, September 14, 2017 5:47 PM
To: Biesecker, Michael; Graham, Amy
Cc: Wilcox, Jahan; Press; Dunklin, Reese; Press
Subject: RE: AP Questions

No worries

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, September 14, 2017 4:45 PM
To: Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: RE: AP Questions

Thank you. I wish we could give you more time, but we had already been waiting for response since Tuesday.

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, September 14, 2017 5:44 PM
To: Biesecker, Michael; Graham, Amy
Cc: Wilcox, Jahan; Press; Dunklin, Reese; Press
Subject: RE: AP Questions

Hi Michael,

I see that you are on a tight deadline. Give me a minute to see what answers I have to your follow up questions.

Best,
David

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, September 14, 2017 4:15 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>
Subject: FW: AP Questions

Amy,

Thanks for your response to AP's questions from Tuesday.

Your answers prompt several follow-ups:

Does EPA have an estimate of how long its assessment of the damage at the two sites is expected to continue?

On Saturday, EPA said the results of its testing from the 43 Superfund sites in Texas affected by the storm would be completed earlier this week and that "results will be available soon." What sampling has occurred to date at U.S. Oil Recovery and the San Jacinto River Waste Pits? When will those results be released?

You write that an EPA team conducted an on-site inspection at U.S. Oil Recovery on Sept. 4 and that "No evidence of an oily black water was found at that time." NOAA aerial photos from Aug. 31, five days earlier, show black-colored water

surrounding the site and flowing into the Houston Ship Channel (photo attached). Was EPA able to sample and test water from Vince Bayou? Were any samples collected prior to Sept. 4?

Where did the 45,000 gallons of potentially contaminated water vacuumed up at the site after the storm come from? Was it all rainwater, or were tanks at the site overtopped by floodwaters. Has the water collected at the site sampled and tested for contaminants?

The U.S. Oil Recovery site has 24-hour security camera monitoring. Has EPA reviewed footage from during the storm to determine conditions at the time?

A dive team has been on site at San Jacinto for at least two days. Why has EPA not yet been able to conclude whether the underwater portion of the cap was damaged? Any estimate of how much longer that might take?

AP is moving a story on this tonight. Please provide any additional response by 6:30 p.m.

Thanks,

Michael

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Thursday, September 14, 2017 3:49 PM
To: Dunklin, Reese; Wilcox, Jahan
Cc: Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – Here is our update:

San Jacinto River Waste Pits Superfund Site: Underwater inspections by the EPA dive team started this week and are continuing. The assessment is on-going and repairs are underway on the armored layer of the cap. Any needed additional repairs have not been determined. The security cameras have not been restored.

US Oil Recovery: EPA's On-Scene Coordinator conducted another site inspection and did not find any evidence of a black oily discharge or material from the site. An EPA team conducted an on-site inspection on September 4 to assess the site conditions post-storm. No evidence of an oily black water was found at that time. The responsible party has been directed to sample the water standing in the open tanks and remove the excess storm waters. The responsible party has conducted operations to remove the excess water, and ensure that all materials in the former wastewater treatment tanks is secured.

Thanks,
Amy

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Thursday, September 14, 2017 11:17 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello,

I'm checking in again to see whether you all have information answering the questions I sent on Tuesday?

Thanks,

Reese Dunklin, the Associated Press

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, September 13, 2017 2:39 PM
To: Dunklin, Reese
Cc: Graham, Amy; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

If you have this information from City Lab then you can cite City Lab.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: Re: AP RE: Hoping to reach David Gray

Can you at least confirm this information David Gray provided to City Lab:

The "armor" part of the armored cap covering the San Jacinto waste pits—the layer of rocks—had been at least partially displaced during the flood, although no damage to the liner itself has been reported so far. At the U.S. Oil recovery site in Pasadena, where the EPA has attempted to keep used oil products from entering waterways, crews were working to vacuum floodwaters from the facilities, Gray said, adding that "no sheen or odor was observed in the overflowing water." He anticipated that further assessment at both sites would take several days.

https://www.citylab.com/environment/2017/09/hurricane-harvey-toxic-superfund-pollution-epa/539553/

On Sep 13, 2017, at 2:16 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> We are still working on this, along with the new request from your reporter in Michigan about Hurricane Irma as well.
>
> ---
>
> **From:** Dunklin, Reese [mailto:RDunklin@ap.org]
> **Sent:** Wednesday, September 13, 2017 2:57 PM
> **To:** Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
> **Subject:** RE: AP RE: Hoping to reach David Gray
>
> Hello Amy,
>
> Just circling back around on this and making sure I didn't miss anything by chance.
>
> Thanks,
>
> Reese Dunklin

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Wednesday, September 13, 2017 11:19 AM
To: Dunklin, Reese; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Will have more information for you shortly.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 11:30 AM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello again Amy,

I'm just touching base to ensure you all received this and were preparing any answers or responses. Do you have a prospective ETA?

I'm getting word that the deadline on my end may be coming up later today.

Sorry to pester, but just want to get a sense for your plans.

Thanks,

Reese Dunklin, the AP

From: Dunklin, Reese
Sent: Tuesday, September 12, 2017 4:27 PM
To: 'Graham, Amy'; Gray, David; Press
Cc: Dunklin, Reese
Subject: RE: AP RE: Hoping to reach David Gray

Hello Amy,

Thanks for getting back to me so quickly. I appreciate the fast response. As I mentioned to David, I had some questions about the the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites.

I'm following up on the assessments at those two sites. Here were some of the questions I was hoping to get answered. We can get on the phone if that's quicker.

San Jacinto

It appears there has been significant ongoing work to repair the above water berm protecting "armored cap." As I understand it, two-thirds of the cap is normally under the river. Last week EPA said divers would be going to the site to assess whether the underwater sections of the cap are still in place. So I was wondering:

--Has that assessment occurred?
--Was there any indication whether any of the underwater portion of the cap was damaged?
--Are there other assessment efforts under way?
--What else necessitated the additional assessment efforts?
--What kind of water or soil sampling has EPA conducted on site?
--When those sampling results will be made available, if they're not already?
--Is there any evidence that harmful contamination has migrated off site?

U.S. Oil Recovery

It appears a significant amount of black, oily water flowed from the site and into Vince Bayou. So I was wondering:

-- What else necessitated the additional assessment efforts?
--Has EPA conducted sampling of surface waters and sediments in the area after the storm?
--What do the results show?
--Are there other assessment efforts under way?
--work is being done at the site in the wake of the storm (e.g. any monitoring or clean up)?
--Can EPA assure the public that no harmful contamination migrated off site? If not, has the agency yet determined the potential risks to human health and wildlife?

I appreciate your help on this and look forward to hearing back from you soon. Is it possible for me to get a response back by tomorrow?

Thanks in advance,

Reese Dunklin

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image001.jpg>

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From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, September 12, 2017 2:58 PM
To: Gray, David; Dunklin, Reese; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – What are your specific questions?

From: Gray, David
Sent: Tuesday, September 12, 2017 3:28 PM
To: Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: AP RE: Hoping to reach David Gray

Hi Reese,

Thanks for the note. I got the same request from Michael Biesecker and our HQ office is handling this response. I am copying them here so they know to add you to the response.

David

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Tuesday, September 12, 2017 2:09 PM
To: Gray, David <gray.david@epa.gov>
Cc: Dunklin, Reese <RDunklin@ap.org>
Subject: Hoping to reach David Gray

Hello David,

I left a voice mail at 214 665 2200 to this effect. My name is Reese Dunklin, and I'm based in the AP's Dallas office. I'm hoping to reach you regarding the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites. Is there a better number for me to try for you? You can also reach me at 972 502 7571.

Thanks for reading this far,

Reese Dunklin, AP

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *mobile/text)*
rdunklin@ap.org

<image002.jpg>

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 9/14/2017 11:02:44 PM
To: Vela, Austin [Vela.Austin@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: NEWS RELEASE: EPA/TCEQ: Updated status of systems affected by Harvey

Vela,

It appears you inadvertently left the R off my last name in my email address, which prevented me from receiving this release. Please correct for the next one.

Thanks!

Michael

From: Vela, Austin [mailto:Vela.Austin@epa.gov]
Sent: Thursday, September 14, 2017 5:52 PM
To: 'rhaurwitz@statesman.com'; 'Emily.Flitter@thomsonreuters.com'; 'jmalewitz@texastribune.org'; 'dschultz@bna.com'; 'lcook@katctv.com'; 'nidhi.s@buzzfeed.com'; 'ekatz@govexec.com'; 'mark.collette@chron.com'; 'james.osborne@chron.com'; 'tbubenik@houstonpublicmedia.org'; 'Kirsten.crow@caller.com'; 'Richard.Valdmanis@thomsonreuters.com'; 'dkoenig@ap.org'; 'asmith@bna.com'; 'ben@axios.com'; 'valerie.volcovici@thomsonreuters.com'; 'askibell@eenews.net'; 'sheila.kaplan@nytimes.com'; 'jessica.glenza@guardian.co.uk'; 'nheikkinen@eenews.net'; 'Jessica.Lussenhop@bbc.co.uk'; 'mbiesecke@ap.org'; 'mcasey@ap.org'; 'jdearen@ap.org'; 'rhaurwitz@statesman.com'; Ex. 6 'Meera.Senthilingam@turner.com'; 'j.keefe@newsweekgroup.com'; 'alexander.kaufman@huffpost.com'; 'eplatoff@texastribune.org'; 'asnider@politico.com'; 'CDomonoske@npr.org'; 'GBrumfiel@npr.org'; 'hhacker@dallasnews.com'; 'Lise.Olsen@chron.com'; Ex. 6 'hnorthey@eenews.net'; 'msoraghan@eenews.net'; 'britnei.bilhete@cbc.ca'; 'phil.mckenna@insideclimatenews.org'; Ex. 6 'Michael.Newberg@nbcuni.com'; 'ctraywick@bloomberg.net'; 'livia.albeck-ripka@nytimes.com'; 'RDunklin@ap.org'; 'Greg.Groogan@FOXTV.COM'; 'Stephanie.Ebbs@abc.com'
Subject: NEWS RELEASE: EPA/TCEQ: Updated status of systems affected by Harvey

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

EPA/TCEQ: Updated status of systems affected by Harvey

Working together, the U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas. The TCEQ has approximately 500 people and EPA has 263 people assisting in response to this natural disaster.

As part of this coordination, a Unified Command was established between the EPA, the TCEQ, the General Land Office, and the U.S. Coast Guard to oversee all emergency response efforts. This Unified Command is supported by three operational branches in Corpus Christi, Houston, and Port Arthur. In addition to the EPA, the TCEQ, the GLO, and the USCG, multiple agencies and groups are supporting each of the operational branches, including the Texas National Guard, 6th Civil Support Team; the Arkansas National Guard, 61st Civil Support Team; the Oklahoma Task Force 1; and the Texas State Guard Engineering Group. Branch personnel are working to continuously monitor water and wastewater systems, as well as assess spills or discharges as a result of the storm.

As of **Thursday Sept 14,** the following information is available:

Drinking Water: To date, about 2,238 drinking water systems have been affected by Harvey. Of those: 2,014 systems are fully operational, 77 have boil-water notices, and 19 are shut down. Both the EPA and the TCEQ are contacting remaining systems to gather updated information of their status. Assistance teams are in the field working directly with system operators to expedite getting systems back to operational status.

Wastewater and Sewage: The TCEQ has made contact with 1,219 wastewater treatment plants in the 58 counties within the Governor's Disaster Declaration. Of those, 31 are inoperable in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers are occurring as a result of the historic flooding and are actively working to monitor facilities that have reported spills. Additionally, the agencies are conducting outreach and providing technical guidance to all other wastewater facilities in flood-impacted areas. Assistance teams will continue to be deployed to work directly with system operators to expedite getting systems back to operational status.

On September 12, EPA approved the Texas Water Development Board proposed approaches to utilized State Revolving Funds from EPA to address immediate recovery and future resiliency efforts in Texas.

Flood Water: Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Critical Water Infrastructure: The TCEQ has made contact with the owners of the 340 dams in the impacted areas. There are 15 dams that have reported some type of damage. There have been no reports of downstream damage or loss of life. The TCEQ will be meeting with affected dam owners in the next week.

Additional EPA/TCEQ updates include:

Superfund Sites: The EPA and the TCEQ continue to get updates about the status of specific sites from the parties responsible for ongoing cleanup of the sites. The TCEQ has completed the assessment of all 17 state Superfund sites in the affected area. There

were no major issues noted. The TCEQ will continue to monitor sites to ensure no further action is needed in regards to the storm.

The EPA completed site assessments at all 43 Superfund sites affected by the storm. Of these sites, two (San Jacinto Waste Pits and U.S. Oil Recovery) require additional assessment efforts. Underwater inspections by the EPA Dive Team at the San Jacinto Waste Pits site started this week and are continuing. No final determinations have been made by the Dive Team and their assessment is on-going. Repairs are underway on armored layer of the cap continue. The security cameras have not been restored and repairs are on-going. Yesterday, an EPA On-scene coordinator conducted an inspection of Vince Bayou to follow up on a rumor that material was offsite and did not find any evidence of a black oily discharge or material from the U.S. Oil Recovery site. The responsible party has been directed to sample the water standing in the open tanks and remove the excess storm waters. The responsible party has conducted operations to remove the excess water, and ensure that all materials in the former wastewater treatment tanks is secured.

The EPA or responsible parties have completed sampling the 34 Superfund sites in Texas and will finish sampling the 9 site in Louisiana tomorrow. Post-hurricane Superfund site summaries based on preliminary data results are being released.

Debris Management: The TCEQ, supported EPA, launched a social media blitz to encourage the separation of debris today. The TCEQ has approved 118 Temporary Debris Management Sites in areas under the Federal or State Disaster Declaration designations. TCEQ regional offices and local authorities are actively overseeing the siting and implementation of debris and waste management plans in the affected area. EPA, TCEQ and Army Corps of Engineer field observers are visiting staging and landfills to ensure compliance with guidelines. View a map of all Temporary Debris Management Sites.

Reconnaissance/Orphan Containers: The TCEQ continues to lead in monitoring facilities that have reported spills. Orphan containers, which include drums and tanks, found floating in or washed up near waterways continue to be gathered, sorted and grouped by type, prior to shipping them off for safe, proper treatment and disposal. Reconnaissance and assessment of facilities and vessels are being conducted to identify any leaks or spills and responded to accordingly. The Unified Command is also working to ensure the disposal of oil and hazardous materials is conducted properly. Response personnel operating out of Corpus Christi are expected to complete their work this week.

Air Quality Monitoring: One of the many preparations for Hurricane Harvey included the EPA, the TCEQ, and other monitoring entities temporarily shutting down several air monitoring stations from the greater Houston, Corpus Christi, and Beaumont areas to protect valuable equipment from storm damage. Since then, state and local authorities have been working to get the systems up and running again as soon as possible. As of Monday, Sept. 11, the TCEQ's air monitoring network is operational 100 percent in Corpus Christi, 96 percent in Houston, and 86 percent in Beaumont. The TCEQ is working to get the complete network fully operational as soon as possible and we will notify the public when the 3 remaining monitors are online. Of the available air monitoring data collected from Aug. 24 through Sept. 14, all measured concentrations were well below levels of health concern. The EPA conducted air monitoring using the TAGA mobile air

monitoring bus in southeast Houston neighborhoods nearest industrial sources and data reports for September 5, 6, 7, 10, 12, 13 are available online at www.epa.gov/hurricane-harvey . EPA has concluded that the probable source of benzene and volatile organic compound readings in the Manchester community in Houston was the roof failure and spill from a light crude storage tank at the Valero Houston Refinery during Hurricane Harvey. EPA investigation into Valero Houston Refinery response and cleanup activities will continue.

Today, TAGA mobile air monitoring bus began monitoring air quality around three additional industrial sources near Deer Park, Texas.

EPA also sent its aerial surveillance aircraft to conduct a screening level assessment to evaluate unreported or undetected releases from facilities with Risk Management and/or Response Plans within the hurricane impacted areas. EPA's plane instrumentation measured 13 chemicals. The Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft found no exceedances of the Texas comparison values. The screening level results from ASPECT were compared to the ASPECT list of the TCEQ's short-term Air Monitoring Comparison Values and found no exceedances of the short-term AMCVs.

Refineries/Fuel Waivers: EPA approved the request from the State of Texas to continue to waive requirements for fuels in Texas through the end of the month to help address the emergency circumstances in Texas from Hurricanes Harvey and Irma.

For additional information please visit the:
https://www.tceq.texas.gov/response/hurricanes

View the EPA Story Map about Hurricane Harvey Response activities:
https://response.epa.gov/site/site_profile.aspx?site_id=12353

Austin Vela
Public Information Officer
U.S.EPA

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Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/14/2017 10:01:23 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Gray, David [gray.david@epa.gov]
Subject: FW: AP Questions

Liz needs to weigh in

From: Gray, David
Sent: Thursday, September 14, 2017 5:59 PM
To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: AP Questions

Micheal,

Off the record: I don't have an answer to how long the assessments will take. I suspect they will go for another week or so – but that is a guess on my part. I should have a few Superfund site data summaries later today using preliminary data from sampling efforts. Final QA/QC data reports won't be available for about week which is fairly typical. We plan on posting updates using preliminary data as soon as they are ready.

Here is the latest operational updates on both of the Superfund sites.

US Oil: Since the time the pump down operations began, after the hurricane landfall, a total of 63 truckloads of storm water (approximately 315,000 gallons) have been removed from the Site. The two frac tanks that were brought on-site for temporary stormwater storage, have been emptied and were demobilized from the site today.

San Jacinto: The EPA and the responsible party will collect samples from areas identified as having missing armor stone. Rock placement and cap repairs for above water areas is complete. The underwater cap areas missing armor stone will be repaired following the EPA Dive Team assessment and sampling work. Temporary fencing installation for site security complete.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, September 14, 2017 4:15 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>
Subject: FW: AP Questions

Amy,

Thanks for your response to AP's questions from Tuesday.

Your answers prompt several follow-ups:

Does EPA have an estimate of how long its assessment of the damage at the two sites is expected to continue?

On Saturday, EPA said the results of its testing from the 43 Superfund sites in Texas affected by the storm would be completed earlier this week and that "results will be available soon." What sampling has occurred to date at U.S. Oil Recovery and the San Jacinto River Waste Pits? When will those results be released?

You write that an EPA team conducted an on-site inspection at U.S. Oil Recovery on Sept. 4 and that "No evidence of an oily black water was found at that time." NOAA aerial photos from Aug. 31, five days earlier, show black-colored water surrounding the site and flowing into the Houston Ship Channel (photo attached). Was EPA able to sample and test water from Vince Bayou? Were any samples collected prior to Sept. 4?

Where did the 45,000 gallons of potentially contaminated water vacuumed up at the site after the storm come from? Was it all rainwater, or were tanks at the site overtopped by floodwaters. Has the water collected at the site sampled and tested for contaminants?

The U.S. Oil Recovery site has 24-hour security camera monitoring. Has EPA reviewed footage from during the storm to determine conditions at the time?

A dive team has been on site at San Jacinto for at least two days. Why has EPA not yet been able to conclude whether the underwater portion of the cap was damaged? Any estimate of how much longer that might take?

AP is moving a story on this tonight. Please provide any additional response by 6:30 p.m.

Thanks,

Michael

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Thursday, September 14, 2017 3:49 PM
To: Dunklin, Reese; Wilcox, Jahan
Cc: Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – Here is our update:

San Jacinto River Waste Pits Superfund Site: Underwater inspections by the EPA dive team started this week and are continuing. The assessment is on-going and repairs are underway on the armored layer of the cap. Any needed additional repairs have not been determined. The security cameras have not been restored.

US Oil Recovery: EPA's On-Scene Coordinator conducted another site inspection and did not find any evidence of a black oily discharge or material from the site. An EPA team conducted an on-site inspection on September 4 to assess the site conditions post-storm. No evidence of an oily black water was found at that time. The responsible party has been directed to sample the water standing in the open tanks and remove the excess storm waters. The responsible party has conducted operations to remove the excess water, and ensure that all materials in the former wastewater treatment tanks is secured.

Thanks,
Amy

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Thursday, September 14, 2017 11:17 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello,

I'm checking in again to see whether you all have information answering the questions I sent on Tuesday?

Thanks,

Reese Dunklin, the Associated Press

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, September 13, 2017 2:39 PM
To: Dunklin, Reese
Cc: Graham, Amy; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

If you have this information from City Lab then you can cite City Lab.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: Re: AP RE: Hoping to reach David Gray

Can you at least confirm this information David Gray provided to City Lab:

The "armor" part of the armored cap covering the San Jacinto waste pits—the layer of rocks—had been at least partially displaced during the flood, although no damage to the liner itself has been reported so far. At the U.S. Oil recovery site in Pasadena, where the EPA has attempted to keep used oil products from entering waterways, crews were working to vacuum floodwaters from the facilities, Gray said, adding that "no sheen or odor was observed in the overflowing water." He anticipated that further assessment at both sites would take several days.

https://www.citylab.com/environment/2017/09/hurricane-harvey-toxic-superfund-pollution-epa/539553/

On Sep 13, 2017, at 2:16 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> We are still working on this, along with the new request from your reporter in Michigan about Hurricane Irma as well.
>
> ---
>
> **From:** Dunklin, Reese [mailto:RDunklin@ap.org]
> **Sent:** Wednesday, September 13, 2017 2:57 PM
> **To:** Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
> **Subject:** RE: AP RE: Hoping to reach David Gray
>
> Hello Amy,

Just circling back around on this and making sure I didn't miss anything by chance.

Thanks,

Reese Dunklin

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Wednesday, September 13, 2017 11:19 AM
To: Dunklin, Reese; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Will have more information for you shortly.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 11:30 AM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello again Amy,

I'm just touching base to ensure you all received this and were preparing any answers or responses. Do you have a prospective ETA?

I'm getting word that the deadline on my end may be coming up later today.

Sorry to pester, but just want to get a sense for your plans.

Thanks,

Reese Dunklin, the AP

From: Dunklin, Reese
Sent: Tuesday, September 12, 2017 4:27 PM
To: 'Graham, Amy'; Gray, David; Press
Cc: Dunklin, Reese
Subject: RE: AP RE: Hoping to reach David Gray

Hello Amy,

Thanks for getting back to me so quickly. I appreciate the fast response. As I mentioned to David, I had some questions about the the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites.

I'm following up on the assessments at those two sites. Here were some of the questions I was hoping to get answered. We can get on the phone if that's quicker.

San Jacinto

It appears there has been significant ongoing work to repair the above water berm protecting "armored cap." As I understand it, two-thirds of the cap is normally under the river. Last week EPA said divers would be going to the site to assess whether the underwater sections of the cap are still in place. So I was wondering:

--Has that assessment occurred?

--Was there any indication whether any of the underwater portion of the cap was damaged?
--Are there other assessment efforts under way?
--What else necessitated the additional assessment efforts?
--What kind of water or soil sampling has EPA conducted on site?
--When those sampling results will be made available, if they're not already?
--Is there any evidence that harmful contamination has migrated off site?

U.S. Oil Recovery

It appears a significant amount of black, oily water flowed from the site and into Vince Bayou. So I was wondering:

-- What else necessitated the additional assessment efforts?
--Has EPA conducted sampling of surface waters and sediments in the area after the storm?
--What do the results show?
--Are there other assessment efforts under way?
--work is being done at the site in the wake of the storm (e.g. any monitoring or clean up)?
--Can EPA assure the public that no harmful contamination migrated off site? If not, has the agency yet determined the potential risks to human health and wildlife?

I appreciate your help on this and look forward to hearing back from you soon. Is it possible for me to get a response back by tomorrow?

Thanks in advance,

Reese Dunklin

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image001.jpg>

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From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, September 12, 2017 2:58 PM
To: Gray, David; Dunklin, Reese; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – What are your specific questions?

From: Gray, David
Sent: Tuesday, September 12, 2017 3:28 PM
To: Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: AP RE: Hoping to reach David Gray

Hi Reese,

Thanks for the note. I got the same request from Michael Biesecker and our HQ office is handling this response. I am copying them here so they know to add you to the response.

David

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Tuesday, September 12, 2017 2:09 PM
To: Gray, David <gray.david@epa.gov>
Cc: Dunklin, Reese <RDunklin@ap.org>
Subject: Hoping to reach David Gray

Hello David,

I left a voice mail at 214 665 2200 to this effect. My name is Reese Dunklin, and I'm based in the AP's Dallas office. I'm hoping to reach you regarding the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites. Is there a better number for me to try for you? You can also reach me at 972 502 7571.

Thanks for reading this far,

Reese Dunklin, AP

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image002.jpg>

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/14/2017 8:46:08 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: AP RE: Hoping to reach David Gray

I understand it happens to me also

Sent from my iPhone

On Sep 14, 2017, at 3:44 PM, Graham, Amy <graham.amy@epa.gov> wrote:

> Thanks, I sent this email yesterday but apparently several items got stuck in my outbox until now. I'm going to go ahead and send this now if there are no updates as of today.
>
> **From:** Gray, David
> **Sent:** Thursday, September 14, 2017 4:40 PM
> **To:** Graham, Amy <graham.amy@epa.gov>
> **Cc:** Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
> **Subject:** Re: AP RE: Hoping to reach David Gray
>
> Deliberative Process / Ex. 5
>
> Sent from my iPhone
>
> On Sep 14, 2017, at 3:33 PM, Graham, Amy <graham.amy@epa.gov> wrote:
>
>> Here is my draft response to her. David – Please confirm this is accurate:
>
> Deliberative Process / Ex. 5
>
> **From:** Wilcox, Jahan
> **Sent:** Wednesday, September 13, 2017 3:17 PM
> **To:** Dunklin, Reese <RDunklin@ap.org>; Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
> **Subject:** RE: AP RE: Hoping to reach David Gray

We are still working on this, along with the new request from your reporter in Michigan about Hurricane Irma as well.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 2:57 PM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello Amy,

Just circling back around on this and making sure I didn't miss anything by chance.

Thanks,

Reese Dunklin

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Wednesday, September 13, 2017 11:19 AM
To: Dunklin, Reese; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Will have more information for you shortly.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 11:30 AM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello again Amy,

I'm just touching base to ensure you all received this and were preparing any answers or responses. Do you have a prospective ETA?

I'm getting word that the deadline on my end may be coming up later today.

Sorry to pester, but just want to get a sense for your plans.

Thanks,

Reese Dunklin, the AP

From: Dunklin, Reese
Sent: Tuesday, September 12, 2017 4:27 PM
To: 'Graham, Amy'; Gray, David; Press
Cc: Dunklin, Reese
Subject: RE: AP RE: Hoping to reach David Gray

Hello Amy,

Thanks for getting back to me so quickly. I appreciate the fast response. As I mentioned to David, I had some questions about the the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites.

I'm following up on the assessments at those two sites. Here were some of the questions I was hoping to get answered. We can get on the phone if that's quicker.

San Jacinto

It appears there has been significant ongoing work to repair the above water berm protecting "armored cap." As I understand it, two-thirds of the cap is normally under the river. Last week EPA said divers would be going to the site to assess whether the underwater sections of the cap are still in place. So I was wondering:

--Has that assessment occurred?
--Was there any indication whether any of the underwater portion of the cap was damaged?
--Are there other assessment efforts under way?
--What else necessitated the additional assessment efforts?
--What kind of water or soil sampling has EPA conducted on site?
--When those sampling results will be made available, if they're not already?
--Is there any evidence that harmful contamination has migrated off site?

U.S. Oil Recovery

It appears a significant amount of black, oily water flowed from the site and into Vince Bayou. So I was wondering:

-- What else necessitated the additional assessment efforts?
--Has EPA conducted sampling of surface waters and sediments in the area after the storm?
--What do the results show?
--Are there other assessment efforts under way?
--work is being done at the site in the wake of the storm (e.g. any monitoring or clean up)?
--Can EPA assure the public that no harmful contamination migrated off site? If not, has the agency yet determined the potential risks to human health and wildlife?

I appreciate your help on this and look forward to hearing back from you soon. Is it possible for me to get a response back by tomorrow?

Thanks in advance,

Reese Dunklin

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244

972-502-7571 (office)
Ex. 6 *mobile/text)*
rdunklin@ap.org

<image001.jpg>

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From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, September 12, 2017 2:58 PM
To: Gray, David; Dunklin, Reese; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – What are your specific questions?

From: Gray, David
Sent: Tuesday, September 12, 2017 3:28 PM
To: Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: AP RE: Hoping to reach David Gray

Hi Reese,

Thanks for the note. I got the same request from Michael Biesecker and our HQ office is handling this response. I am copying them here so they know to add you to the response.

David

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Tuesday, September 12, 2017 2:09 PM
To: Gray, David <gray.david@epa.gov>
Cc: Dunklin, Reese <RDunklin@ap.org>
Subject: Hoping to reach David Gray

Hello David,

I left a voice mail at 214 665 2200 to this effect. My name is Reese Dunklin, and I'm based in the AP's Dallas office. I'm hoping to reach you regarding the San Jacinto Waste

Pits and U.S. Oil Recovery superfund sites. Is there a better number for me to try for you? You can also reach me at 972 502 7571.

Thanks for reading this far,

Reese Dunklin, AP

–

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *mobile/text)*
rdunklin@ap.org

<image002.jpg>

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Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/14/2017 9:57:23 PM
To: Gray, David [gray.david@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: AP Questions

No more responses to him

From: Gray, David
Sent: Thursday, September 14, 2017 5:47 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: RE: AP Questions

No worries

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, September 14, 2017 4:45 PM
To: Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: RE: AP Questions

Thank you. I wish we could give you more time, but we had already been waiting for response since Tuesday.

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, September 14, 2017 5:44 PM
To: Biesecker, Michael; Graham, Amy
Cc: Wilcox, Jahan; Press; Dunklin, Reese; Press
Subject: RE: AP Questions

Hi Michael,

I see that you are on a tight deadline. Give me a minute to see what answers I have to your follow up questions.

Best,
David

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, September 14, 2017 4:15 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>
Subject: FW: AP Questions

Amy,

Thanks for your response to AP's questions from Tuesday.

Your answers prompt several follow-ups:

Does EPA have an estimate of how long its assessment of the damage at the two sites is expected to continue?

On Saturday, EPA said the results of its testing from the 43 Superfund sites in Texas affected by the storm would be completed earlier this week and that "results will be available soon." What sampling has occurred to date at U.S. Oil Recovery and the San Jacinto River Waste Pits? When will those results be released?

You write that an EPA team conducted an on-site inspection at U.S. Oil Recovery on Sept. 4 and that "No evidence of an oily black water was found at that time." NOAA aerial photos from Aug. 31, five days earlier, show black-colored water surrounding the site and flowing into the Houston Ship Channel (photo attached). Was EPA able to sample and test water from Vince Bayou? Were any samples collected prior to Sept. 4?

Where did the 45,000 gallons of potentially contaminated water vacuumed up at the site after the storm come from? Was it all rainwater, or were tanks at the site overtopped by floodwaters. Has the water collected at the site sampled and tested for contaminants?

The U.S. Oil Recovery site has 24-hour security camera monitoring. Has EPA reviewed footage from during the storm to determine conditions at the time?

A dive team has been on site at San Jacinto for at least two days. Why has EPA not yet been able to conclude whether the underwater portion of the cap was damaged? Any estimate of how much longer that might take?

AP is moving a story on this tonight. Please provide any additional response by 6:30 p.m.

Thanks,

Michael

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Thursday, September 14, 2017 3:49 PM
To: Dunklin, Reese; Wilcox, Jahan
Cc: Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – Here is our update:

San Jacinto River Waste Pits Superfund Site: Underwater inspections by the EPA dive team started this week and are continuing. The assessment is on-going and repairs are underway on the armored layer of the cap. Any needed additional repairs have not been determined. The security cameras have not been restored.

US Oil Recovery: EPA's On-Scene Coordinator conducted another site inspection and did not find any evidence of a black oily discharge or material from the site. An EPA team conducted an on-site inspection on September 4 to assess the site conditions post-storm. No evidence of an oily black water was found at that time. The responsible party has been directed to sample the water standing in the open tanks and remove the excess storm waters. The responsible party has conducted operations to remove the excess water, and ensure that all materials in the former wastewater treatment tanks is secured.

Thanks,
Amy

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Thursday, September 14, 2017 11:17 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello,

I'm checking in again to see whether you all have information answering the questions I sent on Tuesday?

Thanks,

Reese Dunklin, the Associated Press

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, September 13, 2017 2:39 PM
To: Dunklin, Reese
Cc: Graham, Amy; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

If you have this information from City Lab then you can cite City Lab.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: Re: AP RE: Hoping to reach David Gray

Can you at least confirm this information David Gray provided to City Lab:

The "armor" part of the armored cap covering the San Jacinto waste pits—the layer of rocks—had been at least partially displaced during the flood, although no damage to the liner itself has been reported so far. At the U.S. Oil recovery site in Pasadena, where the EPA has attempted to keep used oil products from entering waterways, crews were working to vacuum floodwaters from the facilities, Gray said, adding that "no sheen or odor was observed in the overflowing water." He anticipated that further assessment at both sites would take several days.

https://www.citylab.com/environment/2017/09/hurricane-harvey-toxic-superfund-pollution-epa/539553/

On Sep 13, 2017, at 2:16 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

We are still working on this, along with the new request from your reporter in Michigan about Hurricane Irma as well.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 2:57 PM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello Amy,

Just circling back around on this and making sure I didn't miss anything by chance.

Thanks,

Reese Dunklin

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Wednesday, September 13, 2017 11:19 AM
To: Dunklin, Reese; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Will have more information for you shortly.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 11:30 AM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
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I appreciate your help on this and look forward to hearing back from you soon. Is it possible for me to get a response back by tomorrow?

Thanks in advance,

Reese Dunklin

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image001.jpg>

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To: Gray, David; Dunklin, Reese; Press
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Thanks for reading this far,

Reese Dunklin, AP

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image002.jpg>

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Message

From: Brown, Matthew [MBrown@ap.org]
Sent: 9/14/2017 3:38:11 PM
To: Gray, David [gray.david@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Lauer, Claudia [CLauer@ap.org]
Subject: RE: Magellan Galena Park spill

Thanks David. I got through to Toczko. Thanks for the help with that.

He says about 2,000 barrels recovered so we're going to go with that figure. He had no knowledge of a 2,500 gallon figure. Would still like to know where that came from....Sounds like maybe wires crossed somewhere?

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6
fax-406 896 8117

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Wednesday, September 13, 2017 7:51 PM
To: Brown, Matthew
Cc: Bowman, Liz
Subject: RE: Magellan Galena Park spill

Matt,

Try this email Jarod.s.toczko@uscg.mil

David

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Wednesday, September 13, 2017 3:37 PM
To: Ex. 6
Cc: Ex. 6 Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Lauer, Claudia <CLauer@ap.org>
Subject: FW: Magellan Galena Park spill

Greetings-I'm re-sending this request for info on Magellan Midstream spill in Galena Park, TX. Please see details below.
Matt Brown

From: Uscg Piat Ex. 6
Sent: Wednesday, September 13, 2017 2:34 PM
To: Brown, Matthew
Subject: Re: Magellan Galena Park spill

Mr. Brown,

Good afternoon. Please use the following email address for further requests for information concerning the EPA and Coast Guard ESF10 mission.

Ex. 6

My reasoning is that I have demob'd or departed from the incident and as I have the only access to this USCGPIAT account, it cuts others out of the critical loop of information.

Thank you.

Thomas McKenzie

BT
NNNN

On Sep 13, 2017, at 11:55 AM, Brown, Matthew <MBrown@ap.org> wrote:

> Greetings-
>
> I'm a reporter with The Associated Press seeking information on a Magellan Midstream Partners refined product spill in Galena Park related to Harvey. EPA (David Gray) directed us to USCG Lt. Jarod Toczko for further information. I've CC'd David and others at the EPA who were included in our earlier exchanges on this, as well as my colleague Claudia Lauer with the AP in Dallas.
>
> We're looking to follow up with a short update on the status of the spill and need to clarify a few things:
>
> --EPA said 8000 barrels out of the 10,988 released had been recovered and a significant amount had evaporated. Is there an estimate for how much product was not recovered and did not evaporate (ie-remains on site or seeped into the ground or water)?
> --how much of the released product reached a waterway or escaped outside the plant boundaries?
> --AP was told last week that this was a 2,500 gallon spill; is that how much made it outside containment, entered the waterway/ditch at the site and was considered unrecoverable? How much escaped plant boundaries? If neither of those, what does that figure refer to?
> --are recovery operations now complete?
> -any time estimate for completion of further remediation?
>
> Thanks for your time and help.
> Matt Brown

<image002.jpg>
Matthew Brown
Associated Press Correspondent
PO Box 36300
Billings, MT 59107
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6
fax-406 896 8117

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/14/2017 3:25:21 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: FW: E&E News/copy of Arkema story

Mike Lee
E&E News Dallas-Fort Worth reporter
mlee@eenews.net
817-832-9514
@mikeleefw

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

HURRICANE HARVEY

Filing shows spill at Arkema plant before it caught fire

Mike Lee, E&E News reporter
Published: Thursday, September 14, 2017

The Arkema Inc. plant in Crosby, Texas, was flooded from Hurricane Harvey, and the chemicals stored there have caused explosions. Godofredo A. Vasquez/*Houston Chronicle*/Associated Press

The chemical plant in Crosby, Texas, that caught fire in the aftermath of Hurricane Harvey experienced a chemical spill more than a day before the fire broke out, according to a regulatory filing.

The spill happened Aug. 29, according to an emissions report that Arkema Inc. filed with the Texas Commission on Environmental Quality. It raises fresh questions about how much regulators knew about the dangers at the facility and whether the company was completely forthcoming about the incident.

It's unclear when the report was actually filed — it wasn't available on the TCEQ website until this week. That means local firefighters and sheriff's deputies may not have known about the spill when they responded to the plant two weeks ago, said Elena Craft, a senior health scientist at the Environmental Defense Fund who reviewed the report.

"They were making decisions based on information that might not have been accurate," she said.

The stricken plant, about 25 miles northeast of Houston, made national news and became a flashpoint for local residents and environmentalists who have been alarmed by the pollution that the storm unleashed. Texas officials have scaled back disclosure requirements for chemical companies, and the Trump administration has delayed Obama-era rules aimed at making it safer for emergency workers who respond to chemical plants (*Greenwire*, Aug. 31).

The TCEQ and U.S. EPA declined to comment on the report, citing their ongoing investigations into the plant. EPA has previously said it found no volatile organic compounds in water samples near the plant (*Greenwire*, Sept. 11).

A company spokeswoman declined to comment, except to say Arkema is cooperating with the investigations.

Arkema officials have previously said the smoke was harmless and that no chemicals left the site.

"We don't anticipate that this is going to be anything related to water contamination or water issues," Arkema President Richard Rowe said at a Sept. 4 news conference. "There was no organic peroxide, no material that moved off of the site as a result of the flood. So we don't anticipate that there's going to be any implications to people's water or water supply."

Arkema's plant produces organic peroxides, which are used to make plastics and other products. Some of the compounds have to be kept cold to keep them from catching fire.

Heavy rain on Aug. 29 caused two tanks at the plant to overflow, the report says. Secondary containment dikes around the tanks also overflowed in the rain, "which resulted in the release of storm water containing mineral spirits and residual organics into/onto the flood waters within the plant," it says.

Arkema took samples from the containment dike, the plant's sump system and the plant's stormwater outfalls to look for "dissolved constituents." The results of those tests aren't included in the report.

While it's unclear if the chemicals left the plant site with the floodwater, about 23,000 pounds were released into the air, the report says. That includes 11,000 pounds of mineral spirits, 3,400 pounds of volatile organic compounds and smaller amounts of organic peroxides, ethylbenzene, naphtha, naphthalene, trimethylene and tert-butyl alcohol, the report says.

Many of those compounds can cause short-term health problems such as nausea and irritation of the skin, eyes and ears. In large doses, some of them can cause cancer or kidney and hearing problems, according to EDF's Craft and Luke Metzger at Environment Texas.

Around the same time as the spill, the plant lost power and its backup generators failed. With no way to keep the products refrigerated, Arkema said it was forced to allow them to burn. An 11-member "rideout crew" moved the organic peroxides to nine cargo trailers and rolled the trailers to remote locations at the plant, away from other stockpiles of chemicals.

The first fire happened at about 2 a.m. CDT on Aug. 31. On Sept. 3, Arkema and local firefighters decided to ignite the remaining trailers deliberately. All the fires were out by Sept. 4.

Arkema filed two emissions reports in connection with the fires, on Sept. 1 and 3, but said it couldn't estimate what kinds of chemicals were released in the smoke. The company has said about 500,000 pounds of organic peroxides were at the plant.

Twitter: @mikeleefw Email: mlee@eenews.net

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/13/2017 7:49:59 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: questions regarding Magellan spills.

Only his email to USCG. Let me share it with you.

From: Bowman, Liz
Sent: Wednesday, September 13, 2017 2:47 PM
To: Gray, David <gray.david@epa.gov>
Subject: RE: questions regarding Magellan spills.

Did you hear back on this?

From: Gray, David
Sent: Wednesday, September 13, 2017 10:30 AM
To: Lauer, Claudia <CLauer@ap.org>; Bowman, Liz <Bowman.Liz@epa.gov>; Causey, Adam <ACausey@ap.org>; Brown, Matthew <MBrown@ap.org>; Reiterman, Tim F. <TReiterman@ap.org>
Cc: Graham, Amy <graham.amy@epa.gov>
Subject: RE: questions regarding Magellan spills.

Good morning – Liz asked me to share these responses with you.

Ms. Bowman,

I appreciate this rundown, but I am still confused on a few points. I would also like some of this information on the record. If the best way to do that is to talk to the command staff who were in Houston, that's fine. If there is documentation that is available, I would prefer that to be included in that discussion so I can see the details as they were reported from that command.

1. Although not explicitly stated below, are you confirming that the two different incidents—the almost 500,000-gallon spill and the 2,500-galllon spill- are the same incident? It appears you are saying the 2,500 is in reference to the material that escaped containment.

There is one incident. There are two spill reports by company to the National Response Center. The first NRC report was at 00:38 on Sept 1 and the second was at 14:59 on Sept 5.

2. Are you saying that the EPA last Wednesday was only referring to the amount of material that had escaped into the channel or outside of Magellan's physical plant boundaries? The email sent from us on that Wednesday asks whether we are discussing the same spill and notes that the Coast Guard had said that about 2,500 gallons had been cleaned up. Your response was, "This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the Houston Magellan facility."

Based on initial reports, we understood from the USCG that the amount that escaped outside the plant boundaries was smaller and unrecoverable.

From my reading of the emails, neither AP nor the EPA mentioned that the 2,500 gallons was just the portion that had been captured outside the facility.

The company spill estimates came in later as the company began collecting the spilled material from on-site containment and accounted for the difference in lost and recovered material.

3. Was the EPA aware last Wednesday that the total amount spilled at the facility was more than 460,000 gallons? Was the cleanup referred to at that point only referencing the material that had made it off-site, and if so, does that mean further clean-up is needed?

EPA provided the best information it had at the time.

4. In your response to questions from Matt last night, you said that none of the spill entered the waterway. Please clarify how that reconciles with the 2,500 gallons that apparently traveled offsite. Did 2,500 gallons escape the secondary containment. Again USCG managed this response, not EPA. We understand that the company has not recovered all of the material known to be stored at the facility. This delta of unaccounted material could have evaporated or been lost offsite. The company reported an offsite sheen however none of the material was reported by USCG as recoverable.
Please explain what the primary and secondary containments consist of. Is the secondary containment the ditch/waterway that was referenced by the company in its report to the NRC?

The USCG managed this response, not EPA. The USCG will need to respond to specific regarding site conditions.
I have reached out to the Coast Guard, but it appears the incident command PIO is an EPA employee? Austin Vela is the contact I was given. Does that person have permission to speak on the record?

Rather than having EPA speak for the USCG regarding a spill within their jurisdiction, you should contact USCG Tozko at 832-256-3257 or Ex. 6 for additional information.

Again, thank you for your patience and the help in clarifying.
Best,

From: Lauer, Claudia [mailto:CLauer@ap.org]
Sent: Tuesday, September 12, 2017 7:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Causey, Adam <ACausey@ap.org>; Brown, Matthew <MBrown@ap.org>; Reiterman, Tim F. <TReiterman@ap.org>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: questions regarding Magellan spills.

Hey Ms. Bowman,

So Adam and I are on the email chain because we were working the breaking news desk for storm coverage last Wednesday when the spill was mentioned in the release. Matt is on this email because he wrote the comprehensive story on the Magellan spill last night. Tim Reiterman is the editor for the environmental desk.

Matt and I would be interested in having a conference call with Mr. Vela. That way, we don't have to pester and call him back for follow ups. Right now we're trying to reconcile the two stories that are out about this and get a narrative for moving forward.

I left Mr. Vela a message, am I OK to call him again tomorrow and tell him we have talked and it's OK for him to talk about the incident narrative and response?

I appreciate your time, and I hope that clarifies the recipients on this email.
Best,
Claudia

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, September 12, 2017 5:18 PM
To: Lauer, Claudia; Causey, Adam; Brown, Matthew; Reiterman, Tim F.
Cc: Graham, Amy; Gray, David
Subject: RE: questions regarding Magellan spills.

Hi Claudia – On Background: you can use the information we sent, you – please just attribute to an EPA official, not us by name.

Off the record: Happy to help clarify further and we have no problem him going on the record. Just so we are clear and in the effort of transparency – why are there four different AP reporters on this chain, and why did we get a separate email from two other AP reporters asking similar questions? Can you please clarify who all is working on this article (including the editor)? We are more than happy to with the AP, but would ask transparency on which reporter is the lead, and who all is contributing. We are doing our best to get this information from the folks on the ground, be as open and transparent as we can, as the circumstances change and we get information from multiple Agencies – we only ask the same transparency and clarity in return. Thank you – Liz

---

From: Lauer, Claudia [mailto:CLauer@ap.org]
Sent: Tuesday, September 12, 2017 4:46 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Causey, Adam <ACausey@ap.org>; Brown, Matthew <MBrown@ap.org>; Reiterman, Tim F. <TReiterman@ap.org>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: questions regarding Magellan spills.

Ms. Bowman,

I appreciate this rundown, but I am still confused on a few points. I would also like some of this information on the record. If the best way to do that is to talk to the command staff who were in Houston, that's fine. If there is documentation that is available, I would prefer that to be included in that discussion so I can see the details as they were reported from that command.

1. Although not explicitly stated below, are you confirming that the two different incidents—the almost 500,000-gallon spill and the 2,500-galllon spill- are the same incident? It appears you are saying the 2,500 is in reference to the material that escaped containment.
2. Are you saying that the EPA last Wednesday was only referring to the amount of material that had escaped into the channel or outside of Magellan's physical plant boundaries?
   The email sent from us on that Wednesday asks whether we are discussing the same spill and notes that the Coast Guard had said that about 2,500 gallons had been cleaned up. Your response was, "This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the Houston Magellan facility." From my reading of the emails, neither AP nor the EPA mentioned that the 2,500 gallons was just the portion that had been captured outside the facility.
3. Was the EPA aware last Wednesday that the total amount spilled at the facility was more than 460,000 gallons? Was the cleanup referred to at that point only referencing the material that had made it off-site, and if so, does that mean further clean-up is needed?

4. In your response to questions from Matt last night, you said that none of the spill entered the waterway. Please clarify how that reconciles with the 2,500 gallons that apparently traveled offsite. Did 2,500 gallons escape the secondary containment?
5. Please explain what the primary and secondary containments consist of. Is the secondary containment the ditch/waterway that was referenced by the company in its report to the NRC?

I have reached out to the Coast Guard, but it appears the incident command PIO is an EPA employee? Austin Vela is the contact I was given. Does that person have permission to speak on the record?

Again, thank you for your patience and the help in clarifying.
Best,
Claudia

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, September 12, 2017 2:01 PM
To: Lauer, Claudia; Causey, Adam; Brown, Matthew
Cc: Graham, Amy; Gray, David
Subject: RE: questions regarding Magellan spills.

Hi Claudia, Matt and Adam –

On background: We apologize for the confusion. EPA was never at the facility, that was Coast Guard jurisdiction. If you want to get on the phone with one of our on-site coordinators who was in Houston (but not at the facility itself), he can talk on background if you need further clarification… It is our understanding that the distinction is that we were asked about off-site consequences; therefore, the spill was not large offsite, it was contained within the facility. When we talk about impacts on the environment, we are referring to the amount that was offsite. The Coast Guard was probably referring to a large quantity of material that was contained on site, verse our reporting of the small amount that was offsite. Our regulatory authority is when it gets into a Water of the U.S., the Coast Guard is focused on on-site potential consequences. So, this is the same spill; however, the Coast Guard was talking about a spill into secondary containment boundaries within the plant (the tanks spilled into the plant's internal, secondary containment around it to help control spills), and we were talking about the waterway. We want to also explain that the Unified Command (EPA, State of Texas, General Land Office and USCG) came together to coordinate activities associated with hurricane Harvey after his spill. This spill had occurred and been responded to by the USCG prior to the Unified Command being established.

The following information provides a more detailed summary of our understanding of this situation; but we urge you to confirm details/specifics with the Coast Guard, as they are the primary lead on the spill and were on scene: On September 1, 2017, the USCG responded to the facilities report of a discharge. A small amount of the gas blend had been reported as getting out of containment. However, the quantity of that gas blend outside containment is unknown and was unrecoverable. The USCG reported that there was no sheen or discharge outside of containment during their assessment.

Approximately 11,000 bbls of gas stock blend had discharged into containment within the facility. A transfer operation to move the gas blend from the secondary containment to safe storage took place over a few days. Approximately 8,000 bbls of the material has been recovered. A significant amount of the difference of what was discharged and what was recovered is due to evaporation. The responsible party is calculating and assuring accuracy to determine with certainty the volume of material discharged. While conducting recovery, Magellan applied a foam blanket over the material to reduce the volatile emissions from the gasoline.

As of today, we understand that the Unified Command has not received reports of either environmental or health effects related to the discharge at this time.

I hope this explains and we apologize for the confusion. Thank you – Liz

---

From: Lauer, Claudia [mailto:CLauer@ap.org]
Sent: Tuesday, September 12, 2017 1:23 PM
To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Causey, Adam <ACausey@ap.org>; Brown, Matthew <MBrown@ap.org>
Subject: questions regarding Magellan spills.

Hey Mr. Gray, Ms. Bowman,

I wanted to check back in about the Magellan spills that happened during Hurricane Harvey.

My colleague Matt Brown wrote a story last night that described a large spill of almost a half-million gallons from Magellan's Galena Park facility. Reviewing the records of spills available, it appears there was not a second spill at that facility during the timeframe of Harvey.

When my colleague Adam and I approached you late last Wednesday to ask about the possible spill, in the email exchange we had noted the Coast Guard had said the only spill they were aware of was a smaller spill at the Magellan facility and that the clean-up had been completed on Sept. 5.

I would really appreciate some clarification if you have a moment.

Are the two spills the same? Was the EPA already on site at Magellan at that point to help with the larger spill, which appeared to have happened around Aug. 31? If they are the same spill, did you know last Wednesday after the clean-up had been completed that the size of the spill was much larger? My understanding from the Coast Guard is that they had gotten their information that night from the EPA. I am also checking on that at this point.

If EPA officials were at the Magellan facility days after the larger spill had happened and a response had been ongoing, I'm trying to understand why the EPA would confirm the details of a much smaller spill at the same facility? I'm trying to understand how all of this unfolded.

I've cc'ed Matt and Adam on this email and would be happy, if you don't have the previous correspondence, to forward it to you.

I appreciate your time and I look forward to your response.
Best,
Claudia Lauer
Dallas Bureau
The Associated Press
(972) 991-2100

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/12/2017 9:12:15 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Gray, David [gray.david@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: RE: Hoping to reach David Gray

Press release about to go out is solely irma

David- are you issuing one today like yesterday that is an epa/tceq update? Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 5:10 PM
To: Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: Hoping to reach David Gray

Are these sites mentioned in our press release updating going out shortly? If so, we can send them that release.

From: Gray, David
Sent: Tuesday, September 12, 2017 3:18 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: FW: Hoping to reach David Gray

I referred this to press when it came from Mike at AP. Now I am getting pinged by our local AP.
David

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Tuesday, September 12, 2017 2:09 PM
To: Gray, David <gray.david@epa.gov>
Cc: Dunklin, Reese <RDunklin@ap.org>
Subject: Hoping to reach David Gray

Hello David,

I left a voice mail at 214 665 2200 to this effect. My name is Reese Dunklin, and I'm based in the AP's Dallas office. I'm hoping to reach you regarding the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites. Is there a better number for me to try for you? You can also reach me at 972 502 7571.

Thanks for reading this far,

Reese Dunklin, AP

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/13/2017 2:04:56 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: RESPONSES RE: questions regarding Magellan spills.

Yes

Sent from my iPhone

On Sep 13, 2017, at 8:58 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

These are good, can you send to reporter and copy me bc i am traveling.

Sent from my iPhone

On Sep 13, 2017, at 6:49 AM, Gray, David <gray.david@epa.gov> wrote:

Liz – here is a clean copy of the AP questions and my suggested responses. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

David

Ms. Bowman,

I appreciate this rundown, but I am still confused on a few points. I would also like some of this information on the record. If the best way to do that is to talk to the command staff who were in Houston, that's fine. If there is documentation that is available, I would prefer that to be included in that discussion so I can see the details as they were reported from that command.

1. <!--[if !supportLists]--><!--[endif]-->Although not explicitly stated below, are you confirming that the two different incidents—the almost 500,000-gallon spill and the 2,500-galllon spill- are the same incident? It appears you are saying the 2,500 is in reference to the material that escaped containment.

Deliberative Process / Ex. 5

2. <!--[if !supportLists]--><!--[endif]-->Are you saying that the EPA last Wednesday was only referring to the amount of material that had escaped into the channel or outside of Magellan's physical plant boundaries? The email sent from us on that Wednesday asks whether we are discussing the same spill and notes that the Coast Guard had said that about 2,500 gallons had been cleaned up. Your response was, "This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the Houston Magellan facility."

Deliberative Process / Ex. 5

From my reading of the emails, neither AP nor the EPA mentioned that the 2,500 gallons was just the portion that had been captured outside the facility.

Deliberative Process / Ex. 5

3. <!--[if !supportLists]--><!--[endif]-->Was the EPA aware last Wednesday that the total amount spilled at the facility was more than 460,000 gallons? Was the cleanup referred to at that point only referencing the material that had made it off-site, and if so, does that mean further clean-up is needed?

Deliberative Process / Ex. 5

4. In your response to questions from Matt last night, you said that none of the spill entered the waterway. Please clarify how that reconciles with the 2,500 gallons that apparently traveled offsite. Did 2,500 gallons escape the secondary containment. Again USCG managed this response, not EPA. We understand that the company has not recovered all of the material known to be stored at the facility. This delta of unaccounted material could have evaporated or been lost offsite. The company reported an offsite sheen however none of the material was reported by USCG as recoverable.
Please explain what the primary and secondary containments consist of. Is the secondary containment the ditch/waterway that was referenced by the company in its report to the NRC?

Deliberative Process / Ex. 5

I have reached out to the Coast Guard, but it appears the incident command PIO is an EPA employee? Austin Vela is the contact I was given. Does that person have permission to speak on the record?

Deliberative Process / Ex. 5

Again, thank you for your patience and the help in clarifying.
Best,
Claudia

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 8:30 PM
To: Gray, David <gray.david@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: questions regarding Magellan spills.

Did we figure out the answers though? :)

Sent from my iPhone

On Sep 12, 2017, at 8:21 PM, Gray, David <gray.david@epa.gov> wrote:

Deliberative Process / Ex. 5

My answers are below:

Ms. Bowman,

I appreciate this rundown, but I am still confused on a few points. I would also like some of this information on the record. If the best way to do that is to talk to the command staff who were in Houston, that's fine. If there is documentation that is available, I would prefer that to be included in that discussion so I can see the details as they were reported from that command.

1. <!--[if !supportLists]--><!--[endif]-->Although not explicitly stated below, are you confirming that the two different incidents—the almost 500,000-gallon spill and the 2,500-galllon spill- are the same incident? It appears you are saying the 2,500 is in reference to the material that escaped containment. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

2. <!--[if !supportLists]--><!--[endif]-->Are you saying that the EPA last Wednesday was only referring to the amount of material that had escaped into the channel or outside of Magellan's physical plant boundaries?
The email sent from us on that Wednesday asks whether we are discussing the same spill and notes that the Coast Guard had said that about 2,500 gallons had been cleaned up. Your response was, "This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the Houston Magellan facility." Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

3. <!--[if !supportLists]--><!--[endif]-->Was the EPA aware last Wednesday that the total amount spilled at the facility was more than 460,000 gallons? Was the cleanup referred to at that point only referencing the material that had made it off-site, and if so, does that mean further clean-up is needed? We were not aware of the exact amount at that time, we provided the information we had at the time, and it was updated once we had further clarification. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

4. <!--[if !supportLists]--><!--[endif]-->In your response to questions from Matt last night, you said that none of the spill entered the waterway. Please clarify how that reconciles with the 2,500 gallons that apparently traveled offsite. Did 2,500 gallons escape the secondary containment. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please explain what the primary and secondary containments consist of. Is the secondary containment the ditch/waterway that was referenced by the company in its report to the NRC?

Deliberative Process / Ex. 5

I have reached out to the Coast Guard, but it appears the incident command PIO is an EPA employee? Austin Vela is the contact I was given. Does that person have permission to speak on the record? Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Again, thank you for your patience and the help in clarifying.
Best,
Claudia

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, September 12, 2017 2:01 PM
To: Lauer, Claudia; Causey, Adam; Brown, Matthew
Cc: Graham, Amy; Gray, David
Subject: RE: questions regarding Magellan spills.

Hi Claudia, Matt and Adam –

On background: We apologize for the confusion. EPA was never at the facility, that was Coast Guard jurisdiction. If you want to get on the phone with one of our on-site coordinators who was in Houston (but not at the facility itself), he can talk on background if you need further clarification… It is our understanding that the distinction is that we were asked about off-site consequences; therefore, the spill was not large offsite, it was contained within the facility. When we talk about impacts on the environment, we are referring to the amount that was offsite. The Coast Guard was probably referring to a large quantity of material that was contained on site, verse our reporting of the small amount that was offsite. Our regulatory authority is when it gets into a Water of the U.S., the Coast Guard is focused on on-site potential consequences. So, this is the same spill; however, the Coast Guard was talking about a spill into secondary containment boundaries within the plant (the tanks spilled into the plant's internal, secondary containment around it to help control spills), and we were talking about the waterway. We want to also explain that the Unified Command (EPA, State of Texas, General Land Office and USCG) came together to coordinate activities associated with hurricane Harvey after his spill. This spill had occurred and been responded to by the USCG prior to the Unified Command being established.

The following information provides a more detailed summary of our understanding of this situation; but we urge you to confirm details/specifics with the Coast Guard, as they are the primary lead on the spill and were on scene: On September 1, 2017, the USCG responded to the facilities report of a discharge. A small amount of the gas blend had been reported as getting out of containment. However, the quantity of that gas blend outside containment is unknown and was unrecoverable. The USCG reported that there was no sheen or discharge outside of containment during their assessment.

Approximately 11,000 bbls of gas stock blend had discharged into containment within the facility. A transfer operation to move the gas blend from the secondary containment to safe storage took place over a few days. Approximately 8,000 bbls of the material has been recovered. A significant amount of the difference of what was discharged and what was recovered is due to evaporation. The responsible party is calculating and assuring accuracy to determine with certainty the volume of material discharged. While conducting recovery, Magellan applied a foam blanket over the material to reduce the volatile emissions from the gasoline.

As of today, we understand that the Unified Command has not received reports of either environmental or health effects related to the discharge at this time.

I hope this explains and we apologize for the confusion. Thank you – Liz

---

From: Lauer, Claudia [mailto:CLauer@ap.org]
Sent: Tuesday, September 12, 2017 1:23 PM
To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Causey, Adam <ACausey@ap.org>; Brown, Matthew <MBrown@ap.org>
Subject: questions regarding Magellan spills.

Hey Mr. Gray, Ms. Bowman,

I wanted to check back in about the Magellan spills that happened during Hurricane Harvey.

My colleague Matt Brown wrote a story last night that described a large spill of almost a half-million gallons from Magellan's Galena Park facility. Reviewing the records of spills available, it appears there was not a second spill at that facility during the timeframe of Harvey.

When my colleague Adam and I approached you late last Wednesday to ask about the possible spill, in the email exchange we had noted the

Coast Guard had said the only spill they were aware of was a smaller spill at the Magellan facility and that the clean-up had been completed on Sept. 5.

I would really appreciate some clarification if you have a moment.

Are the two spills the same? Was the EPA already on site at Magellan at that point to help with the larger spill, which appeared to have happened around Aug. 31? If they are the same spill, did you know last Wednesday after the clean-up had been completed that the size of the spill was much larger? My understanding from the Coast Guard is that they had gotten their information that night from the EPA. I am also checking on that at this point.

If EPA officials were at the Magellan facility days after the larger spill had happened and a response had been ongoing, I'm trying to understand why the EPA would confirm the details of a much smaller spill at the same facility? I'm trying to understand how all of this unfolded.

I've cc'ed Matt and Adam on this email and would be happy, if you don't have the previous correspondence, to forward it to you.

I appreciate your time and I look forward to your response.
Best,
Claudia Lauer
Dallas Bureau
The Associated Press
(972) 991-2100

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/13/2017 6:02:53 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: questions regarding Magellan spills.

Yes I sent them to you

Sent from my iPhone

On Sep 12, 2017, at 8:29 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Did we figure out the answers though? :)
>
> Sent from my iPhone
>
> On Sep 12, 2017, at 8:21 PM, Gray, David <gray.david@epa.gov> wrote:

Deliberative Process / Ex. 5

My answers are below:

Ms. Bowman,

I appreciate this rundown, but I am still confused on a few points. I would also like some of this information on the record. If the best way to do that is to talk to the command staff who were in Houston, that's fine. If there is documentation that is available, I would prefer that to be included in that discussion so I can see the details as they were reported from that command.

1. <!--[if !supportLists]--><!--[endif]-->Although not explicitly stated below, are you confirming that the two different incidents—the almost 500,000-gallon spill and the 2,500-galllon spill- are the same incident? It appears you are saying the 2,500 is in reference to the material that escaped containment. Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

2. <!--[if !supportLists]--><!--[endif]-->Are you saying that the EPA last Wednesday was only referring to the amount of material that had escaped into the channel or outside of Magellan's physical plant boundaries?
   The email sent from us on that Wednesday asks whether we are discussing the same spill and notes that the Coast Guard had said that about 2,500 gallons had been cleaned up. Your response was, "This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the Houston Magellan facility." Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

3. <!--[if !supportLists]--><!--[endif]-->Was the EPA aware last Wednesday that the total amount spilled at the facility was more than 460,000 gallons? Was the cleanup referred to at that point only referencing the material that had made it off-site, and if so, does that mean further clean-up is needed? Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

4. <!--[if !supportLists]--><!--[endif]-->In your response to questions from Matt last night, you said that none of the spill entered the waterway. Please clarify how that reconciles with the 2,500 gallons that apparently traveled offsite. Did 2,500 gallons escape the secondary containment. Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

   Please explain what the primary and secondary containments consist of. Is the secondary containment the ditch/waterway that was referenced by the company in its report to the NRC? Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

I have reached out to the Coast Guard, but it appears the incident command PIO is an EPA employee? Austin Vela is the contact I was given. Does that person have permission

to speak on the record? Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Again, thank you for your patience and the help in clarifying.
Best,
Claudia

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, September 12, 2017 2:01 PM
To: Lauer, Claudia; Causey, Adam; Brown, Matthew
Cc: Graham, Amy; Gray, David
Subject: RE: questions regarding Magellan spills.

Hi Claudia, Matt and Adam –

On background: We apologize for the confusion. EPA was never at the facility, that was Coast Guard jurisdiction. If you want to get on the phone with one of our on-site coordinators who was in Houston (but not at the facility itself), he can talk on background if you need further clarification… It is our understanding that the distinction is that we were asked about off-site consequences; therefore, the spill was not large offsite, it was contained within the facility. When we talk about impacts on the environment, we are referring to the amount that was offsite. The Coast Guard was probably referring to a large quantity of material that was contained on site, verse our reporting of the small amount that was offsite. Our regulatory authority is when it gets into a Water of the U.S., the Coast Guard is focused on on-site potential consequences. So, this is the same spill; however, the Coast Guard was talking about a spill into secondary containment boundaries within the plant (the tanks spilled into the plant's internal, secondary containment around it to help control spills), and we were talking about the waterway. We want to also explain that the Unified Command (EPA, State of Texas, General Land Office and USCG) came together to coordinate activities associated with hurricane Harvey after his spill. This spill had occurred and been responded to by the USCG prior to the Unified Command being established.

The following information provides a more detailed summary of our understanding of this situation; but we urge you to confirm details/specifics with the Coast Guard, as they are the primary lead on the spill and were on scene: On September 1, 2017, the USCG responded to the facilities report of a discharge. A small amount of the gas blend had been reported as getting out of containment. However, the quantity of that gas blend outside containment is unknown and was unrecoverable. The USCG reported that there was no sheen or discharge outside of containment during their assessment.

Approximately 11,000 bbls of gas stock blend had discharged into containment within the facility. A transfer operation to move the gas blend from the secondary containment to safe storage took place over a few days. Approximately 8,000 bbls of the material has been recovered. A

significant amount of the difference of what was discharged and what was recovered is due to evaporation. The responsible party is calculating and assuring accuracy to determine with certainty the volume of material discharged. While conducting recovery, Magellan applied a foam blanket over the material to reduce the volatile emissions from the gasoline.

As of today, we understand that the Unified Command has not received reports of either environmental or health effects related to the discharge at this time.

I hope this explains and we apologize for the confusion. Thank you – Liz

---

From: Lauer, Claudia [mailto:CLauer@ap.org]
Sent: Tuesday, September 12, 2017 1:23 PM
To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Causey, Adam <ACausey@ap.org>; Brown, Matthew <MBrown@ap.org>
Subject: questions regarding Magellan spills.

Hey Mr. Gray, Ms. Bowman,

I wanted to check back in about the Magellan spills that happened during Hurricane Harvey.

My colleague Matt Brown wrote a story last night that described a large spill of almost a half-million gallons from Magellan's Galena Park facility. Reviewing the records of spills available, it appears there was not a second spill at that facility during the timeframe of Harvey.

When my colleague Adam and I approached you late last Wednesday to ask about the possible spill, in the email exchange we had noted the Coast Guard had said the only spill they were aware of was a smaller spill at the Magellan facility and that the clean-up had been completed on Sept. 5.

I would really appreciate some clarification if you have a moment.

Are the two spills the same? Was the EPA already on site at Magellan at that point to help with the larger spill, which appeared to have happened around Aug. 31? If they are the same spill, did you know last Wednesday after the clean-up had been completed that the size of the spill was much larger? My understanding from the Coast Guard is that they had gotten their information that night from the EPA. I am also checking on that at this point.

If EPA officials were at the Magellan facility days after the larger spill had happened and a response had been ongoing, I'm trying to understand why the EPA would confirm the details of a much smaller spill at the same facility? I'm trying to understand how all of this unfolded.

I've cc'ed Matt and Adam on this email and would be happy, if you don't have the previous correspondence, to forward it to you.

I appreciate your time and I look forward to your response.
Best,
Claudia Lauer

Dallas Bureau
The Associated Press
(972) 991-2100

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/12/2017 5:29:59 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: FOLLOWUP - FW: Reporter query on Harvey/Magellan Midstream gasoline spill

Working on it. FYI – I am sending you another AP email to read.

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 12:18 PM
To: Gray, David <gray.david@epa.gov>
Subject: Re: FOLLOWUP - FW: Reporter query on Harvey/Magellan Midstream gasoline spill

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 12, 2017, at 11:03 AM, Gray, David <gray.david@epa.gov> wrote:

> Liz – will this work?

Deliberative Process / Ex. 5

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/13/2017 12:29:46 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: questions regarding Magellan spills.

Forgot the word 'unusal'.

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 7:25 PM
To: Gray, David <gray.david@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: questions regarding Magellan spills.

Oh my gosh, stop. You are so helpful always!!! No worries

Sent from my iPhone

On Sep 12, 2017, at 8:21 PM, Gray, David <gray.david@epa.gov> wrote:

Deliberative Process / Ex. 5

My answers are below:

Ms. Bowman,

I appreciate this rundown, but I am still confused on a few points. I would also like some of this information on the record. If the best way to do that is to talk to the command staff who were in Houston, that's fine. If there is documentation that is available, I would prefer that to be included in that discussion so I can see the details as they were reported from that command.

1. Although not explicitly stated below, are you confirming that the two different incidents—the almost 500,000-gallon spill and the 2,500-galllon spill- are the same incident? It appears you are saying the 2,500 is in reference to the material that escaped containment. Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

2. Are you saying that the EPA last Wednesday was only referring to the amount of material that had escaped into the channel or outside of Magellan's physical plant boundaries?
   The email sent from us on that Wednesday asks whether we are discussing the same spill and notes that the Coast Guard had said that about 2,500 gallons had been cleaned up. Your response was, "This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the Houston Magellan facility." Deliberative Process / Ex. 5
   Deliberative Process / Ex. 5 rom my reading of the emails, neither AP nor the EPA mentioned that the 2,500 gallons was just the portion that had been captured outside the facility. Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

3. Was the EPA aware last Wednesday that the total amount spilled at the facility was more than 460,000 gallons? Was the cleanup referred to at that point only referencing the material that had made it off-site, and if so, does that mean further clean-up is needed? Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

4. In your response to questions from Matt last night, you said that none of the spill entered the waterway. Please clarify how that reconciles with the 2,500 gallons that apparently traveled offsite. Did 2,500 gallons escape the secondary containment. Deliberative Process / Ex. 5

   Deliberative Process / Ex. 5

   Please explain what the primary and secondary containments consist of. Is the secondary containment the ditch/waterway that was referenced by the company in its report to the NRC?

   Deliberative Process / Ex. 5

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Deliberative Process / Ex. 5

Again, thank you for your patience and the help in clarifying.
Best,
Claudia

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, September 12, 2017 2:01 PM
To: Lauer, Claudia; Causey, Adam; Brown, Matthew
Cc: Graham, Amy; Gray, David
Subject: RE: questions regarding Magellan spills.

Hi Claudia, Matt and Adam –

On background: We apologize for the confusion. EPA was never at the facility, that was Coast Guard jurisdiction. If you want to get on the phone with one of our on-site coordinators who was in Houston (but not at the facility itself), he can talk on background if you need further clarification... It is our understanding that the distinction is that we were asked about off-site consequences; therefore, the spill was not large offsite, it was contained within the facility. When we talk about impacts on the environment, we are referring to the amount that was offsite. The Coast Guard was probably referring to a large quantity of material that was contained on site, verse our reporting of the small amount that was offsite. Our regulatory authority is when it gets into a Water of the U.S., the Coast Guard is focused on on-site potential consequences. So, this is the same spill; however, the Coast Guard was talking about a spill into secondary containment boundaries within the plant (the tanks spilled into the plant's internal, secondary containment around it to help control spills), and we were talking about the waterway. We want to also explain that the Unified Command (EPA, State of Texas, General Land Office and USCG) came together to coordinate activities associated with hurricane Harvey after his spill. This spill had occurred and been responded to by the USCG prior to the Unified Command being established.

The following information provides a more detailed summary of our understanding of this situation; but we urge you to confirm details/specifics with the Coast Guard, as they are the primary lead on the spill and were on scene: On September 1, 2017, the USCG responded to the facilities report of a discharge. A small amount of the gas blend had been reported as getting out of containment. However, the quantity of that gas blend outside containment is unknown and was unrecoverable. The USCG reported that there was no sheen or discharge outside of containment during their assessment.

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As of today, we understand that the Unified Command has not received reports of either environmental or health effects related to the discharge at this time.

I hope this explains and we apologize for the confusion. Thank you – Liz

From: Lauer, Claudia [mailto:CLauer@ap.org]
Sent: Tuesday, September 12, 2017 1:23 PM
To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Causey, Adam <ACausey@ap.org>; Brown, Matthew <MBrown@ap.org>
Subject: questions regarding Magellan spills.

Hey Mr. Gray, Ms. Bowman,

I wanted to check back in about the Magellan spills that happened during Hurricane Harvey.

My colleague Matt Brown wrote a story last night that described a large spill of almost a half-million gallons from Magellan's Galena Park facility. Reviewing the records of spills available, it appears there was not a second spill at that facility during the timeframe of Harvey.

When my colleague Adam and I approached you late last Wednesday to ask about the possible spill, in the email exchange we had noted the Coast Guard had said the only spill they were aware of was a smaller spill at the Magellan facility and that the clean-up had been completed on Sept. 5.

I would really appreciate some clarification if you have a moment.

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If EPA officials were at the Magellan facility days after the larger spill had happened and a response had been ongoing, I'm trying to understand why the EPA would confirm the details of a much smaller spill at the same facility? I'm trying to understand how all of this unfolded.

I've cc'ed Matt and Adam on this email and would be happy, if you don't have the previous correspondence, to forward it to you.

I appreciate your time and I look forward to your response.
Best,
Claudia Lauer
Dallas Bureau
The Associated Press
(972) 991-2100

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received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/12/2017 4:07:25 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: San Jacinto Waste Pits and U.S. Oil Recovery

Yes. Need a few minutes

Sent from my iPhone

On Sep 12, 2017, at 10:49 AM, Graham, Amy <graham.amy@epa.gov> wrote:

> Please hold on reaching out. Can you call Liz or I?
>
> **From:** Gray, David
> **Sent:** Tuesday, September 12, 2017 11:48 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Subject:** FW: San Jacinto Waste Pits and U.S. Oil Recovery
>
> I can contact him.
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Tuesday, September 12, 2017 10:24 AM
> **To:** Gray, David <gray.david@epa.gov>
> **Subject:** San Jacinto Waste Pits and U.S. Oil Recovery
>
> David,
>
> AP is looking to follow up on the ongoing work and assessments at San Jacinto Waste Pits and U.S. Oil Recovery. Do you have time to talk today?
>
> Thanks,
>
> Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/12/2017 3:42:59 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Reporter query on Harvey/Magellan Midstream gasoline spill

See what you think. I don't know about irma

From: Bowman, Liz
Sent: Tuesday, September 12, 2017 10:04 AM
To: Gray, David <gray.david@epa.gov>
Subject: FW: Reporter query on Harvey/Magellan Midstream gasoline spill

David, these are the questions we need answered.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Tuesday, September 12, 2017 10:58 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Reporter query on Harvey/Magellan Midstream gasoline spill

Hi Liz-
Any more to be said on Magellan spill?
Here are the hanging questions we had:

Company reported product entered waterway. Please clarify why EPA is saying otherwise (perhaps EPA was referring to the Houston Ship Channel? I'm referring to the statements from company in NRC report and to the AP that product had reached unspecified waterway and was contained before reaching ship channel)

Deliberative Process / Ex. 5

Also, we asked about potential health impacts but response from EPA mentions only environmental impacts. Can you address health impacts?

Deliberative Process / Ex. 5

More broadly, is there any way to get a tally on all the various spills, etc that EPA has responded to or is aware of related to Harvey?

Deliberative Process / Ex. 5

And any significant incidents so far emerging in Florida from Irma?

Thanks-

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6
fax-406 896 8117

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, September 12, 2017 4:28 AM
To: Brown, Matthew
Subject: Re: Reporter query on Harvey/Magellan Midstream gasoline spill

Thank you.

Sent from my iPhone

On Sep 11, 2017, at 10:49 PM, Brown, Matthew <MBrown@ap.org> wrote:

> Ok thanks. We'll say tonight that ya'll are not aware of any damages outside Magellan's facility.
> Matt Brown
>
> Matthew Brown
> Associated Press Correspondent
>
> mbrown@ap.org
>
> On Sep 11, 2017, at 20:42, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> I will have to follow up again and probably get back to you in the am.
>
> Sent from my iPad
>
> On Sep 11, 2017, at 10:30 PM, Brown, Matthew <MBrown@ap.org> wrote:
>
>> Thanks for that.
>> Company reported product entered waterway. Please clarify why EPA is saying otherwise.
>>
>> Also, we asked about potential health impacts but response from EPA

mentions only environmental impacts. Can you address health impacts?

We try to avoid whenever possible having unnamed spokespersons but will see if it gets past editors.

Matt Brown

On Sep 11, 2017, at 19:13, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Matt, Sorry for the delay. Here's what I received. Can you quote "EPA spokesperson,"?

Q: Is the EPA aware of and/or involved in the response to this spill?

A: The EPA is aware of the spill. Under Unified Command, the USCG responded with the responsible party. The Magellan facility along the Houston Ship Channel reported a gas/stock blend released within their facility and was held within secondary containment. Magellan submitted a plan which they implemented to put the discharge material back into a facility tank and those operations have been completed. Unified Command provided oversite of these operations.

Q: has the EPA been able to gauge potential environmental impacts?

A: EPA is not aware of any environmental impacts directly from the spill outside of the facility and the gas/stock blend is contained in secondary containment.

Q: are there any health concerns for surrounding communities b'c of this release?

A: EPA is not aware of any environmental impacts directly from the spill outside of the facility and the gas/stock blend is contained in secondary containment.

Q: how much gasoline has entered the waterway?

A: EPA is not aware of gasoline/stock blend entering the waterway directly from this spill.

Q: **-is there a chance that it will enter the Houston Ship Channel?**

A: Yes, there is a chance but EPA is not aware of gasoline/stock blend entering the waterway directly from this spill.

Sent from my iPad

On Sep 11, 2017, at 7:56 PM, Brown, Matthew <MBrown@ap.org> wrote:

OK. Great.
Please forward as soon as you can.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6
fax-406 896 8117

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, September 11, 2017 5:54 PM
To: Brown, Matthew
Subject: RE: Reporter query on Harvey/Magellan Midstream gasoline spill

Good with me, but hoping to have details in like 20 min…

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, September 11, 2017 7:52 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Reporter query on Harvey/Magellan Midstream gasoline spill

How about:

EPA is evaluating the spill and potential health impacts and will release further information as soon as it's available, said agency Associate Administrator Liz Bowman.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6
fax-406 896 8117

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, September 11, 2017 5:50 PM

To: Brown, Matthew
Subject: RE: Repoter query on Harvey/Magellan Midstream gasoline spill

Can you say that: EPA is evaluating the information and will provide to AP as soon as the information is available?

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, September 11, 2017 7:47 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Repoter query on Harvey/Magellan Midstream gasoline spill

Understood.

We're saying that neither DEQ nor EPA were able to immediately answer questions about the health effects/environmental impacts. Plan is to update the story in first thing in the morning with that info, assuming we can get some answers by then.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6
fax-406 896 8117

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, September 11, 2017 5:45 PM
To: Brown, Matthew; Reiterman, Tim F.
Cc: Press
Subject: RE: Repoter query on Harvey/Magellan Midstream gasoline spill

Off the record: I understand having to report the spill, I just ask that you don't report that EPA declined to comment or isn't being responsive…we are working to get the information from our folks, as soon as we can.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, September 11, 2017 6:27 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Reiterman, Tim F. <TReiterman@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: Repoter query on Harvey/Magellan Midstream gasoline spill

Hi Liz-

I've CC'd my editor, Tim Reiterman. As I said before, we'll take the answers on any potential health impacts, etc as soon as they are available. We can't wait on reporting the details of the spill but will follow up with whatever information becomes available that is relevant and newsworthy.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6
fax-406 896 8117

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, September 11, 2017 4:22 PM
To: Brown, Matthew
Cc: Press
Subject: RE: Repoter query on Harvey/Magellan Midstream gasoline spill

Off the record: But you emailed us at 5:20 p.m. – the majority of career staff are well-gone by this time, and they are the ones who know the details about this inquiry. In order to provide a detailed and responsive answer, we need more time. I don't think it's fair to not even give us time to respond, especially when you're request is coming in after typical government employee work hours. Can you please provide us with the name of your editor, so that we may reach out through the appropriate channels and request more time to respond?

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, September 11, 2017 6:03 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Repoter query on Harvey/Magellan Midstream gasoline spill

Our story is going out tonight but we'll take answers as soon as they are available.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile- Ex. 6
fax-406 896 8117

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, September 11, 2017 3:56 PM

To: Brown, Matthew; Press; StClair, Christie; Graham, Amy; Gray, David
Subject: RE: Repoter query on Harvey/Magellan Midstream gasoline spill

Hi Matt – Thank you for reaching out. Off the record: We will need to connect with our regional folks and figure out the situation and get back to you tomorrow. Can we get back to you by the end of the day tomorrow, so we can track down these answers? Thanks – Liz

---

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, September 11, 2017 5:20 PM
To: Press <Press@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: Repoter query on Harvey/Magellan Midstream gasoline spill

Greetings-
We're doing a story on a Harvey-cased gasoline spill from a Magellan Midstream Partners tank terminal in Galena Park TX that released almost 11,000 barrels (10,988 barrels), including some that reached a waterway (ditch) adjacent to the Houston Ship Channel.
Some questions:

--is the EPA aware of and/or involved in the response to this spill?
-has the EPA been able to gauge potential environmental impacts?
-are there any health concerns for surrounding communities b'c of this release?
-how much gasoline has entered the waterway?
-is there a chance that it will enter the Houston Ship Channel?

We're putting this story out today if you could please get back to me at your earliest chance.
Thanks for your time and all help-

Matt Brown

<image001.jpg>
Matthew Brown
Associated Press Correspondent
PO Box 36300
Billings, MT 59107
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6
fax-406 896 8117

Want to send news tips, documents, etc. securely and confidentially to AP? https://securedrop.ap.org/

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communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

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Message

From: Kelly, Albert [kelly.albert@epa.gov]
Sent: 9/11/2017 3:30:43 PM
To: Carey, Curtis [Carey.Curtis@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Daily News Digest, Monday, Sept. 11

Deliberative Process / Ex. 5

Sent from my iPad

> On Sep 11, 2017, at 10:29 AM, Carey, Curtis <Carey.Curtis@epa.gov> wrote:
>
> National story of note:
>
> More Than 40 Sites Released Hazardous Pollutants Because of Hurricane Harvey, NY Times, 9/8/2017
> https://www.nytimes.com/interactive/2017/09/08/us/houston-hurricane-harvey-harzardous-chemicals.html
>
> Houston's sprawling network of petrochemical plants and refineries released millions of pounds of pollutants in the days after Hurricane Harvey began barreling toward Texas. Even under normal operations, the hundreds of industrial facilities in the area can emit harmful chemicals. But from Aug. 23 to Aug. 30, 46 facilities in 13 counties reported an estimated 4.6 million pounds of airborne emissions that exceeded state limits, an analysis by the Environmental Defense Fund, Air Alliance Houston and Public Citizen shows.
>
>
> Curtis D. Carey, Ph.D.
> Public Affairs Director
> U.S. Environmental Protection Agency
> Region 7 (Kansas, Missouri, Nebraska, Iowa & Nine Tribes)
> (913) 551-7506
> epa.gov<http://epa.gov/> | epa.gov/region7<https://www.epa.gov/aboutepa/epa-region-7-midwest> | http://blog.epa.gov/bigbluethread
> [cid:image001.png@01D1F172.76950B20]<https://www.facebook.com/eparegion7/>
[cid:image002.png@01D1F172.76950B20] <https://twitter.com/EPAregion7>
[cid:image003.png@01D1F172.76950B20] <https://www.youtube.com/user/USEPAgov>
[cid:image004.png@01D1F172.76950B20] <https://www.flickr.com/people/usepagov/>
[cid:image005.png@01D1F172.76950B20] <https://instagram.com/epagov> [cid:image006.png@01D1F172.76950B20] <https://plus.google.com/+EPAgov/posts>
>
>
>
> From: Hubbard, Joseph
> Sent: Monday, September 11, 2017 10:10 AM
> To: R6Press <R6Press@epa.gov>
> Subject: Daily News Digest, Monday, Sept. 11
>
> 1 – Houston's Post-Harvey Toxic Mess, HUFF Post, 9/11/2017
> http://www.huffingtonpost.com/entry/houstons-post-harvey-toxic-mess_us_59b68215e4b0bef3378ce1df
> With overflowing sewage, under-regulated exploding chemical plants and leaking household cleaning and gardening chemicals, some of the air and water in Texas was a toxic mess in the wake of Hurricane Harvey. The explosions of chemical tanks at the Arkema chemical plant in Crosby, Texas was no surprise. It was the predictable impact of a complex industry that EPA has been too weak to effectively regulate for years.
>
> 2 – After 42 years, Arkansas has not carried out plan to protect state waters from degradation, Arkansas Democrat, 9/10/2017
> http://www.arkansasonline.com/news/2017/sep/10/after-42-years-state-waters-plan-unfini/
> More than 40 years after the passage of the federal Clean Water Act, Arkansas remains one of only two states that hasn't carried out the provision that protects a state's most important waters from degrading. Arkansas has not adopted an implementation plan for "anti-degradation," a major provision of the act's water quality standards that refers to the effort to stop rivers and lakes from deteriorating.
>
> 3 – For Center for Toxicology & Environmental Health, Disasters Mean Business, Ark. Business, 9/11/2017
> http://www.arkansasbusiness.com/article/118647/for-center-for-toxicology-environmental-health-disasters-mean-business
> Employees from the Center for Toxicology & Environmental Health LLC of North Little Rock arrived in Houston on Aug. 27, two days after Hurricane Harvey made landfall. As historic rain continued, flooding thousands of homes and businesses, the environmental consulting firm was on the scene, using its equipment to provide air monitoring and other services for the U.S. Coast Guard, said Cory Davis, a partner and principal consultant at CTEH.
>
> 4 – Tank failures in Harvey reveal vulnerabilities in storm, KVUE, 9/11/2017

> http://www.kvue.com/news/local/texas-news/ap-harvey-tank-failures-reveal-vulnerabilities/473337894
> More than two dozen storage tanks holding crude oil, gasoline and other contaminants ruptured or otherwise failed when Harvey slammed into the Texas coast, spilling at least 145,000 gallons (548,868 liters) of fuel and spewing toxic pollutants into the air, according to an Associated Press analysis of pollution reports submitted to state and federal regulators.
>
> 5 – NY firefighters who helped 911 victims are in SETX helping storm victims, Fox Beaumont, 9/9/2017
> http://fox4beaumont.com/news/local/ny-firefighters-who-helped-911-victims-are-in-setx-helping-storm-victims Firefighters who helped save lives following 9-11 terror attacks in New York are here in Southeast Texas helping storm victims. Some of them were in Deweyville on Sunday, helping people gut their homes after they lost everything following Tropical Storm Harvey.
>
>
>
> 6 – EPA/TCEQ: Updated status of systems affected by Harvey, Gilmere Mirror, 9/10/2017
> http://www.gilmermirror.com/view/full_story/27476825/article-EPA-TCEQ--Updated-status-of-systems-affected-by-Harvey-?instance=news_special_coverage_right_column
> Air quality improving, number of water systems operational increasing in affected areas.
> Working together, the U.S. Environmental Protection Agency and the Texas Commission on Environmental Quality continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas.
>
> 7 – More Than 40 Sites Released Hazardous Pollutants Because of Hurricane Harvey, NY Times, 9/8/2017
> https://www.nytimes.com/interactive/2017/09/08/us/houston-hurricane-harvey-harzardous-chemicals.html?rref=collection%2Fsectioncollection%2Fclimate&_r=0
> Houston's sprawling network of petrochemical plants and refineries released millions of pounds of pollutants in the days after Hurricane Harvey began barreling toward Texas. Even under normal operations, the hundreds of industrial facilities in the area can emit harmful chemicals. But from Aug. 23 to Aug. 30, 46 facilities in 13 counties reported an estimated 4.6 million pounds of airborne emissions that exceeded state limits, an analysis by the Environmental Defense Fund, Air Alliance Houston and Public Citizen shows.
>
> 8 Mosquitoes, Medicine and Mold: Texas Battles Post-Harvey Health Issues, NBC NEWS, 9/10/17
> https://www.nbcnews.com/storyline/hurricane-harvey/mosquitoes-medicine-mold-texas-battles-post-harvey-health-issues-n799951
> Dr. Carrie de Moor has a nasty cough, and she's not sure if it's allergies or one of the common respiratory infections that have been spreading since Hurricane Harvey hit southeast Texas late last month. She's been sleeping in a trailer adjacent to her free-standing emergency room and urgent care clinic in Rockport, Texas, which was devastated by Harvey's winds and flood waters. The clinic had only been open for two weeks when Harvey hit.
>
> 9 – Texas flood shows need for chemical safety rule, advocates say, CEN, 9/11/2017
> http://cen.acs.org/articles/95/i36/Texas-flood-shows-need-chemical.html
> Industrial safety advocates and Texas residents say a flood-related fires and explosions at the Arkema chemical plant in Crosby, Texas, underscores the need for a worker and community safety regulation. Issued by the Obama Administration in January and blocked by the Trump Environmental Protection Agency in March, that regulation would require chemical safety improvements at industrial plants.
>
> 10– After 42 years, Arkansas has not carried out plan to protect state waters from degradation, 9/10/2017
> http://www.arkansasonline.com/news/2017/sep/10/after-42-years-state-waters-plan-unfini/
> More than 40 years after the passage of the federal Clean Water Act, Arkansas remains one of only two states that hasn't carried out the provision that protects a state's most important waters from degrading. Arkansas has not adopted an implementation plan for "anti-degradation," a major provision of the act's water quality standards that refers to the effort to stop rivers and lakes from deteriorating.
>
> 11 Little Rock says no one has applied to use money from federal environment program, Ark. Democrat, 9/10/2017
> http://www.arkansasonline.com/news/2017/sep/10/funds-for-lr-area-cleanups-sitting-idle/
> Anyone interested in a cleanup in Pulaski County? The county has $815,000 in funds sitting around from the federal environmental program that helped developers revitalize downtown Little Rock's Main Street. Since receiving the money last year, no one has applied to use it, said Josh Fout, the county's brownfields administrator.
>
> 12 Listen to veteran hurricane reporter tell how storm modeling has changed, NOLA, 9/8/2017
>
http://www.nola.com/environment/index.ssf/2017/09/this_weeks_coastal_news_vetera.html#incart_river_index
> For 2017, the National Hurricane Center predicted more than the average number of tropical cyclones. So far, it's also had three of the strongest, Harvey, Irma and Jose. One journalist who knows a lot about hurricanes is environment reporter Mark Schleifstein, who has covered tropical weather throughout his 33 years with The Times-Picayune and now NOLA.com. During that time, he has been teased by co-workers for his doomsday scenarios and been called Darth Schleffy.
>
> 13 Good for oil exploration, bad for whales: Seismic air guns at issue in Congress, nola.com, 9/8/2017
> http://www.nola.com/environment/index.ssf/2017/09/seismic_blasting.html#incart_river_index

> Acoustic surveys for oil and gas deposits beneath the seabed are hailed as "the least intrusive way to explore the Earth's geology and its dynamic processes [that] impact human lives." So says the industry group that conducts the surveys. It offers this video to explain its work.
>
> 14 Mexico hit by powerful earthquake: 'The house moved like chewing gum', Nola.com, 9/8/17
>
http://www.nola.com/environment/index.ssf/2017/09/mexico_earthquake_oaxaca_chiap.html#incart_river_index
> One of the most powerful earthquakes ever to strike Mexico has hit off its southern Pacific coast, killing at least 15 people, toppling houses and businesses and sending panicked people into the streets more than 650 miles away. The U.S. Geological Survey said the earthquake hit off Chiapas state near the Guatemalan border with a magnitude of 8.1 -- slightly stronger than the magnitude 8 quake of 1985 that killed thousands and devastated large parts of Mexico City.
>
> 15 Chemical Fire Burns At Flooded Arkema Plant In Crosby, Texas, 9/11/2017
> http://deathrattlesports.com/chemical-fire-burns-at-flooded-arkema-plant-in-crosby-texas/36691
> The Arkema plant in Crosby, Texas, is northeast of Houston. The company says it received reports of two explosions at the plant in the early hours of Thursday. Later, the county’s emergency and safety officials insisted that nothing at the plant had exploded and that it was containers “popping.”
>
> 16 House rejects deeper cuts for Interior, EPA, Greenwire, 9/8/2017
> https://www.eenews.net/greenwire/2017/09/08/stories/1060060149
> The House this morning rejected efforts to maintain Obama-era protections related to drilling, as well as a measure that called for a 1 percent across-the-board cut to programs in fiscal 2018 spending for the Interior Department and U.S. EPA. Lawmakers have spent most of the week considering an eight-bill omnibus to fund numerous agencies (E&E Daily, Sept. 8). They will continue processing amendments related to the Interior-EPA section into next week.
>
> <Daily News Digest 09112017.pdf>
> <image001.png>
> <image002.png>
> <image003.png>
> <image004.png>
> <image005.png>
> <image006.png>

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 9/10/2017 4:28:11 PM
To: Graham, Amy [graham.amy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Mosaic New Wales Sinkhole

Will do. Second draft coming shortly.

From: Graham, Amy
Sent: Sunday, September 10, 2017 12:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: Fwd: Mosaic New Wales Sinkhole

John make sure Liz signs off on this

Sent from my iPhone

Begin forwarded message:

> **From:** "Lincoln, Larry" <Lincoln.Larry@epa.gov>
> **Date:** September 10, 2017 at 12:26:51 PM EDT
> **To:** "Russell, Chris" <Russell.Chris@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>
> **Cc:** "Konkus, John" <konkus.john@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Glenn, Trey" <glenn.onis@epa.gov>
> **Subject: RE: Mosaic New Wales Sinkhole**
>
> Thanks so much. You have the benefit of being there in the discussion in real time.
>
> *Larry*
>
> Director
> Office of External Affairs
> U.S. Environmental Protection Agency, Region 4
> Phone: (404) 562-8304
> Email: lincoln.larry@epa.gov
> https://www.epa.gov/aboutepa/about-epa-region-4-southeast
> Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
> And Facebook: www.facebook.com/eparegion4
>
> ---
>
> **From:** Russell, Chris
> **Sent:** Sunday, September 10, 2017 12:26 PM
> **To:** Lincoln, Larry <Lincoln.Larry@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Cc:** Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
> **Subject:** RE: Mosaic New Wales Sinkhole
>
> No worries on my end, just let me know if I need to do anything else to help the cause.

Respectfully,

Chris Russell
On Scene Coordinator
EPA-Florida Outpost
(850) 274-1575

From: Lincoln, Larry
Sent: Sunday, September 10, 2017 12:24 PM
To: Russell, Chris <Russell.Chris@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: RE: Mosaic New Wales Sinkhole

Chris,

I like the language you provided as follows. See slight mod below:

Deliberative Process / Ex. 5

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Russell, Chris
Sent: Sunday, September 10, 2017 12:21 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: RE: Mosaic New Wales Sinkhole

Hello Everyone:

Sorry for the delay, I was tied up in a meeting.

I am here with FDEP and we are discussing this issue. The take aways are this:

Deliberative Process / Ex. 5

Respectfully,

Chris Russell
On Scene Coordinator
EPA-Florida Outpost
(850) 274-1575

From: Lincoln, Larry
Sent: Sunday, September 10, 2017 11:48 AM
To: Graham, Amy <graham.amy@epa.gov>; Russell, Chris <Russell.Chris@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: RE: Mosaic New Wales Sinkhole

Deliberative Process / Ex. 5

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Graham, Amy
Sent: Sunday, September 10, 2017 11:45 AM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Russell, Chris <Russell.Chris@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: Re: Mosaic New Wales Sinkhole

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 10, 2017, at 11:42 AM, Lincoln, Larry <Lincoln.Larry@epa.gov> wrote:

I will reach out to their comm director now.

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Lincoln, Larry
Sent: Sunday, September 10, 2017 11:42 AM
To: Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: RE: Mosaic New Wales Sinkhole

This is a state lead site. They are responsible for repairs and site management.

https://depnewsroom.wordpress.com/mosaic/

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Konkus, John
Sent: Sunday, September 10, 2017 11:40 AM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: RE: Mosaic New Wales Sinkhole

Deliberative Process / Ex. 5

From: Lincoln, Larry
Sent: Sunday, September 10, 2017 11:38 AM
To: Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: RE: Mosaic New Wales Sinkhole

Deliberative Process / Ex. 5

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Konkus, John
Sent: Sunday, September 10, 2017 11:37 AM
To: Graham, Amy <graham.amy@epa.gov>; Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: RE: Mosaic New Wales Sinkhole

Deliberative Process / Ex. 5

From: Graham, Amy
Sent: Sunday, September 10, 2017 11:35 AM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>
Subject: Fwd: Mosaic New Wales Sinkhole

What are we doing here?

Sent from my iPhone

Begin forwarded message:

> **Resent-From:** <Press@epa.gov>
> **From:** "Dearen, Jason H." <JDearen@ap.org>
> **Date:** September 10, 2017 at 11:30:38 AM EDT
> **To:** Press <Press@epa.gov>
> **Subject: Mosaic New Wales Sinkhole**
>
> Hi there,

Jason Dearen with The AP here. I'm writing about the New Wales Phosphorous mine waste stack in the Tampa, Florida area that was damaged with a sinkhole last year, sending polluted water into the Floridan Aquifer. Repairs on the sinkhole in the waste pile have not been completed, and the site is in the path of Irma.

My questions:
-Can EPA discuss any efforts the agency has taken to check on the status of the sinkhole repairs?
-Is the agency monitoring this site along with the Superfund sites in Florida for damage by Irma, or is it leaving that to the state of Florida?

My deadline is 4 p.m. today, Sunday.

Best,
Jason Dearen/AP
352-213-9949

<image001.jpg>

Jason Dearen -- Correspondent
The Associated Press
PO Box 5696
Gainesville, FL 32627
T 352.213.9949
Twitter: @JHDearen
Email: jdearen@ap.org
www.ap.org

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/10/2017 2:47:36 PM
To: Carey, Curtis [Carey.Curtis@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Heads up: AP Exclusive: Toxic sites in likely path of Irma

Thanks

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Carey, Curtis
Sent: Sunday, September 10, 2017 10:47 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Heads up: AP Exclusive: Toxic sites in likely path of Irma

Forwarding, in the very unlikely case. you hadn't seen the article yet. I let Kell know as well. I saw the article pulling clips this morning on mosquito spraying by Air Force in Texas (nothing significant to report on that front at this time).

AP Exclusive: Toxic sites in likely path of Irma

By MICHAEL BIESECKER AND JASON DEAREN, ASSOCIATED PRESS MIAMI — Sep 9, 2017, 8:31 PM ET

http://abcnews.go.com/Health/wireStory/ap-exclusive-flooding-threatens-toxic-sites-irma-nears-49718959

Dozens of personnel from the Environmental Protection Agency worked to secure some of the nation's most contaminated toxic waste sites as Hurricane Irma bore down on Florida. The agency said its employees evacuated personnel, secured equipment and safeguarded hazardous materials in anticipation of storm surges and heavy rains.

The Associated Press surveyed six of the 54 Superfund sites in Florida before Irma's arrival, all around Miami in low-lying, flood-prone areas. There was no apparent work going on at the sites AP visited this past week. The EPA said that if there was no activity, a site should be considered secured but would be closely monitored. The sites were in various stages of federally directed, long-term cleanup efforts.

At the Miami-Dade Emergency Operations Center on Saturday, Republican Sen. Marco Rubio said the EPA workers he's spoken with seem "generally positive" about the prospects for toxic sites remaining secure in the coming hurricane. But "they can't guarantee it 100 percent," he told AP.

"EPA feels they got a handle on it." he said. "They think that the risk is real but certainly not as severe as some other places. Not to minimize it — it's something to think about."

AP was not able to fully evaluate each site's readiness for the hurricane.

"If any site in the path of the storm is found to pose an immediate threat to nearby populations, EPA will immediately alert and work with state and local officials and inform the public — and then take any appropriate steps to address the threat," EPA spokeswoman Liz Bowman said Friday. "So far no sites have risen to this level that we are aware of."

A risk analysis by EPA concluded in 2012 that flooding at such sites in South Florida could pose a risk to public health by spreading contaminated soil and groundwater. Flooding could disturb dangerous pollutants and wash it onto nearby property or contaminate groundwater, including personal wells, said Elizabeth "Betsy" Southerland, who retired last month as director of science and technology in EPA's Office of Water after 30 years at the agency.

"The agency needs to quickly respond with careful monitoring after the storm," said Southerland.

A recent analysis for the Government Accountability Office by two researchers at American University found that a storm surge in South Florida of just 1 to 4 feet could inundate the half-dozen sites visited by AP in recent days. Irma was predicted to push in a wall of water up to 12 feet high.

Of particular concern was the one-acre Miami Drum Services site. It is located over a drinking-water aquifer in a heavily industrial area of Doral, in west Miami-Dade County. The site was once home to more than 5,000 drums of various chemicals, some of which were dumped onsite after the metal containers were washed with a caustic cleaning solution. That solution, mixed with the chemical residues in the drums, leaked into the Biscayne Aquifer, a drinking water source.

The EPA's community involvement coordinator for the site, Ronald Tolliver in Atlanta, told AP he was not sure what the agency was doing to prepare the site or contact residents whose drinking water could be affected by serious flooding from Irma. Bowman said Tolliver was a new employee and may not have been familiar with the EPA's hurricane procedures for Superfund sites.

At the Homestead Air Reserve Base Superfund site south of Miami, it would take only about a foot of storm surge to swamp the nearly 2,000-acre Superfund site. Numerous apartments and a shopping center with a supermarket are nearby.

The EPA needs to do a better job helping people who live near Superfund sites stay informed with accurate information, said Stephen Sweeney, a former graduate fellow in EPA's office of policy and one of the American University researchers who conducted the Superfund flooding study.

"These residents need to be aware of their surroundings, and what could be in their water and the floodwater," said Sweeney, now a private consultant. "There needs to be some sort of public communication. Either mass distribution of information or evacuating residents — it's up to the agency to make that call."

At the Anodyne site in North Miami Beach on Friday, the AP found three sealed steel drums labeled as being filled with "IDW" soil and water in the open, weed-covered field behind a building. IDW is the designation for "investigation derived waste." The drums were labeled, "Do not disturb." Bowman said the barrels were low-risk to human health.

A worker from a nearby building, who spoke on condition of anonymity for fear of retaliation, said he saw workers putting soil and water into the drums. Soil and groundwater at the former industrial site was contaminated with a brew of toxic chemicals, including pesticides, solvents and heavy metals.

After AP inquired about the drums, the EPA said Saturday it dispatched workers to Anodyne to remove the containers. They had contained "drill cutting and purge water" produced during the installation of a new monitoring well the prior week, the agency said.

The EPA has made significant efforts over the last week to publicize its response to flooding at Superfund sites in Texas and allay concerns about similar sites in Florida. That followed an Aug. 26 report by AP that at least seven Superfund sites in the Houston region had flooded during Hurricane Harvey. AP journalists on the scene in Texas surveyed the sites by boat, vehicle and on foot.

Hours after AP's story last week, the EPA said it had reviewed aerial imagery confirming that 13 of 41 Superfund sites in areas affected by Harvey had flooded and were experiencing possible damage due to the storm. The EPA also confirmed that its own personnel had not yet visited the Houston-area sites.

Since then, EPA has been issuing daily updates about its efforts. On Monday, the agency organized a media tour of one of the Houston sites highlighted in AP's reporting, though AP was not notified about the press event and was not able to attend. After AP informed the EPA in Washington that its reporters had been surveying Superfund sites in South Florida, the agency warned in a press release that "unauthorized entry at any Superfund site, either prior to or following the storm, is prohibited as these sites can be extremely dangerous and can pose significant threats to human health."

Following his appointment by Trump, EPA Administrator Scott Pruitt has repeatedly said that cleaning up Superfund sites is among his top policy priorities. He appointed a task force to study the issue quickly, adopting 42 recommendations and saying he wanted to develop a "top-10 list" of the most dangerous sites.

Pruitt, who has questioned the severity of consequences from global warming, has been largely silent on the threat posed to Superfund sites by rising seas and more powerful storms.

A nationwide climate change adaptation assessment conducted by EPA under the Obama administration in 2012 determined that more than 500 Superfund sites are located in flood zones. Nearly 50 are in coastal areas that could also be vulnerable to sea level rise and storm surge, including several located in Florida.

"There's a sharp contrast between the recommendations left behind for the Pruitt EPA and what his task force examined," said Mathy Stanislaus, who served as EPA's assistant administrator for solid waste and emergency response under President Obama. "They completely omitted any consideration of increasing vulnerability from climate change."

The EPA declined to make Pruitt available for an interview with the AP. But asked about the issue by CNN, he said now is not the time to debate the impacts of global warming.

"To have any kind of focus on the cause and effect of the storm; versus helping people, or actually facing the effect of the storm, is misplaced," Pruitt said Thursday. "What we need to focus on is access to clean water, addressing these areas of superfund activities that may cause an attack on water, these issues of access to fuel.... Those are things so important to citizens of Florida right now."

———

Biesecker reported from Washington. Associated Press writer Kelli Kennedy in Pompano Beach, Florida, contributed to this report.

———

Follow Biesecker at http://twitter.com/mbieseck and Jason Dearen at http://twitter.com/JHDearen

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 9/9/2017 5:09:25 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Response to AP Article 'AP Exclusive: Flooding threatens Toxic Sites as Irma Nears'

Nice work.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 9, 2017, at 11:21 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Just an fyi.
>
> **From:** Bowman, Liz
> **Sent:** Saturday, September 9, 2017 12:15 PM
> **To:** Pace, Julie <JPace@ap.org>
> **Cc:** Graham, Amy <graham.amy@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>
> **Subject:** Response to AP Article 'AP Exclusive: Flooding threatens Toxic Sites as Irma Nears'
>
> Hi Julie – Want to reach out with regard to our ongoing communications about what we believe are biased stories from Michael Biesecker. If the Associated Press wants to spend resources during a Category 4 hurricane to fly reporters above Superfund sites to appease Michael Biesecker's whims from Washington, that's your outlet's decision. However, we want to be clear that we feel this is yet another example of his attempt to discredit the Administrator through biased reporting. We also encourage you to decide if AP has a different standard for the Trump Administration as it did for the Obama Administration – and if it's the Associated Press' standard is to quote people who were misleading about their motivations for leaving EPA, and former EPA interns, with no expertise in the area for which they are being presented to the public as experts? As our press release about Biesecker's last story was criticized for not outlining specific falsehoods or inaccuracies, I have outlined them below for you. He says that the 'public has a right to know' – don't you agree that the public also has a right to understand? This article, focused on how people may be exposed to hazardous waste does not explain risk, hazard or exposure. These concepts are vital to readers understanding of this issue. We look forward to hearing from you about how the Associated Press plans to address these specifics and the ongoing bias from Michael Biesecker. Thank you – Liz
>
> **Please note the following exclusions and misleading information in Michael Biesecker's article: "**AP Exclusive: Flooding threatens toxic sites as Irma nears"
>
> HEADLINE: AP Exclusive: Flooding threatens toxic sites as Irma nears
>
> - <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** AP was never offered an exclusive, there is nothing 'exclusive' about writing about information readily available on our public website

Betsy Southerland: "who has criticized EPA's current leadership under President Donald Trump"... "who retired last month as director of science and technology in EPA's Office of Water after 30 years at the agency"

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** former employee who walked away from the Agency as soon as she was eligible for her six figure retirement
- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** It's also worth noting that she was a director in the Office of Science and Technology in the Office of Water (OST) – while this office is responsible for understanding how pollutants and contaminants may spread – Superfunds are overseen by the Office of Land and Emergency Management (OLEM). She is not an expert on hurricanes or Superfunds.
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** Quotes from any leader or experts in OLEM or the potentially responsible parties who manage ongoing cleanup of sites AP visited (or surveyed)

Stephen Sweeney: "The EPA needs to do a better job helping people who live near Superfund sites stay informed with accurate information, said Stephen Sweeney, a former employee in EPA's office of policy and one of the American University researchers who conducted the Superfund flooding study."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** Sweeney was a "student trainee" and a fellow at EPA for about 14 months – he seems to have been a master's student, not an researcher employed at AU. He is currently a consultant at a management and IT consulting firm in McLean, VA https://www.linkedin.com/in/sweeneystephen1/

"A risk analysis by EPA concluded in 2012 that flooding at such sites in South Florida could pose a risk to public health by spreading contaminated soil and groundwater."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** This is reference document prepared by a contractor, it is not an official EPA report. Michael was told this in April, when he received the report, and this information is available publicly on FOIA online. And, this information was repeated again to him yesterday.
- <!--[if !supportLists]--><!--[endif]-->Specifically, Michael was told: "We are also attaching the internal report developed for EPA through our mission support contract. The report [was] prepared to inform and prioritize program adaptation efforts, and is not intended as an Agency publication."

"Of particular concern was the one-acre Miami Drum Services site."

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Who determined this was "of particular concern"? This seems like an opinion of an unidentified individual. EPA has determined that it is a "low vulnerability site"
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** Readily found on our website: "Dade County teamed with EPA on a strategy to remove 15,000 tons of contaminated soil and treat over 650,000 gallons of contaminated groundwater. The successful cleanup enabled Dade County to finish construction of the William Lehman Operations and Maintenance Center, the County's 82-acre train repair facility. Today, the facility ensures the safety, quality and timeliness of Dade County's commuter trains, which serve 50,000 people each day." https://www.epa.gov/superfund-redevelopment-initiative/superfund-sites-reuse-florida

"It is located over a drinking-water aquifer in a heavily industrial area of Doral, in west Miami-Dade County. The site was once home to more than 5,000 drums of various chemicals, some of which were dumped onsite after the metal containers were washed with a caustic cleaning solution. That solution, mixed with the chemical residues in the drums, leaked into the Biscayne Aquifer, a drinking water source."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** This spill happened between 1966 and 1985. This site was delisted from EPA's NPL site in 1985. http://www.dep.state.fl.us/waste/quick_topics/publications/wc/sites/summary/ERIC_3778.pdf

"At the Anodyne site in North Miami Beach on Friday, the AP found three sealed steel drums labeled as being filled with "IDW" soil and water in the open, weed-covered field behind a building. IDW is the designation for "investigation derived waste." The drums were labeled, "Do not disturb." Bowman said the barrels were low-risk to human health."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** Barrels contained rocks and dirt, were being removed before landfall. We specifically said: "EPA confirmed that the barrels contain cuttings from where a water well was drilled, **which is primarily dirt and rocks.** They were identified as low-risk to human health, and are in the process of being removed before the hurricane makes landfall."
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** An explanation of the difference between risk, hazard and exposure. This is vital information to an article claiming about this topic. The article starts out discussing hazardous materials, yet in no place does it explain risk, hazard or exposure to the public.

"The EPA said soil and groundwater at the former industrial site was contaminated with a brew of toxic chemicals, including pesticides, solvents and heavy metals."

- <!--[if !supportLists]--><!--[endif]-->**AP misleads:** EPA's responses to AP did not include this statement

"The EPA has made significant efforts over the last week to publicize its response to flooding at Superfund sites in Texas and allay concerns about similar sites in Florida. That followed an Aug. 26 report by AP that at least seven Superfund sites in the Houston region had flooded during Hurricane Harvey. AP journalists on the scene in Texas surveyed the sites by boat, vehicle and on foot."

- <!--[if !supportLists]--><!--[endif]-->**AP misleads**: We are not making 'significant efforts to publicize its response to flooding' – we are doing what the Agency should do – inform the public about potential risks and what staff, local and state officials – along with those responsible for ongoing cleanups – are doing to protect human health and the environment around sites around hurricanes
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes**: Governor Abbott's comments about how EPA is being "very aggressive" on Superfund sites https://www.msn.com/en-gb/video/other/abbott-epa-very-aggressive-on-superfund-sites/vi-AArbnrf
- <!--[if !supportLists]--><!--[endif]-->**AP Excludes**: Houston Mayor Sylvester Turner's statement about EPA's leadership to secure superfund sites, and noting that our Regional Administrator, Sam Coleman and two senior representatives from Administrator Pruitt's office met with the Mayor to discuss Superfunds in the Houston area. https://twitter.com/SylvesterTurner/status/905174698878795777

- <!--[if !supportLists]--><!--[endif]-->**Excluded from AP article:** EPA Regional Administrator Sam Coleman and TCEQ Chairman Bryan Shaw were recognized by Governor Abbot for their work to protect human health and the environment at the Governor's press conference on Rebuilding Texas. **Surely, the Associated Press had a reporter at the Governor's press conference right after the hurricane about his announcement to start a commission to rebuild the state?**

"Since then, EPA has been issuing daily updates about its efforts. On Monday, the agency organized a media tour of one of the Houston sites highlighted in AP's reporting, though AP was not notified about the press event and was not able to attend."

- <!--[if !supportLists]--><!--[endif]-->**AP Excludes:** The Associated Press showed up unannounced at various Texas Superfund sites. EPA did schedule a press event. EPA accommodated press went through normal channels to request access to these sites.

"Pruitt, who has questioned the severity of consequences from global warming, has been largely silent on the threat posed to Superfund sites by rising seas and more powerful storms."

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Around Harvey and Irma, Administrator Pruitt has done multiple interviews discussing how EPA is working with those responsible for the ongoing cleanup.
- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** Even in THIS article, AP quotes Administrator Pruitt in his interview with Bloomberg discussing the efforts that EPA is taking to address threats posed by the storm: *"Operationally, we've tried to make sure we apply the same type of approach we used in Texas," Pruitt told Bloomberg News on Thursday. "Because of the area and the amount of population that's affected in Florida, we're trying to be even more aggressive."*

The EPA declined to make Pruitt available for an interview with the AP, but he spoke about Superfund sites this week in interviews with CNN, Bloomberg and ABC News.

- <!--[if !supportLists]--><!--[endif]-->**AP Misleads:** EPA scheduled a meeting between Julie Pace and Administrator Pruitt prior to this article being published. Executive editor Sally Buzbee has also been invited to meet with Administrator Pruitt. We are more than willing to meet with the Associated Press.

###

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Mears, Mary [Mears.Mary@epa.gov]
Sent: 9/9/2017 9:33:18 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Kluesner, Dave [kluesner.dave@epa.gov]; Rodriguez, Elias [Rodriguez.Elias@epa.gov]
Subject: RE: EPA Hurricane Irma Update for Saturday, September 9, 2017

Sounds good, Amy. As long as you have what you need.

Mary Mears
Public Affairs Director
U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)
(212) 637-3673 (Direct Office)
(212) 637-3660 (General Office)
Ex. 6 (Cell)

From: Graham, Amy
Sent: Saturday, September 09, 2017 5:32 PM
To: Mears, Mary <Mears.Mary@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: EPA Hurricane Irma Update for Saturday, September 9, 2017

Thanks, Mary. We will take it from here since we have been speaking with this reporter about some other issues.

Sent from my iPhone

On Sep 9, 2017, at 5:29 PM, Mears, Mary <Mears.Mary@epa.gov> wrote:

> Hi Amy,
> Not sure if you prefer to answer directly or have me answer, but here is the answer:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Mary Mears
Public Affairs Director
U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)
(212) 637-3673 (Direct Office)
(212) 637-3660 (General Office)
Ex. 6 (Cell)

From: Graham, Amy
Sent: Saturday, September 09, 2017 4:59 PM
To: Mears, Mary <Mears.Mary@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: EPA Hurricane Irma Update for Saturday, September 9, 2017

See below

Sent from my iPhone

Begin forwarded message:

> **From:** "Dearen, Jason H." <JDearen@ap.org>
> **Date:** September 9, 2017 at 4:53:10 PM EDT
> **To:** "graham.amy@epa.gov" <graham.amy@epa.gov>
> **Subject: FW: EPA Hurricane Irma Update for Saturday, September 9, 2017**
>
> Hi, Amy.
> I wanted to send something out on this. One point of clarification about the PR and USVI info. The release says 7 sites have been cleared in that region – was this done remotely or by staff already in those places on the ground? Are the teams being sent to Region 2 when it's safe in addition to others there, or the only people who'll physically be there?
> Many thanks,
> Jason
>
> **From:** USEPA Press Office [mailto:press@epa.gov]
> **Sent:** Saturday, September 09, 2017 4:06 PM
> **To:** Dearen, Jason H.
> **Subject:** EPA Hurricane Irma Update for Saturday, September 9, 2017

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

EPA Hurricane Irma Update for Saturday, September 9, 2017

WASHINGTON –EPA is continuing preparations for Hurricane Irma, which is expected to hit Florida, serviced by EPA Region 4. Irma has already made landfall in Puerto Rico and the U.S. Virgin Islands, covered by EPA Region 2.

The Agency continues securing and assessing Superfund sites; compiling data for regulated facilities; granting fuel waivers to help stabilize prices at the pump and ensure emergency vehicles have access to fuel; and, preparing for infrastructure assessments and environmental sampling following the storm.

As of September 9, 2017, the following information is available:

REGIONAL OPERATIONS CENTERS

- **Region 4**: The Region has approximately 44 personnel involved in emergency response efforts. In addition, seven people are deployed to Florida, including Regional Administrator Trey Glenn to the State Emergency Operations Center in Tallahassee, Fla.

- Staff is also embedded in three south Florida Emergency Operations Centers (EOCs) in Palm Beach County, Broward County and Miami-Dade County and will remain for the duration of the storm.

- EPA is in the process of forming field teams for deployment to affected as early as possible considering health and safety. On Scene Coordinators from Region 5 are also deploying to be part of these teams.

- **Region 2**: About 61 personnel are currently involved in hurricane efforts and assessment teams are deploying to Puerto Rico and the U.S. Virgin Islands as soon as possible considering health and safety.

- This includes four On Scene Coordinators and two Community Involvement Coordinators to the U.S. Virgin Islands and four On Scene Coordinators and two Community Involvement Coordinators to Puerto Rico to assess regulated facilities, identify community outreach needs and conduct hazardous waste and debris assessments.

- These efforts are being augmented by professional staff in EPA Region 2's Caribbean Environmental Protection Division (CEPD).

RISK MANAGEMENT PLANS (RMPS)

- EPA is communicating with the Risk Management Program (RMP) and Facility Response Plan (FRP) bulk oil facilities to ensure they are secure and identify any vulnerabilities.

- EPA's Remedial program is currently performing desk-top triage of all remedial sites in Region 4 coastal states.

- EPA Region 4 is preparing a Site-Specific Data Management Plan for the incident.

FUEL WAIVERS AND ENFORCEMENT ACTIONS

- This week, EPA extended a low-volatility conventional gasoline waiver through September 26th in 38 states and the District of Columbia.

- EPA also issued Red-Dye Diesel fuel waiver for vehicles used for emergency response and evacuations.

- On Friday, EPA announced that it would exercise its enforcement discretion to allow emergency and backup electric generating units in Monroe County, Florida to operate without meeting all pollution controls in order to facilitate the supply of needed electricity during and after Hurricane Irma.

- This "no action assurance" letter was issued at the request of the Florida Department of Environmental Protection in response to the extreme risk posed by Hurricane Irma to the primary backup source of electricity for the Keys.

- EPA policy allows the agency to issue no action assurances in cases where it is necessary to avoid extreme risks to public health and safety and where no other mechanism can adequately address the matter.

REGION 2 SUPERFUND SITES

- EPA assessed 23 Superfund and oil sites in Puerto Rico and U.S Virgin Islands to evaluate their vulnerabilities prior to Hurricane Irma hitting.

- As of today, EPA Region 2 has conducted post-hurricane assessments of seven of these facilities and sites and found no significant damage.

- A complete list of Superfund and oil sites has been generated to prioritize post-hurricane visits.

- A list of other regulated facilities was also created to conduct pre- and post-storm facility coordination and assessment.

- EPA teams will focus on immediate threats from hazardous substance releases and oil spills, orphan hazardous containers, household hazardous waste, contaminated debris, and drinking water/wastewater issues.

REGION 4 SUPERFUND SITES

- The EPA Region 4 Remedial program has completed rapid assessment (desk-top triage) of all 90 remedial sites in within the state of Florida.

- The EPA Region 4 Emergency Response Program secured three drums of Investigation Derived Waste (IDW) at the Anodyne site in Miami yesterday. Drums contained drill cutting (dirt and rocks) and purge water produced during installation of monitoring well the previous week.

- EPA has been working throughout the week to evaluate 80 sites from Miami to North Carolina. As of today, with the storm's path continuing to shift, EPA is evaluating additional potentially affected areas in Florida, Alabama and Tennessee.

- If any site in the path of the storm is found to pose an immediate threat to nearby populations, EPA will immediately alert local officials.

- If cleanup activity is on-going at a site, EPA will instruct the on-site contractor to secure the site immediately. This includes evacuating personnel, ceasing all activity, and securing equipment and other potentially harmful materials. If no activity is currently occurring at the site, the site is considered secured but remains closely monitored.

- After the storm passes, floodwaters recede, and it is deemed safe to enter a site, EPA remedial managers and contractors conduct rapid assessments of sites based on priority to identify any damage and initiate cleanup plans if necessary.

For information and updates from EPA, visit: www,epa.gov/hurricane-irma.

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States
The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/9/2017 9:32:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Fwd: EPA Hurricane Irma Update for Saturday, September 9, 2017

Liz - How do you want to handle this?

Sent from my iPhone

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From: "Mears, Mary" <Mears.Mary@epa.gov>
Date: September 9, 2017 at 5:29:55 PM EDT
To: "Graham, Amy" <graham.amy@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>
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U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)

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- This "no action assurance" letter was issued at the request of the Florida Department of Environmental Protection in response to the extreme risk posed by Hurricane Irma to the primary backup source of electricity for the Keys.

- EPA policy allows the agency to issue no action assurances in cases where it is necessary to avoid extreme risks to public health and safety and where no other mechanism can adequately address the matter.

REGION 2 SUPERFUND SITES

- EPA assessed 23 Superfund and oil sites in Puerto Rico and U.S Virgin Islands to evaluate their vulnerabilities prior to Hurricane Irma hitting.

- As of today, EPA Region 2 has conducted post-hurricane assessments of seven of these facilities and sites and found no significant damage.

- A complete list of Superfund and oil sites has been generated to prioritize post-hurricane visits.

- A list of other regulated facilities was also created to conduct pre- and post-storm facility coordination and assessment.

- EPA teams will focus on immediate threats from hazardous substance releases and oil spills, orphan hazardous containers, household hazardous waste, contaminated debris, and drinking water/wastewater issues.

REGION 4 SUPERFUND SITES

- The EPA Region 4 Remedial program has completed rapid assessment (desk-top triage) of all 90 remedial sites in within the state of Florida.

- The EPA Region 4 Emergency Response Program secured three drums of Investigation Derived Waste (IDW) at the Anodyne site in Miami yesterday. Drums contained drill cutting (dirt and rocks) and purge water produced during installation of monitoring well the previous week.

- EPA has been working throughout the week to evaluate 80 sites from Miami to North Carolina. As of today, with the storm's path continuing to shift, EPA is evaluating additional potentially affected areas in Florida, Alabama and Tennessee.

- If any site in the path of the storm is found to pose an immediate threat to nearby populations, EPA will immediately alert local officials.

- If cleanup activity is on-going at a site, EPA will instruct the on-site contractor to secure the site immediately. This includes evacuating personnel, ceasing all activity, and securing equipment and other potentially harmful materials. If no activity is currently occurring at the site, the site is considered secured but remains closely monitored.

- After the storm passes, floodwaters recede, and it is deemed safe to enter a site, EPA remedial managers and contractors conduct rapid assessments of sites based on priority to identify any damage and initiate cleanup plans if necessary.

For information and updates from EPA, visit: www.epa.gov/hurricane-irma.

If you would rather not receive future communications from Environmental Protection Agency, let us know by clicking here.
Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States
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Message

From: Mears, Mary [Mears.Mary@epa.gov]
Sent: 9/9/2017 9:07:19 PM
To: Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: EPA Hurricane Irma Update for Saturday, September 9, 2017

Checking on the answer.

Mary Mears
Public Affairs Director
U.S. EPA Region 2 (NJ, NY, PR, the US VI and eight Indian Nations)
(212) 637-3673 (Direct Office)
(212) 637-3660 (General Office)
Ex. 6 Cell)

From: Graham, Amy
Sent: Saturday, September 09, 2017 4:59 PM
To: Mears, Mary <Mears.Mary@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: EPA Hurricane Irma Update for Saturday, September 9, 2017

See below

Sent from my iPhone

Begin forwarded message:

> **From:** "Dearen, Jason H." <JDearen@ap.org>
> **Date:** September 9, 2017 at 4:53:10 PM EDT
> **To:** "graham.amy@epa.gov" <graham.amy@epa.gov>
> **Subject: FW: EPA Hurricane Irma Update for Saturday, September 9, 2017**
>
> Hi, Amy.
> I wanted to send something out on this. One point of clarification about the PR and USVI info. The release says 7 sites have been cleared in that region – was this done remotely or by staff already in those places on the ground? Are the teams being sent to Region 2 when it's safe in addition to others there, or the only people who'll physically be there?
> Many thanks,
> Jason
>
> ---
>
> **From:** USEPA Press Office [mailto:press@epa.gov]
> **Sent:** Saturday, September 09, 2017 4:06 PM
> **To:** Dearen, Jason H.
> **Subject:** EPA Hurricane Irma Update for Saturday, September 9, 2017

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

EPA Hurricane Irma Update for Saturday, September 9, 2017

WASHINGTON –EPA is continuing preparations for Hurricane Irma, which is expected to hit Florida, serviced by EPA Region 4. Irma has already made landfall in Puerto Rico and the U.S. Virgin Islands, covered by EPA Region 2.

The Agency continues securing and assessing Superfund sites; compiling data for regulated facilities; granting fuel waivers to help stabilize prices at the pump and ensure emergency vehicles have access to fuel; and, preparing for infrastructure assessments and environmental sampling following the storm.

As of September 9, 2017, the following information is available:

REGIONAL OPERATIONS CENTERS

- **Region 4**: The Region has approximately 44 personnel involved in emergency response efforts. In addition, seven people are deployed to Florida, including Regional Administrator Trey Glenn to the State Emergency Operations Center in Tallahassee, Fla.

- Staff is also embedded in three south Florida Emergency Operations Centers (EOCs) in Palm Beach County, Broward County and Miami-Dade County and will remain for the duration of the storm.

- EPA is in the process of forming field teams for deployment to affected as early as possible considering health and safety. On Scene Coordinators from Region 5 are also deploying to be part of these teams.

- **Region 2**: About 61 personnel are currently involved in hurricane efforts and assessment teams are deploying to Puerto Rico and the U.S. Virgin Islands as soon as possible considering health and safety.

- This includes four On Scene Coordinators and two Community Involvement Coordinators to the U.S. Virgin Islands and four On Scene Coordinators and two Community Involvement Coordinators to Puerto Rico to assess regulated facilities, identify community outreach needs and conduct hazardous waste and debris assessments.

- These efforts are being augmented by professional staff in EPA Region 2's Caribbean Environmental Protection Division (CEPD).

RISK MANAGEMENT PLANS (RMPS)

- EPA is communicating with the Risk Management Program (RMP) and Facility Response Plan (FRP) bulk oil facilities to ensure they are secure and identify any vulnerabilities.

- EPA's Remedial program is currently performing desk-top triage of all remedial sites in Region 4 coastal states.

- EPA Region 4 is preparing a Site-Specific Data Management Plan for the incident.

FUEL WAIVERS AND ENFORCEMENT ACTIONS

- This week, EPA extended a low-volatility conventional gasoline waiver through September 26th in 38 states and the District of Columbia.

- EPA also issued Red-Dye Diesel fuel waiver for vehicles used for emergency response and evacuations.

- On Friday, EPA announced that it would exercise its enforcement discretion to allow emergency and backup electric generating units in Monroe County, Florida to operate without meeting all pollution controls in order to facilitate the supply of needed electricity during and after Hurricane Irma.

- This "no action assurance" letter was issued at the request of the Florida Department of Environmental Protection in response to the extreme risk posed by Hurricane Irma to the primary backup source of electricity for the Keys.

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For information and updates from EPA, visit: www.epa.gov/hurricane-irma.

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Message

From: Lincoln, Larry [Lincoln.Larry@epa.gov]
Sent: 9/9/2017 7:56:06 PM
To: Konkus, John [konkus.john@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: Superfund vulnerability assessment

All,

The R4 Superfund Remedial Branch just provided the following info re: the aforementioned sites:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 9, 2017, at 3:45 PM, Konkus, John <konkus.john@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Lincoln, Larry
Sent: Saturday, September 9, 2017 3:06 PM
To: Press <Press@epa.gov>
Subject: FW: Superfund vulnerability assessment

Received the following inquiry from Michael Biesecker, AP, regarding vulnerability of Florida Superfund sites. Also asked to speak with someone.

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast

Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Saturday, September 9, 2017 1:47 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>
Cc: Dearen, Jason H. <JDearen@ap.org>
Subject: Superfund vulnerability assessment

Larry,

My understanding is that EPA Region 4 has prepared a vulnerability assessment of Florida Superfund sites potentially at risk from Irma that lists Homestead Air Force base, Airco Plating and Cabot Copper as being potentially vulnerable to flooding.

Could you please provide a copy of the assessment? Also, we would be interesting in reporting details of what preparations and monitoring is taking place at those sites as storm progresses.

Would you have time to talk to me or my colleague Jason, copied on this email, later today?

Thanks,

Michael

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Bridis, Ted [TBridis@ap.org]
Sent: 9/9/2017 12:11:40 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Pace, Julie [JPace@ap.org]; Graham, Amy [graham.amy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Biesecker, Michael [MBiesecker@ap.org]
Subject: RE: Superfund Information

Thank you again, Liz.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, September 08, 2017 7:20 PM
To: Bridis, Ted; Pace, Julie; Graham, Amy; Wilcox, Jahan
Subject: RE: Superfund Information

Hi Ted – Yes, that is our understanding at this time.

For additional background: It is really important for readers and the public to understand the difference between a risk and a hazard (as well as how exposure factors in). A hazard is something that can cause harm (for example: electricity, a ladder, stress, falling rocks, a hurricane etc.). A risk is the chance, high or low, that any hazard will actually cause someone harm. Exposure is what makes a hazard a risk. Therefore, in this case, even if those rocks and dirt were hazardous materials, they wouldn't actually cause harm to anyone if no one is exposed to them. Please note, this is solely for the purpose of trying to put this in context – not a declaration of any actual hazard, risk or exposure with regard to this specific situation.

From: Bridis, Ted [mailto:TBridis@ap.org]
Sent: Friday, September 8, 2017 6:54 PM
To: Pace, Julie <JPace@ap.org>; Biesecker, Michael <MBiesecker@ap.org>; Graham, Amy <graham.amy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Superfund Information

Thank you, Liz. This is very helpful. Just to clarify, does "low risk" indicate that the material in the drums there is considered non-hazardous? Our understanding is that IDW encompasses a range of materials and can be categorized as hazardous or non-hazardous.

We do genuinely hope all the EPA workers in the storm's path remain safe.

Thanks,
Ted Bridis, news editor
Investigative
The Associated Press
1100 13th St. NW, Suite 700
Washington, DC 20005-4076
(202) 641-9462, voice
Ex. 6 cell
https://www.ap.org/tips

From: Pace, Julie
Sent: Friday, September 08, 2017 6:45 PM

To: Biesecker, Michael; Bridis, Ted
Subject: Fwd: Superfund Information

More below

Julie Pace
Washington Bureau Chief
The Associated Press
Ex. 6 (cell)

Begin forwarded message:

> **From:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> **Date:** September 8, 2017 at 6:41:38 PM EDT
> **To:** "Pace, Julie" <JPace@ap.org>
> **Cc:** "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>
> **Subject: RE: Superfund Information**
>
> Some additional information: We've just confirmed that the barrels contain cuttings from where a water well was drilled, which is primarily dirt and rocks. They were identified as low-risk to human health, and are in the process of being removed before the hurricane makes landfall. As this is a barrel full of rocks and dirt, personnel have been focused on doing everything we can to support local emergency response personnel as a first priority. We are doing everything we can in Region 4 and Region 2 to replicate the efforts lead by Sam Coleman in Region 6 – efforts that were recognized by Governor Abbott at a press conference announcing the new Rebuilding Texas effort. The work that our staff did in Texas around Harvey included viewing the sites, securing them as best we could with those responsible for the ongoing cleanup prior to the storm, and testing them after the storm. That is our procedure and that is what our staff do: everything they can to protect human health and the environment. As explained below, we will communicate any additional risks as a result of the storms, if/when they are found. We respectfully ask that these staff are given the respect they deserve for their hard work and dedication to their mission. If not respect, at least the benefit of the doubt.
>
> ---
>
> **From:** Bowman, Liz
> **Sent:** Friday, September 8, 2017 6:14 PM
> **To:** 'Pace, Julie' <JPace@ap.org>
> **Cc:** Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Subject:** Superfund Information
>
> Hi Julie – We want to make sure that AP has this critical information about EPA's role with regard to Superfund sites in Florida. It is critical to note each site is different; if there a potentially responsible party has been identified; they are responsible for the ongoing clean up. EPA has oversight over those cleanup efforts, to ensure that cleanups are done in a way that is consistent with the law. This is true, even during natural disasters. We want to make it very clear that EPA has the public's health and safety at the forefront of our plans and actions, and we will communicate any public health risks as soon as we are aware of them.
>
> Specific sites:

- Anodyne (North Miami Beach): EPA is contacting the PRP to have any unsecured drums secured. It is important to note that unsecured drums does not necessarily mean there is a hazard or danger to human health or the environment. The term "IDW" is low-risk material, used on site and generally does not pose a significant threat to human health.
- Ronald Tolliver (Atlanta): The information is so fast, that not everyone has 100 of the facts, 100 percent of the time. A new employee, may not be aware of the internal review procedures associated with the rapid assessment of potentially affected sites, around the hurricane.
- Homestead Air Force Base: the Air Force is the lead agency for this site. We are working with our federal family to ensure their sites are secure as well.

Additional information:

Currently 80 sites from Miami to North Carolina are being reviewed with the PRPs, states and technical staff in Region 4 office are evaluating any current or potential vulnerabilities at each site. A list of regulated facilities and sites of potential concern is being refined based on Irma's path, storm surge and 100/500-year flood map predictions.

If any site in the path of the storm is found to pose an immediate threat to nearby populations, EPA will immediately alert and work with state and local officials and inform the public – and then take any appropriate steps to address the threat. So far no sites have risen to this level that we are aware of.

If cleanup activity is on-going at a site, EPA will instruct the on-site contractor to secure the site immediately. This includes evacuating personnel, ceasing all activity, and securing equipment and other potentially harmful materials. If no activity is currently occurring at the site, the site is considered secured but remains closely monitored.

After the storm passes, floodwaters recede, and it is deemed safe to enter a site, EPA remedial managers and contractors conduct rapid assessments of sites, based on priority, to identify any damage and initiate further actions, if needed.

These steps are consistent with how EPA has historically prepared Superfund sites for natural disasters, such as hurricanes.

Thank you, Liz

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Message

From: Pace, Julie [JPace@ap.org]
Sent: 9/8/2017 10:21:05 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: Superfund Information

Thanks, Liz. I'll get back to you shortly if we have follow up questions.

Julie Pace
Washington Bureau Chief
The Associated Press
Ex. 6 (cell)

On Sep 8, 2017, at 6:13 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Julie – We want to make sure that AP has this critical information about EPA's role with regard to Superfund sites in Florida. It is critical to note each site is different; if there a potentially responsible party has been identified; they are responsible for the ongoing clean up. EPA has oversight over those cleanup efforts, to ensure that cleanups are done in a way that is consistent with the law. This is true, even during natural disasters. We want to make it very clear that EPA has the public's health and safety at the forefront of our plans and actions, and we will communicate any public health risks as soon as we are aware of them.

Specific sites:

? <!--[if !supportLists]--><!--[endif]-->Anodyne (North Miami Beach): EPA is contacting the PRP to have any unsecured drums secured. It is important to note that unsecured drums does not necessarily mean there is a hazard or danger to human health or the environment. The term "IDW" is low-risk material, used on site and generally does not pose a significant threat to human health.
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? <!--[if !supportLists]--><!--[endif]-->Homestead Air Force Base: the Air Force is the lead agency for this site. We are working with our federal family to ensure their sites are secure as well.

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Thank you, Liz

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Message

From: Lincoln, Larry [Lincoln.Larry@epa.gov]
Sent: 9/8/2017 8:48:50 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Glenn, Trey [glenn.onis@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Questions regarding Florida superfund sites

Working on getting answers now.

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Graham, Amy
Sent: Friday, September 8, 2017 4:45 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>
Cc: Glenn, Trey <glenn.onis@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Questions regarding Florida superfund sites

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 8, 2017, at 4:41 PM, Lincoln, Larry <Lincoln.Larry@epa.gov> wrote:

> Amy,
>
> Will this work for you?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Graham, Amy
Sent: Friday, September 8, 2017 4:31 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Questions regarding Florida superfund sites

Trying to get everyone looped together on this. Larry can you please type up a response asap?

Sent from my iPhone

Begin forwarded message:

> **Resent-From:** <Press@epa.gov>
> **From:** "Biesecker, Michael" <MBiesecker@ap.org>
> **Date:** September 8, 2017 at 3:49:11 PM EDT
> **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject: Questions regarding Florida superfund sites**
>
> Liz,
>
> We haven't heard back on some of our detailed questions in recent days, but your media releases speak in general about what the agency is doing to prepare for Irma's arrival. EPA says the agency has dozens of staff working to help secure Superfund sites in the Southeast, work that includes evacuating personnel, securing equipment and safeguarding harmful materials.
>
> "If no activity is currently occurring at the site, the site is considered secured but remains closely monitored," EPA said.
>
> AP reporters have visited five sites in the Miami area over the last three days, all of them in flood plains. We plan to visit more before the storm's arrival. (Don't worry, we haven't trespassed).
>
> Sites visited so far
>
> --Miami Drum Services
> --Florida Petroleum Processors
> --Anodyne North Miami Beach
> --Homestead Air Reserve Base
> --Chemford Pompano Beach
>
> We saw no personnel or activity at any of the sites. At Anodyne, there were three sealed steel drums labeled "IDW" sitting in the open behind a building. According to EPA documents, IDW is the designation for "investigation derived waste."
>
> Can you tell us what is in these drums exactly, and whether this is hazardous IDW? Wouldn't hurricane winds present a serious risk from unsecured barrels? They weren't behind a fence or anything.
>
> Did we miss EPA activity at these sites? Did you conclude these were secure and not in need of any further activity? Also, are there any ongoing community outreach efforts involving these sites?
>
> Ronald Tolliver in Atlanta, identified as EPA's community involvement coordinator for the Miami drum site, told the AP he was not sure what the agency was doing to prepare the site or contact residents whose drinking water could be affected by serious flooding from Hurricane Irma.

Tolliver referred questions to the site's remedial project manager, in charge of managing the site for the EPA. However, the manager identified on EPA's public information website for the site was incorrect. Tolliver referred further questions to EPA's press office, who referred a reporter back to the agency's press releases.

We expect to publish our story later today. Could you back to us before 5 p.m. EDT?

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Lincoln, Larry [Lincoln.Larry@epa.gov]
Sent: 9/8/2017 8:45:36 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Glenn, Trey [glenn.onis@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Questions regarding Florida superfund sites

Will have to get with the program to get those answers.

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Graham, Amy
Sent: Friday, September 8, 2017 4:45 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>
Cc: Glenn, Trey <glenn.onis@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Questions regarding Florida superfund sites

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 8, 2017, at 4:41 PM, Lincoln, Larry <Lincoln.Larry@epa.gov> wrote:

> Amy,
>
> Will this work for you?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Larry

Director
Office of External Affairs
U.S. Environmental Protection Agency, Region 4
Phone: (404) 562-8304
Email: lincoln.larry@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
Follow Region 4 on Twitter: www.twitter.com/EPASoutheast
And Facebook: www.facebook.com/eparegion4

From: Graham, Amy
Sent: Friday, September 8, 2017 4:31 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Questions regarding Florida superfund sites

Trying to get everyone looped together on this. Larry can you please type up a response asap?

Sent from my iPhone

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: "Biesecker, Michael" <MBiesecker@ap.org>
Date: September 8, 2017 at 3:49:11 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Questions regarding Florida superfund sites

Liz,

We haven't heard back on some of our detailed questions in recent days, but your media releases speak in general about what the agency is doing to prepare for Irma's arrival. EPA says the agency has dozens of staff working to help secure Superfund sites in the Southeast, work that includes evacuating personnel, securing equipment and safeguarding harmful materials.

"If no activity is currently occurring at the site, the site is considered secured but remains closely monitored," EPA said.

AP reporters have visited five sites in the Miami area over the last three days, all of them in flood plains. We plan to visit more before the storm's arrival. (Don't worry, we haven't trespassed).

Sites visited so far

--Miami Drum Services
--Florida Petroleum Processors
--Anodyne North Miami Beach
--Homestead Air Reserve Base
--Chemford Pompano Beach

We saw no personnel or activity at any of the sites. At Anodyne, there were three sealed steel drums labeled "IDW" sitting in the open behind a building. According to EPA documents, IDW is the designation for "investigation derived waste."

Can you tell us what is in these drums exactly, and whether this is hazardous IDW? Wouldn't hurricane winds present a serious risk from unsecured barrels? They weren't behind a fence or anything.

Did we miss EPA activity at these sites? Did you conclude these were secure and not in need of any further activity? Also, are there any ongoing community outreach efforts involving these sites?

Ronald Tolliver in Atlanta, identified as EPA's community involvement coordinator for the Miami drum site, told the AP he was not sure what the agency was doing to prepare the site or contact residents whose drinking water could be affected by serious flooding from Hurricane Irma.

Tolliver referred questions to the site's remedial project manager, in charge of managing the site for the EPA. However, the manager identified on EPA's public

information website for the site was incorrect. Tolliver referred further questions to EPA's press office, who referred a reporter back to the agency's press releases.

We expect to publish our story later today. Could you back to us before 5 p.m. EDT?

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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Message

From: Pace, Julie [JPace@ap.org]
Sent: 9/8/2017 2:35:11 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Let me check with Sally and get right back to you.

Julie Pace
Washington Bureau Chief
The Associated Press
Ex. 6 (cell)

On Sep 8, 2017, at 10:31 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Can y'all be available at Tuesday from 3:15 – 4 pm to meet with the Administrator (most likely Ryan Jackson as well)? Off the record: I would assume this would be an off the record meeting, but if you want to ask him toward the end of the discussion for a few comments on the record, he will probably be open to it if he feels you all will be fair in any reporting. I am happy to explain more on the phone. Please let me know if this works for you – thanks, Liz.
>
> **From:** Pace, Julie [mailto:JPace@ap.org]
> **Sent:** Friday, September 8, 2017 9:07 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** RE: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path
>
> We'd be happy to. Sally is based in New York, but if you want to propose a couple of dates that work for the Administrator, I can see what works for her to come down here.
>
> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> **Sent:** Friday, September 08, 2017 9:06 AM
> **To:** Pace, Julie
> **Subject:** FW: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path
>
> I would love for y'all to come in and meet with the Administrator, if we can make it work. Let me know if you think it can happen and I will get some time on his calendar.
>
> **From:** Bowman, Liz
> **Sent:** Friday, September 8, 2017 8:55 AM
> **To:** Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
> **Subject:** RE: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path
>
> I apologize, I meant Sally. Please excuse my error.
>
> **From:** Bowman, Liz
> **Sent:** Friday, September 8, 2017 8:38 AM
> **To:** Biesecker, Michael <MBiesecker@ap.org>; Press <Press@epa.gov>
> **Subject:** RE: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Hi Michael – As I explained to Julie, we are open to her and Susan coming to meet with the Administrator. I am happy to work to facilitate that meeting. Thanks – Liz

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 8, 2017 8:24 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Fwd: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Liz,

The Associated Press requests an all-formats interview with Administrator Pruitt to discuss the agency's efforts to prepare in advance of Hurricane Irma, especially at Superfund sites.

It is clear EPA wants people to know assessing and securing that this is a top priority for the agency. AP has hundreds of member news organizations in the Southeast that distribute our text, audio and video to millions of people now in the storm's path. We continue to work to provide our readers specific details of those preparations.

We look forward to your response.

Thanks,

Michael

_____

Michael Biesecker
The Associated Press
Washington, D.C.
202-641-9445 office
Ex. 6 mobile
mbiesecker@ap.org
Twitter: mbieseck

The AP, founded in 1846, has a global network of 240 bureaus, providing news in text, audio, video, graphics and photos to more than 15,000 news outlets with a daily reach of 1 billion people worldwide.

Sent from my iPhone

Begin forwarded message:

> **From:** "Krisher, Tom" <tkrisher@ap.org>
> **Date:** September 8, 2017 at 8:11:28 AM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>
> **Subject: FW: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path**
>
> Bloomberg is now the EPA press office? No mention of the AP story by name and only passing mention of the fact that they had no one to go into the sites near Houston.
>
> ---
>
> **From:** EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office

Sent: Friday, September 08, 2017 8:03 AM
To: Krisher, Tom <tkrisher@ap.org>
Subject: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

BLOOMBERG

EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Jennifer Dlouhy
September 7, 2017
https://www.bloomberg.com/news/articles/2017-09-07/epa-chief-pledges-to-secure-toxic-sites-in-irma-s-storm-path

The Trump administration is applying lessons from Hurricane Harvey's drenching of southeast Texas as it secures toxic waste sites in the path of Hurricane Irma, U.S. environmental chief Scott Pruitt said.

The Environmental Protection Agency's main goal is to make sure there are "enough people on the ground" to quickly assess the integrity of at-risk chemical sites and respond to needs as the monster storm moves through, Pruitt said. Technical staff are already working to secure about 80 Superfund sites in Irma's path from Miami to North Carolina, including a former pesticide plant, military base and machine shop.

"Operationally, we've tried to make sure we apply the same type of approach we used in Texas," Pruitt, EPA's administrator, said in an interview Thursday. "Because of the area and the amount of population that's affected in Florida, we're trying to be even more aggressive." ...

Nearly 200 EPA personnel were deployed in Texas. The agency already has about 77 people working on Irma related efforts and another seven are on the way.

Back-to-back hurricanes hitting the U.S. threaten to strain the federal government's resources, prompting the Senate to pass a $15.25 billion relief bill Thursday, and renewing a debate about the size and scope of federal agencies. The Trump administration has proposed cutting nearly a third of the EPA's budget for the fiscal year that begins Oct. 1 and culling roughly 3,200 employees from the agency's 15,000-member workforce, a process that has already begun as hundreds of workers accept buyouts.

Pruitt stressed the EPA has not been hit by budget reductions yet, as Congress weighs how much to spend on the agency.

To Continue Reading Click Here

<image003.jpg> <image003.jpg> <image003.jpg> <image003.jp

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/7/2017 3:34:29 PM
To: Graham, Amy [graham.amy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: READ ME AP FW: Arkema Inc. facility in Crosby, TX.

Dunklin, Reese [mailto:RDunklin@ap.org]

From: Graham, Amy
Sent: Thursday, September 07, 2017 10:33 AM
To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: READ ME AP FW: Arkema Inc. facility in Crosby, TX.

Who was the reporter?

From: Gray, David
Sent: Thursday, September 7, 2017 11:32 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: READ ME AP FW: Arkema Inc. facility in Crosby, TX.

Heads up – Associated Press reviewed the RMP file today at the Dallas office. They requested to review other records associated with Arkema but the request came too late for us to have a comprehensive search to see what was available. AP also requested to speak to a press officer but we declined to be interviewed on the record.

David

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 06, 2017 6:49 PM
To: Rogers, Elizabeth; Biesecker, Michael
Cc: Gray, David; Edlund, Carl; Coleman, Sam; Smith, Monica
Subject: Re: Arkema Inc. facility in Crosby, TX.

Dear Elizabeth,

While I am there tomorrow, I'd like to also take a look at any documents by the EPA Region 6 office that identified the Arkema plant in Crosby as having a flood risk and needing to be fixed. Perhaps this was part of the RCRA permitting process, though it may have been stormwater. Makes sense for me to review it all then rather than come back in a few days.

Thanks,

Reese Dunklin, the AP
Dallas bureau

On Sep 6, 2017, at 12:31 PM, Dunklin, Reese <RDunklin@ap.org> wrote:

Dear Elizabeth,

Yes, I will physically visit the EPA Region 6 office tomorrow at 8:30 a.m. and review the documents.

If there are any additional records that can made available as part of the original Aug. 31 request for "documents you have related to the Arkema Inc. facility 18000 Crosby Eastgate Road, Crosby, Tx," then that would be ideal to see those tomorrow as well.

Thanks,

Reese Dunklin

From: Rogers, Elizabeth [mailto:rogers.elizabeth@epa.gov]
Sent: Wednesday, September 06, 2017 11:42 AM
To: Dunklin, Reese; Biesecker, Michael
Cc: Gray, David; Edlund, Carl; Coleman, Sam; Smith, Monica
Subject: RE: Arkema Inc. facility in Crosby, TX.

Mr. Dunklin,

There is no additional information to provide for review. The OCA data is not included within the Arkema Chemical Facility, Crosby, Texas, RMP Plan. That information is considered confidential (Section 2 thru 5) of the RMP. In order to review this portion of the RMP, you would have to physical visit the EPA Region 6 office. If the above is needed for review, please inform me of your scheduled visit tomorrow. If not, we will cancel your Thursday, September 7, 2017, visit.

Thanks,

Elizabeth R. Rogers
RMP Enforcement Officer
U. S. EPA - Region 6 (6SF-EP)
Emergency Management Branch
Superfund Division
Office Phone (214)665-6708
Fax Number (214)665-7447
email: rogers.elizabeth@epa.gov

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 06, 2017 11:14 AM
To: Rogers, Elizabeth; Biesecker, Michael
Cc: Gray, David; Edlund, Carl; Coleman, Sam; Smith, Monica
Subject: RE: Arkema Inc. facility in Crosby, TX.

Hello Elizabeth,

Nice to meet you (remotely), Elizabeth. Thank you for the information you've shared. As I read it over, I simply want to make sure I'm understanding what records I'll be reviewing tomorrow. I've attached the most current RMP. I wanted to be clear whether the OCA you're referring to is separate from what we've already received (there is a discussion of worst case scenarios in the attached RMP, too.)

Apart from the RMP, I wanted to be clear on whether additional records related to Arkema would be available for review tomorrow.

I appreciate the help,

Reese Dunklin, AP
Dallas bureau

From: Rogers, Elizabeth [mailto:rogers.elizabeth@epa.gov]
Sent: Wednesday, September 06, 2017 10:56 AM
To: Biesecker, Michael; Dunklin, Reese
Cc: Gray, David; Edlund, Carl; Coleman, Sam; Smith, Monica
Subject: RE: Arkema Inc. facility in Crosby, TX.

Michael,

Other documents would include the RMP Offsite Consequences Analysis (OCA) data (confidential). Should you need to review this, it is part of the Arkema RMP Plan. Please let me know, if such information is needed.

Thanks,

Elizabeth R. Rogers
RMP Enforcement Officer
U. S. EPA - Region 6 (6SF-EP)
Emergency Management Branch
Superfund Division
Office Phone (214)665-6708
Fax Number (214)665-7447
email: rogers.elizabeth@epa.gov

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, September 06, 2017 10:48 AM
To: Rogers, Elizabeth; Dunklin, Reese
Cc: Gray, David; Edlund, Carl; Coleman, Sam; Smith, Monica
Subject: RE: Arkema Inc. facility in Crosby, TX.

Elizabeth,

We already have a copy of the 2014 RMP for Arkema. Are there other documents available in the reading room? Is EPA not planning to make additional materials available? If not, why not?

Thanks,

Michael

From: Rogers, Elizabeth [mailto:rogers.elizabeth@epa.gov]
Sent: Wednesday, September 06, 2017 11:26 AM
To: Biesecker, Michael; Dunklin, Reese
Cc: Gray, David; Edlund, Carl; Coleman, Sam; Smith, Monica
Subject: Arkema Inc. facility in Crosby, TX.

Mr. Biesecker,

I have arranged for your review of the Arkema Chemical Facility Risk Management Plan (RMP) Plan on Thursday, September 7, 2017. Please arrive at the EPA Region 6 office at 8:30am. The facility RMP consist of 26 pages (total). You are required to bring proof of a government issued identification, pencil and pad (No ink pens allowed). No photo or zerox copies are to be made during the time of your document review. Also, cell phones are not allowed in the review room. Please report to the EPA Office Reception Center at 1445 Ross Avenue, 7th Floor, Dallas, Texas 75202. The receptionist will contact me upon your arrival. Should you have any questions, you may contact me at the number listed below.

Thanks,

Elizabeth R. Rogers
RMP Enforcement Officer
U. S. EPA - Region 6 (6SF-EP)
Emergency Management Branch
Superfund Division
Office Phone (214)665-6708
Fax Number (214)665-7447
email: rogers.elizabeth@epa.gov

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, September 06, 2017 10:01 AM
To: Rogers, Elizabeth; Dunklin, Reese
Subject: RE: Reading room files on Arkema Inc. facility in Corsby, Tx.

Elizabeth,

We will definitely have someone there at 8:30 a.m. Thursday, most likely AP reporter Reese Dunklin (CCed here).

Can you give us an idea of what's there and in what sort of volume? Is there a charge for making copies? Are we allowed to bring in our own scanner?

Thanks,

Michael

From: Biesecker, Michael
Sent: Wednesday, September 06, 2017 10:12 AM
To: 'Rogers, Elizabeth'
Subject: RE: Reading room files on Arkema Inc. facility in Corsby, Tx.

Pencil us in, but let me confirm with AP's folks in TX. Thanks.

From: Rogers, Elizabeth [mailto:rogers.elizabeth@epa.gov]
Sent: Wednesday, September 06, 2017 9:48 AM
To: Biesecker, Michael
Subject: RE: Reading room files on Arkema Inc. facility in Corsby, Tx.

Mr. Biesecker,

I have an open date for Thursday, September 7, 2017 at 8:30am. Please let me know if this works for you.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, August 31, 2017 10:29 AM
To: Rogers, Elizabeth
Subject: Reading room files on Arkema Inc. facility in Corsby, Tx.

Elizabeth,

We're interested in setting up an appointment today to review whatever documents you have related to the Arkema Inc. facility 18000 Crosby Eastgate Road, Crosby, Tx. Are those files with you in Dallas, or at another location. Roughly, what might you have?

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Harris-Young, Dawn [Harris-Young.Dawn@epa.gov]
Sent: 9/7/2017 3:30:01 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; regionalpress [regionalpress@epa.gov]
CC: Lincoln, Larry [Lincoln.Larry@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: RE: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Shelby is the EPA Remedial Project Manager for the site.

From: Bowman, Liz
Sent: Thursday, September 7, 2017 11:28 AM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>; regionalpress <regionalpress@epa.gov>
Cc: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Deliberative Process / Ex. 5

From: Harris-Young, Dawn
Sent: Thursday, September 7, 2017 9:55 AM
To: regionalpress <regionalpress@epa.gov>
Cc: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Will HQ handle the A.P. response to inquiry (below)?

Thanks,
Dawn

From: Harris-Young, Dawn
Sent: Wednesday, September 6, 2017 4:52 PM
To: regionalpress <regionalpress@epa.gov>
Cc: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Below.

From: Dearen, Jason H. [mailto:JDearen@ap.org]
Sent: Wednesday, September 6, 2017 4:39 PM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Subject: RE: Hurricane Irma questions

Hi Dawn,
Rather than rely on Ronald to relay my questions, they are below. Deadline is tomorrow by noon.

1. Can I interview Shelby Johnston about management of the Miami Drum Services Superfund site? If not, please state a reason in writing.
2. Does EPA alert individuals near these sites who may be exposed to floodwaters or storm surge that is carrying some of the sites contamination?
3. The Homestead Air Force Base Superfund site is quite large, more than 2,000 acres. It was destroyed by Andrew and concerns are that if Irma were to make landfall the same could happen. Is EPA working to alert members of the community about possible flood water contamination?

Give me a call with any questions. 352-213-9949
Jason

From: Harris-Young, Dawn [mailto:Harris-Young.Dawn@epa.gov]
Sent: Wednesday, September 06, 2017 4:30 PM
To: Dearen, Jason H.
Subject: Hurricane Irma questions

Hi Jason,

Your inquiries have been sent to me and I am working on your request for information.

Dawn

Dawn Harris Young
Public Affairs Specialist
U.S. Environmental Protection Agency, Region 4
Office of External Affairs
404-562-8421 (office)
harris-young.dawn@epa.gov
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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/7/2017 4:43:07 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: NYT (Livia Albeck-Ripka) [OPEN 9/6} FW: Statement from EPA on Superfund sites [DEADLINE TODAY]

Yes

Sent from my iPhone

On Sep 7, 2017, at 11:38 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 7, 2017, at 12:37 PM, Gray, David <gray.david@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 7, 2017, at 11:36 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 7, 2017, at 11:25 AM, Gray, David <gray.david@epa.gov> wrote:

I propose we send them this list.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Durant, Jennah
Sent: Thursday, September 07, 2017 10:23 AM
To: Gray, David <gray.david@epa.gov>
Cc: Vela, Austin <Vela.Austin@epa.gov>
Subject: RE: HH2017COM 0906 ACTION: RESPONSE:

NYT (Livia Albeck-Ripka) [OPEN 9/6} FW: Statement from EPA on Superfund sites [DEADLINE TODAY]

This reporter just emailed again to ask for a response, FYI.

From: Durant, Jennah
Sent: Wednesday, September 06, 2017 9:54 AM
To: Gray, David <gray.david@epa.gov>
Cc: Vela, Austin <Vela.Austin@epa.gov>
Subject: HH2017COM 0906 ACTION: RESPONSE: NYT (Livia Albeck-Ripka) [OPEN 9/6} FW: Statement from EPA on Superfund sites [DEADLINE TODAY]

From: Albeck-Ripka, Livia [mailto:livia.albeck-ripka@nytimes.com]
Sent: Wednesday, September 06, 2017 9:51 AM
To: Durant, Jennah <Durant.Jennah@epa.gov>
Subject: Statement from EPA on Superfund sites [DEADLINE TODAY]

Hi Jennah,

I'm a reporter from The New York Times enquiring about the flooding of Superfund sites during Hurricane Harvey.

Can you please advise whether the following sites have been flooded:

- <!--[if !supportLists]--><!--[endif]-->Sheridan Disposal Services
- <!--[if !supportLists]--><!--[endif]-->Sikes Disposal Pits
- <!--[if !supportLists]--><!--[endif]-->Brio Refining
- <!--[if !supportLists]--><!--[endif]-->Dixie Oil Processors

The AP has listed Sikes, Brio and Dixie as having flooded, but these do not appear on the EPAs list of 13. Can you confirm whether or not these sites have been affected?

Thanks in advance,

Livia

--
Livia Albeck-Ripka
James Reston Reporting Fellow, Climate & Environment
The New York Times
+1 646 428 6612 | @livia_ar

Message

From: Harris-Young, Dawn [Harris-Young.Dawn@epa.gov]
Sent: 9/7/2017 4:34:47 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: regionalpress [regionalpress@epa.gov]; Lincoln, Larry [Lincoln.Larry@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: RE: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Will do.

From: Bowman, Liz
Sent: Thursday, September 7, 2017 12:34 PM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Cc: regionalpress <regionalpress@epa.gov>; Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: Re: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Good w me, can you please send back to reporter and copy EPA press box?

Sent from my iPhone

On Sep 7, 2017, at 11:34 AM, Harris-Young, Dawn <Harris-Young.Dawn@epa.gov> wrote:

1. Can I interview Shelby Johnston about management of the Miami Drum Services Superfund site? If not, please state a reason in writing.

Deliberative Process / Ex. 5

2. Does EPA alert individuals near these sites who may be exposed to floodwaters or storm surge that is carrying some of the sites contamination?

Deliberative Process / Ex. 5

3. The Homestead Air Force Base Superfund site is quite large, more than 2,000 acres. It was destroyed by Andrew and concerns are that if Irma were to make landfall the same could happen. Is EPA working to alert members of the community about possible flood water contamination?

Deliberative Process / Ex. 5

From: Bowman, Liz
Sent: Thursday, September 7, 2017 11:28 AM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>; regionalpress <regionalpress@epa.gov>
Cc: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Deliberative Process / Ex. 5

From: Harris-Young, Dawn
Sent: Thursday, September 7, 2017 9:55 AM
To: regionalpress <regionalpress@epa.gov>
Cc: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Will HQ handle the A.P. response to inquiry (below)?

Thanks,
Dawn

From: Harris-Young, Dawn
Sent: Wednesday, September 6, 2017 4:52 PM
To: regionalpress <regionalpress@epa.gov>
Cc: Lincoln, Larry <Lincoln.Larry@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: ACTION: Associated Press inquiry - IRMA - Questions about the Chemform Site - FOLLOWUP QUESTIONS

Below.

From: Dearen, Jason H. [mailto:JDearen@ap.org]
Sent: Wednesday, September 6, 2017 4:39 PM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Subject: RE: Hurricane Irma questions

Hi Dawn,
Rather than rely on Ronald to relay my questions, they are below. Deadline is tomorrow by noon.

1. Can I interview Shelby Johnston about management of the Miami Drum Services Superfund site? If not, please state a reason in writing.
2. Does EPA alert individuals near these sites who may be exposed to floodwaters or storm surge that is carrying some of the sites contamination?
3. The Homestead Air Force Base Superfund site is quite large, more than 2,000 acres. It was destroyed by Andrew and concerns are that if Irma were to make landfall the same could happen. Is EPA working to alert members of the community about possible flood water contamination?

Give me a call with any questions. 352-213-9949
Jason

From: Harris-Young, Dawn [mailto:Harris-Young.Dawn@epa.gov]
Sent: Wednesday, September 06, 2017 4:30 PM
To: Dearen, Jason H.
Subject: Hurricane Irma questions

Hi Jason,

Your inquiries have been sent to me and I am working on your request for information.

Dawn

Dawn Harris Young
Public Affairs Specialist
U.S. Environmental Protection Agency, Region 4
Office of External Affairs
404-562-8421 (office)
harris-young.dawn@epa.gov
https://www.epa.gov/aboutepa/about-epa-region-4-southeast
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Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/7/2017 12:56:01 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Coleman, Sam [Coleman.Sam@epa.gov]
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Liz,
Let me check . It was USCG so they will have the best information.

From: Bowman, Liz
Sent: Wednesday, September 06, 2017 7:54 PM
To: Coleman, Sam <Coleman.Sam@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: FW: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Deliberative Process / Ex. 5

From: Causey, Adam [mailto:ACausey@ap.org]
Sent: Wednesday, September 6, 2017 8:30 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Cc: Lauer, Claudia <CLauer@ap.org>
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

And was anyone ordered to evacuate for this spill?

From: Causey, Adam
Sent: Wednesday, September 06, 2017 7:29 PM
To: 'Bowman, Liz'; Press
Cc: Lauer, Claudia
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Thanks, Liz. By product do you mean oil? And can you tell us how much has actually been cleaned up, and how much is left to clean up?

In regards to the containment area, is this a spill in water or underground? And is there a danger to drinking water either way?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, September 06, 2017 7:24 PM
To: Causey, Adam; Press
Subject: RE: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

This is the same one. EPA is coordinating with US Coast Guard (USCG) on a 2500-gallon fuel oil spill at the

Houston Magellan facility. Cleanup of product outside of containment was completed on September 5, 2017. Product outside of the containment area is currently being collected.

From: Causey, Adam [mailto:ACausey@ap.org]
Sent: Wednesday, September 6, 2017 8:13 PM
To: Press <Press@epa.gov>
Subject: FW: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Hi – forwarding email inquiry sent to Region 6 media contact David Gray. Any response will be appreciated.

Thanks,
Adam

From: Causey, Adam
Sent: Wednesday, September 06, 2017 6:58 PM
To: 'gray.david@epa.gov'
Cc: Lauer, Claudia
Subject: Press Inquiry --- RE: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Hi, David:

I tried calling the number listed for you on the EPA media contact page just now and left a message. The EPA press release below says the agency has been working with the U.S. Coast Guard on a "large oil spill." The Coast Guard tells us they had worked on the Magellan Oil Spill and that the cleanup of 2,500 gallons was completed Sept. 5, and that the incident was south of Houston.

Is this the same incident the release below is about? If not, can you please tell me which spill the EPA is coordinating on, what that coordination includes, what companies are involved and the status of the spill?

Thanks,
Adam

AP

Adam Kealoha Causey
Administrative Correspondent
Oklahoma City
405-996-1589
acausey@ap.org
@akcausey
www.ap.org

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From: Beelman, Maud
Sent: Wednesday, September 06, 2017 5:58 PM
To: Causey, Adam
Subject: FW: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Wednesday, September 06, 2017 5:47 PM
To: Beelman, Maud
Subject: EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

CONTACT: press@epa.gov

EPA/TCEQ HARVEY UPDATE: AIR QUALITY IMPROVING, MORE WATER SYSTEMS OPERATIONAL

Dallas (September 6, 2017) - Working together, the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) continue to coordinate with local, state and federal officials to address the human health and environmental impacts of Hurricane Harvey and its aftermath, especially the water systems in the affected areas. TCEQ has 500 people assisting in response to this natural disaster and EPA has 185.

EPA has begun mobilizing Community Liaisons to the designated disaster counties for Hurricane Harvey. The liaisons will assist the county emergency operation centers in disseminating pertinent information on post flood hazards to municipalities, school districts, and citizens. EPA has now been deployed to the FEMA JFO Joint Information Center in Austin and additional EPA response personnel are being assigned to Beaumont/Port Arthur. This area was previously inaccessible due to lack of facilities. EPA has begun coordination with environmental justice advocates from Texas and Louisiana to provide an update on the impacted areas. EPA has been closely coordinating with the U.S. Coast Guard on a large oil spill in the Houston area, and with city and county officials on a benzene plume identified near the Manchester neighborhood.

As of Sunday, Sept. 3, the following information is available:

Drinking Water: To date, about 2,800 drinking water systems are potentially affected by Harvey have been contacted. Of those: 1,920 systems are fully operational, 168 have boil-water notices, and 50 are shut down. Both EPA and the TCEQ are contacting remaining systems to gather updated information of their status. EPA and the TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team

(supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously monitor water systems. Assistance teams are in the field working directly with system operators to expedite getting systems back to operational status.

Waste Water and Sewage: Currently, 903 of approximately 1,219 wastewater treatment plants are fully operational and 34 are inoperable in the affected counties. The agencies are aware that releases of wastewater from sanitary sewers are occurring, due to the historic flooding and are actively working to monitor facilities that have reported spills, conduct outreach and provide technical guidance to all other wastewater facilities in flood-impacted areas. EPA and TCEQ are working closely with the Texas National Guard, including the 6th Civil Support Team (supporting TCEQ in Corpus Christi), Arkansas National Guard, 61st Civil Support Team (supporting TCEQ in Houston), and the Texas State Guard Engineering Group, and other local and state agencies to continuously monitor wastewater systems. Assistance teams will be deployed to work directly with system operators to expedite getting systems back to operational status.

Flood Water: Water quality sampling will be focused on industrial facilities and hazardous waste sites. Floodwaters contain many hazards, including bacteria and other contaminants. Precautions should be taken by anyone involved in cleanup activities or any others who may be exposed to flood waters. These precautions include heeding all warnings from local and state authorities regarding safety advisories. In addition to the drowning hazards of wading, swimming, or driving in swift floodwaters, these waters can carry large objects that are not always readily visible that can cause injuries to those in the water. Other potential hazards include downed power lines and possible injuries inflicted by animals displaced by the floodwaters.

Critical Water Infrastructure: The agencies are continuing to work closely with dams. The larger dams are full in many cases and may be releasing water; the structures are secure at this time. There are 340 high- and significant-hazard dams in the impacted areas, and TCEQ has been able to make contact with 200 of these dam owners. Of these 200, only five dams have been damaged or have failed. We have also been notified that three low-hazard dams have damage. TCEQ is continuing to contact dams to get status updates.

Additional EPA/TCEQ updates include:

Superfund Sites: EPA and TCEQ continue to get updates about the status of specific sites from the parties responsible for ongoing cleanup of the sites. So far, TCEQ staff have assessed 12 of the 17 State Superfund sits in the affected areas. TCEQ anticipates completing the remaining 5 assessments by the end of the week depending on accessibility of those remaining sites.

EPA completed site assessments at 13 Superfund sites that have been flooded and/or experience possible damage to the storm. Of these sites, two (San Jacinto and U.S. Oil Recovery) require additional assessment efforts. Assessments of these sites will take several days to complete. The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; some areas that rock been displaced and liner is exposed. The potential responsible party has mobilized heavy equipment and is placing rock on different places on the armored cap to repair the defensive surface. The liner is in place and functional so we don't have any indication that the underlying waste materials have been exposed. If we find a breach in the exposed liner, we direct the responsible party to collect samples to determine if any materials have been released. Crews continue to surveying portions of the cap that are submerged and the EPA dive teams will survey the cap underwater when conditions allow. EPA is making plans for longer-term assessments at 41 Superfund sites in the impacted areas as the projects return to their normal remedial cleanups.

Air Quality Monitoring: One of the many preparations for Hurricane Harvey included EPA, TCEQ, and other monitoring entities temporarily shutting down several air monitoring stations from the greater Houston, Corpus Christi, and Beaumont areas. Since then, state and local authorities have been working to get the systems up and running again. As of Tuesday September 5, TCEQ air monitoring network is 100 percent operational in Corpus Christi, 88 percent in Houston, and 71 percent in Beaumont. The network is expected to be fully operational again by next week. Of the available air monitoring data collected from Aug. 24-Sept. 2, all measured concentrations were well below levels of health concern. Monitors are showing that air quality at this time is not concerning, and residents should not be concerned about air quality issues related to the effects of the storm.

An assessment by EPA of the Valero Refinery on Monday, September 5, 2017, confirmed that a tank at the facility did have a leak which occurred on August 26, 2017 from the Hurricane Harvey storm and flooding. EPA also confirmed Valero had taken action to respond to and repair the leak. Based on current site conditions including weather, repair actions by Valero, and air monitoring results, EPA's assessment could not confirm the tank was the source of the air release that led to complaints in the area immediately after the storm. EPA's air monitoring performed onsite and around the facility on September 5 does not indicate levels of concern for the community. EPA will continue air monitoring for additional sources in the area.

Fires at Arkema Facility in Crosby: The TCEQ has an open investigation into the Arkema incident that will include an evaluation of any impacts due to the fires at the site. Additionally, after the final notifications are received, the TCEQ will evaluate the reported emissions events to determine compliance with applicable rules, permit provisions, and notification and reporting requirements. The TCEQ and Harris County Pollution Control are coordinating post-event monitoring, sampling, and complaint response activities. The U.S. Chemical Safety Board has initiated an investigation, and

law enforcement continues to limit access to the Arkema plant in Crosby. For more information regarding Arkema, please visit https://www.tceq.texas.gov/news/statement/statement-on-arkema-investigation

Refineries/Fuel Waivers: In addition to gasoline waivers for 38 states and D.C. and diesel waivers for Texas, EPA signed three No Action Assurance letters on Sept. 1 to help address fuel shortages. NAA will help expedite the distribution of existing gasoline supplies to both Texas and Louisiana, while the refineries work to re-start and resume normal operations. The waivers and NAA letters are effective until Sept. 15 and should allow for the distribution in Texas of 10 million or more gallons of fuel to consumers. TCEQ is working with EPA to consider an extension to the gasoline waivers through October 1st.

For additional information please visit the TCEQ's hurricane response page.

Visit The EPA's Newsroom

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Orquina, Jessica [Orquina.Jessica@epa.gov]
Sent: 9/6/2017 7:58:42 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Alexander, Geoff [Alexander.Geoff@epa.gov]; Linkins, Samantha [Linkins.Samantha@epa.gov]; Blette, Veronica [Blette.Veronica@epa.gov]; Thomas, Latosha [Thomas.Latosha@epa.gov]; Wzorek, Katherine [wzorek.katherine@epa.gov]; Bravo, Antonio [Bravo.Antonio@epa.gov]; Schollhamer, Mary [Schollhamer.Mary@epa.gov]; Web Council Support [Web_Council_Support@epa.gov]; Slotkin, Ron [slotkin.ron@epa.gov]; Maguire, Megan [Maguire.Megan@epa.gov]; Anley-Mills, Melissa [Anley-Mills.Melissa@epa.gov]; Millett, John [Millett.John@epa.gov]; Payne, Melissa [Payne.Melissa@epa.gov]; Ryan, Jini [Ryan.Jini@epa.gov]; Fraser, Scott [Fraser.Scott@epa.gov]; OWC [OWC@epa.gov]; Web Council [Web_Council@epa.gov]; Social Media CoP [socmed@epa.gov]; Taylor, Gwendolyn [Taylor.Gwendolyn@epa.gov]; Smiley, Susan [smiley.susan@epa.gov]; Riggs, Sarah [Riggs.Sarah@epa.gov]; Hull, George [Hull.George@epa.gov]; Konkus, John [konkus.john@epa.gov]; Dalebout, William [Dalebout.William@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Weekly web/social Media stats (8/28 - 9/3)

Weekly Web/Social Media Stats

August 28, 2017 thru September 3, 2017

Most-Viewed Pages	Total Views
Total EPA Website Page Views	3,340,376
Envirofacts UV Index Widget	186,782
US EPA Homepage	70,849
DIY Bed Bug Control Get them out keep them out	52,149
EPA Response To The AP's Misleading Story	41,109
Are you climate ready?	39,251
How to Find Bed Bugs: Get Them Out and Keep Them Out	25,624
Superfund Site Information	21,723
The EPA National Library Catalog	15,954
Bed Bugs: Get Them Out and Keep Them Out	13,872
Laws & Regulations	13,539

Response Website	Total Views
Hurricane Harvey Response	7,753

Digital Media Summary Description	Total Views
HQ News Release email subscribers	134,727
Go Green email subscribers	92,164
Public Engagement Highlights subscribers	41,937
Total Facebook Reach (all agency accounts)	114,903
Total Twitter Impressions (all agency accounts)	2,905,600

Twitter Impressions

Account	Impressions
Administrator Scott Pruitt	1,904,119

Main – @EPA	792,402
Blog – @EPAblog	6,073
Live tweeting (only used sporadically) - @EPAlive	0
Spanish - @EPAespanol	18,554
Job Openings - @EPAjobs	2,446
OW: wetlands, oceans, watersheds	4,253
OAR: Clean Air Markets	236
Research	25,803
Indoor airPLUS	2,178
EnergyStar	14,324
Smart Growth	1,601
Watersense	15,585
Green Building	851
Burn Wise	360
AIRNow	1,142
Energy Star Homes	1,407
Energy Star Buildings	2,747
Clean Up Tech	771
Green Chill	1,494
Climate Center	3,960
EPA Justice	5,900
Region 1	4,358
Region 2	5,900
Region 3	7,213
Region 4	6,917
Region 5 (Great Lakes)	7,689
Region 6	37,992
Region 7	4,411
Region 8	1,609
Region 9	11,829
Region 10	8,490
Columbia River	3,023
OITA All Nations	223
EPAland	4,287
West Lake Landfill	571
EPAair	782

Facebook Reach

Page	Reach
Administrator Scott Pruitt	237
Main	77,735
Spanish	2,357
Water is Worth It	1,416
AIRNow	72
US-Mexico Border Waste Forum	2
Energy Star	36
Clean Air Markets	3
WaterSense	4,672
Safer Choice	2
Indoor airPLUS	1,636
EPA Research	1,995
Burn Wise	0
Housatonic River	201
Clean Up Technology	2
Scientific Diving Program	3,036
West Lake Landfill Superfund Site	0
Coeur d'Alene Basin	25

American Indian Environmental Office	4
Region 1	668
Region 2	4,235
Region 3	1,162
Region 4	4,088
Region 5 (Great Lakes)	28
Region 6	4,152
Region 7	2,998
Region 8	2,432
Region 9	1,003
Region 10	695
Watson Johnson Landfill	11

Blogs: Most Popular Posts Across All Blogs

Title	Blog	Page Views
Carpet Beetles are Welcome in my House if it Means not Having Bed Bugs!	The EPA Blog	569
Pigeon Mites Will Feed On Sleeping Humans	The EPA Blog	252
Where Does My Electricity Come From?	The EPA Blog	198
Plastic Bags	The EPA Blog	194
Plant a Tree, Save a River!	The EPA Blog	143
Release of 2017 EJSCREEN Update	The EPA Blog	143
Where Do Plastic Bags Go?	The EPA Blog	119
Mustafa Ali	The EPA Blog	107
Before and After – Our Environment	The EPA Blog	102
¿Cuál es la misión de la EPA?	The EPA Blog	80

Most-Viewed Videos This Period (YouTube)

Title	Views
Foggers Safety: “First, Read the Label”	611
RECs: Making Green Power Possible	610
Foggers Safety: Do not use more foggers than necessary	573
What’s an Estuary? Now You Know	524
Foggers Safety: Keep foggers away from ignition sources	459
Climate Change Basics	383
The Greenhouse Effect	377
EPA Criminal Enforcement: Protecting People and the Environment	168
EPA Green Chemistry	133
EPA’s Superfund Taskforce	121

Most-Viewed Videos of All Time (YouTube)

Title	Date Posted	Total Views

The Greenhouse Effect	9/14/2012	406,870
Climate Change Basics	9/14/2012	400,643
The Carbon Cycle	9/14/2012	173,759
Look Beneath the Surface: Address the Issues	4/15/2012	93,407
What's an Estuary? Now You Know	4/21/2011	85,637
Lawn Care Tips 11 min	9/7/2011	53,601
RECs: Making Green Power Possible	2/7/2013	53,230
Foggers Safety: "First, Read the Label"	1/22/2010	52,475
Foggers Safety: Do not use more foggers than necessary	6/22/2009	50,538
Split, Stack, Cover, Store: Four Simple Steps…	5/30/2014	44,485

Five Most Recent Videos Posted to Facebook

Title	Reached	Total Views
Bring back basics agenda Missouri power plant	11,260	3,302
EPA's Back to Basics Agenda Kick Off	50,320	12,649
US EPA: EPA Launches Back to Basics Agenda at Pennsylvania Coal Mine	62,936	15,936
EPA Administrator Scott Pruitt talks about fixing environmental…	57,301	19,140
EPA Administrator Pruitt says America can be pro jobs and pro environment	74,129	22,058

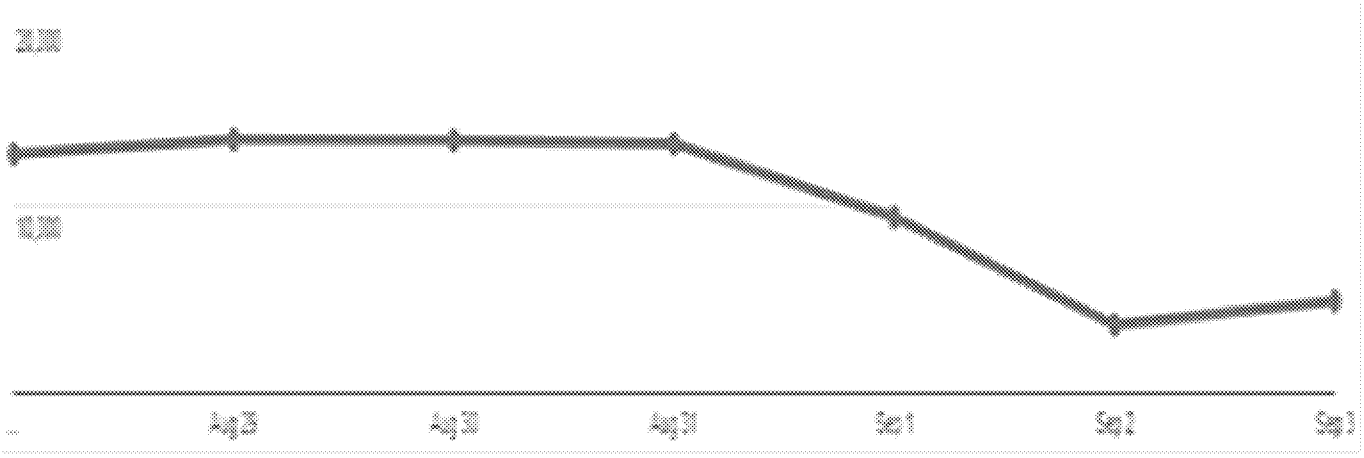
Pinterest
Average Monthly Viewers: 117,858

Flickr
View Counts: 25,312

Instagram
Instagram Followers: 25,768

Clicks on links in EPA home page banners: August 28 – September 3, 2017.

BANNER LEAD	LINK	CLICKS
Hurricane Harvey	Hurricane Harvey update	1,508
Army move to rescind "Waters of the U.S."	More about the proposed rule	912
Air Quality Improves as America Grows	Read the news release	161
Air Quality Improves as America Grows	Explore the interactive report	95
EPA Selects 12 Projects to Apply for Water Infrastructure Loans	Read the news release	86
Preparing for Hurricane Irma	Información en español	55
EPA and USDA Visit Gully Branch Tree Farm	Read the news release	53
EPA Selects 12 Projects to Apply for Water Infrastructure Loans	More about water infrastructure loans	21
Preparing for Hurricane Irma	Hurricane Irma update	15
Preparing for Hurricane Irma	Hurricane Preparedness	8
	TOTAL	**2,914**
	Total last week	918



Total views of EPA home page, August 28 – September 3: 70,849. Last week: 62,135.

Jessica Ann Orquina
Acting Director
Office of Web Communications
U.S. Environmental Protection Agency
Email: orquina.jessica@epa.gov
Office: 202-564-0446
Mobile: Ex. 6

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 9/7/2017 3:52:09 AM
To: Wagner, Kenneth [wagner.kenneth@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: AP Story on Irma, Danica Coto

She's a hand full always. Has she provided superfund site info for U.S. Virgin Islands and Puerto Rico?

Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6

On Sep 6, 2017, at 10:58 PM, Wagner, Kenneth <wagner.kenneth@epa.gov> wrote:

Lawyer answer

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 **cell**
wagner.kenneth@epa.gov

On Sep 6, 2017, at 9:03 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Understood, thanks

From: Mccabe, Catherine
Sent: Wednesday, September 6, 2017 9:01 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Kluesner, Dave <kluesner.dave@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>
Subject: Re: AP Story on Irma, Danica Coto

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 6, 2017, at 8:36 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Kluesner, Dave
Sent: Wednesday, September 6, 2017 6:53 PM
To: Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; McGowan, Michael <McGowan.Michael@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Mccabe, Catherine <McCabe.Catherine@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>; Lincoln, Larry <Lincoln.Larry@epa.gov>; Glenn, Trey <glenn.onis@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Font, Jose <Font.Jose@epa.gov>
Subject: AP Story on Irma, Danica Coto

Associated Press article, Danica Coto: http://abcnews.go.com/International/wireStory/powerful-hurricane-irma-hits-caribbean-islands-49644753

Region 2 Acting RA McCabe quoted.

Irma lashes Virgin Islands, Puerto Rico with rain and wind

- <!--[if !supportLists]--><!--[endif]-->BY DANICA COTO, ASSOCIATED PRESS

  SAN JUAN, Puerto Rico — Sep 6, 2017, 5:49 PM ET
- <!--[if !supportLists]--><!--[endif]-->
- <!--[if !supportLists]--><!--[endif]-->
- <!--[if !supportLists]--><!--[endif]-->

Men load recently purchased wood panels to be used for boarding up windows in preparation for Hurricane Irma, in Carolina, Puerto Rico, Tuesday, Sept. 5, 2017. Irma grew into a dangerous Category 5 storm, the most powerful seen in the Atlantic in over a decade, and roared toward islands in the northeast Caribbean Tuesday. (AP Photo/Carlos Giusti)more +

- <!--[if !supportLists]--><!--[endif]-->
- <!--[if !supportLists]--><!--[endif]-->
- <!--[if !supportLists]--><!--[endif]-->
- <!--[if !supportLists]--><!--[endif]-->

Heavy rain and historic, 185-mph winds lashed the Virgin Islands and Puerto Rico's northeast coast Wednesday as Hurricane Irma roared through Caribbean islands on its way to a possible hit on Florida.

The strongest Atlantic Ocean hurricane ever measured destroyed homes and flooded streets across a chain of small islands in the northern Caribbean, passing directly over Barbuda and leaving the island of some 1,700 people unable to communicate with the outside world.

Midcie Francis, spokesperson for the National Office of Disaster Services for Antigua and Barbuda, said the government had so far confirmed one death on Barbuda and heavy destruction on the island.
"A significant number of the houses have been totally destroyed," said Lionel Hurst, the prime minister's chief of staff.

France sent emergency food and water rations to the French islands of Saint Martin and Saint Barthelemy, where Irma ripped off roofs and knocked out all electricity. Dutch marines who flew to three Dutch islands hammered by Irma reported extensive damage but no deaths or injuries.

By Wednesday evening the center of the storm was 40 miles northwest of St. Thomas in the U.S. Virgin Islands and 55 miles northeast of San Juan, Puerto Rico, and heading west-northwest at 16 mph (26 kph).

The U.S. National Weather Service said Puerto Rico had not seen a hurricane of Irma's magnitude since Hurricane San Felipe in 1928, which killed a total of 2,748 people in Guadeloupe, Puerto Rico and Florida.

"We have to prepare for the worst," Puerto Rico Gov. Ricardo Rossello said. "If we don't, it could be devastating."

Puerto Rico's public power company has cut back on staff and maintenance amid a decade-long economic crisis and the agency's director warned that some areas could be without power from four to six months because the infrastructure has already deteriorated so badly. Outages were reported in some neighborhoods well ahead of the storm, with more than a half million people without power and more than 4,500 without water by Wednesday evening.

The federal government stepped in, with President Donald Trump this week approving an emergency declaration for the U.S. Virgin Islands and Puerto Rico. That means the Federal Emergency Management Agency and other agencies can remove debris and give other services that will largely be paid for by the U.S. government.

EPA officials said their biggest concerns were oil spills and power disruptions to water supply systems.

"No matter what precautions we take, the coastal flooding will impact oil tanks," said Catherine McCabe, a regional administrator.

Another concern was the 20 Superfund sites in Puerto Rico and the three in the U.S. Virgin islands, given that most were near the coast, she said. She said EPA officials in New Jerseywere on standby to fly down after the hurricane passed through.
State maintenance worker Juan Tosado said he was without power for three months after Hurricane Hugo killed dozens of people in Puerto Rico in 1989.

"I expect the same from this storm," he said. "It's going to be bad."

Tourist Pauline Jackson, a 59-year-old registered nurse from Tampa, Florida, puffed on her last cigarette as a San Juan hotel prepared to shutter its doors ahead of the storm.

"I'm in a hurricane here, and when I get home, I'll be in the same hurricane. It's crazy," she said.

She tried to leave ahead of the storm but all flights were sold out, and she worried about her home in Tampa.

"When you're from Florida, you understand a Category 5 hurricane," said Jackson, who was scheduled to fly out Friday.

The U.S. National Hurricane Center said Irma's winds would fluctuate, but the storm would likely remain at Category 4 or 5 for the next day or two as it roared past Puerto Rico, the Dominican Republic, Haiti, Cuba, the Turks & Caicos and parts of the Bahamas.
By early Sunday, Irma is expected to hit Florida, where Gov. Rick Scott said he planned to activate 7,000 National Guard soldiers by Friday and warned that Irma is "bigger, faster and stronger" than Hurricane Andrew. Andrew pummeled south Florida 25 years ago and wiped out entire neighborhoods with ferocious winds.

Trump also declared an emergency in Florida, and authorities in the Bahamas said they were evacuating six southern islands.

Experts worried that Irma could rake the entire Florida east coast from Miami to Jacksonville and then head into Savannah, Georgia, and the Carolinas, striking highly populated and developed areas.

"This could easily be the most costly storm in U.S. history, which is saying a lot considering what just happened two weeks ago," said Brian McNoldy, a hurricane researcher at the University of Miami.

The mayor of Miami-Dade County said people should be prepared to evacuate Miami Beach and most coastal areas as soon as Wednesday evening. He activated the emergency operation center and urged residents to have three days' worth of food and water.

The State Department authorized voluntary evacuation of U.S. diplomats and their families from the Dominican Republic, Haiti and Cuba, where the storm was expected to arrive by Friday.

Warm water is fuel for hurricanes and Irma was moving over water that was 1.8 degrees (1 degree Celsius) warmer than normal. Four other storms have had winds as strong in the overall Atlantic region, but they were in the Caribbean Sea or the Gulf of Mexico, which usually have warmer waters. Hurricane Allen hit 190 mph in 1980, while 2005's Wilma, 1988's Gilbert and a 1935 great Florida Keys storm all had 185 mph winds.

Bahamas Prime Minister Hubert Minnis said his government was evacuating six islands because authorities would not be able to help anyone caught in the "potentially catastrophic" wind, flooding and storm surge. People there would be flown to Nassau in what he called the largest storm evacuation in the country's history.

The northern parts of the Dominican Republic and Haiti could see 10 inches (25 centimeters) of rain, with as much as 20 inches (50 centimeters) in the southeast Bahamas and Turks and Caicos.

The website cruisecritic.com said 28 cruises had been canceled, shortened or had their itineraries changed as a result of the hurricane.

Also Wednesday, Tropical Storm Katia formed in the Gulf of Mexico off Mexico's coast and rapidly became a hurricane. It had sustained winds of 75 mph (120 kph) by the afternoon and the government of Mexico issued a hurricane watch for the coast of Veracruz state from Tuxpan to Laguna Verde.

Katia was about 185 miles (300 kilometers) north-northeast of the city of Veracruz and was expected to drift toward the coast on Thursday, the hurricane center said.

Another tropical storm farther east in the Atlantic became a hurricane Wednesday evening. Hurricane Jose posed no immediate threat to land but meteorologists warned the storm's path could change. Jose had winds of 75 mph (120 kph) and was quickly strengthening.

Associated Press writers Anika Kentish in St. John's, Antigua, Seth Borenstein in Washington; Michael Weissenstein in Havana and Ben Fox in Miami contributed to this report.

Message

From: Lyons, Troy [lyons.troy@epa.gov]
Sent: 9/6/2017 3:43:43 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: FW: OCIR-FEAT Ethics Documents Check

Importance: High

Deliberative Process / Ex. 5

-----Original Message-----
From: Aarons, Kyle
Sent: Tuesday, September 5, 2017 11:15 AM
To: Lyons, Troy <lyons.troy@epa.gov>
Cc: Palich, Christian <palich.christian@epa.gov>
Subject: RE: OCIR-FEAT Ethics Documents Check

Here's the list of docs ready for release. I'll let OGC know that you'll be reviewing tomorrow.

Recusal statements from:
-David Fotouhi
-Justin Schwab
-Nancy Beck
-Patrick Traylor

Impartiality determination for Nancy Beck

Emails between OGC Ethics and OGE about what is required of administratively determined appointees

Ethics training certificates for:
-Layne Bangerter
-Tate Bennett
-Donald Benton
-Brittany Bolen
-Liz Bowman
-Byron Brown
-Patrick Davis
-Samantha Dravis
-Doug Ericksen
-Lincoln Ferguson
-Hayley Ford
-JP Freire
-Amy Graham
-Holly Greaves
-Sarah Greenwalt
-Mandy Gunasekara
-Michelle Hale
-Millan Hupp
-Sydney Hupp
-Ryan Jackson
-Albert Kelly
-John Konkus
-David Kreutzer
-Charles Munoz
-David Schnare
-Justin Schwab
-George Sugiyama
-Kenneth Wagner
-Jahan Wilcox
-Scott Pruitt

Ethics pledges for:
-Erik Baptist
-Layne Bangeter
-Tate Bennett
-Don Benton
-Brittany Bolen
-Liz Bowman
-Kevin Chmielewski
-Preston Cory

-Henry Darwin
-Veronica Darwin
-Patrick Davis
-Samantha Dravis
-Nicholas Falvo
-Hayley Ford
-Lee Forsgren
-David Fotouhi
-Amy Graham
-Holly Greaves
-Sarah Greenwalt
-Millan Hupp
-Ryan Jackson
-William Lovell
-Troy Lyons
-Albert Kelly
-John Konkus
-David Kreutzer
-Forrest McMurray
-Charles Munoz
-Christian Palich
-Aaron Ringel
-Christian Rodrick
-David Schnare
-Justin Schwab
-Kaitlyn Shimmin
-George Sugiyama
-Patrick Traylor
-Kenneth Wagner
-Richard Yamada
-Scott Pruitt

Kyle Aarons
Congressional Affairs
U.S. Environmental Protection Agency
202-564-7351

-----Original Message-----
From: Lyons, Troy
Sent: Tuesday, September 05, 2017 10:59 AM
To: Aarons, Kyle <Aarons.Kyle@epa.gov>
Cc: Palich, Christian <palich.christian@epa.gov>
Subject: Re: OCIR-FEAT Ethics Documents Check

What are the docs? Can I review them tonight or tomorrow

Sent from my iPhone

> On Sep 5, 2017, at 10:57 AM, Aarons, Kyle <Aarons.Kyle@epa.gov> wrote:
>
> Hi Troy – OGC has additional ethics docs ready for release through FOIA. As with the set of ethics pledges I sent you last week, Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

> Thanks,
> Kyle
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Clarke, Victoria
> Sent: Tuesday, September 05, 2017 10:25 AM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov>; Fugh, Justina
> <Fugh.Justina@epa.gov>; Griffo, Shannon <Griffo.Shannon@epa.gov>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> Hi Kyle,
>
> Thanks for identifying the FOIA requests. Attached are the documents from Ethics that we are planning to release to requesters after we send the documents up for awareness review. Let us know when we can move forward.
>
> Thank you!
>

> Victoria
>
> Victoria Clarke
> Attorney-Advisor
> U.S. Environmental Protection Agency
> Office of General Counsel
> Washington, D.C. |7519 G WJCN
> 202-564-1149
>
> From: Aarons, Kyle
> Sent: Tuesday, September 05, 2017 10:14 AM
> To: Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> Hi Victoria – I've flagged the docs we're interested in below.
>
> Thanks,
> Kyle
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Clarke, Victoria
> Sent: Friday, September 01, 2017 12:59 PM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> Hi Kyle,
>
> Ethics has provided me with additional documents that are responsive to the FOIAs below. As before, please let me know if there are any recently answered, received, or pending Congressional Requests that overlap with the documents we'll be providing to these requests. Feel free to highlight the FOIA numbers on the list below to indicate which FOIA requests overlap with the Congressional Requests, and I can provide you with those documents.
>
> Thank you!
> Victoria
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>
>
> 1. EPA-HQ-2017-005404: Daniel Van Schooten – Project on Government Oversight – 3/28/17
> --Interested
>
>
>
> § Responsive Documents:
>
> · Justin Schwab's recusal statement
>
>
> A copy of all ethics waivers and recusal agreements/records issued by the Environmental Protection Agency from January 1, 2017 to the present. These types of records are often, but not always, issued pursuant to 18 U.S.C. §§ 207 and 208, 5 C.F.R. Part 2635, or Executive Order 13770 or its predecessor, Executive Order 13490. In the case of waivers issued under Executive Order 13770, I am requesting copies of the waivers that have been provided to the head of the agency, pursuant to Section 3(c): "A copy of the waiver certification shall be furnished to the person covered by the waiver and provided to the head of the agency in which that person is or was appointed to serve."
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>
> 2. EPA-HQ-2017-005953: Nick Surgey, Center for Media & Democracy – 4/10/17
> --Interested
>
>
>
> § Responsive Documents:

>
> · Justin Schwab’s recusal statement
>
> · Ethics Training Certificates
>
> This request is for records in the possession of EPA designated agency
> ethics official (Justina Fugh), or others at EPA acting as a deputy
> ethics official. This request is for: 1. List of start date for all
> the listed (below) appointees. 2. List of dates that an ethics
> briefing and/or orientation was provided to all the listed (below)
> appointees. 3. Any emails, consulting notes or other written records
> pertaining to the listed (below) appointees in the possession of the
> EPA DAEO. 1. Bangerter, Layne 2. Bennett, Elizabeth Tate 3. Benton,
> Don 4. Bolen, Brittany 5. Bowman, Elizabeth 6. Brown, Byron 7. Davis,
> Patrick 8. Dravis, Samantha 9. Ericksen, Doug 10. Ferguson, Lincoln
> 11. Ford, Haley 12. Freire, JP 13. Graham, Amy 14. Greaves, Holly 15.
> Greenwalt, Sarah 16. Gunasekara, Amanda 17. Hale, Michelle 18. Hupp,
> Millan 19. Hupp, Syndey 20. Jackson, Ryan 21. Kelly, Albert 22.
> Konkus, David 23. Kreutzer, David 24. Munoz, Charles 25. Schnare,
> David 26. Schwab, Justin 27. Sugiyama, George 28. Wagner, Kenneth 29.
> Wilcox, Jahan 30. Scott Pruitt
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> 3. EPA-HQ-2017-007032: Kevin Bogardus, E&E News – 5/8/17
> --Interested
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>
>
> · Responsive Documents:
>
> o Justin Schwab’s recusal statement
>
>
> I request records of all certifications of qualified trusts; certificates of divestiture; notices of disqualification; recusals; waivers; screening arrangements and all other ethics-related records filed by and/or given to Justin Schwab. These documents would likely be prepared under 18 U.S.C. § 207; 18 U.S.C. § 208; 5 C.F.R. Part 2634; 5 C.F.R. Part 2635; and 5 C.F.R. Part 2641 as well as be in the care of the Designated Agency Ethics Official.
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> 4. EPA-HQ-2017-007166: Chris Horner, CEI – 5/11/17
> --Not interested
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>
> § Responsive Documents:
>
> · Communications between Justina Fugh and Lisa Heinzerling
>
>
> Requesting copies of all impartiality determinations relating to Lisa Heinzerling.
>
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>
> 5. EPA-HQ-2017-007362: Sam Pearson, Bloomberg – 5/16/17
> --Interested
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>
> · Responsive Documents:
>
> o Nancy Beck’s recusal statement
>
> o Nancy Beck’s impartiality determination
>
>
> All documents related to ethics waivers in resolving financial conflicts of interest for EPA employee Nancy Beck, who was recently hired as Principal Deputy Assistant Administrator in the Office of Chemical Safety and Pollution Prevention. These documents are maintained by federal agencies and are released to the public upon request under 18 U.S.C. 208. In addition, please include any documents showing on which issues, if any, Beck will recuse herself from at EPA. Beck is currently listed on EPA's website as a deputy assistant administrator.
>

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> 6. EPA-HQ-2017-007554: Nick Surgey, Center for Media & Democracy – 5/19/17
> --Interested
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>
> · Responsive Documents:
>
> o Communications between Justina Fugh and OGE
>
>
> Requesting a copy of any written guidance provided by the Office of
> Government Ethics (OGE) to the Environmental Protection Agency (EPA)
> regarding Administratively Determined ("AD") appointees under the Safe
> Drinking Water Act (SDWA)
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> 7. EPA-HQ-2017-007579: Timothy Cama, The Hill – 5/22/17
> --Interested
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>
> · Responsive Documents:
>
> o Nancy Beck's recusal statement
>
> o Nancy Beck's impartiality determination
>
> I request all records pertaining to ethics waivers, resolving conflicts of interest, recusals and/or compliance with (or waivers from) Executive Order 13770 ("Ethics Commitments by Executive Branch Appointees") for Nancy Beck, principal deputy assistant administrator in the Office of Chemical Safety and Pollution Prevention.
>
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>
> 1. EPA-HQ-2017-007876 – Michael Ravnitzky, Indp. Journalist – 5/31/17
> --We aren't interested in Pruitt's signed statement since it's already
> been released, but are interested in this request generally
>
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>
> · Responsive Documents:
>
> o Administrator Pruitt's signed recusal statements
>
> § Note: this was previously released under EPA-HQ-2017-004490
>
>
> Requesting a copy of each Ethics Waiver issued by EPA since March 1, 2017.
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> 2. EPA-HQ-2017-007826: Doug Obey, Inside Washington – 6/15/17
> --Interested
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>
>
> § Responsive Documents:
>
> · Communications between Justina Fugh and OGE
>
> And the FOIA seeks all documents, including EPA emails or memos as well as memos and emails sent to EPA, discussing which new appointees are required to sign the ethics pledge outlined in the executive order; names and titles of appointees that have signed the pledge; and copies of signed pledges by said appointees.
>
>

>
>
> 3. EPA-HQ-2017-008010 – Kevin Bogardus, E&E News – 6/2/17
> --Not interested in these specific docs, but interested in the request generally
>
>
>
> · Responsive Documents:
>
> o Communications between Justina Fugh and EPA Employee Phil Brooks
>
> o Administrator Pruitt's signed recusal statements
>
> § Note: this was previously released under EPA-HQ-2017-004490
>
> All documents related to EPA employees' ethics waivers in resolving financial conflicts of interest from May 1 to June 1, 2017.
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> 4. EPA-HQ-2017-008061: Doug Obey, Inside Washington – 6/5/17
> --Interested
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>
> § Responsive Documents:
>
> · Communications between Justina Fugh and OGE
>
>
> This FOIA requests any 2017 communications (including emails or memos) between EPA senior counsel for ethics Justina Fugh and the Office of Government Ethics on whether "administratively determined" staff positions at EPA are political employees subject to the Trump administration's ethics pledge.
>
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> 5. EPA-HQ-2017-008282: Kevin Bogardus E&E News – 6/12/17
> --Interested
>
>
>
> · Responsive Documents:
>
> o Patrick Traylor's recusal statement
>
>
> I request records of all certifications of qualified trusts; certificates of divestiture; notices of disqualification; recusals; waivers; screening arrangements and all other ethics-related records filed by and/or given to Patrick Traylor. These documents would likely be prepared under 18 U.S.C. § 207; 18 U.S.C. § 208; 5 C.F.R. Part 2634; 5 C.F.R. Part 2635; and 5 C.F.R. Part 2641 as well as be in the care of the Designated Agency Ethics Official. Please do not consider this individual's OGE Form 278 public financial disclosure reports as responsive records to this request.
>
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>
> 6. EPA-HQ-2017-008283: Kevin Bogardus, E&E News – 6/12/17
> --Interested
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>
>
> · Responsive Documents:
>
> o Nancy Beck's recusal statement
>
> o Nancy Beck's impartiality determination
>
>
> I request records of all certifications of qualified trusts; certificates of divestiture; notices of disqualification; recusals; waivers; screening arrangements and all other ethics-related records filed by and/or given to Nancy Beck. These documents would likely be prepared under 18 U.S.C. § 207; 18 U.S.C. § 208; 5 C.F.R. Part 2634; 5 C.F.R. Part 2635; and 5 C.F.R. Part 2641 as well as be in the care of the Designated Agency Ethics Official.
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> 7. EPA-HQ-2017-009362: Oliver Milmann, Guardian US – 7/13/17
> --Interested
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>
>
> · Responsive Documents:
>
> o Justin Schwab's Recusal Statement
>
> o Patrick Traylor's Recusal Statement
>
> o David Fotouhi's Recusal Statement
>
> o Nancy Beck's Recusal Statement
>
> o Nancy Beck's impartiality determination
>
>
>
> [1] The OGE Form 278 and/or Form 278e for all Environmental Protection
> Agency filers submitted from January 20, 2017, to the present; please
> exclude all career SES, SL, and ST employees from your search and
> other individuals who no longer work at EPA; and
>
> [2] All records for the same period concerning
> the recusal of the participation in agency proceedings by the filers
> listed in [1]; and
>
> [3] All records concerning the waiver of ethics restrictions for the filers
listed in [1].
>
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>
>
> 8. EPA-HQ-2017-010171: Michael Biesecker, AP - 8/3/17
> --Interested
>
>
>
> · Responsive Documents:
>
> o Justin Schwab's Recusal Statement
>
> o Patrick Traylor's Recusal Statement
>
> o David Fotouhi's Recusal Statement
>
> o Nancy Beck's Recusal Statement
>
> o Nancy Beck's impartiality determination
>
> o Administrator Pruitt's signed recusal statements
>
> § Note: this was previously released under EPA-HQ-2017-004490
>
> The Associated Press request copies of all ethics letters, statements and disclosures provided to or by
political appointees or staff hired at EPA since Jan. 20, 2017.
>
>
>
>
> 9. EPA-HQ-2017-010199: Kevin Bogardus, E&E News – 8/4/17
> --Interested
>
>
> · Responsive Documents:
>
> o Justin Schwab's Recusal Statement
>
> o Patrick Traylor's Recusal Statement
>
> o David Fotouhi's Recusal Statement
>
> o Nancy Beck's Recusal Statement
>
> o Nancy Beck's impartiality determination

>
> I request records of all certifications of qualified trusts; certificates of divestiture; notices of disqualification; recusals; waivers; screening arrangements and all other ethics-related records filed by and/or given to the following individuals: Michael Abboud Layne Bangerter Erik Baptist Nancy Beck Tate Bennett Brittany Bolen Liz Bowman Bryon Brown Kevin Chmielewski Preston Cory Henry Darwin Veronica Darwin Patrick Davis Alex Dominguez Samantha Dravis Nicholas Falvo Lincoln Ferguson Hayley Ford Lee Forsgren David Fotouhi J.P. Freier Robert Frye Amy Graham Holly Greaves Kristopher Green Sarah Greenwalt Amanda Gunasekara Michelle Hale James Hewitt Sydney Hupp Millan Hupp Ryan Jackson Albert "Kell" Kelly John Konkus Daisy Letendre Will Lovell Troy Lyons Forrest McMurray Madeline Morris Charles Munoz Christian Palich Aaron Ringel Christian Rodrick Justin Schwab Kaitlyn Shimmin George Sugiyama Patrick Traylor Kenneth Wagner Jahan Wilcox Richard Yamada These documents would likely be prepared under 18 U.S.C. § 207; 18 U.S.C. § 208; 5 C.F.R. Part 2634; 5 C.F.R. Part 2635; and 5 C.F.R. Part 2641 as well as be in the care of the Designated Agency Ethics Official.
>
>
>
>
> Victoria Clarke
> Attorney-Advisor
> U.S. Environmental Protection Agency
> Office of General Counsel
> Washington, D.C. |7519 G WJCN
> 202-564-1149
>
> From: Aarons, Kyle
> Sent: Friday, September 01, 2017 10:29 AM
> To: Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: Re: OCIR-FEAT Ethics Documents Check
>
> You can go ahead and send me the additional docs. I should be able to
> review on Tuesday, before my AA is back on Wednesday. Thank you
>
> Sent from my iPhone
>
> On Sep 1, 2017, at 8:30 AM, Clarke, Victoria <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>> wrote:
> Thank you, Kyle.
>
> Shannon and Justina have provided me with additional ethics documents to respond to other FOIAs.
>
> Is it easier for you if I wait until your AA has reviewed the Ethics pledges before sending you the other FOIA requests?
>
> Victoria
>
> Victoria Clarke
> Attorney-Advisor
> U.S. Environmental Protection Agency
> Office of General Counsel
> Washington, D.C. |7519 G WJCN
> 202-564-1149
>
> From: Aarons, Kyle
> Sent: Thursday, August 31, 2017 5:57 PM
> To: Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>; Dolph,
> Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>
> Cc: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: Re: OCIR-FEAT Ethics Documents Check
>
> Hi Victoria - Unfortunately my AA is still reviewing this and is going to be out of the office until Wednesday. I will try to get you guidance at that point.
>
> Thanks,
> Kyle
>
> Sent from my iPhone
>
> On Aug 31, 2017, at 9:55 AM, Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>> wrote:
> Thanks Victoria. I'm looking for guidance from my management and will let you know.
>

> Do you happen to know why there isn't a pledge from Nancy Beck in this set?
>
> Thanks,
> Kyle
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Clarke, Victoria
> Sent: Wednesday, August 30, 2017 4:54 PM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>>;
> Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>
> Cc: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> Hi Kyle,
>
> Attached, find the signed Ethics pledges. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

> Victoria
>
> Victoria Clarke
> Attorney-Advisor
> U.S. Environmental Protection Agency
> Office of General Counsel
> Washington, D.C. |7519 G WJCN
> 202-564-1149
>
> From: Aarons, Kyle
> Sent: Wednesday, August 30, 2017 1:18 PM
> To: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> Deliberative Process / Ex. 5
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Dolph, Becky
> Sent: Wednesday, August 30, 2017 1:17 PM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>>;
> Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check

Deliberative Process / Ex. 5

> Becky Dolph | Director, FOIA Expert Assistance Team Office U.S
> Environmental Protection Agency Office of General Counsel | 7309B WJCN
> | 202-564-5771
>
>
> From: Aarons, Kyle
> Sent: Wednesday, August 30, 2017 10:09 AM
> To: Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>

> Thanks Victoria.
>
> Yes, we have open congressional requests that cover essentially all of the documents referenced below. Please send the documents my way (or let me know where I can find them) so I can get them to the congressional requesters.
>
> Thanks,
> Kyle
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Clarke, Victoria
> Sent: Wednesday, August 30, 2017 8:52 AM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: OCIR-FEAT Ethics Documents Check
>
> Hello, Kyle!
>
> I have been working with Justina Fugh in OGC Ethics with her FOIA requests, and OGC Ethics is ready to produce documents (in the form of signed Ethics pledges) in response to the following FOIA requests:
>
>
> * EPA-HQ-2017-005953: Nick Surgey, Center for Media & Democracy – 4/10/17
>
>
> This request is for records in the possession of EPA designated agency
> ethics official (Justina Fugh), or others at EPA acting as a deputy
> ethics official. This request is for: 1. List of start date for all
> the listed (below) appointees. 2. List of dates that an ethics
> briefing and/or orientation was provided to all the listed (below)
> appointees. 3. Any emails, consulting notes, counseling notes, or
> other written records pertaining to the listed (below) appointees in
> the possession of the EPA DAEO. 1. Bangerter, Layne 2. Bennett,
> Elizabeth Tate 3. Benton, Don 4. Bolen, Brittany 5. Bowman, Elizabeth
> 6. Brown, Byron 7. Davis, Patrick 8. Dravis, Samantha 9. Ericksen,
> Doug 10. Ferguson, Lincoln 11. Ford, Haley 12. Freire, JP 13. Graham,
> Amy 14. Greaves, Holly 15. Greenwalt, Sarah 16. Gunasekara, Amanda 17.
> Hale, Michelle 18. Hupp, Millan 19. Hupp, Syndey 20. Jackson, Ryan 21.
> Kelly, Albert 22. Konkus, David 23. Kreutzer, David 24. Munoz, Charles
> 25. Schnare, David 26. Schwab, Justin 27. Sugiyama, George 28. Wagner,
> Kenneth 29. Wilcox, Jahan 30. Scott Pruitt
>
>
>
> * EPA-HQ-2017-005954: Nick Surgey, Center for Media & Democracy – 4/10/17
>
>
> This request is for copies of the signed ethics pledge required under
> the Executive Order issued by President Trump on January 28, 2017
> titled "Ethics Commitments By Executive Branch Appointees," for the
> following EPA appointees/employees: 1. Bangerter, Layne 2. Bennett,
> Elizabeth Tate 3. Benton, Don 4. Bolen, Brittany 5. Bowman, Elizabeth
> 6. Brown, Byron 7. Davis, Patrick 8. Dravis, Samantha 9. Ericksen,
> Doug 10. Ferguson, Lincoln 11. Ford, Haley 12. Freire, JP 13. Graham,
> Amy 14. Greaves, Holly 15. Greenwalt, Sarah 16. Gunasekara, Amanda 17.
> Hale, Michelle 18. Hupp, Millan 19. Hupp, Syndey 20. Jackson, Ryan 21.
> Kelly, Albert 22. Konkus, David 23. Kreutzer, David 24. Munoz, Charles
> 25. Schnare, David 26. Schwab, Justin 27. Sugiyama, George 28. Wagner,
> Kenneth 29. Wilcox, Jahan 30. Scott Pruitt
>
>
>
>
>
>
> * EPA-HQ-2017-007826: Doug Obey, Inside Washington – 6/15/17
>
>
> . . .the FOIA seeks all documents, including EPA emails or memos as well as memos and emails sent to EPA, discussing which new appointees are required to sign the ethics pledge outlined in the executive order; names and titles of appointees that have signed the pledge; and copies of signed pledges by said appointees.

>
>
> * EPA-HQ-2017-010171: Michael Biesecker, AP - 8/3/17
>
> …copies of all ethics letters, statements and disclosures provided to or by political appointees or staff hired at EPA since Jan. 20, 2017.
>
>
> Please let me know if there are any recently answered, received, or pending Congressional Requests that overlap with the documents we'll be providing to these requests. Feel free to give me a call if there are any questions.
>
> Thank you!
>
> Victoria
>
> Victoria Clarke
> Attorney-Advisor
> U.S. Environmental Protection Agency
> Office of General Counsel
> Washington, D.C. |7519 G WJCN
> 202-564-1149
>
> <David Fotouhi signed recusal 7_31_17.pdf> <Justin Schwab signed
> recusal 08_07_17.pdf> <Justin Schwab signed recusal statement
> 2-10-2017.pdf> <Nancy Beck - Recusal Statement.pdf> <Nancy Beck
> Impartiality Determination.pdf> <New Employee Ethics Training.pdf>
> <OGE Ethics Emails.pdf> <Patrick Traylor Recusal Memorandum (July 31,
> 2017).pdf>

Message

From: Davis, Patrick [davis.patrick@epa.gov]
Sent: 9/6/2017 1:19:57 AM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Smalley, Bryant [smalley.bryant@epa.gov]; Carroll, Craig [Carroll.Craig@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Kelly, Albert [kelly.albert@epa.gov]
Subject: Re: Craig or Bryant

Jahan,

Call Kell Kelly. Ex. 6

Patrick Davis
Environmental Protection Agency
Deputy Associate Director, Office of Land and Emergency Management
202-564-3103 office
Ex. 6 cell

Emails sent to this address may be subject to FOIA.

Sent from my iPhone

On Sep 5, 2017, at 6:39 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Can someone call me about possible broken locks into Superfund sites by the Associated Press?
>
> Jahan Wilcox
> EPA
> Strategic Communications Advisor
> Work Cell: Ex. 6
> Work Email: wilcox.jahan@epa.gov

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/5/2017 11:08:38 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Smalley, Bryant [smalley.bryant@epa.gov]; Carroll, Craig [Carroll.Craig@epa.gov]; Seager, Cheryl [Seager.Cheryl@epa.gov]; Coleman, Sam [Coleman.Sam@epa.gov]; Thompson, Steve [thompson.steve@epa.gov]
CC: Davis, Patrick [davis.patrick@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Edlund, Carl [Edlund.Carl@epa.gov]; Peterson, Mary [Peterson.Mary@epa.gov]
Subject: RE: Associated Press breaking locks into Superfund Sites

Jahan,
I don't think that we can confirm this statement.
David

From: Wilcox, Jahan
Sent: Tuesday, September 05, 2017 5:53 PM
To: Smalley, Bryant <smalley.bryant@epa.gov>; Carroll, Craig <Carroll.Craig@epa.gov>; Seager, Cheryl <Seager.Cheryl@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Gray, David <gray.david@epa.gov>; Thompson, Steve <thompson.steve@epa.gov>
Cc: Davis, Patrick <davis.patrick@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Associated Press breaking locks into Superfund Sites
Importance: High

Last Thursday or Friday, the Associated Press went unauthorized into Superfund sites. They proceeded to write a story about how Superfund sites in Houston were flooded and nobody at the EPA was there. These are not the reporters that the EPA took around yesterday.

I have heard a report today from Region 6 that an AP reporter cut the locks to enter a Superfund site. Can someone please let me know if this occurred? Not only would this be illegal, it would be a really, big story.

Believe they visited these 7 sites:
Highlands Acid Pit
Bailey Waste Disposal
French LTD
The Sikes Disposal Pits.
Brio Site
Patrick Bayou Superfund
San Jacinto River Waste Pits Superfund

From: Wilcox, Jahan
Sent: Tuesday, September 5, 2017 6:39 PM
To: Smalley, Bryant <smalley.bryant@epa.gov>; Carroll, Craig <Carroll.Craig@epa.gov>
Cc: Davis, Patrick <davis.patrick@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy

<graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Craig or Bryant

Can someone call me about possible broken locks into Superfund sites by the Associated Press?

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell Ex. 6
Work Email: wilcox.jahan@epa.gov

Message

From: Traylor, Patrick [traylor.patrick@epa.gov]
Sent: 9/5/2017 10:39:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: AP and Superfund

I don't know any more that I was able to relate by email. Jahan is getting in touch with the Region 6 enforcement staff from whom I heard the story. He should definitely ask them that question.

Patrick Traylor
Deputy Assistant Administrator
Office of Enforcement and Compliance Assurance
U.S. Environmental Protection Agency
(202) 564-5238 (office)
Ex. 6 (cell)

From: Bowman, Liz
Sent: Tuesday, September 5, 2017 6:39 PM
To: Traylor, Patrick <traylor.patrick@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Re: AP and Superfund

Thanks, Patrick. Sorry I missed your call earlier. I was in the Administrators office. Is there any footage (security video) or any way to prove this?

Sent from my iPhone

On Sep 5, 2017, at 6:01 PM, Traylor, Patrick <traylor.patrick@epa.gov> wrote:

> I got a report today from Region 6 that an AP reporter cut the locks to enter a Superfund site. Are you up on that? Cheryl Seager in Dallas can give you details.
>
> **Patrick Traylor**
> Deputy Assistant Administrator
> Office of Enforcement and Compliance Assurance
> U.S. Environmental Protection Agency
> (202) 564-5238 (office)
> Ex. 6 (cell)

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/4/2017 8:53:57 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

yes

From: Bowman, Liz
Sent: Monday, September 04, 2017 3:36 PM
To: Gray, David <gray.david@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: FW: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

Can you please gather this information?

From: Flickinger, Ian [mailto:FlickingerI@cbsnews.com]
Sent: Monday, September 4, 2017 4:31 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

Hi Liz,

I'm sorry to bother you. Thank you again for your help earlier.

The team is also hoping to get the names of the other 28 locations that were impacted by the storm, but not flooded, to show the extent of the storm's damage.

Is there anyway you would be able to provide those as well?

Thanks so much.

Ian

From: Flickinger, Ian
Sent: Monday, September 4, 2017 1:54 PM
To: 'Bowman, Liz'
Cc: Gray, David; Graham, Amy; Grantham, Nancy
Subject: RE: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

Thank you for all this. Have a happy holiday!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, September 04, 2017 1:53 PM
To: Flickinger, Ian <Flickingerl@cbsnews.com>
Cc: Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

Hi Ian – David and I will work on getting this information to you. The 41 refers to the sites that were directly affected by Harvey or flood waters. We may have additional updates on the number of sites visited, etc. David, can you provide him the list of the 13 sites that have experienced flooding? Thanks – Liz

---

From: Flickinger, Ian [mailto:Flickingerl@cbsnews.com]
Sent: Monday, September 4, 2017 1:46 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

Hi Liz,

Thank you so much for your response. I am working in conjunction with the team on the ground – I work in the research department back in New York.

While they are touring the facilities with the experts, I am hoping to just confirm some details for accuracy on our end.

Would you be able to confirm that 13 sites experienced flooding due to Hurricane Harvey – and which 13 were they?

Lastly, can you confirm that there are 41 superfund sites in Texas? Based on the "Superfund site search" on the EPA website, there are 66 in total. I'd like to make sure we have the correct totals.

Thanks again for all your help!

Ian

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, September 04, 2017 1:36 PM
To: Flickinger, Ian <Flickingerl@cbsnews.com>; Press <Press@epa.gov>
Subject: RE: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES

Hi there – CBS news will be on site with experts at Superfunds today. Please contact the CBS national news staff who are on the ground. Thanks – Liz

---

From: Flickinger, Ian [mailto:Flickingerl@cbsnews.com]
Sent: Monday, September 4, 2017 12:49 PM
To: Press <Press@epa.gov>
Subject: ON DEADLINE: CBS EVENING NEWS: TEXAS SUPERFUND SITES
Importance: High

Hello,

I hope all is well. I work in the research department at the CBS Evening News – I'm hoping someone can give me some guidance regarding superfund sites in Texas.

I see in the EPA's response to the Associated Press story from this weekend that there are "41 Superfund sites – 28 of those sites show no damage, and 13 have experienced flooding."

Can we confirm that those numbers still hold? And have the names of the 13 locations that experienced flooding been released yet? Also, I was looking at the list of recorded superfund sites on the EPA website, and the total for Texas was much higher – **66** sites in total. Do 23 of those sites no longer exist? Any guidance with this would be incredibly helpful.

Thanks in advance for your help with this, and have a wonderful holiday.

Best,
Ian Flickinger
Research Department, CBS Evening News
212-975-7178

Message

From: Kyle Feldscher [kfeldscher@washingtonexaminer.com]
Sent: 9/4/2017 1:32:47 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Statement condemning AP reporting

Sure, understand. We used softer language in our story earlier today; was just speaking colloquially here.

On Sun, Sep 3, 2017 at 9:31 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Off the record: "condemning the reporter" is a little strong – I would say calling him out for inaccuracies …
>
> **From:** Kyle Feldscher [mailto:kfeldscher@washingtonexaminer.com]
> **Sent:** Sunday, September 3, 2017 9:12 PM
>
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: Statement condemning AP reporting
>
> OK, cool, just checking. Thanks for getting back to me on a holiday weekend, it's much appreciated.
>
> On Sun, Sep 3, 2017 at 9:07 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > Off the record: Nope, not that I am aware of.
> >
> > **From:** Kyle Feldscher [mailto:kfeldscher@washingtonexaminer.com]
> > **Sent:** Sunday, September 3, 2017 9:05 PM
> > **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> > **Subject:** Re: Statement condemning AP reporting
> >
> > Thank you Liz! Has anything been changed when it was restricted?
> >
> > On Sun, Sep 3, 2017 at 8:55 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
> >
> > > Here's the link: https://www.epa.gov/newsreleases/epa-response-aps-misleading-story

From: Kyle Feldscher [mailto:kfeldscher@washingtonexaminer.com]
Sent: Sunday, September 3, 2017 7:40 PM
To: Press <Press@epa.gov>
Subject: Statement condemning AP reporting

To whom it may concern,

The statement from earlier condemning the AP's story about the Houston superfund sites appears to have been taken down - I'm getting a "restricted" notification when I visit it. Has the EPA retracted this statement or edited this statement? Can you provide some clarification as to why the statement is not available online?

Thanks,

Kyle

--

Kyle Feldscher

Breaking News Editor

Washington Examiner

Office: 202-459-4913

Cell: Ex. 6

Twitter: @Kyle_Feldscher

--

Kyle Feldscher

Breaking News Editor

Washington Examiner

Office: 202-459-4913

Cell: Ex. 6

Twitter: @Kyle_Feldscher

--

Kyle Feldscher

Breaking News Editor

Washington Examiner

Office: 202-459-4913

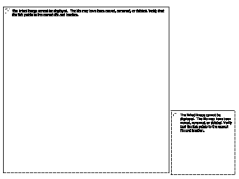
Cell: Ex. 6

Twitter: @Kyle_Feldscher

--
Kyle Feldscher
Breaking News Editor
Washington Examiner
Office: 202-459-4913
Cell: Ex. 6
Twitter: @Kyle_Feldscher

Message

From: Jonathan Swan [jonathan@axios.com]
Sent: 9/3/2017 9:30:14 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Sneak Peek: Inside the DACA fight — the next immigration battle — Trump's empty threat — pool report for the ages



View in browser

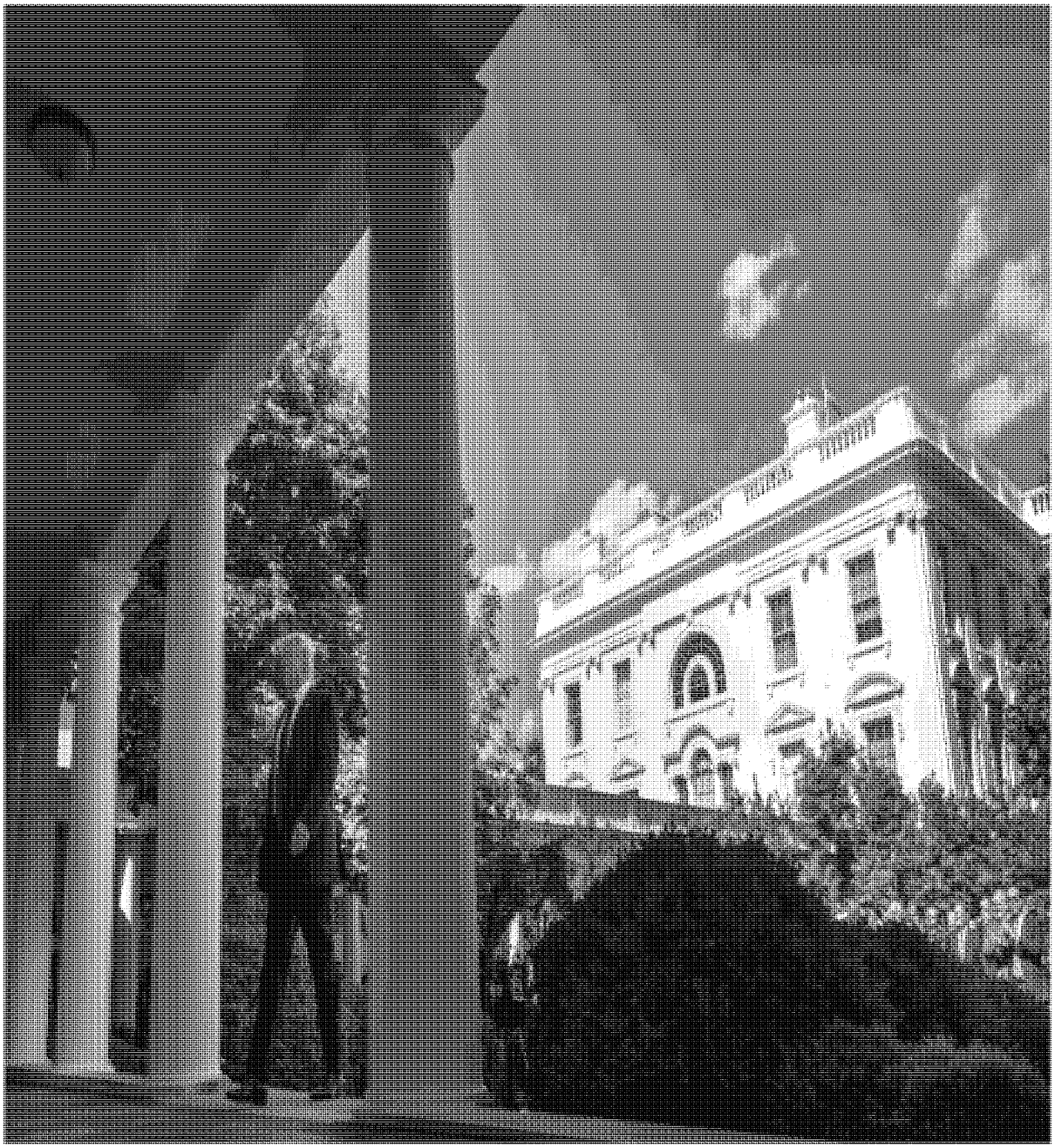
PRESENTED BY KOCH INDUSTRIES

Axios Sneak Peek

By Jonathan Swan · Sep 03, 2017

Welcome to Sneak Peek, our weekly lookahead for both ends of Pennsylvania Avenue. **I'd love** your tips and feedback: jonathan@axios.com. And **please urge** your friends and colleagues to join the conversation by signing up for Sneak Peek.

1 big thing: Inside the DACA fight



Andrew Harnik / AP

Beyond North Korea, Trump has another "no good options" dilemma this week: his decision, due Tuesday, on whether to terminate DACA — the Obama-era program that temporarily shields from deportation illegal immigrants who came to the U.S. before their 16th birthday.

Unusually for this leaky White House, they've managed to keep the DACA decision-making within an extremely small circle.

That said, here's what I've ferreted out, from conversations with senior administration officials over the past 72 hours:

- The common view within the Trump administration: DACA is *not* legally defensible. The debate internally has been less about *whether* to rescind DACA, than about *how* to do so while mitigating the harm inflicted on the roughly 800,000 people currently protected by the program.
- **What everyone in the White House agrees:** It's up to Congress to act if members want to preserve the principles of DACA and protect these illegal immigrants who came to America as children.
    - Trump's advisers know that Congress only acts when there's a crisis. Tuesday's announcement is expected to force such action.
    - **Trump is expected to rescind DACA but will likely give Congress a window to act before the effects of the termination are felt.**
    - But, there's no chance Congress will pass a bill that gives permanent legal status to any class of individuals without attaching serious enforcement measures to the same bill.

Over the past several weeks, the Trump administration has been weighing three options:

1. **Rescind DACA immediately** — meaning the day after the announcement, the roughly 800,000 protected by DACA no longer have protection. The Department of Homeland Security does not view these people as priorities for deportation, but many on DACA are understandably worried because they trusted the government with their personal information to register for the program.
2. **The 0% likelihood option:** Trump keeps DACA as is and the administration defends the program in court against the state attorneys general who are threatening to sue unless the administration phases out DACA by Sep. 5.
3. **The most likely option:** Trump winds down DACA in a manner that limits the impact of the termination on current beneficiaries but allows Congress enough time to find a constitutional and legislative solution for the program, in conjunction with significant commitments for enforcement.

How the debate has played out inside the White House: Kelly hasn't allowed the debate to widely ventilate, which has frustrated some officials, given how politically and morally sensitive this issue is.

- There are those, like Attorney General Jeff Sessions, who think DACA is illegal and that the principles underpinning it are not worth supporting.
- There are other, more moderate officials, who support the principles underpinning DACA; and there are still others who don't necessarily support DACA but believe it's not politically viable to instantly kill it.

What Trump is thinking: Sources who've spoken to the president about DACA — even as recently as Friday — are convinced his mind is still not fully made up. I first reported, 10 days ago, that Trump was seriously considering rescinding DACA, but

he's publicly grappled with the morality, and explosive politics, of this decision in a way he hasn't with any other since becoming president.

2. The next immigration fight

Keep your eye on the Temporary Protected Status (TPS) program — the next big battle in the immigration wars, after DACA. TPS allows certain foreign nationals to stay in the U.S. because the government judges their home countries too dangerous to return to, either due to civil wars, environmental disasters or epidemics.

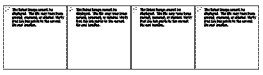
The Trump administration must renew these protections — covering countries like Haiti, Honduras, South Sudan, and Nicaragua — which expire between Nov. 2017 and Sep. 2018.

How immigration hawks in the Trump admin view TPS: Successive administrations have abused this "temporary" program. There are people who have been in the U.S. for 20 years because the government gave them a legal status; but under the law, the program for specific countries should be terminated.

Questions they're asking:

- Should Haitians still have TPS seven years after the earthquake?
- Should Central Americans, e.g. Nicaraguans, Hondurans, who've been in the U.S. for nearly 20 years, still have their "temporary" status?

Bottom line: Watch for the Trump administration to force Congress to act on this issue — by ending the program for certain countries — before the end of 2017. I'm told the countries that still meet the current legislative requirements, like South Sudan, will continue to receive protection. But in Haiti and the Central American countries, conditions have arguably improved enough that they no longer meet the requirements.



3. The debt ceiling plan

AP

Republican leaders plan to use the emergency Hurricane Harvey aid to squeeze another must-pass item through Congress: the debt ceiling.

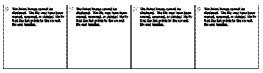
Sources with direct knowledge of the planning tell me the current strategy is for the House to pass a "clean" bill this week that funds the White House's request for $7.85 billion for the first phase of recovery from the hurricane.

What happens next— per multiple sources with direct knowledge — is that when the bill reaches the Senate, Republican leaders will attach a debt limit raise before sending it back to the House. (Attaching a debt ceiling raise is less controversial in the Senate than it is in the House, which has more conservative members. What I've

described is Republican leadership's current thinking, as of Sunday afternoon... it could still change.)

Why this matters: Hurricane Harvey has opened a path to get one of the most controversial items off Republican leaders's backs. Conservative members won't vote to raise the debt ceiling without significant spending cuts, and Mark Meadows, chairman of the ultra-conservative House Freedom Caucus, has already said he thinks it's wrong to use hurricane funding to dodge this thorny issue.

- By linking the debt ceiling to hurricane aid, leadership would put the Freedom Caucus in the excruciating position of having to vote against emergency aid for Texas's worst natural disaster.
- A source with knowledge of the Freedom Caucus's plans tells me the group won't have a unified position on the Harvey/debt ceiling question until after they meet on Tuesday night.



A MESSAGE FROM KOCH INDUSTRIES

Rising to the challenge in our Gulf Coast communities

When disasters hit the places we call home, we all jump into action to help our neighbors overcome their toughest obstacles. Please join Koch in supporting the American Red Cross, the Center for Disaster Philanthropy and The Salvation Army.

4: "We'll see"

Date: September 3, 2017 at 11:38:55 AM EDT
Subject: Pool report #5 -POTUS: "We'll see" on attacking North Korea

Pool report #5 - Sept. 3, 2017

"We'll see," President Trump responded when your pooler shouted if he plans to attack North Korea upon his departure from St. John's Church.

We are back on WH grounds at 11:37 a.m.

-30-

John T. Bennett
White House Correspondent
CQ Roll Call
@BennettJohnT

Sent from my iPhone. (Please excuse typos.)

John Bennett, the White House correspondent for CQ Roll Call, filed a pool report this morning that's destined for the history books.

Hours after Kim Jong Un's region-rattling nuclear test, as President Trump left St. John's Episcopal Church in D.C., after declaring a national day of prayer for Hurricane Harvey victims, Bennett asked the president whether he planned to attack North Korea.

"We'll see," Trump replied.

- **Republican Sen. Jeff Flake** accurately summarized Trump's situation, telling CNN's Dana Bash, on "State of the Union": "It becomes cliche to say there are no good options here, but there really aren't."
- **Treasury Secretary Steven Mnuchin** told "Fox News Sunday" he plans to draft a new sanctions package, but it's becoming increasingly clear Trump has concluded that only bombs — or the persuasive threat of them — will finally end the threat of a North Korean nuke hitting an American city.

The most consequential words of the day belong to Defense Secretary James Mattis, who read a brief statement to reporters gathered outside the West Wing this afternoon.

Mattis's comments — coming at an historically charged moment — are worth reading in full:

"Good afternoon, ladies and gentlemen. We had a small group, a national security meeting today with the president and the vice president, about the latest provocation on the Korean Peninsula. We have many military options. The president wanted to be briefed on each one of them.

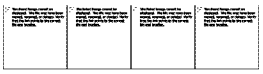
"We made clear that we have the ability to defend ourselves and our allies, South Korea and Japan, from any attack. And our commitments among the allies are ironclad: Any threat to the United States or its territories, including Guam, or our

allies, will be met with a massive military response. A response both effective and overwhelming.

"Kim Jong-Un should take heed of the United Nations Security Council's unified voice. All members unanimously agreed on the threat North Korea poses, and they remain unanimous in their commitment to the denuclearization of the Korean Peninsula. ***Because we are not looking to the total annihilation of a country, namely North Korea. But as I said, we have many options to do so.*** *Thank you very much, ladies and gentlemen."*

BONUS: An empty threat

Our thought bubble: It's a wildly unrealistic — and therefore empty — threat. Trump will not stop *all* U.S. trade with the most populous country in the world, China. The U.S. and China traded nearly $600 billion in goods alone last year. Terminating all trade with China would instigate a global economic catastrophe.



5. Sneak Peek diary

- **Tax reform:** The so-called "Big Six" leading the secretive tax reform discussions — Paul Ryan, Mitch McConnell, Kevin Brady, Orrin Hatch, Gary Cohn and Steven Mnuchin — meet with the president at the White House on Tuesday afternoon.
    - **Our tip:** While the discussions will focus on tax reform, it's possible trade will also come up. Hatch and Brady run committees that also oversee trade and they'll be eager to talk Trump out of his threats to withdraw from the U.S.-Korea trade deal.
    - **On Wednesday,** Trump flies to North Dakota to give another speech selling tax reform. I'm told the speech won't get into any more detail than last week's — which had no detail at all — but will continue his pattern of putting pressure on Democratic senators in red states. This week's target: Heidi Heitkamp.

- **Big picture:** Trump meets Wednesday with leaders from both parties: Paul Ryan and Nancy Pelosi from the House, Mitch McConnell and Chuck Schumer from the Senate.
- **Legislative agenda:** The House is expected to vote on Harvey funding and the remaining eight appropriations bills. (The House passed the first four bills before they left for the August break.)
- **The 2018 budget:** Nobody I've spoken to really thinks the House can pass a budget in September — a month crowded with must-pass items like Harvey aid, a debt ceiling raise and a government funding bill. But I'm told the House whip team will begin to talk to members about the budget.
    - (Because Republicans view the budget vote as a proxy vote for tax reform — they plan to use a budget bill to pass the GOP tax plan — there's little chance the leadership can get much support for a budget until Republican leaders share much more detail with members about their tax plans.)

6. 1 missed man: Keith Schiller

AP Photo/Evan Vucci

Keith Schiller was never just a bodyguard. He's worked for Trump since 1999 and in nearly 20 years has become one of a handful of people outside of Trump's immediate family that the president truly trusts.

Now he's leaving the White House, and Trump's friends worry about the effect Schiller's absence will have on the president's psyche. Trump believes Schiller "tells him the truth because the only dog he has in the fight is the boss," a friend told Axios. Trump confides in Schiller and asks his advice about everything, including policy.

Schiller, a former NYPD officer who is beloved by the original staff from the Trump campaign, is also a Breitbart-style conservative who kept Trump in touch with the Republican base and with the law enforcement community.

"He's a winger! He's one of us," said another friend of Schiller's.

- For the past eight months, Schiller has been the conduit linking Trump to his old life, and old friends, in New York City.
- In the early, freewheeling days of this administration, Trump's old contacts had a method for getting around the Chief of Staff, Reince Priebus: If they wanted to reach Trump, they'd text Keith, and before too long they'd often receive a call from the president.
- As Director of Oval Office Operations, Schiller oversaw what some aides regarded as a "shitshow." Nowadays, General Kelly tightly polices, and lists, who can visit the Oval; but Schiller operated more or less by gut instinct. He had a feeling for what Trump wanted at any given moment, whether the boss would want to see this person or whether he was in the right mood for visitors.

Schiller has talked to associates about leaving for a while. He'll make more money on the outside, and under the Kelly regime, and with so many people by his side these days, Trump has less use for Schiller, operationally. Emotionally... that's a different story.

A MESSAGE FROM KOCH INDUSTRIES.

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Axios, 3100 Clarendon Blvd, Suite 200, Arlington VA 22201

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Seife v. EPA (1:19-cv-05190) 1.6.2020 ED_002240A_00045757-00014

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 9/3/2017 6:51:17 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Jackson, Ryan [jackson.ryan@epa.gov]
Subject: Re: EPA Response To The AP's Misleading Story

Nice work Liz.

Sent from my iPhone

On Sep 3, 2017, at 1:31 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

FYI...

From: Bowman, Liz
Sent: Sunday, September 3, 2017 2:30 PM
To: 'Pace, Julie' <JPace@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: EPA Response To The AP's Misleading Story

Hi Julie – Thanks for reaching out. We believe that Michael mislead Amy about his article and deadline, and left out important facts about the work that EPA is doing in direct coordination with folks on the ground, including, but not limited, to the fact that EPA and TCEQ worked directly to secure sites prior to the storm. We have had multiple requests from news outlets asking to accompany or join with EPA and TCEQ on site visits – none of which just showed up without taking proper safety protocols with state, local and federal authorities – as well as private parties responsible for managing the ongoing clean-up of the sites – and then erroneously reporting "EPA not on scene." This isn't just about Administrator Pruitt and his political staff, it's about the unfair, misleading characterization of hard-working and long-serving staff and other agencies who have been working around the clock to support the people of Texas. The mayor's comment was taken out of context, and CNN just reported that Governor Abbott called EPA's response to Superfund sites "very aggressive." These opinions – from the leaders directly responsible for working with our agency staff on the ground in Texas – seem to be in direct contradiction to what Michael Biesecker is reporting from Washington.

We have been telling you for weeks that we have serious concerns with his inability to be unbiased and fair in his reporting of EPA, due to his personal opinion about Administrator Pruitt. We all know that was a sensationalist headline based on "gotcha journalism." He repeatedly cherry picks the articles he writes, and neglects to include relevant facts and context in the stories he does report on. If you compare his reporting to others from AP, even those covering other agencies or the Administration – his bias clearly shows. This is a devastating hurricane, with devastating floods across Southeast Texas. The people who are affected by this storm deserve to know that federal, local and state officials are working together to help people, as best and as quickly as they possibly can.

We agree that journalism is important – and we agree accountability is important. We urge you to hold Michael accountable for his unfair and bias reporting. We have simply asked that the Associated Press cover EPA fairly, and assign a reporter to the Agency who could put their

personal opinions aside and be willing to cover the facts. Again, we expect this from outlets who wear their bias on their sleeve, but not the Associated Press.

We sincerely appreciate you reaching out to us, because we want to continue to maintain the lines of communication open. Thank you – Liz

---

From: Pace, Julie [mailto:JPace@ap.org]
Sent: Sunday, September 3, 2017 1:45 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: FW: EPA Response To The AP's Misleading Story

Liz, Jahan and Amy:

I'm writing to strenuously object to this press release, which both completely mischaracterizes AP's journalism and levels an unwarranted personal attack on one of our reporters. Specifically:

-You contend that Michael Biesecker reported this story from the "comfort of Washington." You deliberately leave out the fact that three AP journalists -- Jason Dearen, whose byline is on the story, and two video journalists -- have been on the ground in and around Houston for several days, personally visiting Superfund sites by boat, vehicle and on foot. This is not armchair journalism. This is journalists putting their own safety at risk to provide information to the public.

-Both Michael and Jason have been in touch with EPA for days about this story. As you well know, no information about the EPA aerial inspections was ever provided to them. But even if you had informed us of that fact ahead of publication, it would not have changed the crux of the story: EPA personnel have not accessed these sites.

Michael and other AP journalists will continue to do this type of important accountability journalism, despite your misleading characterizations.

Julie

Julie Pace
Washington Bureau Chief
The Associated Press
Ex. 6 (cell)
jpace@ap.org
@JPaceDC

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Sunday, September 03, 2017 12:19 PM
To: Pace, Julie
Subject: EPA Response To The AP's Misleading Story

Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **incredibly misleading story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the audacity to imply that agencies aren't being responsive to the devastating effects of Hurricane Harvey. Not only is this inaccurate, but it creates panic and politicizes the hard work of first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted initial assessments at **41** Superfund sites - **28** of those sites show no damage, and **13** have experienced flooding. This was left out of the original story, along with the fact that EPA and state agencies worked with responsible parties to secure Superfund sites before the hurricane hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in constant contact with local, state and county officials. And EPA, has a team of experts imbedded with other local, state and federal authorities, on the ground responding to Harvey - none of which Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a history of letting the facts get in the way of his story. Earlier this summer, he made-up a meeting that Administrator Pruitt had, and then deliberately discarded information that refuted his inaccurate story - ultimately prompting a nation-wide correction. Additionally, the Oklahoman took him to task for sensationalized reporting.

- <!--[if !supportLists]--><!--[endif]-->Correction: EPA-Dow Chemical story
- <!--[if !supportLists]--><!--[endif]-->Associated Press Engulfed in CNN-Level Scandal as It Covers Up Invention of Imaginary Pruitt Meeting

If you're reporting on this misleading story then below is a statement from the EPA.

"Once again, in an attempt to mislead Americans, the Associated Press is cherry-picking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism."
- EPA Associate Administrator, Liz Bowman

BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damaged after Harvey. "The Environmental Protection Agency (EPA) said Saturday that 13 Superfund sites have been flooded or could be facing damage as a result of Hurricane Harvey. The agency said that two of the sites, which are areas that are polluted with hazardous material and require extensive cleanup, had been inspected and do not require immediate cleanup. Eleven sites have proven to be inaccessible for response teams, however the agency said teams are in place to inspect the areas once flooding from the storm subsides. In total, the EPA said that it had conducted initial assessments at 41 Superfund sites in impacted areas using 'aerial images' and contact with with those responsible for regular cleanup activities." (The Hill, 09/02/17)

In June, the editorial board at the Oklahoman reminded their readers of the sensationalized reporting that comes from the Associated Press' Michael Biesecker. "The disdain that some in the media have for President Trump and members of his administration is evident regularly. Recent coverage related to EPA administrator Scott Pruitt provides an example of interest to locals because of Pruitt's Oklahoma ties. ... An Associated Press story from Washington last week about emails Pruitt sent and received as attorney general did what it could to further establish Pruitt as a minion for the oil

and gas industry — which environmentalists see as dead set on ruining the earth as we know it. The AP, a wire service used by media outlets around the world including The Oklahoman, said the emails 'underscore just how closely' Pruitt 'coordinated with fossil fuel companies' as Oklahoma's AG, 'a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions.' That's quite an opening paragraph. Pruitt didn't just work with energy companies while attorney general — he worked 'closely' with 'fossil fuel companies' (the ultimate bogey men) to essentially keep global warming from abating. … The fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious."

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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 9/3/2017 5:59:53 PM
To: Hewitt, James [hewitt.james@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: EPA Response To The AP's Misleading Story

Very helpful.

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: Ex. 6

On Sep 3, 2017, at 1:59 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

> FYI Abbott giving us some helpful support https://twitter.com/cnnsotu/status/904401322136526850
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> Sent from my iPhone
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> On Sep 3, 2017, at 1:50 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > Thanks all
> >
> > **From:** Hewitt, James
> > **Sent:** Sunday, September 3, 2017 1:42 PM
> > **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> > **Cc:** Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>
> > **Subject:** Re: EPA Response To The AP's Misleading Story
> >
> > I linked to the EPA page so we're good. John helped coordinate getting it up.
> >
> > Sent from my iPhone
> >
> > On Sep 3, 2017, at 1:41 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
> >
> > Deliberative Process / Ex. 5
> >
> > **From:** Wilcox, Jahan
> > **Sent:** Sunday, September 3, 2017 1:37 PM
> > **To:** Hewitt, James <hewitt.james@epa.gov>
> > **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Konkus, John <konkus.john@epa.gov>
> > **Subject:** Re: EPA Response To The AP's Misleading Story

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 3, 2017, at 12:03 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 3, 2017, at 1:02 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

If you click tweet at the bottom it generates a link.

Sent from my iPhone

On Sep 3, 2017, at 11:47 AM, Hewitt, James <hewitt.james@epa.gov> wrote:

I think Jahan can generate an independent link from campaign monitor.

Sent from my iPhone

On Sep 3, 2017, at 12:46 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

I don't think we can get Julia to post this on our website...can we just

copy & paste information?

From: Hewitt, James
Sent: Sunday, September 3, 2017 12:44 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: EPA Response To The AP's Misleading Story

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Sent from

my iPhone

On Sep 3, 2017, at 12:28 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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with energy industry officials as attorney
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Washington, D.C. 20004

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Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 9/3/2017 5:04:29 PM
To: Hewitt, James [hewitt.james@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: EPA Response To The AP's Misleading Story

Deliberative Process / Ex. 5

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: **Ex. 6**

On Sep 3, 2017, at 1:03 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 3, 2017, at 1:02 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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On Sep 3, 2017, at 11:47 AM, Hewitt, James <hewitt.james@epa.gov> wrote:

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Sent: Sunday, September 3, 2017 12:44 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: EPA Response To The AP's Misleading Story

Do we have a link?

Sent from my iPhone

On Sep 3, 2017, at 12:28 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> Please make sure this is posted on our FB and Twitter account.
>
> Begin forwarded message:
>
> > **From:** "EPA Press Office" <press@epa.gov>
> > **Date:** September 3, 2017 at 11:19:21 AM CDT
> > **To:** "Wilcox.jahan@epa.gov" <Wilcox.jahan@epa.gov>
> > **Subject: EPA Response To The AP's Misleading Story**
> > **Reply-To:** press@epa.gov

U.S. ENVIRONMENTAL PROTECTION

NEWS RELEA

WWW.EPA.GOV/NE

Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **inc story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker ha that agencies aren't being responsive to the devastating effects Harvey. Not only is this inaccurate, but it creates panic and pol first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already condu at **41** Superfund sites - **28** of those sites show no damage, and 1

flooding. This was left out of the original story, along with the f
agencies worked with responsible parties to secure Superfund s
hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in co
local, state and county officials. And EPA, has a team of expert
local, state and federal authorities, on the ground responding t
Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a h
facts get in the way of his story. Earlier this summer, he made-
Administrator Pruitt had, and then deliberately discarded inform
inaccurate story - ultimately prompting a nation-wide correctio
Oklahoman took him to task for sensationalized reporting.

- <!--[if !supportLists]--><!--[endif]-->Correction: EPA-Dow

- <!--[if !supportLists]--><!--[endif]-->Associated Press Engu
  Scandal as It Covers Up Invention of Imaginary Pruitt Meetin

If you're reporting on this misleading story then below is a state

**"Once again, in an attempt to mislead Americans, the Associa
picking facts, as EPA is monitoring Superfund sites around Ho
team of experts on the ground working with our state and loc
responding to Hurricane Harvey. Anything to the contrary is**
- EPA Associate Administrator, Liz Bowman

BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damage
Environmental Protection Agency (EPA) said Saturday that 13 Su
flooded or could be facing damage as a result of Hurricane Harv
two of the sites, which are areas that are polluted with hazardo
extensive cleanup, had been inspected and do not require imme
sites have proven to be inaccessible for response teams, howeve
are in place to inspect the areas once flooding from the storm s
EPA said that it had conducted initial assessments at 41 Superfu
areas using 'aerial images' and contact with with those responsi
activities." (The Hill, 09/02/17)

**In June, the editorial board at the Oklahoman reminded thei
sensationalized reporting that comes from the Associated Pre**
"The disdain that some in the media have for President Trump
administration is evident regularly. Recent coverage related to

Pruitt provides an example of interest to locals because of Pruit
Associated Press story from Washington last week about emails
as attorney general did what it could to further establish Pruitt
and gas industry — which environmentalists see as dead set on
know it. The AP, a wire service used by media outlets around th
Oklahoman, said the emails 'underscore just how closely' Pruitt
fuel companies' as Oklahoma's AG, 'a position in which he frequ
federal efforts to curb planet-warming carbon emissions.' That'
paragraph. Pruitt didn't just work with energy companies while
worked 'closely' with 'fossil fuel companies' (the ultimate boge
keep global warming from abating. … The fact Pruitt regularly c
with energy industry officials as attorney general of a state whe
industry should not be surprising nor should it, by itself, be con

---

<!--[if !vml]--><image001.png><!--[endif

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 9/3/2017 4:54:42 PM
To: Hewitt, James [hewitt.james@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: EPA Response To The AP's Misleading Story

Deliberative Process / Ex. 5

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: Ex. 6

On Sep 3, 2017, at 12:49 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

> I can post from my phone if we get a link.
>
> Sent from my iPhone
>
> On Sep 3, 2017, at 12:49 PM, Konkus, John <konkus.john@epa.gov> wrote:
>
> > Jess O is on call to post things to the website
> >
> > John Konkus
> > Environmental Protection Agency
> > Deputy Associate Administrator for Public Affairs
> > Mobile: Ex. 6
> >
> > On Sep 3, 2017, at 12:46 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
> >
> > > I don't think we can get Julia to post this on our website...can we just copy & paste information?
> > >
> > > **From:** Hewitt, James
> > > **Sent:** Sunday, September 3, 2017 12:44 PM
> > > **To:** Wilcox, Jahan <wilcox.jahan@epa.gov>
> > > **Cc:** Konkus, John <konkus.john@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
> > > **Subject:** Re: EPA Response To The AP's Misleading Story
> > >
> > > Do we have a link?
> > >
> > > Sent from my iPhone
> > >
> > > On Sep 3, 2017, at 12:28 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:
> > >
> > > > Please make sure this is posted on our FB and Twitter account.

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 11:19:21 AM CDT
To: "Wilcox.jahan@epa.gov" <Wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story
Reply-To: press@epa.gov

U.S. ENVIRONMENTAL PROTECTION AGEN

NEWS RELEAS

WWW.EPA.GOV/NEWSRO

Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **incredibly story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the a that agencies aren't being responsive to the devastating effects of Hur Harvey. Not only is this inaccurate, but it creates panic and politicizes first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted in at **41** Superfund sites - **28** of those sites show no damage, and **13** have flooding. This was left out of the original story, along with the fact tha agencies worked with responsible parties to secure Superfund sites bef hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in constant local, state and county officials. And EPA, has a team of experts imbed local, state and federal authorities, on the ground responding to Harve Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a history c facts get in the way of his story. Earlier this summer, he made-up a me Administrator Pruitt had, and then deliberately discarded information t inaccurate story - ultimately prompting a nation-wide correction. Addit Oklahoman took him to task for sensationalized reporting.

- <!--[if !supportLists]--><!--[endif]-->Correction: EPA-Dow Chemic

- <!--[if !supportLists]--><!--[endif]-->Associated Press Engulfed in Scandal as It Covers Up Invention of Imaginary Pruitt Meeting

If you're reporting on this misleading story then below is a statement fr

"Once again, in an attempt to mislead Americans, the Associated Pr picking facts, as EPA is monitoring Superfund sites around Houston a team of experts on the ground working with our state and local cour responding to Hurricane Harvey. Anything to the contrary is yellow j
- EPA Associate Administrator, Liz Bowman

BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damaged after Environmental Protection Agency (EPA) said Saturday that 13 Superfund flooded or could be facing damage as a result of Hurricane Harvey. The two of the sites, which are areas that are polluted with hazardous mate extensive cleanup, had been inspected and do not require immediate c sites have proven to be inaccessible for response teams, however the a are in place to inspect the areas once flooding from the storm subsides EPA said that it had conducted initial assessments at 41 Superfund sites areas using 'aerial images' and contact with with those responsible for r activities." (The Hill, 09/02/17)

In June, the editorial board at the Oklahoman reminded their reade sensationalized reporting that comes from the Associated Press' Mic
"The disdain that some in the media have for President Trump and mer administration is evident regularly. Recent coverage related to EPA adr Pruitt provides an example of interest to locals because of Pruitt's Okla Associated Press story from Washington last week about emails Pruitt s as attorney general did what it could to further establish Pruitt as a mi and gas industry — which environmentalists see as dead set on ruining t know it. The AP, a wire service used by media outlets around the worlc Oklahoman, said the emails 'underscore just how closely' Pruitt 'coord fuel companies' as Oklahoma's AG, 'a position in which he frequently su federal efforts to curb planet-warming carbon emissions.' That's quite a paragraph. Pruitt didn't just work with energy companies while attorne worked 'closely' with 'fossil fuel companies' (the ultimate bogey men) keep global warming from abating. ... The fact Pruitt regularly correspo with energy industry officials as attorney general of a state where ener industry should not be surprising nor should it, by itself, be considered

---

<!--[if !vml]--> Visit The EPA's Newsroom <!--[en

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Like
Twe
Sha
For

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/3/2017 4:45:46 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: With your approval this will go out

Deliberative Process / Ex. 5

On Sep 3, 2017, at 12:07 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Deliberative Process / Ex. 5

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 9/3/2017 4:07:32 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]
Subject: With your approval this will go out

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 11:05:54 AM CDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story - Preview
Reply-To: press@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Ryan Vise [Ryan.Vise@Tceq.Texas.Gov]
Sent: 9/3/2017 3:22:31 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Tweet by Julie Pace on Twitter

Sounds good. we will retweet

Sent from my iPhone

On Sep 3, 2017, at 10:20 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> We are about to send out a press release specifically targeted at the AP's unfair an inaccurate reporting. This reporter has a history of reporting inaccurate facts. I can also respond to this tweet – what do you think of this: Deliberative Process / Ex. 5
>
> Deliberative Process / Ex. 5
>
> **From:** Ryan Vise [mailto:Ryan.Vise@Tceq.Texas.Gov]
> **Sent:** Sunday, September 3, 2017 11:17 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Fwd: Tweet by Julie Pace on Twitter
>
> Is EPA responding to this Julie Pace comment?
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** Seth Christensen <Seth.Christensen@gov.texas.gov>
> > **Date:** September 3, 2017 at 10:11:43 AM CDT
> > **To:** "ryan.vise@tceq.texas.gov" <ryan.vise@tceq.texas.gov>, Steven Schar <Steven.Schar@gov.texas.gov>
> > **Subject: Fw: Tweet by Julie Pace on Twitter**
> >
> > Seth W. Christensen, J.D.
> > Policy Advisor
> > Office of Governor Greg Abbott
> >
> > **From:** Reed Clay
> > **Sent:** Sunday, September 3, 2017 10:08 AM
> > **To:** Nim.Kidd@dps.texas.gov

Cc: Bryan.Shaw@tceq.texas.gov; Seth Christensen
Subject: Tweet by Julie Pace on Twitter

Can we check in about this?

Julie Pace (@jpaceDC)

9/2/17, 5:32 PM
EPA says Superfund sites around Houston aren't accessible to its personnel. @AP got to 7 by boat, vehi
on foot apnews.com/27796dd13b9549…

Download the Twitter app

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 9/3/2017 3:09:48 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Re: FOR APPROVAL -- EPA Response To The AP's Misleading Story - Preview

Let's talk once the water release goes out.

I like this. You read my mind.

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 3, 2017, at 10:58 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Ryan -

The team put this together and we will wait on your approval before doing anything on this.

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 9:55:26 AM CDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story - Preview
Reply-To: press@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 9/3/2017 3:08:59 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Updated -- fixed a few grammar mistakes.

No need to resend this version to RJ.

Sent from my iPhone

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 10:07:09 AM CDT
To: "wilcox.jahan@epa.gov" <wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story - Preview
Reply-To: press@epa.gov

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 9/3/2017 1:29:06 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re:

Sounds good.

On Sep 2, 2017, at 11:14 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Deliberative Process / Ex. 5

https://www.cbsnews.com/news/epa-not-on-scene-of-toxic-waste-sites-flooded-by-harvey/

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/2/2017 10:46:32 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Gray, David [gray.david@epa.gov]; Coleman, Sam [Coleman.Sam@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]
Subject: Fwd: Water

Below is what hq eoc water desk
sent to lee f

Thx ng

Sent from my iPhone

Begin forwarded message:

> **From:** EOC Public Information <EOC_Public_Information@epa.gov>
> **Date:** September 2, 2017 at 5:03:44 PM EDT
> **To:** "Grantham, Nancy" <Grantham.Nancy@epa.gov>
> **Subject: Fw: Water**

From: Forsgren, Lee
Sent: Saturday, September 2, 2017 4:59 PM
To: EOC Water
Cc: R6HarveyENVL; EOC Environmental Unit; EOC Public Information
Subject: Re: Superfund

This looks good to me

Sent from my iPhone

On Sep 2, 2017, at 4:47 PM, EOC Water <EOC_Water@epa.gov> wrote:

> Please let me know if this is helpful:
>
> - EPA and TCEQ are aware that releases of wastewater from sanitary sewers occur during major flood events. The Agencies actively work to monitor those facilities that have reported spills, as well as conducting outreach and providing technical guidance to all other wastewater facilities in flood-impacted areas.

- EPA water quality sampling plans for Hurricane Harvey flood water are focused on industrial facilities and hazardous waste sites. On Friday, Sept. 1, EPA collected surface water runoff samples downstream of the Arkema facility at four locations outside the exclusion zone near a residential area.

- EPA will continue to take additional samples of Hurricane Harvey flood water in the vicinity of the Arkema Plant to document changes in the concentration of chemicals, and will maintain a 24-hour presence at the incident command operations center.

- EPA is also developing a plan for sampling and monitoring residential wells, in case TCEQ requests assistance in conducting this mission.

Kevin Tingley

EOC Water Desk

From: Forsgren, Lee
Sent: Saturday, September 2, 2017 4:20:26 PM
To: EOC Water
Subject: Re: Superfund

Thanks

Sent from my iPhone

On Sep 2, 2017, at 4:15 PM, EOC Water <EOC_Water@epa.gov> wrote:

> Lee,
>
> I will get you a bullet or two soon.
>
> Kevin Tingley
>
> EOC Water Desk
>
> ---
>
> **From:** Forsgren, Lee
> **Sent:** Saturday, September 2, 2017 3:32:11 PM
> **To:** EOC Water
> **Subject:** Fwd: Superfund

Can you find anything that would be helpful to this effort?

Lee

Sent from my iPhone

Begin forwarded message:

> **From:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> **Date:** September 2, 2017 at 3:02:38 PM EDT
> **To:** "Gray, David" <gray.david@epa.gov>, "Coleman, Sam" <Coleman.Sam@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Wagner, Kenneth" <wagner.kenneth@epa.gov>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, "Forsgren, Lee" <Forsgren.Lee@epa.gov>, "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>
> **Cc:** "Jackson, Ryan" <jackson.ryan@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
> **Subject: FW: Superfund**
>
> Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock …but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.
>
> Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
>
> That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 1:09 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>

Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

AP

ASSOCIATED

Michael Biesecker		1100 13 St
Reporter		Washingto
mbiesecker@ap.org		
Twitter: @mbieseck		
Public Key		T 202-641
		M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

AP

ASSOCIATED PRESS

Message

From: Coleman, Sam [Coleman.Sam@epa.gov]
Sent: 9/2/2017 11:09:50 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Gray, David [gray.david@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]
Subject: Re: Water

Yes!

Samuel Coleman, P. E.,
Deputy Regional Administrator

214.665.2100 Ofc
214.665. 3110 Desk
Ex. 6 Cell

Coleman.sam@epa.gov

Sent from my iPhone

On Sep 2, 2017, at 6:09 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

> Is this needed to get the water info out? That was my impression.
>
> _____
> Ryan Jackson
> Chief of Staff
> U.S. EPA
> Ex. 6
>
> On Sep 2, 2017, at 7:07 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> > Is this now, or can we schedule it for first thing tomorrow? Fine either way, just need to know
> >
> > **From:** Coleman, Sam
> > **Sent:** Saturday, September 2, 2017 7:04 PM
> > **To:** Forsgren, Lee <Forsgren.Lee@epa.gov>
> > **Cc:** Jackson, Ryan <jackson.ryan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>
> > **Subject:** Re: Water
> >
> > Ex. 6
> > Code Ex. 6
> >
> > Samuel Coleman, P. E.,
> > Deputy Regional Administrator

214.665.2100 Ofc
214.665. 3110 Desk
Ex. 6 Cell

Coleman.sam@epa.gov

Sent from my iPhone

On Sep 2, 2017, at 6:02 PM, Forsgren, Lee <Forsgren.Lee@epa.gov> wrote:

> I can do a call in now.
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 7:01 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:
>
> > Now?
> >
> > _____
> > Ryan Jackson
> > Chief of Staff
> > U.S. EPA
> > Ex. 6
> >
> > On Sep 2, 2017, at 6:57 PM, Coleman, Sam <Coleman.Sam@epa.gov> wrote:
> >
> > > We should all talk sometime.
> > >
> > > Samuel Coleman, P. E.,
> > > Deputy Regional Administrator
> > >
> > > 214.665.2100 Ofc
> > > 214.665. 3110 Desk
> > > Ex. 6 Cell
> > >
> > > Coleman.sam@epa.gov
> > >
> > > Sent from my iPhone
> > >
> > > On Sep 2, 2017, at 5:46 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:
> > >
> > > > Below is what hq eoc
> > > > water desk
> > > > sent to lee f
> > > >
> > > > Thx ng

Sent from my iPhone

Begin forwarded message:

From: EOC Public Information <EOC_Public_Information@epa.gov>
Date: September 2, 2017 at 5:03:44 PM EDT
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: Fw: Water

From: Forsgren, Lee
Sent: Saturday, September 2, 2017

4:59 PM
To: EOC Water
Cc: R6HarveyENVL; EOC Environmental Unit; EOC Public Information
Subject: Re: Superfund

This looks good to me

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On Sep 2, 2017, at 4:47 PM, EOC Water <EOC_Water@epa.gov> wrote:

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Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/2/2017 10:24:02 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]
Subject: Re: Status of Superfund Sites in Areas Affected by Harvey

Right - our folks in eoc just wondering
specifics - will point them to it that

Sent from my iPhone

On Sep 2, 2017, at 6:21 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> We didn't say he didn't list the sites?
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 6:18 PM, Graham, Amy <graham.amy@epa.gov> wrote:
>
> > I read the story again - He's right they are listed.
> >
> > Sent from my iPhone
> >
> > Begin forwarded message:
> >
> > **From:** "Biesecker, Michael" <MBiesecker@ap.org>
> > **Date:** September 2, 2017 at 6:11:39 PM EDT
> > **To:** "Graham, Amy" <graham.amy@epa.gov>
> > **Cc:** "Bowman, Liz" <Bowman.Liz@epa.gov>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>, Press <Press@epa.gov>
> > **Subject: RE: Status of Superfund Sites in Areas Affected by Harvey**
> >
> > They are all named in the story, as are the conditions we found them in.
> >
> > ---
> >
> > **From:** Graham, Amy [mailto:graham.amy@epa.gov]
> > **Sent:** Saturday, September 02, 2017 6:11 PM
> > **To:** Biesecker, Michael
> > **Cc:** Bowman, Liz; Wilcox, Jahan; Press
> > **Subject:** Re: Status of Superfund Sites in Areas Affected by Harvey
> >
> > Michael - Can you please tell us which sites AP has visited?
> >
> > Sent from my iPhone
> >
> > On Sep 2, 2017, at 5:11 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
> >
> > > Liz,

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A question: Your release says EPA staff have not been able to access the sites safely. AP was able to do so, including three sites today accessed by car. Why can we make it there and you guys can't?

Please provide on the record comment,

Michael

From: EPA Press Office [mailto:noreply-subscriptions@epa.gov]
Sent: Saturday, September 02, 2017 4:54 PM
To: Biesecker, Michael
Subject: Status of Superfund Sites in Areas Affected by Harvey

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

STATUS OF SUPERFUND SITES

IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) — Despite misleading and inaccurate reporting, the facts a
and TCEQ are working together, along with other local, state, and federal authorities and eme
responders around the clock to address the human health and environmental impacts of Hurric
and its effects, especially historic and devastating flooding throughout Southeast Texas. With r
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EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial
well as direct contact with the parties responsible for on-going cleanup activities. EPA has det
28 Superfund sites in the area do not currently show damage or excessive flooding associated v

Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible dar
the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected anc
determined that they do not require emergency cleanup; although, additional sampling in the
continue to be conducted.

Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energ
Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical S
Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel
in place to investigate possible damage to these sites as soon flood waters recede, and person
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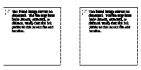
conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the c
underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather then
encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: https://www.tceq.texas.gov/response/hur



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Washington, DC 20460 United States

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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/2/2017 10:20:10 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Status of Superfund Sites in Areas Affected by Harvey

Ok / will look

Sent from my iPhone

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> I read the story again - He's right they are listed.
>
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> > **Subject: RE: Status of Superfund Sites in Areas Affected by Harvey**
> >
> > They are all named in the story, as are the conditions we found them in.
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> > **From:** Graham, Amy [mailto:graham.amy@epa.gov]
> > **Sent:** Saturday, September 02, 2017 6:11 PM
> > **To:** Biesecker, Michael
> > **Cc:** Bowman, Liz; Wilcox, Jahan; Press
> > **Subject:** Re: Status of Superfund Sites in Areas Affected by Harvey
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> > Michael - Can you please tell us which sites AP has visited?
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> > Sent from my iPhone
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> >
> > > Liz,
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> > > I read EPA's release with interest. You suggest there has been "inaccurate and misleading" reporting, yet you go on to confirm everything AP reported. I will also note that we sought detailed response to our questions for three days prior to publication and included what scant response EPA did provide.
> > >
> > > A question: Your release says EPA staff have not been able to access the sites safely. AP was able to do so, including three sites today accessed by car. Why can we make it there and you guys can't?

Please provide on the record comment,

Michael

From: EPA Press Office [mailto:noreply-subscriptions@epa.gov]
Sent: Saturday, September 02, 2017 4:54 PM
To: Biesecker, Michael
Subject: Status of Superfund Sites in Areas Affected by Harvey

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

STATUS OF SUPERFUND SITES

IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) — Despite misleading and inaccurate reporting, the facts are that I and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Har and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard t status of Superfund sites.

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conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: https://www.tceq.texas.gov/response/hurricanes

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United States
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Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 9/2/2017 9:34:07 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]
Subject: RE: Status of Superfund Sites in Areas Affected by Harvey

Looping amy

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Saturday, September 02, 2017 5:33 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Re: Status of Superfund Sites in Areas Affected by Harvey

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 2, 2017, at 5:30 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Liz . **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Saturday, September 02, 2017 5:10 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: FW: Status of Superfund Sites in Areas Affected by Harvey

Liz,

I read EPA's release with interest. You suggest there has been "inaccurate and misleading" reporting, yet you go on to confirm everything AP reported. I will also note that we sought detailed response to our questions for three days prior to publication and included what scant response EPA did provide.

A question: Your release says EPA staff have not been able to access the sites safely. AP was able to do so, including three sites today accessed by car. Why can we make it there and you guys can't?

Please provide on the record comment,

Michael

From: EPA Press Office [mailto:noreply-subscriptions@epa.gov]
Sent: Saturday, September 02, 2017 4:54 PM
To: Biesecker, Michael
Subject: Status of Superfund Sites in Areas Affected by Harvey

<image001.jpg>

CONTACT: press@epa.gov

STATUS OF SUPERFUND SITES

IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) — Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites.

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For additional information from TCEQ, please visit: https://www.tceq.texas.gov/response/hurricanes

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Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 9/2/2017 8:24:49 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Fwd: Superfund

Just use this one.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

Begin forwarded message:

From: "Gray, David" <gray.david@epa.gov>
Date: September 2, 2017 at 4:20:31 PM EDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>
Cc: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Coleman, Sam" <Coleman.Sam@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Wagner, Kenneth" <wagner.kenneth@epa.gov>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, "Forsgren, Lee" <Forsgren.Lee@epa.gov>, "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: RE: Superfund

This is good.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:38 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

I need this translated. It is not clear on this what information is being conveyed.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:32 PM, Gray, David <gray.david@epa.gov> wrote:

> Here is the status of work at each Superfund site within the impacted area. We are working on a summary statement.

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:21 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

However superfund is the priority. The WH is asking for it now. I'm sure they are responding to questions.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:09 PM, Gray, David <gray.david@epa.gov> wrote:

> Got it
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 3:02 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
>> Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.
>>
>> Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.
>>
>> I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**
>>
>> I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
>
> That's correct. We will begin to assess other sites after flood waters recede in those areas.
>
> ---
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Friday, September 1, 2017 1:09 PM
> **To:** Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
> **Subject:** RE: Superfund
>
> When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?
>
> ---
>
> **From:** Graham, Amy [mailto:graham.amy@epa.gov]

Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We

are visiting and documenting more sites today.

Michael

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

<image001

1100 13 St.
Washingto

T 202-641-
M Ex. 6

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AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/2/2017 8:23:44 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: this is it

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:38 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

I need this translated. It is not clear on this what information is being conveyed.

_____
Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6

On Sep 2, 2017, at 3:32 PM, Gray, David <gray.david@epa.gov> wrote:

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> Chief of Staff
> U.S. EPA
> Ex. 6
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33?) and the status report for each site? We just need a bullet or a sentence for each site.

Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
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> **Cc:** Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
> **Subject:** RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg> <image001.jpg>

Michael Biesecker 1100 13 St. NW, Su

Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

Washington, D.C. 2

T 202-641-9445
M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

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Sent: 9/2/2017 8:21:43 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: Superfund

Deliberative Process / Ex. 5

From: Bowman, Liz
Sent: Saturday, September 02, 2017 3:20 PM
To: Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Superfund

Deliberative Process / Ex. 5

From: Gray, David
Sent: Saturday, September 2, 2017 4:14 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: Superfund

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Cc: Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

Great, thanks – this is the current version. David, can you blast this out through your list?

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Grantham, Nancy
Sent: Saturday, September 2, 2017 4:13 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

Liz .. david's folks can send it out and post it … I have julia's schedule and she may be out of pocket.

David's folks sent last night's statement.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Saturday, September 02, 2017 4:10 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Gray, David <gray.david@epa.gov>
Cc: Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
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UPDATED and proofread…I am posting this on Twitter, and asking Julia to send it out via press release.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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To: Gray, David <gray.david@epa.gov>
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Subject: Re: Superfund

NICE!!

conveyed to the WH. Let's blast this out.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:51 PM, Gray, David <gray.david@epa.gov> wrote:

Start with this

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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Michael

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/2/2017 6:48:41 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Gray, David [gray.david@epa.gov]
Subject: Re: ap superfund article -- video embedded

It is Biesicker

Sent from my iPhone

On Sep 2, 2017, at 2:44 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Deliberative Process / Ex. 5

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Saturday, September 02, 2017 2:42 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: Re: ap superfund article -- video embedded

Their classification of your quote is extremely unfair. What you said is correct and they are trying to splice words. Is this Bies again?

Sent from my iPhone

On Sep 2, 2017, at 2:27 PM, Graham, Amy <graham.amy@epa.gov> wrote:

> If there is such a sense of urgency why didn't they publish the story yesterday morning when I provided them this information
>
> Sent from my iPhone
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> On Sep 2, 2017, at 2:23 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:
>
> <image001.gif>

AP EXCLUSIVE: Toxic waste sites flooded, EPA not on scene

<image002.png>
By The Associated Press**September 2, 2017 1:51 pm**
<image003.jpg>
At the Highlands Acid Pit on Thursday, Aug. 31, 2017, the No Trespassing sign on the barbed-wire fence encircling the 3.3-acre Superfund site barely peeked above the churning flood water from the nearby San Jacinto River. Long a center of the nation's...

HIGHLANDS, Texas (AP) — Floodwaters have inundated at least five highly contaminated toxic waste sites near Houston, raising concerns that the pollution there might spread.

The Associated Press visited the sites this past week, some of them still only accessible by boat.

Long a center of the American petrochemical industry, the Houston metro area has more than a dozen such Superfund sites, designated by the Environmental Protection Agency as being among the most intensely contaminated places in the country.

EPA spokeswoman Amy Graham could not immediately provide details on when agency experts would inspect the Houston-area sites. She said Friday that staff had checked on two other Superfund sites in Corpus Christi and found no significant damage.

"We will begin to assess other sites after flood waters recede in those areas," Graham said.

Near the Highlands Acid Pit, across the swollen San Jacinto River from Houston, Dwight Chandler sipped beer and swept out the thick muck caked inside his devastated home. He worried whether Harvey's floodwaters had also washed in pollution from the Superfund site just a couple blocks away.

In the 1950s, the pit was filled with toxic sludge and sulfuric acid from oil and gas operations. Though 22,000 cubic yards of hazardous waste and soil were excavated in the 1980s, the site is still considered a potential threat to groundwater, and EPA maintains monitoring wells there.

When he was growing up in Highlands, Chandler, now 62, said he and his friends used to swim in the by-then abandoned pit.

"My daddy talks about having bird dogs down there and to run and the acid would eat the pads off their feet," he recounted Thursday. "We didn't know any better."

EPA Administrator Scott Pruitt has said cleaning up Superfund sites are a priority, even as he has taken steps to roll back or delay rules aimed at preventing air and water pollution. President Donald Trump's proposed 2018 budget seeks to cut money for the Superfund program by 30 percent, though congressional Republicans are likely to approve less severe reductions.

Like Trump, Pruitt has expressed skepticism about the predictions of climate scientists that warmer air and warmer seas will produce stronger, more drenching storms.

Under the Obama administration, the EPA conducted a nationwide assessment of the increased threat to Superfund sites posed by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the 2012 study, 521 were determined to be in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites in coastal areas could also be vulnerable to rising sea levels.

The threats to human health and wildlife posed by rising waters inundating Superfund sites varies widely depending on the specific contaminants and concentrations involved. But the EPA report specifically noted the risk that floodwaters might carry away and spread toxic materials over a wider area.

In Crosby, across the San Jacinto River from Houston, a small working-class neighborhood sits between two Superfund sites, French LTD and the Sikes Disposal Pits. The area was wrecked by Harvey's floods, with only a single house from among the roughly dozen lining Hickory Lane still standing.

After the flood water receded on Friday, a sinkhole the size of a swimming pool had opened up and swallowed two cars. The acrid smell of creosote filled the air.

At the Brio Refining Inc. in Friendswood, the floodwaters had receded by Saturday. There was a layer of silt on the road leading to the Superfund site. The company operated a chemical reprocessing and refining facility there until the 1980s, leaving behind polluted soil and groundwater.

The San Jacinto River Waste Pits Superfund site was completely covered by water when an AP reporter saw it Thursday. According to its website, the EPA was set to make a final decision this year about a proposed $97 million cleanup effort to remove toxic waste from a paper mill that operated there in the 1960s.

The flow from the raging river washing over the toxic site was so intense it damaged an adjacent section of the Interstate 10 bridge, which has been closed to traffic due to concerns it might collapse.

There was no way to immediately access how much contaminated soil from the site might have been washed away. According to an EPA survey from last year, soil from the former waste pits contains dioxins and other long-lasting toxins linked to birth defects and cancer.

Kara Cook-Schultz, who studies Superfund sites for the advocacy group TexPIRG, said environmentalists have warned for years about the potential for flooding to inundate Texas Superfund sites, particularly the San Jacinto Waste Pits.

"If floodwaters have spread the chemicals in the waste pits, then dangerous chemicals like dioxin could be spread around the wider Houston area," Cook-Schultz said. "Superfund sites are known to be the most dangerous places in the country, and they should have been properly protected against flooding."

Biesecker reported from Washington.

A video of Associated Press writer Jason Dearen's tour by boat of several Superfund sites in the Houston area after Harvey: https://www.youtube.com/watch?v=erg6azfuP5k&feature=youtu.be

---

Follow Jason Dearen at http://twitter.com/JHDearen and Michael Biesecker at http://twitter.com/mbieseck

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More News

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

Message

From: Gray, David [gray.david@epa.gov]
Sent: 9/2/2017 8:01:42 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Superfund

Just sent you corrected version

From: Bowman, Liz
Sent: Saturday, September 02, 2017 2:31 PM
To: Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

You're the best!!

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To: Bowman, Liz <Bowman.Liz@epa.gov>
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Sent from my iPhone

On Sep 2, 2017, at 3:02 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.
>
> Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.
>
> I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**
>
> I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
>
> That's correct. We will begin to assess other sites after flood waters recede in those areas.
>
> ---
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Friday, September 1, 2017 1:09 PM
> **To:** Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
> **Subject:** RE: Superfund
>
> When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?
>
> ---
>
> **From:** Graham, Amy [mailto:graham.amy@epa.gov]
> **Sent:** Friday, September 01, 2017 1:04 PM
> **To:** Biesecker, Michael; StClair, Christie
> **Cc:** Press; Gray, David
> **Subject:** RE: Superfund
>
> Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.
>
> ---
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Friday, September 1, 2017 12:14 PM
> **To:** StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg>

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: White House Press Office [whitehouse-noreply@messages.whitehouse.gov]
Sent: 9/1/2017 2:23:43 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: UPDATED DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
September 1, 2017

UPDATED DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

***UPDATE:* Press Secretary Sarah Sanders will give an on camera press briefing at 2:30PM.**

In the morning, President Donald J. Trump will receive his daily intelligence briefing. The President will then speak with President Nursultan Nazarbayev of Kazakhstan by telephone. In the afternoon, the President will receive an update from disaster relief organizations on Hurricane Harvey recovery efforts.

In-Town Travel Pool
Wires: AP, Reuters, Bloomberg
Wire Photos: AP, Reuters, AFP
TV Corr & Crew: ABC
Print: Real Clear Politics
Radio: AP

EDT

9:00AM In-Town Travel Pool Call Time

10:30AM THE PRESIDENT receives his daily intelligence briefing

Oval Office

Closed Press

11:00AM THE PRESIDENT speaks with President Nursultan Nazarbayev of Kazakhstan by telephone

Oval Office

Closed Press

1:00PM THE PRESIDENT receives a an update from disaster relief organizations on Hurricane Harvey recovery efforts

Oval Office

In-House Pool Spray (Final Gather 12:50PM – Briefing Room Doors)

Briefing Schedule

2:30PM **Press Briefing with Press Secretary Sarah Sanders**

White House Briefing Room

On Camera

###

Unsubscribe

The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

Message

From: White House Press Office [whitehouse-noreply@messages.whitehouse.gov]
Sent: 9/1/2017 1:32:55 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
August 31, 2017

DAILY GUIDANCE AND PRESS SCHEDULE FOR FRIDAY, SEPTEMBER 1, 2017

In the morning, President Donald J. Trump will receive his daily intelligence briefing. The President will then speak with President Nursultan Nazarbayev of Kazakhstan by telephone. In the afternoon, the President will receive an update from disaster relief organizations on Hurricane Harvey recovery efforts.

In-Town Travel Pool
Wires: AP, Reuters, Bloomberg
Wire Photos: AP, Reuters, AFP
TV Corr & Crew: ABC
Print: Real Clear Politics
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EDT

9:00AM In-Town Travel Pool Call Time

10:30AM THE PRESIDENT receives his daily intelligence briefing

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11:00AM THE PRESIDENT speaks with President Nursultan Nazarbayev of Kazakhstan by telephone

Oval Office

Closed Press

1:00PM THE PRESIDENT receives a an update from disaster relief organizations on Hurricane Harvey recovery efforts

Oval Office

In-House Pool Spray (Final Gather 12:50PM – Briefing Room Doors)

Briefing Schedule

The briefing schedule will be updated in the morning.

###

Unsubscribe

The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

Message

From: Lyons, Troy [lyons.troy@epa.gov]
Sent: 8/31/2017 6:18:13 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: OCIR-FEAT Ethics Documents Check

Deliberative Process / Ex. 5

-----Original Message-----
From: Jackson, Ryan
Sent: Thursday, August 31, 2017 10:17 AM
To: Lyons, Troy <lyons.troy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: OCIR-FEAT Ethics Documents Check

Deliberative Process / Ex. 5

-----Original Message-----
From: Lyons, Troy
Sent: Thursday, August 31, 2017 10:09 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: OCIR-FEAT Ethics Documents Check

Deliberative Process / Ex. 5

-----Original Message-----
From: Jackson, Ryan
Sent: Thursday, August 31, 2017 10:06 AM
To: Lyons, Troy <lyons.troy@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: OCIR-FEAT Ethics Documents Check

Deliberative Process / Ex. 5

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

> On Aug 31, 2017, at 10:03 AM, Lyons, Troy <lyons.troy@epa.gov> wrote:
>
> Please note the FOIA that is to be released—it coincides with some requests we have from EPW. If you two are ok, we will send to Michal and Whitehouse.
>
> From: Aarons, Kyle
> Sent: Thursday, August 31, 2017 9:57 AM
> To: Lyons, Troy <lyons.troy@epa.gov>
> Cc: Cheatham-Strickland, Latonia
> <Cheatham-Strickland.Latonia@epa.gov>; Ringel, Aaron
> <ringel.aaron@epa.gov>; Palich, Christian <palich.christian@epa.gov>
> Subject: FW: OCIR-FEAT Ethics Documents Check
>
> Hi Troy – OGC would like to release the attached ethics pledges via FOIA. We have a letter from Whitehouse and Merkley asking about Tate's ethics pledge, recusal statement, and related issues. OGC Ethics prepared the attached draft in response, but we have been waiting for Tate's signed recusal statement to move forward.
>
> Here's what I would recommend:

Deliberative Process / Ex. 5

> Please let me know what you think.
>
> Pallone (HEC ranking member) and DeFazio (House T&I ranking member) have also expressed interest in these docs.
>
> Thanks,
> Kyle
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Clarke, Victoria
> Sent: Wednesday, August 30, 2017 4:54 PM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>>;
> Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>
> Cc: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> Hi Kyle,
>
> Attached, find the signed Ethics pledges. Please let us know when these go out the door so we can move forward.
>
> Victoria
>
> Victoria Clarke
> Attorney-Advisor
> U.S. Environmental Protection Agency
> Office of General Counsel
> Washington, D.C. |7519 G WJCN
> 202-564-1149
>
> From: Aarons, Kyle
> Sent: Wednesday, August 30, 2017 1:18 PM
> To: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> **Deliberative Process / Ex. 5**
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Dolph, Becky
> Sent: Wednesday, August 30, 2017 1:17 PM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>>;
> Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> **Deliberative Process / Ex. 5**
>
> Becky Dolph | Director, FOIA Expert Assistance Team Office U.S
> Environmental Protection Agency Office of General Counsel | 7309B WJCN
> | 202-564-5771
>
>
> From: Aarons, Kyle
> Sent: Wednesday, August 30, 2017 10:09 AM
> To: Clarke, Victoria
> <clarke.victoria@epa.gov<mailto:clarke.victoria@epa.gov>>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon

> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: RE: OCIR-FEAT Ethics Documents Check
>
> Thanks Victoria.
>
> Yes, we have open congressional requests that cover essentially all of the documents referenced below. Please send the documents my way (or let me know where I can find them) so I can get them to the congressional requesters.
>
> Thanks,
> Kyle
>
> Kyle Aarons
> Congressional Affairs
> U.S. Environmental Protection Agency
> 202-564-7351
>
> From: Clarke, Victoria
> Sent: Wednesday, August 30, 2017 8:52 AM
> To: Aarons, Kyle <Aarons.Kyle@epa.gov<mailto:Aarons.Kyle@epa.gov>>
> Cc: Dolph, Becky <Dolph.Becky@epa.gov<mailto:Dolph.Becky@epa.gov>>;
> Fugh, Justina <Fugh.Justina@epa.gov<mailto:Fugh.Justina@epa.gov>>;
> Griffo, Shannon
> <Griffo.Shannon@epa.gov<mailto:Griffo.Shannon@epa.gov>>
> Subject: OCIR-FEAT Ethics Documents Check
>
> Hello, Kyle!
>
> I have been working with Justina Fugh in OGC Ethics with her FOIA requests, and OGC Ethics is ready to produce documents (in the form of signed Ethics pledges) in response to the following FOIA requests:
>
>
> * EPA-HQ-2017-005953: Nick Surgey, Center for Media & Democracy – 4/10/17
>
>
> This request is for records in the possession of EPA designated agency
> ethics official (Justina Fugh), or others at EPA acting as a deputy
> ethics official. This request is for: 1. List of start date for all
> the listed (below) appointees. 2. List of dates that an ethics
> briefing and/or orientation was provided to all the listed (below)
> appointees. 3. Any emails, consulting notes, counseling notes, or
> other written records pertaining to the listed (below) appointees in
> the possession of the EPA DAEO. 1. Bangerter, Layne 2. Bennett,
> Elizabeth Tate 3. Benton, Don 4. Bolen, Brittany 5. Bowman, Elizabeth
> 6. Brown, Byron 7. Davis, Patrick 8. Dravis, Samantha 9. Ericksen,
> Doug 10. Ferguson, Lincoln 11. Ford, Haley 12. Freire, JP 13. Graham,
> Amy 14. Greaves, Holly 15. Greenwalt, Sarah 16. Gunasekara, Amanda 17.
> Hale, Michelle 18. Hupp, Millan 19. Hupp, Syndey 20. Jackson, Ryan 21.
> Kelly, Albert 22. Konkus, David 23. Kreutzer, David 24. Munoz, Charles
> 25. Schnare, David 26. Schwab, Justin 27. Sugiyama, George 28. Wagner,
> Kenneth 29. Wilcox, Jahan 30. Scott Pruitt
>
>
>
> * EPA-HQ-2017-005954: Nick Surgey, Center for Media & Democracy – 4/10/17
>
>
> This request is for copies of the signed ethics pledge required under
> the Executive Order issued by President Trump on January 28, 2017
> titled "Ethics Commitments By Executive Branch Appointees," for the
> following EPA appointees/employees: 1. Bangerter, Layne 2. Bennett,
> Elizabeth Tate 3. Benton, Don 4. Bolen, Brittany 5. Bowman, Elizabeth
> 6. Brown, Byron 7. Davis, Patrick 8. Dravis, Samantha 9. Ericksen,
> Doug 10. Ferguson, Lincoln 11. Ford, Haley 12. Freire, JP 13. Graham,
> Amy 14. Greaves, Holly 15. Greenwalt, Sarah 16. Gunasekara, Amanda 17.
> Hale, Michelle 18. Hupp, Millan 19. Hupp, Syndey 20. Jackson, Ryan 21.
> Kelly, Albert 22. Konkus, David 23. Kreutzer, David 24. Munoz, Charles
> 25. Schnare, David 26. Schwab, Justin 27. Sugiyama, George 28. Wagner,
> Kenneth 29. Wilcox, Jahan 30. Scott Pruitt
>
>
>
>
>
> * EPA-HQ-2017-007826: Doug Obey, Inside Washington – 6/15/17
>
>

> . . .the FOIA seeks all documents, including EPA emails or memos as well as memos and emails sent to EPA, discussing which new appointees are required to sign the ethics pledge outlined in the executive order; names and titles of appointees that have signed the pledge; and copies of signed pledges by said appointees.
>
>
> * EPA-HQ-2017-010171: Michael Biesecker, AP - 8/3/17
>
> …copies of all ethics letters, statements and disclosures provided to or by political appointees or staff hired at EPA since Jan. 20, 2017.
>
>
> Please let me know if there are any recently answered, received, or pending Congressional Requests that overlap with the documents we'll be providing to these requests. Feel free to give me a call if there are any questions.
>
> Thank you!
>
> Victoria
>
> Victoria Clarke
> Attorney-Advisor
> U.S. Environmental Protection Agency
> Office of General Counsel
> Washington, D.C. |7519 G WJCN
> 202-564-1149
>
> <Signed Ethics Pledges.pdf>
> <Whitehouse Bennett 8-15-17.docx>
> <Bennett Ethics Pledge.pdf>
> <Whitehouse Ethics Bennett 5-16-17.pdf>

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 8/31/2017 3:44:18 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Superfund sites & storm surge

On hurricane related communications, yes because he is covering for AP.

From: Ferguson, Lincoln
Sent: Thursday, August 31, 2017 11:42 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: Superfund sites & storm surge

Are we working with Michael again?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, August 31, 2017 11:37 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Dearen, Jason H. <JDearen@ap.org>
Subject: RE: Superfund sites & storm surge

Christie,

The key for the attached spreadsheet indicates whether locations are in a flood plain by assigning numbers 2 through 5. But on the spreadsheet, there are a number of sites designated with a flood plain rating of 1. What does 1 stand for? It's not on the key.

Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Wednesday, August 30, 2017 6:54 PM
To: Biesecker, Michael; Dearen, Jason H.
Cc: Press
Subject: Superfund sites & storm surge

Michael and Jason, thank you both for your patience.

Please see attached, and let us know what else you need moving forward.

Thanks,
Christie

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 8/30/2017 7:54:09 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Climate Change and Harvey

The scientists aren't politicizing the disaster by saying so?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, August 30, 2017 3:48 PM
To: Biesecker, Michael
Subject: Re: Climate Change and Harvey

Hi Michael - EPA's focus remains on supporting our state and local partners in responding to the effects of the storm. Thanks - Liz

Sent from my iPhone

On Aug 30, 2017, at 1:42 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

> Liz,
>
> AP is also doing another story (we did one two days ago) about what climate scientists are saying about Harvey: That while global warming didn't cause the storm, warmer air and warmer water make storms like Harvey wetter and more intense.
>
> Does EPA agree with that assessment?
>
> Thanks,
>
> Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 8/31/2017 12:41:24 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Bridis, Ted [TBridis@ap.org]
Subject: Re: Administrator Pruitt Meets With Hurricane Harvey Responders and Officials in Texas

Why? Seems like you would want your guy to get some coverage of him being there. AP is very unlikely to ever use agency handout photos.

Michael Biesecker
The Associated Press
Washington, D.C.
202-641-9445 office
Ex. 6 mobile
mbiesecker@ap.org
Twitter: mbieseck

The AP, founded in 1846, has a global network of 240 bureaus, providing news in text, audio, video, graphics and photos to more than 15,000 news outlets with a daily reach of 1 billion people worldwide.

Sent from my iPhone

On Aug 30, 2017, at 8:35 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Off the record: yes, it was all closed press.
>
> Sent from my iPhone
>
> On Aug 30, 2017, at 7:26 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
>
> > Liz,
> >
> > Was this closed press? We probably would have sent someone to cover had EPA notified me Pruitt was in Texas.
> >
> > Michael
> >
> > Sent from my iPhone
> >
> > Begin forwarded message:
> >
> > **From:** EPA Press Office <press@epa.gov>
> > **Date:** August 30, 2017 at 6:26:04 PM EDT
> > **To:** "mbiesecker@ap.org" <mbiesecker@ap.org>
> > **Subject: Administrator Pruitt Meets With Hurricane Harvey Responders and Officials in Texas**
> > **Reply-To:** <press@epa.gov>

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

Contact Information: press@epa.gov

Administrator Pruitt Meets With Hurricane Harvey Responders and Officials in Texas

Corpus Christi, Texas (August 30, 2017)— U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt traveled to Corpus Christi today to assess EPA relief efforts and thank responders. Administrator Pruitt also met with local and state leaders to discuss continued relief measures in the aftermath of Hurricane Harvey.

"The devastation endured by Texas this week is unfathomable. As I saw firsthand toda the Lone Star State has shown commendable perseverance in helping their fellow neighbors through this crisis," **said Administrator Pruitt**. "EPA is committed to workin with our federal, state, and local partners to provide relief to the affected regions."

EPA has an organized emergency response program and is positioned to support FEMA, state, local and tribal partners. EPA Headquarters' Emergency Operations Center (EOC has been activated and Administrator Pruitt is in regular contact with EPA staff across the Agency who are part of the hurricane response effort. Helping manage response efforts and focusing on the safety of those affected are the Agency's highest priorities.

EPA supports hurricane preparedness and response in a number of ways, including:

- **Addressing Fuel Shortages**: The Clear Air Act allows EPA Administrator Pruitt, in consultation with Energy Secretary Perry, to waive certain fuel requirements to address shortages that occur as a result of the storm. If Administrator Pruitt determines that extreme and unusual fuel supply circumstances exist in a state or region as a result of the hurricane, a temporary waiver can help ensure an adequa supply of gasoline is available in the affected area, particularly for emergency vehicles. EPA has an experienced team standing by to expedite handling of fuel waiver requests by the states.

- **Monitoring Public Water Systems**: Water systems can be severely impacted durin hurricanes due to storm surge, flooding, or loss of power. EPA Region 6 has developed a tracking system for us to identify systems in the storm's pathway. Ove 4,000 public drinking water systems have been potentially impacted by hurricane Harvey and flooding in Texas. Both Texas Commission on Environmental Quality (TCEQ) and Louisiana Department of Hospitals have uploaded their potentially

impacted systems into Response Manager, which enables planning for rapid assessments to restore water systems after the flood waters recede. EPA and TCEC are conducting damage assessments of both drinking water and wastewater system to identify impacts to critical assets and assist in the recovery.

- **Securing Superfund Sites**: EPA assesses conditions at the NPL Superfund sites in th storm's impact area and tasks each Superfund National Priorities List (NPL) remedi site manager to assess conditions and make on-site preparations for high winds and heavy rainfall. Any on-site activities at sites located in the storm's path are ceased until the all clear is given and on-site equipment is secured. In addition, freeboard for lagoons or ponds is increased to accommodate forecasted rainfall if possible. Today, EPA began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue.

- **Assessing Conditions at Major Industrial Facilities**: EPA assesses conditions at the major industrial facilities in the affected area to identify potential impacts and countermeasures. Following the storm and receding floodwaters, spills and release are reported to the National Response Center. NRC notifies U.S. Coast Guard or EP based on preapproved jurisdiction boundaries. EPA conducts follow up inspections and damage assessments in response to reports within EPA jurisdiction.

Photos from Administrator Pruitt's visit to Corpus Christi today:

EPA Administrator Scott Pruitt meets with officials from Corpus Christi and neighboring towns to discuss Hurricane Harvey recovery efforts.

EPA Administrator Scott Pruitt visits with cleanup staff at a debris action station in Corpus Christi.

EPA Administrator Scott Pruitt is debriefed on recovery efforts at the Port of Corpus Christi Emergen
Operations Center.

<!--[if !mso]--> Visit The EPA's Newsroom <!--[endif]-->

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 8/30/2017 6:02:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: HH Associated Press Request -- Superfund

Something at the bottom of the email

From: Bowman, Liz
Sent: Wednesday, August 30, 2017 1:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Fwd: HH Associated Press Request -- Superfund

What is he talking about? We aren't withholding anything

Sent from my iPhone

Begin forwarded message:

> **Resent-From:** <Press@epa.gov>
> **From:** "Valentine, Julia" <Valentine.Julia@epa.gov>
> **Date:** August 30, 2017 at 12:54:44 PM CDT
> **To:** "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Gray, David" <gray.david@epa.gov>, EOC Public Information <EOC_Public_Information@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
> **Cc:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> **Subject: HH Associated Press Request -- Superfund**
>
> Forwarding to response team
> Bcc: press@epa for tracking
>
> ---
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Wednesday, August 30, 2017 1:50 PM
> **To:** StClair, Christie <StClair.Christie@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
> **Cc:** Dearen, Jason H. <JDearen@ap.org>; Casey, Michael <MCasey@ap.org>
> **Subject:** RE: Associated Press Request -- Superfund
>
> Liz, Christie,
>
> AP will be writing about Superfund sites currently underwater in the Houston area. Please provide on-the-record comment about what EPA is doing to monitor these sites this week and potentially mitigate the risk of hazardous materials migrating off site due to flooding.
>
> We will point out that EPA had previously studied this risk. AP first requested this information nearly two weeks ago. If it cannot be provided by EOB today, please provide on-the-record comment on why EPA is keeping its analysis from the public so we can report that.
>
> Thanks,

Michael

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Tuesday, August 29, 2017 3:14 PM
To: Biesecker, Michael; Bowman, Liz; Press
Cc: Dearen, Jason H.
Subject: RE: Associated Press Request -- Superfund

Hi Michael,

I'll check on the status of this info.

Hope Jason is staying safe in Houston.

Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, August 29, 2017 2:42 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Dearen, Jason H. <JDearen@ap.org>
Subject: RE: Associated Press Request -- Superfund

Christie,

Following up again about AP's Aug. 17 request. Can you at least indicate whether EPA intends to provide a copy of the requested report? If so, when?

Thanks,

Michael

From: Biesecker, Michael
Sent: Monday, August 28, 2017 12:40 PM
To: 'stclair.christie@epa.gov'
Cc: Dearen, Jason H.
Subject: FW: Associated Press Request -- Superfund

Christie,

I'm following up on this request from Jason, who has been dispatched to Houston. Any chance we can get this today?

Thanks,

Michael

Begin forwarded message:

> **From:** "Dearen, Jason H." <JDearen@ap.org>
> **Date:** August 17, 2017 at 12:25:55 PM CDT

To: "press@epa.gov" <press@epa.gov>
Subject: Associated Press Request -- Superfund

Hi there.
I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above:
https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

Thanks very much. I can be reached at 352-213-9949.

Regards,
Jason Dearen/AP

Jason Dearen -- Correspondent
The Associated Press
PO Box 5696
Gainesville, FL 32627
T 352.213.9949
Twitter: @JHDearen
Email: jdearen@ap.org
www.ap.org

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Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 8/29/2017 3:45:16 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Jason Dearen with AP was working on the story for storm but has been deployed to cover the hurricane and Biesecker is taking over for him evidently.

From: Bowman, Liz
Sent: Tuesday, August 29, 2017 11:42 AM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Why? This seems odd and outside his wheelhouse ...

Sent from my iPhone

On Aug 29, 2017, at 11:40 AM, Graham, Amy <graham.amy@epa.gov> wrote:

> FYI – Michael Biesecker is now working on this story.
>
> ---
>
> **From:** StClair, Christie
> **Sent:** Tuesday, August 29, 2017 11:38 AM
> **To:** Abboud, Michael <abboud.michael@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Cc:** Valentine, Julia <Valentine.Julia@epa.gov>
> **Subject:** FW: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)
>
> Amy and Michael,
>
> AP is looking for a report, mentioned on EPA's site, about Superfund sites that might be impacted by storm surge.
>
> This inquiry came in before Harvey but has taken on new importance. The information (attached) has already been made publicly available, in response to a FOIA request.
>
> The original reporter deployed to Houston. Michael Biesecker is now the lead reporter, and he is pinging.
>
> OK to send him the report, and spreadsheet of locations?
>
> Thanks,
> Christie
>
> ---
>
> **From:** StClair, Christie
> **Sent:** Wednesday, August 23, 2017 11:12 AM
> **To:** Valentine, Julia <Valentine.Julia@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Subject:** RE: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)
>
> Amy,
>
> Here are the attachments.

Christie

From: Valentine, Julia
Sent: Tuesday, August 22, 2017 5:21 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: StClair, Christie <StClair.Christie@epa.gov>
Subject: Re: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Amy, attachment is also included on the "Open Inquiries" email I sent about an hour ago.

Julia P. Valentine
Office of Media Relations
202.564.2663
Sent from USEPA iPhone

On Aug 22, 2017, at 5:18 PM, Graham, Amy <graham.amy@epa.gov> wrote:

Please resend the attachment

From: StClair, Christie
Sent: Tuesday, August 22, 2017 5:11 PM
To: Press <Press@epa.gov>
Subject: RE: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Reporter is pinging. This info has already been shared publicly. OK to send it to him?

From: StClair, Christie
Sent: Tuesday, August 22, 2017 10:38 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: AP (Jason Dearen): Superfund storm surge (ddl flex)

Background: Jason Dearen of the AP is working on a feature story for storm season, focused on Superfund sites and storm surge. He's just starting his story research, and he is looking for the "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. It's the one mentioned here: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts. The 2012 report, and accompanying spreadsheet of locations, was already made public in response to a FOIA request. Reporter: Jason Dearen, AP, jdearen@ap.org.

Proposed response: **Deliberative Process / Ex. 5**

From: Dearen, Jason H. [mailto:JDearen@ap.org]
Sent: Thursday, August 17, 2017 1:26 PM
To: Press <Press@epa.gov>
Subject: Associated Press Request -- Superfund

Hi there.
I'm an AP environment reporter and am writing to request information for a story about Superfund sites and storm surge I'm working on.

EPA conducted a "screening analysis" related to Superfund sites within or near floodplains or sea level rise zones. I'm looking to obtain a copy of this screening analysis, and the results highlighted below.

A screening analysis by EPA evaluated how the vulnerabilities may affect soil, sediment and groundwater remedies involving technologies such as soil vapor extraction, bioremediation, permeable reactive barriers and pump-and-treat (P&T) systems, or involving strategies such as monitored natural attenuation or ex-situ containment. The analysis identified Superfund sites near or within 100-year and 500-year floodplains and Superfund sites within a 1-meter sea level rise zone. Results showed that cleanup projects involving P&T technology for groundwater remediation and on-site systems for contaminant source containment may be particularly vulnerable to climate change. This is because of their frequent use, general design and often lengthy duration.

Here is the EPA webpage featuring the text above: https://www.epa.gov/superfund/superfund-climate-change-adaptation#impacts

Thanks very much. I can be reached at 352-213-9949.

Regards,
Jason Dearen/AP

<image002.jpg>

Jason Dearen -- Correspondent
The Associated Press
PO Box 5696
Gainesville, FL 32627
T 352.213.9949
Twitter: @JHDearen
Email: jdearen@ap.org
www.ap.org

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<Locations.xlsx>

<Adaptation Summary Report_2_16_12 Final.pdf>

Message

From: Gray, David [gray.david@epa.gov]
Sent: 8/29/2017 2:07:42 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: Fwd: HH2017COM0829 - INFORMATION, 0900 media clips
Attachments: HH2017COM0829 0900 media clips.pdf; ATT00001.htm

Subject: HH2017COM0829 - INFORMATION, 0900 media clips

Please note: All articles are available in the attached PDF.

1 — Relief from rains expected as Harvey moves east, Houston Chronicle, 8/29/2017
http://www.chron.com/news/houston-weather/hurricaneharvey/article/Rain-predicted-Monday-in-Harvey-s-wake-12045632.php
Houston residents should see some relief from torrential downpours and flooding later Tuesday, as Tropical Storm Harvey moves northeast into Louisiana, according to the National Weather Service.

2 — Harvey's track will now bring it through Louisiana, New Orleans Times-Picayune, 8/29/2017
http://www.nola.com/hurricane/index.ssf/2017/08/harvey_heads_louisiana_rain.html#incart_river_home
Metro New Orleans and all of Southeast Louisiana remain under a flash flood watch Tuesday morning in anticipation of Tropical Storm Harvey. Forecasters said the storm could dump up to 6 inches through Friday morning in the metro area.

3 — Refineries now facing brunt of Harvey-related flooding, Platts, 8/28/2017
https://www.platts.com/latest-news/oil/newyork/oil-factbox-refineries-now-facing-brunt-of-harvey-21772848
Oil and gas companies on the Texas Gulf Coast were dealing Monday with the impact of Tropical Storm Harvey, which was unleashing torrential rains and flooding in the Houston area after making landfall Saturday near Corpus Christi.

4 — EPA to Expand Fuel Waivers in Texas Areas, Louisiana, US News & World Report, 8/28/2017
https://www.usnews.com/news/top-news/articles/2017-08-28/us-epa-to-expand-fuel-waivers-in-texas-areas-louisiana-source
The U.S. Environmental Protection Agency will lift as soon as Monday additional gasoline and diesel fuel requirements for more areas of Texas and for Louisiana to address potential shortages caused by Tropical Storm Harvey, a source familiar with the process told Reuters.

5 — Water Contamination a Concern After Hurricane Harvey, BNA, 8/28/2017
https://www.bna.com/water-contamination-concern-n73014463778/
The Environmental Protection Agency is prioritizing search and rescue for those who were stranded by the storm, but federal and state environmental agencies in the Houston and Galveston areas may soon face contaminated drinking water and flooded wastewater plants.

6 — Public health dangers loom in Harvey-hit areas, AP, 8/28/2017
http://www.wacotrib.com/news/ap_texas/public-health-dangers-loom-in-harvey-hit-areas/article_9da3d88d-2a20-5e45-9350-8e7ad6d10787.html
The muddy floodwaters now soaking through drywall, carpeting, mattresses and furniture in Houston will pose a massive cleanup challenge with potential public health consequences.

7— Levees could be at risk in Fort Bend, Brazoria counties, Houston Chronicle, 8/28/17
http://www.houstonchronicle.com/news/houston-weather/hurricaneharvey/article/Harvey-Aftermath-Levees-could-be-at-risk-in-Fort-12079655.php
Mandatory evacuations were ordered in Fort Bend and Brazoria County Monday as the Brazos River rose toward historic heights, putting a string of levees at risk of failure.

8 — Harvey sends gasoline prices climbing, deepens Venezuela's suffering, Washington Post, 8/28/17
http://wapo.st/2iDXIcv
Hurricane Harvey's strike at the heart of the U.S. oil and gas industry caused backups throughout the petroleum system on Monday, from storage tanks in Cushing, Okla. to tankers waiting for gulf ports to reopen, and set U.S. gasoline prices soaring to the highest levels in two years.

9 — Williams Cos. says its pipeline was source of chemical leak during Harvey, Houston Chronicle, 8/29/17
http://www.chron.com/business/energy/article/Williams-Cos-claims-pipeline-that-caused-12123985.php
Oklahoma's Williams Cos. says it was its pipeline that leaked dangerous chemicals Monday at La Porte and triggered an emergency shelter-in-place warning amid floodwaters.

10 — Harvey prompts federal health emergency declaration for Louisiana, Baton Rouge Advocate, 8/28/17
http://www.theadvocate.com/baton_rouge/news/politics/article_b42df038-8c57-11e7-a844-cf02b1f00561.html
U.S. Department of Health and Human Services Secretary Dr. Tom Price has issued a public health emergency for Louisiana as the state braces for Tropical Storm Harvey, loosening some restrictions for hundreds of thousands of Louisiana residents who rely on federal health care programs.

11 — What UST owners can do after a flood, The Oklahoma, 8/25/17
http://www.nacsonline.com/YourBusiness/FuelsCenter/Operations/News/Pages/ND0829171.aspx#.WaVtErKGMnQ
Approximately 558,000 underground storage tanks (USTs) in the United States store gasoline or hazardous substances, and these UST systems can be vulnerable to damage during natural disasters like Hurricane Harvey—and can even release regulated substances into the environment. Before returning a damaged UST to service, the owner or operator needs to ensure the system has been properly evaluated and restored to safe operating condition.
12 — Explosion, fire at downtown building amid flooding, Houston Chronicle, 8/28/17
http://www.chron.com/150years/article/Explosion-fire-at-downtown-building-amid-flooding-12060313.php

An explosion has caused a significant fire to the offices of Lone Star Legal Aid in downtown Houston.

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/5/2017 10:21:48 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Fwd: AP and Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Traylor, Patrick" <traylor.patrick@epa.gov>
> **Date:** September 5, 2017 at 6:01:11 PM EDT
> **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
> **Subject: AP and Superfund**
>
> I got a report today from Region 6 that an AP reporter cut the locks to enter a Superfund site. Are you up on that? Cheryl Seager in Dallas can give you details.
>
> **Patrick Traylor**
> Deputy Assistant Administrator
> Office of Enforcement and Compliance Assurance
> U.S. Environmental Protection Agency
> (202) 564-5238 (office)
> Ex. 6 (cell)

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/2/2017 11:09:41 PM
To: Coleman, Sam [Coleman.Sam@epa.gov]
CC: Forsgren, Lee [Forsgren.Lee@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Gray, David [gray.david@epa.gov]; Wagner, Kenneth [wagner.kenneth@epa.gov]
Subject: Re: Water

Okay calling in

Sent from my iPhone

On Sep 2, 2017, at 7:09 PM, Coleman, Sam <Coleman.Sam@epa.gov> wrote:

> 10 min now is enough.
>
> Samuel Coleman, P. E.,
> Deputy Regional Administrator
>
> 214.665.2100 Ofc
> 214.665. 3110 Desk
> Ex. 6 Cell
>
> Coleman.sam@epa.gov
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 6:07 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
>> Is this now, or can we schedule it for first thing tomorrow? Fine either way, just need to know
>
>> **From:** Coleman, Sam
>> **Sent:** Saturday, September 2, 2017 7:04 PM
>> **To:** Forsgren, Lee <Forsgren.Lee@epa.gov>
>> **Cc:** Jackson, Ryan <jackson.ryan@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>
>> **Subject:** Re: Water
>
>> Ex. 6
>> Code Ex. 6
>
>> Samuel Coleman, P. E.,
>> Deputy Regional Administrator
>
>> 214.665.2100 Ofc
>> 214.665. 3110 Desk

Ex. 6 Cell

Coleman.sam@epa.gov

Sent from my iPhone

On Sep 2, 2017, at 6:02 PM, Forsgren, Lee <Forsgren.Lee@epa.gov> wrote:

> I can do a call in now.
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 7:01 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:
>
> > Now?
> >
> > _____
> > Ryan Jackson
> > Chief of Staff
> > U.S. EPA
> > Ex. 6
> >
> > On Sep 2, 2017, at 6:57 PM, Coleman, Sam <Coleman.Sam@epa.gov> wrote:
> >
> > > We should all talk sometime.
> > >
> > > Samuel Coleman, P. E.,
> > > Deputy Regional Administrator
> > >
> > > 214.665.2100 Ofc
> > > 214.665. 3110 Desk
> > > Ex. 6 Cell
> > >
> > > Coleman.sam@epa.gov
> > >
> > > Sent from my iPhone
> > >
> > > On Sep 2, 2017, at 5:46 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:
> > >
> > > > Below is what hq eoc
> > > > water desk
> > > > sent to lee f
> > > >
> > > > Thx ng
> > > >
> > > > Sent from my iPhone

Begin forwarded message:

From: EOC Public Information <EOC_Public_Information@epa.gov>
Date: September 2, 2017 at 5:03:44 PM EDT
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Subject: Fw: Water

From: Forsgren, Lee
Sent: Saturday, September 2, 2017 4:59 PM

To: EOC Water
Cc: R6HarveyENVL; EOC Environmental Unit; EOC Public Information
Subject: Re: Superfund

This looks good to me

Sent from my iPhone

On Sep 2, 2017, at 4:47 PM, EOC Water <EOC_Water@epa.gov> wrote:

> Please let

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"Coleman, Sam" <Coleman.Sam@epa.gov>, "Kelly, Albert"

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nnethh@epa.gov>,"Greenwalt,Sarah"<greenwalt.sarah@

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Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

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Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/2/2017 8:57:31 PM
To: Graham, Amy [graham.amy@epa.gov]
Subject: RE: Superfund

Deliberative Process / Ex. 5

From: Graham, Amy
Sent: Saturday, September 2, 2017 4:39 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Superfund

All good. I'm out running around but I can help push the statement out to individual reporters once it's ready.

Sent from my iPhone

On Sep 2, 2017, at 4:37 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Oh okay…I just felt bad b/c I was just trying to let (at least one of us, ha) have a vacation!
>
> **From:** Graham, Amy
> **Sent:** Saturday, September 2, 2017 4:25 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: Superfund
>
> **Deliberative Process / Ex. 5**
>
> On Sep 2, 2017, at 4:21 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
> **Deliberative Process / Ex. 5**
>
> > **From:** Graham, Amy
> > **Sent:** Saturday, September 2, 2017 4:13 PM
> > **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> > **Subject:** Re: Superfund
> >
> > **Deliberative Process / Ex. 5**
> >
> > Sent from my iPhone
> >
> > On Sep 2, 2017, at 4:10 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

UPDATED and proofread…I am posting this on Twitter, and asking Julia to send it out via press release.

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 2, 2017 3:57 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

NICE!!

conveyed to the WH. Let's blast this out.

_____
Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6

On Sep 2, 2017, at 3:51 PM, Gray, David <gray.david@epa.gov> wrote:
Ex. 6
Start with this

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:38 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

I need this translated. It is not clear on this what information is being conveyed.

_____
Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6 [redacted]

Ex. 6

On Sep 2, 2017, at 3:32 PM, Gray, David <gray.david@epa.gov> wrote:

Here is the status of work at each Superfund site within the impacted area. We are working on a summary statement.

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:21 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

However superfund is the priority. The WH is asking for it now. I'm sure they are responding to questions.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:09 PM, Gray, David <gray.david@epa.gov> wrote:

> Got it
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 3:02 PM, Bowman, Liz <Bowman.Liz@epa.gov > wrote:

Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but

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We just need a bullet or a sentence for each site.

Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov

> **Subject**: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.g

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<gray.david@epa.gov>

Subject: RE: Superfund

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.Christie@epa.gov>**Cc:** Press<Press@epa.gov>; Gray, David<

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Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 0

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Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/2/2017 8:20:06 PM
To: Greenwalt, Sarah [greenwalt.sarah@epa.gov]
Subject: RE: Superfund

Thanks – Apparently, David has a bunch of "edits" (to his version), so it isn't final yet.

From: Greenwalt, Sarah
Sent: Saturday, September 2, 2017 4:16 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Superfund

Deliberative Process / Ex. 5

Sarah A. Greenwalt
Senior Advisor to the Administrator
for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6
Greenwalt.Sarah@epa.gov

From: Bowman, Liz
Sent: Saturday, September 2, 2017 4:13 PM
To: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: RE: Superfund

I added that

From: Greenwalt, Sarah
Sent: Saturday, September 2, 2017 4:05 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Superfund

Deliberative Process / Ex. 5

Sarah A. Greenwalt
Senior Advisor to the Administrator
for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6
Greenwalt.Sarah@epa.gov

From: Bowman, Liz
Sent: Saturday, September 2, 2017 4:04 PM

To: Jackson, Ryan <jackson.ryan@epa.gov>; Gray, David <gray.david@epa.gov>
Cc: Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Superfund

I am going to post this on Twitter as well:

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 2, 2017 3:57 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

NICE!!

conveyed to the WH. Let's blast this out.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:51 PM, Gray, David <gray.david@epa.gov> wrote:

Start with this

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:38 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

I need this translated. It is not clear on this what information is being conveyed.

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:32 PM, Gray, David <gray.david@epa.gov> wrote:

Here is the status of work at each Superfund site within the impacted area. We are working on a summary statement.

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:21 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

However superfund is the priority. The WH is asking for it now. I'm sure they are responding to questions.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:09 PM, Gray, David <gray.david@epa.gov> wrote:

> Got it
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 3:02 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
>> Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.
>>
>> Separately, we need to get some information about exactly what we are doing, when and how, with

regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
>
> That's correct. We will begin to assess other sites after flood waters recede in those areas.
>
> ---
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Friday, September 1, 2017 1:09 PM
> **To:** Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>; Gray, David

<gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates

leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

<image001

1100 13 St.
Washingto

T 202-641-
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 9/1/2017 7:52:58 PM
To: Graham, Amy [graham.amy@epa.gov]; Gray, David [gray.david@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Superfund

That's fine, thanks. **Deliberative Process / Ex. 5**

From: Graham, Amy
Sent: Friday, September 1, 2017 3:47 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: Superfund

I plan to send the following response unless others have another suggestion:

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 3:39 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

In 2012, EPA conducted a nationwide assessment of the increased threat to Superfund sites poised by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the study, 521 were determined to be located in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites located in coastal areas could also be vulnerable to rising sea levels.

The report lists two dozen Superfund sites that were determined to be the most vulnerable to flooding and sea-level rise associated with climate change. One of those, the Bailey Waste Disposal site in Bridge City, Texas, is currently under about 20 feet of water.

As part of its review, has Administrator Pruitt's Superfund Task Force reviewed this issue?

Pruitt himself has called climate scientists predictions of stronger storms "alarmist." Has Hurricane Harvey has any impact on his views?

Please provide on-the-record comment. I am writing on deadline for today.

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:53 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

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Sent: Friday, September 1, 2017 1:09 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

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Cc: Press <Press@epa.gov>
Subject: Superfund

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I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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Message

From: Greenwalt, Sarah [greenwalt.sarah@epa.gov]
Sent: 9/2/2017 7:57:44 PM
To: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: RE: Superfund

Deliberative Process / Ex. 5

Sarah A. Greenwalt
Senior Advisor to the Administrator
for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6
Greenwalt.Sarah@epa.gov

From: Ferguson, Lincoln
Sent: Saturday, September 2, 2017 3:54 PM
To: Greenwalt, Sarah <greenwalt.sarah@epa.gov>
Subject: Re: Superfund

Thank you for keeping me in the loop

Sent from my iPhone

On Sep 2, 2017, at 3:53 PM, Greenwalt, Sarah <greenwalt.sarah@epa.gov> wrote:

FYI

Sarah A. Greenwalt
Senior Advisor to the Administrator
for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6
Greenwalt.Sarah@epa.gov

From: Gray, David
Sent: Saturday, September 2, 2017 3:51 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
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Start with this

Deliberative Process / Ex. 5

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I need this translated. It is not clear on this what information is being conveyed.

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Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

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Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

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> Got it
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regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

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Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
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Michael

<image001.jpg>

Michael Biesecker
Reporter
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Public Key

<image001

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

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U.S. EPA

Ex. 6

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From: "Gray, David" <gray.david@epa.gov>
Date: September 2, 2017 at 3:51:08 PM EDT
To: "Jackson, Ryan" <jackson.ryan@epa.gov>
Cc: "Bowman, Liz" <Bowman.Liz@epa.gov>, "Coleman, Sam" <Coleman.Sam@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Wagner, Kenneth" <wagner.kenneth@epa.gov>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, "Forsgren, Lee" <Forsgren.Lee@epa.gov>, "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
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Start with this

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

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> **Sent:** Friday, September 01, 2017 1:04 PM
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> **Cc:** Press; Gray, David
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Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

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Michael

<image001.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Ferguson, Lincoln [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=08CD7F82606244DE96B61B96681C46DE-FERGUSON, L]
Sent: 4/18/2018 5:52:31 PM
To: Hupp, Millan [hupp.millan@epa.gov]
Subject: FW: Questions regarding Pruitt coach flights to Tulsa

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, April 18, 2018 1:42 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Questions regarding Pruitt coach flights to Tulsa

Liz, Jahan,

AP is preparing to report that EPA records confirm that Administrator Pruitt flew in coach-class seats to Oklahoma on at least two occasions last year when the agency wasn't paying for his ticket. Both instances were for legs of EPA-funded trips on which Ken Wagner was traveling with the administrator.

You'll remember that AP reported earlier this month that an EPA official said Pruitt flew home on weekend trips for Oklahoma Sooners football games using a companion pass obtained with Wagner's frequent flyer miles. Ethics experts say that is a potential violation of federal ethics rules barring officials from accepting gifts from their subordinates that have a market value of more than $10.

Please provide on the record response to two questions:

1) If the administrator needed to fly in premium class seats due to security concerns, as both he and the agency have claimed, then why did he fly coach when the agency wasn't paying?
2) Did the administrator consult with EPA ethics counsel before accepting a companion pass from Wagner, a federal employee who is his subordinate? If so, did he receive a waiver allowing him to accept the airfare as a gift?

I'm writing on deadline, so a quick response would be appreciated.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

Twitter: @mbieseck
Public Key

T 202-641-9445
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Message

From: Graham, Amy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=26722DFDE5B34925B0AD9A8DD4AFF308-GRAHAM, AMY]
Sent: 9/5/2017 11:30:07 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Gray, David" <gray.david@epa.gov>
Date: September 1, 2017 at 12:23:26 PM EDT
To: "Graham, Amy" <graham.amy@epa.gov>, "Bowman, Liz" <Bowman.Liz@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, EOC Public Information <EOC_Public_Information@epa.gov>
Subject: RE: Superfund

The two sites and update were in yesterday's update.

From: Graham, Amy
Sent: Friday, September 01, 2017 11:17 AM
To: Gray, David <gray.david@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; EOC Public Information <EOC_Public_Information@epa.gov>
Subject: FW: Superfund

See the note below about Superfunds

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
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To: Gray, David [gray.david@epa.gov]
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Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Sent: 9/2/2017 7:29:15 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Gray, David [gray.david@epa.gov]; Gentile, Laura [Gentile.Laura@epa.gov]
Subject: Re: Superfund

Got it. I'm happy to do the writing if someone can pull the info together.

Sent from my iPhone

On Sep 2, 2017, at 3:28 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

> They are doing superfund first .. I will check with the water desk now
>
> **Nancy Grantham**
> **Office of Public Affairs**
> **US Environmental Protection Agency**
> **202-564-6879 (desk)**
> **202-253-7056 (mobile)**
>
> ---
>
> **From:** Drinkard, Andrea
> **Sent:** Saturday, September 02, 2017 3:13 PM
> **To:** Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
> **Subject:** Re: Superfund
>
> Do want me to get with HQ folks on the water stuff? Or do you have it? Whatever is easiest/most efficient. Standing by until I hear from one of you, so I don't duplicate work/confuse things.
>
> Sent from my iPhone
>
> On Sep 2, 2017, at 3:09 PM, Gray, David <gray.david@epa.gov> wrote:
>
>> Got it
>>
>> Sent from my iPhone
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>> On Sep 2, 2017, at 3:02 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>>
>>> Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.

Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
>
> That's correct. We will begin to assess other sites after flood waters recede in those areas.

> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Friday, September 1, 2017 1:09 PM
> **To:** Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
> **Subject:** RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

<image001.jpg> <image001.jpg>

Michael Biesecker 1100 13 St. NW, Su

Reporter
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Twitter: @mbieseck
Public Key

Washington, D.C. 2

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Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 9/1/2017 4:19:48 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Valentine, Julia [Valentine.Julia@epa.gov]
Subject: HH - FW: Superfund

Nancy and Amy, this is the inquiry I flagged for you last night.

Christie

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 01, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

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Message

From: Breen, Barry [Breen.Barry@epa.gov]
Sent: 9/2/2017 9:06:31 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Brooks, Becky [Brooks.Becky@epa.gov]; Cheatham, Reggie [cheatham.reggie@epa.gov]
Subject: Re: FINAL VERSION OF SUPERFUND RESPONSE

Very helpful. Thank you. Reggie and Becki, so you have

On Sep 2, 2017, at 4:51 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Statement going out now

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Saturday, September 02, 2017 4:40 PM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: FINAL VERSION OF SUPERFUND RESPONSE

Final below – David, please send this out to your lists – Jahan, if you have access to the system, can you also send it out? No harm in some people getting it twice. I can send it to the list of folks that Nancy sent me following the storm, and will be sure the White House and TCEQ have it. Thanks for your help – Liz

STATUS OF SUPERFUND SITES IN AREAS AFFECTED BY HARVEY

WASHINGTON (September 2, 2017) – *Despite misleading and inaccurate reporting, the facts are that EPA and TCEQ are working together, along with other local, state, and federal authorities and emergency responders around the clock to address the human health and environmental impacts of Hurricane Harvey and its effects, especially historic and devastating flooding throughout Southeast Texas. With regard to the status of Superfund sites:*

> EPA has conducted initial assessments at 41 Superfund sites in the impacted areas using aerial images, as well as direct contact with the parties responsible for on-going cleanup activities. EPA has determined that 28 Superfund sites in the area do not currently show damage or excessive flooding associated with Harvey. EPA determined that 13 sites have been flooded and/or are experiencing possible damage due to the storm. Of these sites, two (Falcon Refinery and the Brine Service) have been inspected and it has been determined that they do not require emergency cleanup; although, additional sampling in the area will continue to be conducted.
>
> Eleven sites, including: Bailey Waste Disposal, French LTD, Geneva Industries/Fuhrmann Energy, Gulfco Marine, Highland Acid Pit, Malone Services, U.S. Oil Recovery, Patrick Bayou, Petro-Chemical Systems, Triangle Chemical, and San Jacinto Waste Pits have not been accessible by response personnel. Teams

are in place to investigate possible damage to these sites as soon flood waters recede, and personnel are able to safely access the sites.

The San Jacinto Waste Pits site has a temporary armored cap designed to prevent migration of hazardous material; the cap will be inspected as soon as it is safe for teams access the site. Based on forecasted river conditions, this inspection is planned for Monday, by boat. EPA has dive teams to survey the cap underwater when conditions allow.

EPA, TCEQ and other authorities will continue to provide additional updates as we gather them. We encourage the community to continue to follow the expert safety advice of local officials.

For additional information from TCEQ, please visit: https://www.tceq.texas.gov/response/hurricanes

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 4:21 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Gray, David <gray.david@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Konkus, John <konkus.john@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Re: CURRENT VERSION OF SUPERFUND RESPONSE

Good with me. I don't know that the AP story is technically inaccurate based on the information we had when we responded yesterday but it is certainly misleading.

Sent from my iPhone

On Sep 2, 2017, at 4:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Okay, this is the current version – work from this...also, please reply ALL so that everyone is on the same page. Moving forward, we need to finalize completely internally before we send to Ryan b/c he doesn't need all the back and forth, and his assumption is that once it makes it to him, it's final. So, let's work from this version, make any necessary edits, and then I will send the final to Ryan, Ken, Sam and TCEQ.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

From: Gray, David
Sent: Saturday, September 2, 2017 4:13 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Superfund

HOLD

From: Grantham, Nancy
Sent: Saturday, September 02, 2017 3:13 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

Liz .. david's folks can send it out and post it … I have julia's schedule and she may be out of pocket.

David's folks sent last night's statement.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Bowman, Liz
Sent: Saturday, September 02, 2017 4:10 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Gray, David <gray.david@epa.gov>
Cc: Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Superfund

UPDATED and proofread...I am posting this on Twitter, and asking Julia to send it out via press release.

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 2, 2017 3:57 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

NICE!!

conveyed to the WH. Let's blast this out.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:51 PM, Gray, David <gray.david@epa.gov> wrote:

Start with this

Deliberative Process / Ex. 5

From: Jackson, Ryan
Sent: Saturday, September 02, 2017 2:38 PM
To: Gray, David <gray.david@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Superfund

I need this translated. It is not clear on this what information is being conveyed.

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Sep 2, 2017, at 3:32 PM, Gray, David <gray.david@epa.gov> wrote:

> Here is the status of work at each Superfund site within the impacted area. We are working on a summary statement.
>
> ---
>
> **From:** Jackson, Ryan
> **Sent:** Saturday, September 02, 2017 2:21 PM
> **To:** Gray, David <gray.david@epa.gov>
> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Coleman, Sam <Coleman.Sam@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
> **Subject:** Re: Superfund
>
> However superfund is the priority. The WH is asking for it now. I'm sure they are responding to questions.
>
> _____
> Ryan Jackson
> Chief of Staff
> U.S. EPA
>
> **Ex. 6**
>
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I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

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Thank you for your help and assistance, especially on a Holiday weekend -- Liz

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Subject: Fwd: Superfund

Sent from my iPhone

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Date: September 1, 2017 at 1:53:27 PM EDT
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Cc: Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
Subject: RE: Superfund

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Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the

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Sent: Friday, September 01, 2017 1:04 PM
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Cc: Press; Gray, David
Subject: RE: Superfund

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Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
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<image001.jpg>

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Twitter: @mbieseck
Public Key

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<Hurricane Harvey rapid response and inspection sheet 9-2-17.xlsx>

Message

From: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Sent: 9/2/2017 9:01:56 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: Re: Superfund

Thanks! Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Please disregard if not helpful. I don't mean to be speaking from the peanut gallery.

Sent from my iPhone

On Sep 2, 2017, at 4:54 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

This is what went to lee

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: EOC Public Information
Sent: Saturday, September 02, 2017 4:52 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: Fw: Superfund

From: EOC Water
Sent: Saturday, September 2, 2017 4:47 PM
To: Forsgren, Lee
Cc: R6HarveyENVL; EOC Environmental Unit; EOC Public Information
Subject: Re: Superfund

Please let me know if this is helpful:

- EPA and TCEQ are aware that releases of wastewater from sanitary sewers occur during major flood events. The Agencies actively work to monitor those facilities that have reported spills, as well as conducting outreach and providing technical guidance to all other wastewater facilities in flood-impacted areas.

- EPA water quality sampling plans for Hurricane Harvey flood water are focused on industrial facilities and hazardous waste sites. On Friday, Sept. 1, EPA collected surface water runoff samples downstream of the Arkema facility at four locations outside the exclusion zone near a residential area.

- EPA will continue to take additional samples of Hurricane Harvey flood water in the vicinity of the Arkema Plant to document changes in the concentration of chemicals, and will maintain a 24-hour presence at the incident command operations center.

- EPA is also developing a plan for sampling and monitoring residential wells, in case TCEQ requests assistance in conducting this mission.

Kevin Tingley
EOC Water Desk

From: Forsgren, Lee
Sent: Saturday, September 2, 2017 4:20:26 PM
To: EOC Water
Subject: Re: Superfund

Thanks

Sent from my iPhone

On Sep 2, 2017, at 4:15 PM, EOC Water <EOC_Water@epa.gov> wrote:

> Lee,
> I will get you a bullet or two soon.
>
> Kevin Tingley
> EOC Water Desk
>
> ---
>
> **From:** Forsgren, Lee
> **Sent:** Saturday, September 2, 2017 3:32:11 PM
> **To:** EOC Water
> **Subject:** Fwd: Superfund
>
> Can you find anything that would be helpful to this effort?
>
> Lee
>
> Sent from my iPhone
>
> Begin forwarded message:
>
>> **From:** "Bowman, Liz" <Bowman.Liz@epa.gov>
>> **Date:** September 2, 2017 at 3:02:38 PM EDT
>> **To:** "Gray, David" <gray.david@epa.gov>, "Coleman, Sam" <Coleman.Sam@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Wagner, Kenneth" <wagner.kenneth@epa.gov>, "Greenwalt, Sarah" <greenwalt.sarah@epa.gov>, "Forsgren, Lee" <Forsgren.Lee@epa.gov>, "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>
>> **Cc:** "Jackson, Ryan" <jackson.ryan@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Graham, Amy"

<graham.amy@epa.gov>, "Hewitt, James" <hewitt.james@epa.gov>, "Abboud, Michael" <abboud.michael@epa.gov>
Subject: FW: Superfund

Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.

Separately, we need to get some information about exactly what we are doing, when and how, with regard to water testing in Houston. I am copying the Water folks here, so they can also assist with this information.

I am working on a draft statement now using the most recent EOC report; **but, please send us additional details on specific Superfund sites and water testing details as soon as possible – with the next few hours, so we can work that into our statement.**

I am going to connect with TCEQ so they know that we are working on this statement also.

Thank you for your help and assistance, especially on a Holiday weekend -- Liz

---

From: Graham, Amy
Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

From: "Graham, Amy" <graham.amy@epa.gov>
Date: September 1, 2017 at 1:53:27 PM EDT
To: "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 1:09 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the

Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

AP

ASSOCIATED PRESS

Michael Biesecker

Reporter

mbiesecker@ap.org

Twitter: @mbieseck

Public Key

1100 13 St. NW, S

Washington, D.C.

T 202-641-9445

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Message

From: Grantham, Nancy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=12A3C2ED7158417FB0BB1B1B72A8CFB0-GRANTHAM, NANCY]
Sent: 4/18/2018 7:08:31 PM
To: Wooden-Aguilar, Helena [Wooden-Aguilar.Helena@epa.gov]; Richardson, RobinH [Richardson.RobinH@epa.gov]; Vizian, Donna [Vizian.Donna@epa.gov]
Subject: FW: Questions regarding Pruitt coach flights to Tulsa

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Wilcox, Jahan
Sent: Wednesday, April 18, 2018 3:04 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

If the administrator needed to fly in premium class seats due to security concerns, as both he and the agency have claimed, then why did he fly coach when the agency wasn't paying?

"The same security procedures are followed whether Administrator Pruitt is on official or personal travel." – Jahan Wilcox, EPA Spokesman

Did the administrator consult with EPA ethics counsel before accepting a companion pass from Wagner, a federal employee who is his subordinate? If so, did he receive a waiver allowing him to accept the airfare as a gift?

"A companion pass enables one person who has a ticket for a flight to then buy a second, or, companion, ticket for $5.60 in fees. In the instances where the Administrator flew on a companion ticket, he has paid the $5.60 fee for the second ticket he used plus one-half of the cost of Mr. Wagner's ticket. EPA's ethics officials were asked whether any additional steps needed to be taken to ensure full compliance with the ethics requirements and are consulting with the Office of Government Ethics on the response." – Kevin Minoli, Principal Deputy General Counsel

From: Wilcox, Jahan
Sent: Wednesday, April 18, 2018 2:28 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; 'Feldman, Carole' <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Responses will be coming shortly.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, April 18, 2018 1:42 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Questions regarding Pruitt coach flights to Tulsa

Liz, Jahan,

AP is preparing to report that EPA records confirm that Administrator Pruitt flew in coach-class seats to Oklahoma on at least two occasions last year when the agency wasn't paying for his ticket. Both instances were for legs of EPA-funded trips on which Ken Wagner was traveling with the administrator.

You'll remember that AP reported earlier this month that an EPA official said Pruitt flew home on weekend trips for Oklahoma Sooners football games using a companion pass obtained with Wagner's frequent flyer miles. Ethics experts say that is a potential violation of federal ethics rules barring officials from accepting gifts from their subordinates that have a market value of more than $10.

Please provide on the record response to two questions:

1) If the administrator needed to fly in premium class seats due to security concerns, as both he and the agency have claimed, then why did he fly coach when the agency wasn't paying?

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I'm writing on deadline, so a quick response would be appreciated.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
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Sent: 4/18/2018 6:32:53 PM
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Subject: FW: Questions regarding Pruitt coach flights to Tulsa

See press inquiry on the buddy pass issue

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Office of Public Affairs
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Thanks,

Michael

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Message

From: Greenwalt, Sarah [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C13775B8F424E90802669B87B135024-GREENWALT,]
Sent: 9/2/2017 7:26:24 PM
To: Shapiro, Mike [Shapiro.Mike@epa.gov]
Subject: FW: Superfund

FYI. I'm jumping on a call with TCEQ in the next few minutes.

Sarah A. Greenwalt
Senior Advisor to the Administrator
for Water and Cross-Cutting Issues

U.S. Environmental Protection Agency
Work: 202-564-1722 | Cell: Ex. 6
Greenwalt.Sarah@epa.gov

From: Jackson, Ryan
Sent: Saturday, September 2, 2017 3:10 PM
To: Coleman, Sam <Coleman.Sam@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Gray, David <gray.david@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Wagner, Kenneth <wagner.kenneth@epa.gov>; Greenwalt, Sarah <greenwalt.sarah@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Edlund, Carl <Edlund.Carl@epa.gov>; Peterson, Mary <Peterson.Mary@epa.gov>
Subject: Re: Superfund

Thanks. Deliberative Process / Ex. 5
Deliberative Process / Ex. 5

Ryan Jackson
Chief of Staff
U.S. EPA
Ex. 6

On Sep 2, 2017, at 3:08 PM, Coleman, Sam <Coleman.Sam@epa.gov> wrote:

> Just talked to David. He will work up some points for this.
>
> Samuel Coleman, P. E.,
> Deputy Regional Administrator
>
> 214.665.2100 Ofc
> 214.665. 3110 Desk
> Ex. 6 Cell
>
> Coleman.sam@epa.gov
>
> Sent from my iPhone

On Sep 2, 2017, at 2:02 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Below is the exchange that spurred the AP story today saying that "no EPA personnel were on scene" at these Superfunds. Now, this reporter is manufacturing this in way that doesn't do justice to the hard-working folks on the ground who have been working around the clock ...but we need to get ahead of this and the next story, which will likely be about how we are testing water quality for drinking and waste water systems. Can you guys get your teams to pull together a list of each superfund site in the area (30-33?) and the status report for each site? We just need a bullet or a sentence for each site.

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---

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Sent: Saturday, September 2, 2017 2:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 1:53:27 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
>
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Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

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Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

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I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Washington, D.C. 20005-40

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Message

From: Jones, Enesta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65B8E6C6E5CA4A7A9AE85D98A4C8EEDB-EJONES02]
Sent: 9/1/2017 8:12:48 PM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: Fwd: Superfund

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: "Biesecker, Michael" <MBiesecker@ap.org>
Date: September 1, 2017 at 3:10:34 PM CDT
To: "Graham, Amy" <graham.amy@epa.gov>, "StClair, Christie" <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
Subject: RE: Superfund

I would politely refer you back to AP's earlier report on the issue.

Scientists say warming makes storms, like Harvey, wetter
https://apnews.com/e79f182ed4f14d6ebd63b137fbd7009b/Scientists-say-warming-makes-storms,-like-Harvey,-wetter

---

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 4:07 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael – Here is our statement:

"EPA is focused on the safety of those affected by Hurricane Harvey and providing emergency response support - not engaging in attempts to politicize an ongoing tragedy." -- Liz Bowman, EPA spokesperson

Off the record - also wanted to share the following article:

Daily Caller
http://dailycaller.com/2017/08/30/consensus-still-no-connection-between-global-warming-and-floods/
CONSENSUS: Still No Connection Between Global Warming And Floods
By Michael Bastasch, 8/30/17

As scientists and media pundits debate human activity's role in Hurricane Harvey, a new study finds no evidence global warming increased flooding over North America and Europe.

A study published in the Journal of Hydrology found "the number of significant trends in major-flood occurrence across North America and Europe was approximately the number expected due to chance alone."

In fact, the study only adds to the Intergovernmental Panel on Climate Change's (IPCC) 2013 findings that there's little to no evidence of increased flooding across the world amid rising temperatures. IPCC findings are regarded as scientific "consensus" by most climate scientists.

"The results of this study, for North America and Europe, provide a firmer foundation and support the conclusion of the IPCC that compelling evidence for increased flooding at a global scale is lacking," reads the study by an international team of scientists.

The team, led by U.S. Geological Survey scientist Glenn Hodgkins, examined data from hundreds of flood gauges, looking at periods from 1931 to 2010. What they found was flooding was more correlated with decadal natural ocean cycles than long-term global climate change.

"Generalizations about climate-driven changes in floods across large domains or diverse catchment types that are based upon small samples of catchments or short periods of record are ungrounded," the study found.

The study's findings support data from the Environmental Protection Agency (EPA). About 60 percent of locations where the EPA measures flooding show a decrease in "magnitude and intensity since 1965," according to University of Colorado professor Roger Pielke Jr.

Pielke also found that flood damage has been declining as a proportion of the U.S. economy since 1940 — that way you control for population growth and development.

Scientists predict man-made warming from greenhouse gas emissions will increase the frequency and severity of extreme weather events, like rainfall and storms. That, in turn, could increase flooding.

In the wake of Hurricane Harvey, scientists and media pundits have debated the storm's connection to global warming. Climate scientist Michael Mann arguedthat while human activity didn't "cause" the storm, sea level rise and higher ocean temperature made it more severe.

Harvey made landfall as a Category 4 hurricane Friday night. Rescuers have evacuated thousands of people from flooded homes, and at least 20 people have died.

A New York Times editor urged readers to ignore science and realize global warming played a role in Harvey's destructiveness.

The IPCC has found no significant upward trend in hurricanes, and National Oceanic and Atmospheric Administration scientists warned it was "premature to conclude that human activities ... have already had a detectable impact on Atlantic hurricane or global tropical cyclone activity."

Whatever the validity of Mann's argument, the Houston area experienced record levels or rainfall and thousands of residents had to flee their homes as the flood waters closed in. southeastern Texas and southern Louisiana have gotten about 25 trillion gallons of rain.

New Orleans officials worried they would be inundated with flooding for the second time in as many weeks after a water pump broke as Harvey turned north. The city was spared the worst of Harvey's rains, however, and there hasn't been much flooding.

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Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

In 2012, EPA conducted a nationwide assessment of the increased threat to Superfund sites poised by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the study, 521 were determined to be located in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites located in coastal areas could also be vulnerable to rising sea levels.

The report lists two dozen Superfund sites that were determined to be the most vulnerable to flooding and sea-level rise associated with climate change. One of those, the Bailey Waste Disposal site in Bridge City, Texas, is currently under about 20 feet of water.

As part of its review, has Administrator Pruitt's Superfund Task Force reviewed this issue?

Pruitt himself has called climate scientists predictions of stronger storms "alarmist." Has Hurricane Harvey has any impact on his views?

Please provide on-the-record comment. I am writing on deadline for today.

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From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 1:09 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Jones, Enesta [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=65B8E6C6E5CA4A7A9AE85D98A4C8EEDB-EJONES02]
Sent: 9/1/2017 8:07:47 PM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: Fwd: Superfund

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: "Graham, Amy" <graham.amy@epa.gov>
Date: September 1, 2017 at 3:07:13 PM CDT
To: "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
Subject: RE: Superfund

Michael – Here is our statement:

"EPA is focused on the safety of those affected by Hurricane Harvey and providing emergency response support - not engaging in attempts to politicize an ongoing tragedy." -- Liz Bowman, EPA spokesperson

Off the record - also wanted to share the following article:

Daily Caller
http://dailycaller.com/2017/08/30/consensus-still-no-connection-between-global-warming-and-floods/
CONSENSUS: Still No Connection Between Global Warming And Floods
By Michael Bastasch, 8/30/17

As scientists and media pundits debate human activity's role in Hurricane Harvey, a new study finds no evidence global warming increased flooding over North America and Europe.

A study published in the Journal of Hydrology found "the number of significant trends in major-flood occurrence across North America and Europe was approximately the number expected due to chance alone."

In fact, the study only adds to the Intergovernmental Panel on Climate Change's (IPCC) 2013 findings that there's little to no evidence of increased flooding across the world amid rising temperatures. IPCC findings are regarded as scientific "consensus" by most climate scientists.

"The results of this study, for North America and Europe, provide a firmer foundation and support the conclusion of the IPCC that compelling evidence for increased flooding at a global scale is lacking," reads the study by an international team of scientists.

The team, led by U.S. Geological Survey scientist Glenn Hodgkins, examined data from hundreds of flood gauges, looking at periods from 1931 to 2010. What they found was flooding was more correlated with decadal natural ocean cycles than long-term global climate change.

"Generalizations about climate-driven changes in floods across large domains or diverse catchment types that are based upon small samples of catchments or short periods of record are ungrounded," the study found.

The study's findings support data from the Environmental Protection Agency (EPA). About 60 percent of locations where the EPA measures flooding show a decrease in "magnitude and intensity since 1965," according to University of Colorado professor Roger Pielke Jr.

Pielke also found that flood damage has been declining as a proportion of the U.S. economy since 1940 — that way you control for population growth and development.

Scientists predict man-made warming from greenhouse gas emissions will increase the frequency and severity of extreme weather events, like rainfall and storms. That, in turn, could increase flooding.

In the wake of Hurricane Harvey, scientists and media pundits have debated the storm's connection to global warming. Climate scientist Michael Mann arguedthat while human activity didn't "cause" the storm, sea level rise and higher ocean temperature made it more severe.

Harvey made landfall as a Category 4 hurricane Friday night. Rescuers have evacuated thousands of people from flooded homes, and at least 20 people have died.

A New York Times editor urged readers to ignore science and realize global warming played a role in Harvey's destructiveness.

The IPCC has found no significant upward trend in hurricanes, and National Oceanic and Atmospheric Administration scientists warned it was "premature to conclude that human activities … have already had a detectable impact on Atlantic hurricane or global tropical cyclone activity."

Whatever the validity of Mann's argument, the Houston area experienced record levels or rainfall and thousands of residents had to flee their homes as the flood waters closed in. southeastern Texas and southern Louisiana have gotten about 25 trillion gallons of rain.

New Orleans officials worried they would be inundated with flooding for the second time in as many weeks after a water pump broke as Harvey turned north. The city was spared the worst of Harvey's rains, however, and there hasn't been much flooding.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 3:39 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

In 2012, EPA conducted a nationwide assessment of the increased threat to Superfund sites poised by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the study, 521 were determined to be located in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites located in coastal areas could also be vulnerable to rising sea levels.

The report lists two dozen Superfund sites that were determined to be the most vulnerable to flooding and sea-level rise associated with climate change. One of those, the Bailey Waste Disposal site in Bridge City, Texas, is currently under about 20 feet of water.

As part of its review, has Administrator Pruitt's Superfund Task Force reviewed this issue?

Pruitt himself has called climate scientists predictions of stronger storms "alarmist." Has Hurricane Harvey has any impact on his views?

Please provide on-the-record comment. I am writing on deadline for today.

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:53 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 1:09 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
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Cc: Press <Press@epa.gov>
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Michael

Michael Biesecker
Reporter
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Public Key

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Message

From: John Dickson [johndickson@rogers.com]
Sent: 9/23/2017 8:40:40 PM
To: Pruitt, Scott [Pruitt.Scott@epa.gov]
Subject: What happens when a hurricane hits a toxic waste site? - Home | Day 6 | CBC Radio

http://www.cbc.ca/radio/day6/episode-356-hurricanes-and-toxic-waste-netflix-comedy-overload-a-i-takes-on-hollywood-and-more-1.4296874/what-happens-when-a-hurricane-hits-a-toxic-waste-site-1.4296944

What happens when a hurricane hits a toxic waste site?

Winds lash the coastal city of Fajardo as Hurricane Maria approaches Puerto Rico, on September 19, 2017. (Ricardo Arduengo/AFP/Getty Images)

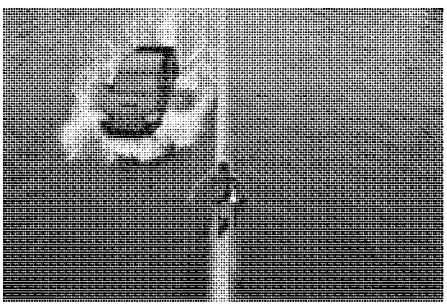
by Brent Bambury

Hurricane Maria made landfall on Puerto Rico's main island on Wednesday, a monster storm packing winds of 250 kilometres per hour.

Maria smashed windows and flattened or decapitated buildings.

Waters rose, streets and homes flooded and the power grid failed.

The damage to infrastructure was catastrophic. Power may not be restored for months.



A man walks on a highway divider while carrying his bicycle in the aftermath of Hurricane Maria in San Juan, Puerto Rico, Thursday, September 21, 2017. ((Ricardo Arduengo/AFP/Getty Images))

"This is total devastation," said Carlos Mercader from the office of the Governor. "Puerto Rico, in terms of the infrastructure, will not be the same. This is something of historic proportions."

The main island of Puerto Rico had largely been spared last week's pummeling by Irma. But the island community of Vieques to the east was not so lucky.

Vieques took the full force of both Irma and Maria.

Nine thousand people live there and before the hurricanes hit, they were dealing with a crisis of their own — incidences of cancer and other diseases which are among the highest in the Caribbean.

There's a legacy of toxic waste on the island from a now-closed U.S. Navy installation.

Dr. John Wargo, Professor of Environmental Health and Political Science at Yale says Vieques is "probably one of the most highly contaminated sites in the world."

It's listed as a Superfund site, a federal designation that signals the need for long-term monitoring and remediation. And now, after the double barrelled impact of Irma and Maria, environmentalists are asking if Vieques' deadly waste is still contained.

In this Jan. 25, 2007 file photo, disabled and non-live artillery and mortar shells are piled high in an area used for breaking down former explosives for recycling, in the former U.S. Naval Training Range on Vieques Island, off Puerto Rico. (AP Photo/Brennan Linsley, File)

Proximity to people

Lois Gibbs knows all about Superfund sites.

She's the founder of the Center for Health, Environment and Justice, which helps people fight to address toxic sites in their communities.

In 1978, she led a parent's movement in upstate New York, and fought to be relocated after she and others realized their community, called Love Canal, had been built near a chemical waste dump.

Lois Gibbs and her daughter Melissa during her fight to be relocated from her home in Love Canal, N.Y. (Courtesy: Lois Gibbs)

Under pressure, President Jimmy Carter declared a state of emergency in Love Canal.

In 1980, the U.S. government passed the Superfund law in response to the severity of the contamination, and Love Canal was the nation's first site.

The site on Vieques, Lois Gibbs says, "is a bomb test site which has ammunition, unexploded bombs, bullets, projectiles.

"I mean, it has lead. It has arsenic. It has all this horrible stuff. And certainly people are already sick as a result of exposure to it."

Other toxic sites are vulnerable on the main island of Puerto Rico.

"They have 23 Superfund sites," Gibbs says. Among them: a pesticide warehouse, a former pharmaceutical plant leaking carbon tetrachloride, and next to the coastal town of Guayama — which was pounded by hurricane Maria — a giant pile of toxic ash.

"These are leftover coal ashes from the utilities," Gibbs says.

"Five stories high, of coal ash that could not be tarped in a way that it wouldn't spread, full of arsenic and lead and heavy metals, that is going into that water and flooding all over the island.

"Next to that coal ash site [are] 45,000 low-income minority people."

Gibbs says people who live near Superfund sites are usually society's most vulnerable.

"Most of the people who live near these sites are poor people. Most of them are minorities. They are the bottom of the society as it relates to income.

"And it's really sad, because from generation to generation, the circle of poison and poverty and racism in this country just continues over and over and over again. I mean, this is the most vulnerable population in our society and we are just putting them in harm's way every single day, by not cleaning up the site."

A partially flooded gas station is seen in the aftermath of Hurricane Maria in San Juan, Puerto Rico, on September 22, 2017. (AFP/Getty Images)

Fugitive Toxins

There are 4 million children in the U.S living within 1.6 kilometres of a Superfund site.

While listed as priorities for clean-up, the sites are still dangerous. Even when not disrupted by hurricanes or floods, highly toxic chemicals can leach into the air, soil or groundwater.

- **Houston officials were warned they had a problem — they didn't listen**

Some research shows increased incidents of illness in neighbouring communities.

And the clean-up process is slow. Gibbs says it needs to happen faster, especially in the face of strong storms the sites are not built to withstand.

"What they do is put a clay cap over the top of them and they say, 'Oh, it's okay.'

"Well, it's not okay. Not when you have a hundred mile an hour winds. Not when you have flooding that takes out bridges and overpasses. Do they really think that it's not going to take the clay cap off a dump site full of some of the most toxic chemicals known to man?"

After Hurricane Harvey hit Texas, the EPA confirmed 13 of Houston's Superfund sites were flooded or completely underwater. Gibbs says thousands more sites are vulnerable to violent storms, and politics make it unlikely that many of them will be ever be remediated.

The Brio Superfund site on September 4, 2017 in Friendswood, Texas. 13 of the 41 Superfund sites in Texas flooded following Hurricane Harvey. (Justin Sullivan/Getty Images)

"We've seen it time and time again, going back to Katrina or Superstorm Sandy. They're just not being taken care of. The reason is because the responsible parties — the companies that are responsible for these sites — don't want to pay the money to clean them up.

"And the EPA, our environmental protection agency at the federal level, doesn't want to push those big corporations around because that's how people get elected to office here in the U.S."

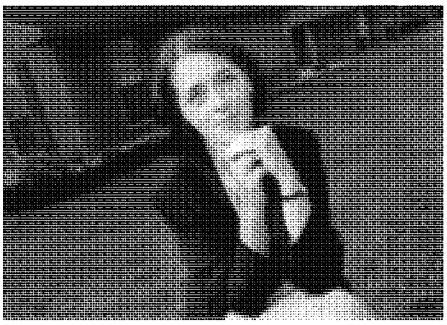
Meanwhile, Superfund is running out of cash. Between 1999 and 2013, appropriations were decreased by about a billion dollars.

"Superfund doesn't have any money" says Gibbs. "And this administration under President Trump and [EPA] administrator Pruitt — he wants to cut Superfund by 30 per cent and EPA in general."

"So the orphan sites will get no attention whatsoever."

No one's priority

The organization Gibbs founded, the Center for Health, Environment and Justice, says on its website that the government action that protected the Love Canal families was ultimately a political decision, not a move based on the science that showed the danger of the contamination.



Lois Gibbs (Courtesy: Lois Gibbs)

The residents learned that believing the government would protect them from industrial waste was a mistake.

Gibbs predicts the clean-up of waste contamination in Puerto Rico will not be a government priority.

"Why would Trump care about Puerto Rico? They don't vote for president. They don't have any political power or muscle. And as a result of that, nobody is going to really care.

"I'll care. You'll care. Many of your listeners will care of course, but I don't see the federal government jumping on Puerto Rico. There's not enough interest there for them to do that. There's no votes."

"It'll be a sad situation."

To hear the full conversation with Lois Gibbs, download our podcast or click the 'Listen' button at the top of this page.

Message

From: Sue Gibson Ex. 6
Sent: 9/25/2017 2:56:14 AM
To: Pruitt, Scott [Pruitt.Scott@epa.gov]
Subject: I just read this.

You suck at your job.
Susan Gibson
Missouri

WASHINGTON (AP) - The Environmental Protection Agency said it has recovered 517 containers of "unidentified, potentially hazardous material" from highly contaminated toxic waste sites in Texas that flooded last month during Hurricane Harvey.

The agency has not provided details about which Superfund sites the material came from, why the contaminants at issue have not been identified and whether there's a threat to human health.

The one-sentence disclosure about the 517 containers was made Friday night deep within a media release from the Federal Emergency Management Agency summarizing the government's response to the devastating storm.

At least a dozen Superfund sites in and around Houston were flooded in the days after Harvey's record-shattering rains stopped. Associated Press journalists surveyed seven of the flooded sites by boat, vehicle and on foot. The EPA said at the time that its personnel had been unable to reach the sites, though they surveyed the locations using aerial photos.

The Associated Press reported Monday a government hotline also received calls about three spills at the U.S. Oil Recovery Superfund site, a former petroleum waste processing plant outside Houston contaminated with a dangerous brew of cancer-causing chemicals. Records obtained by the AP showed workers at the site reported spills of unknown materials in unknown amounts.

Local pollution control officials photographed three large tanks used to store potentially hazardous waste completely underwater on Aug. 29. The EPA later said there was no evidence that nearby Vince Bayou had been impacted.

PRP Group, the company formed to clean up the U.S. Oil Recovery site, said it does not know how much material leaked from the tanks, soaking into the soil or flowing into the bayou. As part of the post-storm cleanup, workers have vacuumed up 63 truckloads of potentially contaminated storm water, totaling about 315,000 gallons.

It was not immediately clear whether those truckloads accounted for any of the 517 containers cited in the FEMA media release on Friday. The EPA has not responded to questions from AP about activities at U.S. Oil Recovery for more than a week.

About a dozen miles east, the San Jacinto River Waste Pits Superfund site is on and around a low-lying island that was the site of a paper mill in the 1960s, leaving behind dangerous levels of dioxins and other long-lasting toxins linked to birth defects and cancer. The site was completely covered with floodwaters when the AP surveyed it on Sept. 1.

To prevent contaminated soil and sediments from being washed down river, about 16 acres of the site was covered in 2011 with an "armored cap" of fabric and rock. The cap was reportedly designed to last for up to 100 years, but it has required extensive repairs on at least six occasions in recent years, with large sections becoming displaced or having been washed away.

Message

From: Cozzari, Lorena (Contractor-NBCUniversal) [Lorena.Cozzari@nbcuni.com]
Sent: 9/27/2017 1:45:23 AM
To: StClair, Christie [StClair.Christie@epa.gov]
CC: @NBC UNI KTMD Assignments [ktmd.assignments@nbcuni.com]; Maldonado, Jaime (NBCUniversal) [jaime.maldonado@nbcuni.com]
Subject: RE: Telemundo Houston: Flooded Toxic Superfund Sites

Hi Christie,

I was instructed to contact you directly since you oversee superfund-related media relations. The day after I emailed you, however, the EPA stated that the containers "had not come from Superfund sites, but were "orphans" found floating in waterways or washed up after the floods had receded."

EPA clarifies earlier FEMA statement on Texas toxic sites

WASHINGTON (AP) -- The Environmental Protection Agency is clarifying an earlier statement about Texas toxic waste sites and more than 500 containers of unknown material.

EPA said Sunday that a statement issued Friday by the Federal Emergency Management Agency created confusion by conflating two separate issues.

The FEMA media release summarizing the federal response to the historic flooding from Hurricane Harvey said EPA had "conducted assessments of 43 Superfund sites and recovered 517 containers of unidentified, potentially hazardous material."

The Associated Press reported about the statement Saturday afternoon, after EPA's press office did not responded to questions sent by email the night before.

EPA now says the hundreds of containers of chemicals had not come from Superfund sites, but were "orphans" found floating in waterways or washed up after the floods had receded.

Thank you,

Lorena Cozzari
Cel. Ex. 6
News Desk: 713-778-4950

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Tuesday, September 26, 2017 9:18 AM
To: Cozzari, Lorena (Contractor-NBCUniversal) <Lorena.Cozzari@nbcuni.com>
Cc: @NBC UNI KTMD Assignments <ktmd.assignments@nbcuni.com>; Maldonado, Jaime (NBCUniversal) <jaime.maldonado@nbcuni.com>
Subject: RE: Telemundo Houston: Flooded Toxic Superfund Sites

Hi Lorena, I have been out of the office. Did you send your request to press@epa.gov per my out of office? Let me know if you still need info.

Christie

From: Cozzari, Lorena (Contractor-NBCUniversal) [mailto:Lorena.Cozzari@nbcuni.com]
Sent: Saturday, September 23, 2017 4:08 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: @NBC UNI KTMD Assignments <ktmd.assignments@nbcuni.com>; Maldonado, Jaime (NBCUniversal)

<jaime.maldonado@nbcuni.com>
Subject: Telemundo Houston: Flooded Toxic Superfund Sites

Hi Christie,

Telemundo Houston is requesting the names and addresses of the Houston-area superfund sites that were flooded during hurricane Harvey where the EPA has "recovered 517 containers of unidentified, potentially hazardous material." Additionally, we'd like to know what further testing the EPA will be doing on this hazardous material.

We also request the aerial photos taken by the EPA to survey the sites.

Thank you,
Lorena Cozzari
Cel: Ex. 6
News Desk: 713-243-7700

Message

From: Benjamin, Kent [Benjamin.Kent@epa.gov]
Sent: 9/7/2017 4:46:36 PM
To: StClair, Christie [StClair.Christie@epa.gov]
Subject: Automatic reply: AP data journalist inquiring about EPA Superfund site map

I AM OUT OF THE OFFICE ON ATTENDING THE TRIBAL LAND AND ENVIRONMENT FORUM BEGINNING ON SEPTEMBER 1, 2017. I WILL RETURN ON SEPTEMBER 11, 2017. I WILL BE CHECKING EMAIL SEMI-REGULARLY.

YOU MAY CONTACT OCPA ACTING DEPUTY DIRECTOT ADAM KLINGER AT 202-566-0546, IN MY ABSENCE.

To: StClair, Christie[StClair.Christie@epa.gov]
From: Jonathan Swan[jonathan@axios.com]
Sent: Sun 9/3/2017 9:30:10 PM (UTC)
Subject: Sneak Peek: Inside the DACA fight — the next immigration battle — Trump's empty threat — pool report for the ages

View in browser

PRESENTED BY KOCH INDUSTRIES

Axios Sneak Peek

By Jonathan Swan · Sep 03, 2017

Welcome to Sneak Peek, our weekly lookahead for both ends of Pennsylvania Avenue. **I'd love** your tips and feedback: jonathan@axios.com. And **please urge** your friends and colleagues to join the conversation by signing up for Sneak Peek.

1 big thing: Inside the DACA fight

Andrew Harnik / AP

Beyond North Korea, Trump has another "no good options" dilemma this week: his decision, due Tuesday, on whether to terminate DACA — the Obama-era program that temporarily shields from deportation illegal immigrants who came to the U.S. before their 16th birthday.

Unusually for this leaky White House, they've managed to keep the DACA decision-making within an extremely small circle.

That said, here's what I've ferreted out, from conversations with senior administration officials over the past 72 hours:

- The common view within the Trump administration: DACA is *not* legally defensible. The debate internally has been less about *whether* to rescind DACA, than about *how* to do so while mitigating the harm inflicted on the roughly 800,000 people currently protected by the program.
- **What everyone in the White House agrees:** It's up to Congress to act if members want to preserve the principles of DACA and protect these illegal immigrants who came to America as children.
    - Trump's advisers know that Congress only acts when there's a crisis. Tuesday's announcement is expected to force such action.
    - **Trump is expected to rescind DACA but will likely give Congress a window to act before the effects of the termination are felt.**
    - But, there's no chance Congress will pass a bill that gives permanent legal status to any class of individuals without attaching serious enforcement measures to the same bill.

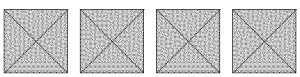
Over the past several weeks, the Trump administration has been weighing three options:

1. **Rescind DACA immediately** — meaning the day after the announcement, the roughly 800,000 protected by DACA no longer have protection. The Department of Homeland Security does not view these people as priorities for deportation, but many on DACA are understandably worried because they trusted the government with their personal information to register for the program.
2. **The 0% likelihood option:** Trump keeps DACA as is and the administration defends the program in court against the state attorneys general who are threatening to sue unless the administration phases out DACA by Sep. 5.
3. **The most likely option:** Trump winds down DACA in a manner that limits the impact of the termination on current beneficiaries but allows Congress enough time to find a constitutional and legislative solution for the program, in conjunction with significant commitments for enforcement.

How the debate has played out inside the White House: Kelly hasn't allowed the debate to widely ventilate, which has frustrated some officials, given how politically and morally sensitive this issue is.

- There are those, like Attorney General Jeff Sessions, who think DACA is illegal and that the principles underpinning it are not worth supporting.
- There are other, more moderate officials, who support the principles underpinning DACA; and there are still others who don't necessarily support DACA but believe it's not politically viable to instantly kill it.

What Trump is thinking: Sources who've spoken to the president about DACA — even as recently as Friday — are convinced his mind is still not fully made up. I first reported, 10 days ago, that Trump was seriously considering rescinding DACA, but he's publicly grappled with the morality, and explosive politics, of this decision in a way he hasn't with any other since becoming president.



2. The next immigration fight

Keep your eye on the Temporary Protected Status (TPS) program — the next big battle in the immigration wars, after DACA. TPS allows certain foreign nationals to stay in the U.S. because the government judges their home countries too dangerous to return to, either due to civil wars, environmental disasters or epidemics.

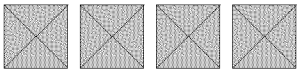
The Trump administration must renew these protections — covering countries like Haiti, Honduras, South Sudan, and Nicaragua — which expire between Nov. 2017 and Sep. 2018.

How immigration hawks in the Trump admin view TPS: Successive administrations have abused this "temporary" program. There are people who have been in the U.S. for 20 years because the government gave them a legal status; but under the law, the program for specific countries should be terminated.

Questions they're asking:

- Should Haitians still have TPS seven years after the earthquake?
- Should Central Americans, e.g. Nicaraguans, Hondurans, who've been in the U.S. for nearly 20 years, still have their "temporary" status?

Bottom line: Watch for the Trump administration to force Congress to act on this issue — by ending the program for certain countries — before the end of 2017. I'm told the countries that still meet the current legislative requirements, like South Sudan, will continue to receive protection. But in Haiti and the Central American countries, conditions have arguably improved enough that they no longer meet the requirements.



3. The debt ceiling plan

AP

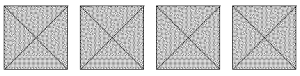
Republican leaders plan to use the emergency Hurricane Harvey aid to squeeze another must-pass item through Congress: the debt ceiling.

Sources with direct knowledge of the planning tell me the current strategy is for the House to pass a "clean" bill this week that funds the White House's request for $7.85 billion for the first phase of recovery from the hurricane.

What happens next— per multiple sources with direct knowledge — is that when the bill reaches the Senate, Republican leaders will attach a debt limit raise before sending it back to the House. (Attaching a debt ceiling raise is less controversial in the Senate than it is in the House, which has more conservative members. What I've described is Republican leadership's current thinking, as of Sunday afternoon... it could still change.)

Why this matters: Hurricane Harvey has opened a path to get one of the most controversial items off Republican leaders's backs. Conservative members won't vote to raise the debt ceiling without significant spending cuts, and Mark Meadows, chairman of the ultra-conservative House Freedom Caucus, has already said he thinks it's wrong to use hurricane funding to dodge this thorny issue.

- By linking the debt ceiling to hurricane aid, leadership would put the Freedom Caucus in the excruciating position of having to vote against emergency aid for Texas's worst natural disaster.
- A source with knowledge of the Freedom Caucus's plans tells me the group won't have a unified position on the Harvey/debt ceiling question until after they meet on Tuesday night.



Rising to the challenge in our Gulf Coast communities

When disasters hit the places we call home, we all jump into action to help our neighbors overcome their toughest obstacles. Please join Koch in supporting the American Red Cross, the Center for Disaster Philanthropy and The Salvation Army.

4: "We'll see"

John Bennett, the White House correspondent for CQ Roll Call, filed a pool report this morning that's destined for the history books.

Hours after Kim Jong Un's region-rattling nuclear test, as President Trump left St. John's Episcopal Church in D.C., after declaring a national day of prayer for Hurricane Harvey victims, Bennett asked the president whether he planned to attack North Korea.

"We'll see," Trump replied.

- **Republican Sen. Jeff Flake** accurately summarized Trump's situation, telling CNN's Dana Bash, on "State of the Union": "It becomes cliche to say there are no good options here, but there really aren't."
- **Treasury Secretary Steven Mnuchin** told "Fox News Sunday" he plans to draft a new sanctions package, but it's becoming increasingly clear Trump has concluded that only bombs — or the persuasive threat of them — will finally end the threat of a North Korean nuke hitting an American city.

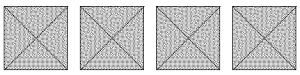
The most consequential words of the day belong to Defense Secretary James Mattis, who read a brief statement to reporters gathered outside the West Wing this afternoon.

Mattis's comments — coming at an historically charged moment — are worth reading in full:

"Good afternoon, ladies and gentlemen. We had a small group, a national security meeting today with the president and the vice president, about the latest provocation on the Korean Peninsula. We have many military options. The president wanted to be briefed on each one of them.

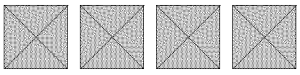
"We made clear that we have the ability to defend ourselves and our allies, South Korea and Japan, from any attack. And our commitments among the allies are ironclad: Any threat to the United States or its territories, including Guam, or our allies, will be met with a massive military response. A response both effective and overwhelming.

"Kim Jong-Un should take heed of the United Nations Security Council's unified voice. All members unanimously agreed on the threat North Korea poses, and they remain unanimous in their commitment to the denuclearization of the Korean Peninsula. ***Because we are not looking to the total annihilation of a country, namely North Korea. But as I said, we have many options to do so.*** *Thank you very much, ladies and gentlemen."*



BONUS: An empty threat

Our thought bubble: It's a wildly unrealistic — and therefore empty — threat. Trump will not stop *all* U.S. trade with the most populous country in the world, China. The U.S. and China traded nearly $600 billion in goods alone last year. Terminating all trade with China would instigate a global economic catastrophe.



5. Sneak Peek diary

- **Tax reform:** The so-called "Big Six" leading the secretive tax reform discussions — Paul Ryan, Mitch McConnell, Kevin Brady, Orrin Hatch, Gary Cohn and Steven Mnuchin — meet with the president at the White House on Tuesday afternoon.
    - **Our tip:** While the discussions will focus on tax reform, it's possible trade will also come up. Hatch and Brady run committees that also oversee trade and they'll be eager to talk Trump out of his threats to withdraw from the U.S.-Korea trade deal.
    - **On Wednesday,** Trump flies to North Dakota to give another speech selling tax reform. I'm told the speech won't get into any more detail than last week's — which had no detail at all — but will continue his pattern of putting pressure on Democratic senators in red states. This week's target: Heidi Heitkamp.
- **Big picture:** Trump meets Wednesday with leaders from both parties: Paul Ryan and Nancy Pelosi from the House, Mitch McConnell and Chuck Schumer from the Senate.
- **Legislative agenda:** The House is expected to vote on Harvey funding and the remaining eight appropriations bills. (The House passed the first four bills before they left for the August break.)
- **The 2018 budget:** Nobody I've spoken to really thinks the House can pass a budget in September — a month crowded with must-pass items like Harvey aid, a debt ceiling raise and a government funding bill. But I'm told the House whip team will begin to talk to members about the budget.
    - (Because Republicans view the budget vote as a proxy vote for tax reform — they plan to use a budget bill to pass the GOP tax plan — there's little chance the leadership can get much support for a budget until Republican leaders share much more detail with members about their tax plans.)

6. 1 missed man: Keith Schiller

AP Photo/Evan Vucci

Keith Schiller was never just a bodyguard. He's worked for Trump since 1999 and in nearly 20 years has become one of a handful of people outside of Trump's immediate family that the president truly trusts.

Now he's leaving the White House, and Trump's friends worry about the effect Schiller's absence will have on the president's psyche. Trump believes Schiller "tells him the truth because the only dog he has in the fight is the boss," a friend told Axios. Trump confides in Schiller and asks his advice about everything, including policy.

Schiller, a former NYPD officer who is beloved by the original staff from the Trump campaign, is also a Breitbart-style conservative who kept Trump in touch with the Republican base and with the law enforcement community.

> *"He's a winger! He's one of us," said another friend of Schiller's.*

- For the past eight months, Schiller has been the conduit linking Trump to his old life, and old friends, in New York City.
- In the early, freewheeling days of this administration, Trump's old contacts had a method for getting around the Chief of Staff, Reince Priebus: If they wanted to reach Trump, they'd text Keith, and before too long they'd often receive a call from the president.
- As Director of Oval Office Operations, Schiller oversaw what some aides regarded as a "shitshow." Nowadays, General Kelly tightly polices, and lists, who can visit the Oval; but Schiller operated more or less by gut instinct. He had a feeling for what Trump wanted at any given moment, whether the boss would want to see this person or whether he was in the right mood for visitors.

Schiller has talked to associates about leaving for a while. He'll make more money on the outside, and under the Kelly regime, and with so many people by his side these days, Trump has less use for Schiller, operationally. Emotionally... that's a different story.

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Sent: Sun 8/27/2017 10:32:11 PM (UTC)
Subject: Sneak Peek: Rare scene — Inside the Oval

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Axios Sneak Peek

By Jonathan Swan ·Aug 27, 2017

Welcome to Sneak Peek, our weekly lookahead for both ends of Pennsylvania Avenue. **I'd love** your tips and feedback: jonathan@axios.com. And **please urge** your friends and colleagues to join the conversation by signing up for Sneak Peek.

Scoop: "I want tariffs. Bring me some tariffs."

Michael Sohn / AP

The following is a rare account of President Trump in a small Oval Office meeting, venting at senior staff for sometimes resisting his hawkish trade agenda.

This account — confirmed by sources with knowledge of the meeting and undisputed by the White House — hints at where Trump may be heading with his trade agenda. And it shows he believes some of his top economic advisors are resisting his agenda because they are "globalists."

The scene: The Oval Office, during Gen. Kelly's first week as Chief of Staff. Kelly convened a meeting to discuss the administration's plans to investigate China for stealing American intellectual property and technology. Kelly stood beside Trump, behind the Resolute desk. In front of the desk were U.S. Trade Representative Robert Lighthizer, senior trade adviser Peter Navarro, top economic adviser Gary Cohn, and Trump's former chief strategist Steve Bannon.

Trump, addressing Kelly, said, "John, you haven't been in a trade discussion before, so I want to share with you my views. For the last six months, this same group of geniuses comes in here all the time and I tell them, 'Tariffs. I want tariffs.' And what do they do? They bring me IP. I can't put a tariff on IP." (Most in the room understood that the president can, in fact, use tariffs to combat Chinese IP theft.)

"China is laughing at us," Trump added. "Laughing."

Kelly responded: "Yes sir, I understand, you want tariffs."

Gary Cohn, who opposes tariffs and the protectionist trade measures pushed by the Bannonites, had his

shoulders slumped and was clearly appalled by the situation.

Staff secretary Rob Porter, who is a key mediator in such meetings, said to the president: "Sir, do you not want to sign this?" He was referring to Trump's memo prodding Lighthizer to investigate China — which may lead to tariffs against Beijing.

Trump replied: "No, I'll sign it, but it's not what I've asked for the last six months." He turned to Kelly: "So, John, I want you to know, this is my view. I want tariffs. And I want someone to bring me some tariffs."

Kelly replied: "Yes sir, understood sir, I have it."

At one point in the meeting, Navarro pulled out a foam board chart. Trump didn't pay attention to it, saying "I don't even know what I'm looking at here."

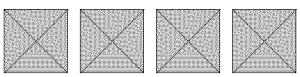
Trump made sure the meeting ended with no confusion as to what he wanted.

"John, let me tell you why they didn't bring me any tariffs," he said. "I know there are some people in the room right now that are upset. I know there are some globalists in the room right now. And they don't want them, John, they don't want the tariffs. But I'm telling you, I want tariffs."

Kelly broke up the meeting and said the group would work things out and reconvene at the appropriate time.

A White House official responded to the above account by telling Axios: "The president has been very clear about his agenda as it relates to trade. Discussions pertaining to specific tariffs and trade deals are ongoing and have already resulted in many positive developments."

Be smart: The nationalists in the White House took public credit for the China IP policy, arguing at the time that it would lead to a much-needed crackdown on Beijing. But now that he's outside of the White House, you should expect Bannon and his allies to argue that what's been done so far isn't enough, and that Trump needs to treat China as an adversary in an economic war.



2. The Tillerson time bomb

There's a ticking problem with Rex Tillerson, and it's growing louder by the day, according to officials inside and close to the White House. President Trump has been growing increasingly frustrated with his Secretary of State. One time recently, after Trump had returned from a meeting on Afghanistan, a source recalled Trump saying, "Rex just doesn't get it, he's totally establishment in his thinking."

Tillerson's jaw-dropping comments on TV today will likely only worsen their relationship.

Fox News Sunday moderator Chris Wallace asked Tillerson about Trump's response to the racist carnage in Charlottesville.

Tillerson replied: "I don't believe anyone doubts the American people's values or the commitment of the

American government, or the government's agencies to advancing those values and defending those values."

Wallace asked the obvious follow-up question: "And the president's values?"

"The president speaks for himself," Tillerson said.

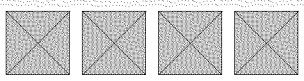
Wallace looked stunned.

Why this matters: We've been hearing for weeks, from sources who've spoken to the president, that Trump is getting more and more fed up with Tillerson, who has still yet to staff his agency.

The Tillerson criticisms we keep hearing:

- Trump administration officials can't get their heads around why he still doesn't have political appointees in the top roles at the State Department. They know he's reorganizing the agency, but can't fathom why he's allowed these crucial jobs to remain in the hands of staff whose diplomatic stature is diminished because they're "acting" in the roles.
    - **Tillerson's spokesman R.C. Hammond told Axios it's because** "the system is busted. The Secretary sends over recommendations and they sit on the dock."
- Tillerson hasn't put in the time to build goodwill with Washington's foreign policy community or with the media.
- Numerous reports that Tillerson has destroyed morale at State, empowering only the tiniest inner circle.
- Tillerson contradicted the president's response to the recent tensions over Qatar.
    - Trump attacked Qatar for funding terrorism "at a very high level", and supported the Saudi-led blockade. Tillerson muddied Trump's message, urging Qatar's neighbors to ease up on the blockade and engage in "calm and thoughtful dialogue."
    - **Hammond's response:** "On Qatar, progress will be measured in months and we are seeing it."
- Tillerson argued against the White House's financial sanctions against the dictatorial regime in Venezuela, according to sources close to the White House. These sources pointed to the influence on Tillerson of Tom Shannon, a top State careerist who is an expert on Latin America.
    - Sources close to the president view Shannon as a rogue force who, in their view, naively puts too much faith in diplomacy at the expense of hardline actions like sanctions.
    - Shannon's recent meeting with Venezuela's then-foreign minister — at the same time the WH was contemplating tough action against Venezuela — raised eyebrows among Republican hawks.
    - **Hammond's response:** "Yes, diplomats do prefer diplomacy."
- Tillerson keeps recommending to Trump that he re-certify Iran's compliance with the nuclear deal; whereas Trump has made clear he wants to cancel it.
    - **Hammond's response:** "This admin inherited a lousy deal. It's taking the circumstances created by the Deal and trying to build around it a policy that addresses all of the threats Iran offers the world."
- White House officials frequently vent about Tillerson's Chief of Staff Margaret Peterlin. They say she's difficult to work with and isolates the secretary from the information and contacts he needs to do his job well.
    - **Hammond's response:** "It is Washington, you have to have your knives out for someone."

A White House official said, "Tillerson is a great representative for the administration and has confronted many diplomatic challenges well."



3. Trump to launch tax reform sales pitch

Alex Brandon / AP

President Trump begins his tax reform roadshow this week. He'll give a speech in Springfield, Missouri, on Wednesday, pitching the need to overhaul the tax code and bring down rates for middle America.

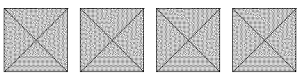
It's Trump's first outing of what his staff expects will be a tax reform sales tour covering the Rust Belt and other legislatively important states.

The reason Trump starts in Missouri: It has symbolic resonance and legislative importance. A White House official told me Trump is likely to mention in his speech that Springfield is the birthplace of Route 66 — crucial to the American economy and a symbol of "America's Main Street."

- Trump is also very popular in Missouri and the White House views the state's Democratic Sen. Claire McCaskill, who's up for re-election in 2018, as a senator worth pressuring to support the GOP-led tax reform efforts.

Between the lines: The White House and Republican leaders on the Hill plan to pass tax reform using a budget bill that would require 50 votes in the Senate rather than the 60 needed to pass normal legislation and avoid the filibuster. It means they'll rely almost exclusively on Republicans, but expect them to try pick off a few Democrats, too.

A senior administration official, referring to the recent failure to repeal the Affordable Care Act, told me, sarcastically: "It seems that relying on a strict party line vote has worked really well for us so far."



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Koch employee makes cars fly

James sketched futuristic cars when he was a kid. Now, he's making them. At Koch, James and his team are using aerodynamics to make vehicles more energy-efficient. See how at ChallengeAccepted.com.

4. "The Secret Six"

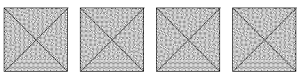
Freedom Caucus members say it's way harder than it should be to get a meeting with the two Trump officials steering tax reform: Gary Cohn and Treasury Secretary Steven Mnuchin.

Sources with direct knowledge tell me that in front of a meeting of the Freedom Caucus in mid-July, the group's leader Mark Meadows asked White House legislative affairs representative Paul Teller to arrange a meeting with Cohn and Mnuchin, so they could share some of the details of the closely-held tax reform discussions.

- The White House told the Freedom Caucus that scheduling issues were preventing the meeting from happening, but sources familiar with the discussions say Cohn and Mnuchin agreed with Republican leaders that it didn't make sense to share too much information at this stage in the process.
- White House spokeswoman Natalie Strom didn't dispute the details of the Freedom Caucus request, but insisted it was purely a scheduling issue and that Cohn and Mnuchin were of course willing to meet with the Freedom Caucus.
- Strom confirmed that the White House's legislative affairs director Marc Short is trying to schedule a meeting with the Freedom Caucus for the first week back in September.

Why this matters: These tensions could easily blow out into bigger problems for the White House and Republican leadership, as many conservatives feel cut out of the process.

- Meadows asked for this meeting because some conservative members are frustrated they have no visibility into what the Big Six have been doing. (The "Big Six" is the group of top lawmakers and officials — Paul Ryan, Kevin Brady, Mitch McConnell, Orrin Hatch, Mnuchin, and Cohn — that's working through the details of GOP tax reform, behind closed doors.)
- A prominent House Republican member told me, "we conservatives have renamed them the Secret Six."



5. Harvey's havoc

AP Photo/Charlie Riedel

President Trump plans to head to Texas on Tuesday, an administration official confirmed, as the first natural disaster of his presidency wreaks havoc.

What you need to know, per Axios's Dave Lawler:

- Tropical storm Harvey has lingered over SE Texas, pulling in moisture from the Gulf and pouring historic levels of rain over Houston and surrounding areas.
- Some towns and cities are expected to get 60 inches of rain by Wednesday, and there are widespread reports of families trapped in their homes or wading through feet of water to get to higher ground. Authorities said thousands of people have already been rescued, and five people have been killed in the flooding. More than 300,000 are without power.
- **National Weather Service:** "This event is unprecedented & all impacts are unknown & beyond anything experienced. Follow orders from officials to ensure safety."
- **Texas Storm Chasers:** "We could very well be watching the most disastrous flood event in US history unfold."
- **President Trump tweets:** "Wow - Now experts are calling #Harvey a once in 500 year flood! We have an all out effort going, and going well! ... I will be going to Texas as soon as that trip can be made without causing disruption. The focus must be life and safety."

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Deliberative Process / Ex. 5

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Subject: FW: Wall Street Journal: Report Shows Hazard Posed by Damaged Chemical Plant, 9/1/17

Wall Street Journal
https://www.wsj.com/articles/arkema-report-said-chemical-could-put-one-million-at-risk-1504215571
Report Shows Hazard Posed by Damaged Chemical Plant
By: Alexandra Berzon and Christopher M. Matthews, 8/31/17, 6:55 p.m.

A chemical stored at a Houston plant that caught fire early Thursday morning presents an airborne danger to more than 1 million people if released in a worst-case scenario, according to a company risk management plan filed to the federal government.

According to that 2014 report, the plant in Crosby, Texas, owned by Arkema SA, stores 66,260 pounds of anhydrous sulfur dioxide. Under a hypothetical worst-case scenario outlined in the report, the gas, if released, could prove harmful for a radius of 23 miles, covering more than 1 million residents. The report was filed as part of a risk-management plan required by the U.S. Environmental Protection Agency. Plants that store certain particularly toxic chemicals are required to file such reports every five years, and this is the most recent for the Crosby facility.

Even under the worst circumstances, it is extremely unlikely that all 1 million people would be adversely affected, experts say.

A spokeswoman for the company didn't immediately respond Thursday to questions about the worst-case scenarios detailed in the EPA plan. The company hasn't said that sulfur dioxide has been released or that its storage tanks have been compromised.

Organic peroxides, which the company produces at the plant, have degraded and caught fire after flooding cut power to refrigeration systems, the company said. Organic peroxides are primarily used in the production of plastic resins, polystyrene, polyethylene, polypropylene, PVC and fiberglass.

Company officials previously have said the organic peroxides are stored at more than one location on the plant and are likely to continue to degrade as it gets warmer, but they couldn't predict how long that will take. The EPA said early Thursday that a 1.5-mile radius exclusion area had been set around the explosion site.

Aerial footage shows a Houston-area Arkema chemical plant after two explosions were reported early Thursday following widespread flooding in the region caused by Harvey. Photo: AP

Sulfur dioxide and isobutylene, another chemical that could impact a smaller number of people in the area if its tanks were compromised, are used to manufacture those peroxides.

"Federal law mandates that public access to certain elements of a facility's risk management plan be provided in a way that is designed to minimize the risk of harm to public health, welfare and national security," an EPA spokeswoman said.

The Wall Street Journal couldn't ascertain Thursday how close in proximity the sulfur dioxide tanks are to the tractor trailers that contain the organic peroxide, where they were stored in a failed effort to keep them cool after the backup generators lost power. Companies typically have many layers of safeguards surrounding toxic chemicals to prevent a possible breach.

Only sulfur dioxide and another substance, methylpropene, also called isobutylene, were present in high enough quantities at the Crosby plant to meet the EPA's minimum threshold for requiring a risk-management plan.

As part of that, companies are required to assess a "worst case" scenario to assess the risks of an accident at the plant.

The plans model the number of people who live within a radius where there would be serious health effects if they are exposed for up to a 30 minutes to one hour to a regulated chemical during a worst-case scenario accident.

The reports are accessible only in federal reading rooms. Paul Orum, a chemical safety expert who has written extensively about storage issues, provided the Journal with information he said was accessed in June and was the most up-to-date as of that time.

The company also reported at the time that 25 people living within 0.4 mile of the plant were at risk from isobutylene in the event of a fire.

Even if those chemicals were released, the number of people affected would almost certainly be far fewer than the one million reported as having the potential to be harmfully affected by a chemical release, experts say. The effects would depend on the wind patterns and other weather factors.

"The wind would generally only travel one direction so not all of those people could be in danger at once," Mr. Orum said.

"The multiple layers of preventive and mitigation measures in use at the Crosby facility make it very unlikely that either worst-case scenario will occur," Arkema said in its 2014 report. "In the unlikely event that such a release occurs, Arkema, Inc. has mitigation measures in place to reduce any potential impacts."

The number of people within the radius of the chemical's danger zone, however, speaks to the density of the population near the plant. Among the approximately 12,800 facilities covered by the EPA's risk-management program, fewer than 100 have populations over one million people living within the zones with potential harmful impacts from an accident, chemical safety experts said.

Some have questioned whether the company could have added other chemicals to the peroxides for the purpose of neutralizing the explosive or dangerous elements. These people say this would have been costly for the company because it would have ruined its inventory, but it would have ensured safety.

"I don't think there was a solution like that, though it would be lovely if all these problems had solutions like that," Janet Smith, director of crisis preparedness and community relations for Arkema, said Thursday.

Jessica Sparacino
US Environmental Protection Agency
Office of Public Affairs Intern
(202) 564-5327
WJCN 2502J

Message

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]
Sent: 8/31/2017 9:33:06 PM
To: StClair, Christie [StClair.Christie@epa.gov]
Subject: DRAFT Christie's Daily Wrap, 9/1

Deliberative Process / Ex. 5

Message

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]
Sent: 8/30/2017 9:03:36 PM
To: StClair, Christie [StClair.Christie@epa.gov]
Subject: DRAFT Christie's Daily Wrap, 8/31

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: StClair, Christie [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]
Sent: 8/29/2017 9:37:06 PM
To: StClair, Christie [StClair.Christie@epa.gov]
Subject: FW: Christie's Daily Wrap, 8/29

Consumer reports
Pro publica

From: StClair, Christie
Sent: Tuesday, August 29, 2017 1:16 PM
To: AO OPA Media Relations <AO_OPA_Media_Relations@epa.gov>
Subject: Christie's Daily Wrap, 8/29

Air

Dover Post (Jeff Brown) [Received 8/22] – OPEN – Wants basic info on green vehicles. With program. DDL ASAP.

E&E (Sean Reilly) [Received 8/24] – CLOSED – Story ran without EPA info – asking about SO2 attainment.

Transport Topics (Jonathan Reiskin) [Received 8/22] – OPEN – Questions on HD2 next steps. With press@ for approval. Deadline TBD.

Land and Emergency Management

American Institute for Conservation of Historic and Artistic Works (AIC) newsletter (Maria Sullivan) [Received 8/9] – OPEN – Questions on the toxicity and disposal of artists' pigments. With program. Deadline 8/30.

Associated Press (Jason Dearen initially, now Michael Biesecker) [Received 8/17] – OPEN – Looking for the technical analysis EPA did on storm surge around Superfund sites. With press@ for review. Deadline COB 8/18 if possible, but week of 8/21 okay too. Reporter pinging.

ProPublica/Columbia University (Alejandra Ibarra) [Received 8/17] – CLOSED 8/29 – Per Amy, will not respond further to reporter's question on OUST budget cuts.

Reuters (Sylvia Carignan) [Received 8/22] – CLOSED 8/28 by Enesta – Asking about next deadlines/milestones for the Remedial Acquisition Framework (RAF) to support the Superfund program.

USAToday (Ledge King) [Received 8/24] – CLOSED 8/25 – Questions about underground storage tanks. With program. Deadline COB 8/25.

World Wildlife Fund Environment and Disaster Management program (Hannah Levitt) [Received 8/16] – OPEN – Asking for techniques and examples of environmentally friendly and community driven disaster recovery efforts in the U.S. With press@epa.gov for review. Deadline 8/21.

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 2/23/2018 3:13:06 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: AP calling -- Sam coleman talking with AP reporter

Thanks.

From: Bowman, Liz
Sent: Friday, February 23, 2018 10:03 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: AP calling -- Sam coleman talking with AP reporter

---

From: Grantham, Nancy
Sent: Friday, February 23, 2018 7:58 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>
Subject: FW: AP calling -- Sam coleman talking with AP reporter

FYI .. see below .. Sam stressed he was not speaking on behalf of EPA.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Gray, David
Sent: Thursday, February 22, 2018 7:34 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fwd: AP calling

Sent from my iPhone

Begin forwarded message:

> **From:** Samuel Coleman **Ex. 6**
> **Date:** February 22, 2018 at 6:15:45 PM CST
> **To:** "gray.david@epa.gov" <gray.david@epa.gov>
> **Subject: FW: AP calling**
>
> I just talked to him. I explained:
>
> - why we did not take soil and water samples before health warnings were issued.
> - that responding to spills were the highest priority.
> - that statements on air quality reflected all of the data not localized issues.

- that ASPECT needed to coordinate with FAA on flights so they didn't just go where they wanted
- data release is coordinated internally with scientists and communications staff
- response was as good as possible but not perfect.
- State did a great job and we worked well with them.

Samuel Coleman
Sent from Mail for Windows 10

From: Bajak, Frank
Sent: Wednesday, February 21, 2018 4:45 PM
To: Samuel Coleman
Subject: RE: AP calling

Sure. It's Ex. 6

From: Samuel Coleman Ex. 6
Sent: Wednesday, February 21, 2018 5:44 PM
To: Bajak, Frank <FBAJAK@ap.org>
Subject: RE: AP calling

Can I call you?

Samuel Coleman
Sent from Mail for Windows 10

From: Bajak, Frank
Sent: Wednesday, February 21, 2018 4:42 PM
To: Samuel Coleman
Subject: RE: AP calling

Of course. At what number can I reach you?

From: Samuel Coleman Ex. 6
Sent: Wednesday, February 21, 2018 5:35 PM
To: Bajak, Frank <FBAJAK@ap.org>
Subject: RE: AP calling

Not a problem. Please keep in mind that I am not able to speak on behalf of EPA.

Samuel Coleman
Sent from Mail for Windows 10

From: Bajak, Frank
Sent: Wednesday, February 21, 2018 12:35 PM
To: Ex. 6
Subject: AP calling

Hi Sam,

I have some questions about post-Harvey EPA efforts that I am hoping you can help me with. It's difficult to get much information out of EPA these days, as you know, and accuracy is our No. 1 concern. Can I give you a call?

Many tnx,
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak - Boston, U.S.A.
Cel. Ex. 6 (Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
Wickr, Signal, WhatsApp

AP ASSOCIATED PRESS

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AP

ASSOCIATED PRESS

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 1/18/2018 4:57:16 PM
To: Gray, David [gray.david@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: AP calling - post-Harvey testing

Thank you.

Deliberative Process / Ex. 5

From: Gray, David
Sent: Thursday, January 18, 2018 11:52 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: AP calling - post-Harvey testing

From: Bajak, Frank [mailto:FBAJAK@ap.org]
Sent: Thursday, January 18, 2018 10:04 AM
To: Gray, David <gray.david@epa.gov>
Cc: R6Press <R6Press@epa.gov>
Subject: AP calling - post-Harvey testing

Hi David,

I tried calling and left a message. I would appreciate your help with the follow-up questions below, and would like to request an interview with incoming Administrator Idsal on the Harvey environmental response. Should I send a separate email request?

Questions:

I have reviewed the record (what is published on the EPA website) and I see no indication that EPA or TCEQ collected soil and sediment samples EXCEPT at Superfund sites and at the Crosby Arkema plant site. Is that correct? Or were soil and sediment samples collected elsewhere to see if contaminants from Harvey-related spills might have spread in flooding? My question in the Dec. 28 email (below) referred specifically to parks, schools and waterways.

I don't see any information on your website specifying at which industrial facilities in greater Houston or elsewhere in Texas water quality was sampled or how many. Can you identify the sites in greater Houston? If not, provide at least a number? Was soil also sampled by EPA at or near industrial facilities? If so, which? Regarding Valero's refinery in the Manchester district of Houston, did EPA take soil and water samples on site or near it?

I would also like specifics on air monitoring. Can you specify on which industrial sites EPA's air monitoring focused?

EPA was surely aware that Houston registered Texas' worst smog day on Sept. 1. Yet it did not begin ASPECT flights until three days later and its first ASPECT flight over the Houston Ship Channel on Sept. 7. TAGA buses were deployed on Sept. 5. Why not sooner?

EPA has said it tested the air, soil and water at Arkema. But what of Valero's Manchester refinery? EPA told the Houston Chronicle on Sept. 14 that Valero had "significantly underestimated" the amount of benzene released at the Manchester refinery. We know you are investigating. Did EPA confirm through air monitoring of its own - or of others - that Valero was the source of benzene emissions exceeding permissible levels? Did it rely on instruments deployed by the city of Houston? The EDF? (An TCEQ opinion posted online calling those measurements as untrustworthy. Is that also EPA's assessment?).

Many thanks your help,
-fb

Frank Bajak, Correspondent
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Cel. Ex. 6 (Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu --Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, December 28, 2017 1:32 PM
To: Bajak, Frank <FBAJAK@ap.org>
Cc: Press <Press@epa.gov>
Subject: Re: AP request - Harvey-related contaminant monitoring

Hi Frank,

For 1 and 2, everything we have is on our website including data reports for all of the Superfund sites. For 3, we previously announced that we were looking into Valero and beyond that we have a longstanding practice of not discussing enforcement cases until they are made public by us. For 4, EPA received several

mission assignments to conduct work in support of Hurricane Harvey response activities.

Best,

David

Sent from my iPhone

On Dec 28, 2017, at 7:52 AM, Bajak, Frank <FBAJAK@ap.org> wrote:

David et al,

In collaboration with the Houston Chronicle, we're trying to get a sense of exactly what environmental and public health monitoring was done in metropolitan Houston after Harvey hit, what it determined and which polluters may have been deemed negligent. Our focus is the petrochemical industry. I'd much appreciate your help answering the following questions. We've also queried the TCEQ:

1. What specific testing of soil, air and water was done by EPA in the Houston metro area to determine if public health, parks, schools, marine life and ecosystems may have been affected by contaminants released in Harvey-related events? We would appreciate a detailed response. (If you have data for all of Region 6 at your fingertips we are also interested, though our primary focus is the Houston area, particularly around the ship channel and adjacent waterways).

2. In a joint Sept. 14 status report posted on the TCEQ site the agencies said: "Water quality sampling will be focused on industrial facilities and hazardous waste sites." Where exactly did you take soil and water samples and what substances did you test for? What did the results show? Can we see the reports? What testing was done at federal Superfund sites and when? What did you test for and what were the results?

   The last update I see on your monitoring efforts and findings is here and the most recent document I see posted related to Harvey is dated Oct. 11: (https://response.epa.gov/site/site_profile.aspx?site_id=12353

3. Did you open investigations into any particular spills or unpermitted air emissions in greater Houston? If so, which plants and companies are under investigation? Has the EPA fined any parties (or initiated proceedings to do so) for spills or unpermitted emissions from Aug. 23-Sept. 22 in Region 6?

4. Did EPA obtain or spend any extra funds on Harvey-related spill/upset responses from August through December?

Many thanks and Happy Holidays!
-fb

Frank Bajak, Correspondent
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Cel. Ex. 6 (Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu –Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

<image001.jpg> <image002.jpg>

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 1/23/2018 5:21:32 PM
To: Zahra Hirji [zahra.hirji@buzzfeed.com]

At Superfund sites, Scott Pruitt could flip his industry-friendly script
The Washington Post
Juliet Eilperin & Dennis Brady
January 23, 2018
https://www.washingtonpost.com/national/health-science/

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend $115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry.'"

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement. The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies]are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than $1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about $330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of $50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his $125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 1/23/2018 5:24:06 PM
To: dbice@journalsentinel.com
Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

NOTE: "I have to give them credit. The experience has been night and day different," [Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis] said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

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Sent: 1/23/2018 5:27:21 PM
To: matt.viser@globe.com
Subject: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/23/2018 5:32:04 PM
To: Ford, Hayley [ford.hayley@epa.gov]

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EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

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Sent: 1/23/2018 5:38:29 PM
To: valerie.volcovici@thomsonreuters.com; timothy.gardner@thomsonreuters.com
Subject: WaPo: At Superfund sites, Scott Pruitt could flip his industry-friendly script

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Sent: 1/26/2018 4:12:14 PM
To: Gray, David [gray.david@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: R6Press [R6Press@epa.gov]
Subject: RE: AP calling - post-Harvey testing

Great

From: Gray, David
Sent: Friday, January 26, 2018 11:11 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: R6Press <R6Press@epa.gov>
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David

Hey Frank,
I was able to get some additional information for you. Here is a list of facilities where we used our TAGA air monitoring mobile bus.

Shell Deer Park Refinery
Shell Deer Park Chemical Plant
Vopak Deer Park
Phillips 66
Formosa Plastics
Invista Victoria
Exxon Mobil Baytown Refinery
Exxon Mobil Baytown Chemical Plant
Exxon Mobil Baytown Olefins Plant
Marathon Texas City
Blanchard Refinery
Valero Texas City
Flint Hills Port Arthur
Motiva
Total
Valero Premcor
Shell Pipeline - Crude Product (RN103017521)
ExxonMobil Beamont Polyethylene
ExxonMobil Beamont Colonial Storage
ExxonMobil Beamont Refinery
ExxonMobil Beaumont Chemical Plant

Here are a list of 747 facilities (drinking water, wastewater and industrial) flown by the ASPECT air monitoring aircraft.

Facility Name
AMERIPORT CVA
ALVIN FOOD MART 2
COLUMBUS CLUB ASSOCIATION OF ALVIN
TOWER TERRACE
ROSHARON ROAD ESTATES SUBDIVISION
FIRST BAPTIST CHURCH HUFFMAN
CANAL TERRACE SUBDIVISION
BRAZOS RIVER CLUB
HARRIS COUNTY WCID 70
BEECHWOOD SUBDIVISION
JR EVANS AND ASSOCIATES
WILCO WATER CO
JRS TEXAS BEST
HUFFMAN HEIGHTS SUBDIVISION
CITY OF WEBSTER
NRG W A PARISH ELECTRIC GENERATING STATI
TPWD BRAZOS BEND STATE PARK 2
FORT BEND COUNTY MUD 115 RIVERSTONE
J & N MINI MART 2
SWEENY OLD OCEAN RV PARK
TDCJ ID DARRINGTON UNIT
RIO VILLA WSC
BRAZOS BEND HOME & RANCH
HILLMANS SEAFOOD
CASTLEWOOD MUD
HARRIS COUNTY MUD 371
CITY OF WHARTON
FAIRVIEW ACRES MOBILE HOME SUBDIVISION
UNITED SALT CORPORATION
CITY OF MISSOURI CITY MUSTANG BAYOU WATE
CELANESE LTD-CLEAR LAKE
WEST HARRIS COUNTY MUD 17
HARRIS COUNTY PCT 3 PAUL D RUSHING PARK
BARROW RANCH
TOUCANS CONVENIENCE
SJOLANDER ROAD MOBILE HOME PARK
OILTANKING TEXAS CITY TERMINAL
FORT BEND COUNTY MUD 128
WESTON MUD
BARBOURS CUT TERMINAL
BRYAN MOUND STRATEGIC PETROLEUM RESERVE
CHEVRON PHILLIPS CLEMENS TERMINAL
STYROLUTION AMERICA BAYPORT SITE

GALVESTON COUNTY WCID 8
VENCOREX US
LOST LAKES
A & A STOP & SHOP
SIENNA PLANTATION MUD 10
ANGLE ACRES WATER SYSTEM
CORNERSTONES MUD
AKZO NOBEL SURFACE CHEMISTRY
DOW TEXAS FREEPORT SALT DOME 8
TL MINI EXPRESS
HARRIS COUNTY PCT 1 CHALLENGER 7 MEMORIA
TOWERING OAKS I
SUN RANCH WATER SYSTEM
CIMARRON MUD
CHAMBERS COUNTY OLD RIVER BUILDING
BOLING ISD NEW GULF ELEMENTARY
HARRIS COUNTY MUD 405
INEOS AMERICAS PASADENA SITE
RIVERSIDE HALL KJT 40
QUICK TIME
BEACON LAKES GOLF CLUB
SCHLUMBERGER ROSHARON CAMPUS
COMMODORE COVE IMPROVEMENT DISTRICT
SOUTHVIEW BAPTIST CHURCH
SHADY OAKS MHP
DOW TEXAS FREEPORT SALT DOME 9
BATEMAN WATER WORKS
OPTIMIZED PROCESS DESIGN
SEABROOK MARINA JENNINGS ISLAND
KATY ISD MAYDE CREEK SCHOOL COMPLEX
OLSEN ESTATES WATER SYSTEM
ROVING MEADOWS WATER SYSTEM
HUGO POINT PARK
CITY OF HOUSTON DISTRICT 73
GALVESTON COUNTY FWSD 6 TIKI ISLAND
WESTERN PINES MHP
COMMUNITYBANK OF TEXAS HUFFMAN
WOOD OAKS WATER WORKS
CARRIAGE TRAIL SUBDIVISION
HIGHLAND BAYOU ESTATES WSC
HARRIS COUNTY PCT 3 HOCKLEY SERVICE CENT
BAYOU SHADOWS WATER SYSTEM
BRAZORIA COUNTY BRAZOS RIVER PARK
CITY OF MORGANS POINT
WEST HARRIS COUNTY MUD 2 CHASE
EL BUEN PASTOR BAPTIST CHURCH
GULF COAST WASTE DISPOSAL ATHRTY BAYPORT
SPANISH COVE PUD
KEY LARGO UTILITIES
HOUSTON EAST RV RESORT

CITY OF CLUTE
SIENNA PLANTATION MUD 12
OAK BEND ESTATES
CAMP KARANKAWA BSA
BOLIVAR PENINSULA SUD
FLEXSTEEL MANUFACTURING FACILITY
CEDAR BAYOU ESTATES
LINCECUM WATER POWERS ADDITION
HOLIDAY SHORES
RED OAKS
AIR LIQUIDE LARGE INDUSTRIES US
ROLLAN HEIGHTS SUBDIVISION
COUNTRYSIDE MOBILE HOME PARK
CEDAR BAYOU ELECTRIC GENERATING
CHAPARRAL RECREATION ASSOCIATION
HARRIS COUNTY MUD 345
TPWD BRAZOS BEND STATE PARK 1
CHENANGO RANCH
CORNER MARKET
BAY PLACE SUBDIVISION
CENTRE AT HWY 6
BAYOU COLONY SUBDIVISION
HACKBERRY CREEK SUBDIVISION
BRAZORIA COUNTY PARKS SAN LUIS PASS
BEACH CITY RV PARK WATER SYSTEM
DOW CHEMICAL COMPANY - BM44 & BM59
RIVERSIDE ESTATES
FORT BEND COUNTY MUD 129
HARRIS COUNTY MUD 64
HARRIS COUNTY MUD 71
LAMBERTI USA
HP DATA CENTER HOUSTON WEST
DOW TEXAS FREEPORT SALT DOME 4
BLUE DOLPHIN WATER SUPPLY SYSTEM
US COAST GUARD STATION FREEPORT
LAZY ACRES MOBILE HOME PARK
MAGNOLIA GARDENS
MCGEE PLACE
BRANDI ESTATES
HARRIS COUNTY MUD 434
HARRIS COUNTY PCT 3 FOUR SEASONS PARK
CITY OF ALVIN
FAIRFIELD ESTATES
TBCD WEST TREATMENT PLANT
OLD RIVER BAPTIST CHURCH
RAIN RIVER ESTATES
PEEK ROAD MOBILE HOME PARK
KOUNTRY KORNER
RIVER OAKS SUBDIVISION
SAT A STAR GAS

FOREST PARK EAST
HARRIS COUNTY PCT 2 IT MAY PARK
AMERICAN LEGION POST 226
PALM CREST
HARRIS COUNTY MUD 449
WHARTON MUNICIPAL AIRPORT
WHITEWING SUBDIVISION
ENTERPRISE PRODUCTS HATCHERVILLE RD
CITY OF ANGLETON
AUTUMN SHADOWS MOBILE HOME PARK
VFW POST 912
BACLIFF MUD
HUFFMAN HOLLOW APARTMENTS
AUSTIN BAYOU GOLF & RV
FORT BEND COUNTY MUD 131
KICKS CLUB AN ASSOCIATION OF PERSONS
GRACE BAPTIST CHURCH BRAZORIA
DIMITRIS CABARET
MARK V ESTATES
CITY OF KATY
CROSS ROADS OIL FIELD SUPPLY
GULF COAST WATER AUTHORITY TX CITY
OAKRIDGE RV RESORT
S P J S T REST HOME
LOST RIVER RV PARK
COUNTRY TERRACE SUBDIVISION
HARRIS COUNTY FWSD 1B
GALVESTON COUNTY MUD 12
SNUG HARBOR SUBDIVISION
CITY OF BRAZORIA
WESTLAKE MUD 1
WEST MEMORIAL MUD
K-BIN B PLANT
GALVESTON COUNTY WCID 19
TEXAS EMPIRE
RIVERWOOD SUBDIVISION WATER SYSTEM
RIVERSIDE DRIVE IN
CEDAR CREEK WATER SYSTEM
TEAL BEND SHOPPING CENTER
WINDSONG PARK
BRIAR MEADOWS
HILLMAN SHRIMP AND OYSTER
ASCEND PERFORMANCE MATERIALS CHOCOLATE B
SILVERLEAF SEASIDE RESORT
CITY OF OYSTER CREEK
SIENNA PLANTATION MUD 3
HARRIS COUNTY MUD 62
HILLSIDE DRIVE IN
HARRIS COUNTY FWSD 27
MALLARD LAKE CLUB

CITY OF BAYTOWN
ANGLETON CHEVRON
KNIGHTS OF COLUMBUS 8548
CITY OF HOUSTON DISTRICT 82
ESTATES WATER CORP
BIG CEDAR LANDING
COLONEL MUSEUM INC
HARRIS COUNTY MUD 63
STUCKEYS 109
COUNTRY FOOD STORE
LUCE BAYOU PUD
MASON CREEK UTILITY DISTRICT
GALVESTON COUNTY WCID 12
DIDOS
TREASURE ISLAND MUD
MEMORIAL MUD
DOW CHEMICAL COMPANY PLANT A
CHOCTAW SUBDIVISION
KIRBY INLAND MARINE LP
ST PAUL MISSIONARY BAPTIST CHURCH BRAZOR
BRAZORIA COUNTY MUD 55
MAXIM PRODUCTION OLD FARM
BEST SEA PACK
OCEAN MOBILE HOME PARK
MANVEL HIGH SCHOOL
SHADY CREEK SECTION 3 WATER SYSTEM
4 CORNERS BAR B Q
THOMPSON FIELD OFFICE
HOUSTON SOUTHWEST AIRPORT
THE COMMONS WATER SUPPLY INC
LAKE MUD
GREENLEAF NURSERY ADMINISTRATION
MEADOW GLEN CRYSTAL SPRINGS WATER
WEST BAY ASSEMBLY OF GOD
JAKE DOVE CENTER
LEANING OAKS WATER ASSOCIATION
HANDI PLUS 42
TURTLE COVE LOT OWNERS ASSOC
MILLENIUM RAIL HOCKLEY PLANT
HARRIS COUNTY MUD 61
MORTON ROAD MUD
CAMP WIND A MERE
WOODLAND ACRES SUBDIVISION
HARRIS COUNTY PCT 2 SOCCER COMPLEX
FAIRWAY CROSSING
BRAZOSPORT WATER AUTHORITY
GRAB ALL DRIVE IN GROC
GREATER MT ZION BAPTIST CHURCH OF JESUS
2 JS CAFE & MARINA
GULF BAYPORT CHEMICALS

BERNARD OAKS SUBDIVISION
HUNTSMAN ETHYLENEAMINES
SAMS COUNTRY STORE
6711 HIGHWAY 332
ALL PURPOSE FUNERAL HOME
SIENNA PLANTATION THE WOODS
TIMBER RIDGE SECTION 2
HARRIS COUNTY MUD 105
KUCERA FARMS SUBDIVISION
SOUTH MEADOWS WEST
GALVESTON BAY RV
FOE 3789
MARIA ELENAS MOBILE HOMES
WALRAVEN SUBDIVISION
EQUISTAR CHEMICALS BAYPORT
MAXIM PRODUCTION SUBDIVISION
CALICO FARMS SUBDIVISION
HIGHLAND MOBILE HOME SUBDIVISION
ANGLETON RV PARK
CHEVRON HANDI PLUS 52
MARLIN MARINA WATER SYSTEM
BRAZORIA COUNTY AIRPORT
WORD OF RESTORATION CHURCH
SEABROOK SEAFOOD
PRASEKS HILLJE SMOKEHOUSE
SALT GRASS KOUNTRY 1
GOOD TIMES MARINA
SAN LEON MUD
CEDAR BAYOU PARK
CROSBY CHURCH
KRAFTS COUNTRY STORE
PALOMA ACRES SUBDIVISION
H & L NEW GULF
HARRIS COUNTY MUD 419
HARRIS-FORT BEND COUNTIES MUD3
MAXIM PRODUCTION 273 FARM
CROSBY RV PARK & CABIN RENTALS
CITY OF FREEPORT SLAUGHTER ROAD
DSM NUTRITIONAL PRODUCTS
HARRIS COUNTY MUD 81
LYONDELL CHEMICAL CO BAYPORT
FLEXICORE OF TEXAS
HARRIS COUNTY FWSD 1A
CHAMBERS COUNTY BEACH CITY BUILDING
CITY OF MANVEL
OAK MEADOWS ESTATES SUBDIVISION
LUTES MARINA
KICKAPOO FARMS SUBDIVISION
CEDAR ESTATES SUBDIVISION
HUNGERFORD MUD 1

ARKEMA CROSBY PLANT
CITY OF PASADENA
KOUNTRY KWIK
CITY OF LAKE JACKSON
SNAPPY MART 3
SWEENY REFINERY
VILLAGE ESTATES MOBILE HOME PARK
RIVER RUN WATER SYSTEM
WAY STATION RV PARK
HALDOR TOPSOE
OAKS AT HOUSTON POINT
NRG TEXAS W A PARISH GAS PLANT
CITY OF WEST COLUMBIA
ROYAL RIDGE
INEOS CHOCOLATE BAYOU PLANT
DOW SALT DOME 1
PETERSON PLACE SUBDIVISION WATER SYSTEM
GREENBRIAR ESTATES
BANANA BEND BEACH & PARK
ORCHARD CROSSING SUBDIVISION
DOW CHEMICAL OYSTER CREEK PLANT
CHAMBERS COUNTY NEW COVE BUILDING
LAS PLAYAS
STONERIDGE LAKE SUBDIVISION
WEST PARK MUD
INTERSTATE MUD
OAK MANOR MUD
CITY OF JAMAICA BEACH
BERNARD GROCERY CONVENIENCE STORE
CHAMBERS COUNTY MUD 1
WOLF GLEN WATER SYSTEM
HARRIS-FORT BEND COUNTIES MUD1
WHARTON COUNTY WCID 2
SPRING MEADOWS MUD
TRI CITY BEACH GROCERY
TEXAS CITY BAYOU GOLF CLUB
RHYTHMIC ATTITUDES OF HOUSTON
FORT BEND COUNTY MUD 49
MISSION BEND MUD 1
CHEVRON PHILLIPS SWEENY COMPLEX OLEFINS
ANGLECREST SUBDIVISION
CITY OF ARCOLA
HEAVEN SENT DAYCARE
CITY OF LIVERPOOL
ANCHOR ROAD MOBILE HOME PARK
HARRIS COUNTY MUD 167
BRAZORIA COUNTY SHERIFFS OFFICE DETENTIO
EL CAMPO TRUCK STOP
DEMI JOHN I S WATER SYSTEM
ALMEDA WATER WELL SERVICE

DIANAL AMERICA
J & L TERRY LANE
CITY OF HITCHCOCK
BAG A BAG
FORT BEND COUNTY MUD 23
LEEDO MANUFACTURING
TOWN OF QUINTANA
LBC HOUSTON
HUNTER PLACE
SRALLA MOBILE HOME PARK
BLACKS FERRY WATER
HARRIS COUNTY WCID 1
BARKALOO HOMEOWNERS ASSOCIATION
GRACE PASADENA CATALYST SITE
WHARTON COUNTY WCID 1 LOUISE
FRENZ BAR & GRILL
ROCKY CREEK ESTATES
BRAZOS LAKES WATER SUPPLY
LYONDELLBASELL BAYPORT POLYMERS
ROZIS MINI MART 3
GALVESTON COUNTY WCID 1
COLES CROSSING
ANGLETON MARKET
SUNCREEK ESTATES SECTION 1
COTTON BAYOU PARK
LONE PINE SUBDIVISION
BAYVIEW MUD
CHAPMANS MHP
MYRA S PRYOR GIRL SCOUT CAMP
STOP N SERV 4
C & C GROCERY
GRAY UTILITY SERVICE
DAYTON FOOD AND FUEL
CITY OF ANAHUAC
PYSSENS LIVE OAK ESTATES SUBDIVISION
CITY OF GALVESTON
PT FOOD MART
NORTHWEST HARRIS COUNTY MUD 12
BASF FREEPORT SITE
CHAMBERS COUNTY MCCOLLUM PARK
CITY OF DANBURY
RICETEC
EQUISTAR POLYMER CHOCOLATE BAYOU
COUNTRY REGENCY INN & SUITES
DOW TEXAS FREEPORT SALT DOME 3
AXXIOM MANUFACTURING
BLACKHORSE STORAGE
PEREGRINE TOWNHOMES SAN LUIS PASS
STROUHAL TIRE
COUNTRY LIVING MOBILE HOME PARK

SHIN ETSU SILICONES OF AMERICA
TUGBOAT MARINA
ANGLETON CHRISTIAN SCHOOL
HARRIS COUNTY MUD 418
CITY OF FREEPORT
PEEK ROAD UTILITIES
J M P UTILITIES
GREENLEAF NURSERY SHIPPING & RECEIVING
CHAMBERS COUNTY OLD COVE BUILDING
FRY ROAD MUD
FOREST MANOR SUBDIVISION
COUNTRY ACRE ESTATES
WEYBRIDGE SUBDIVISION WATER SYSTEM
VILLAGE OF SURFSIDE BEACH
CROSBY MUD
OYSTER CREEK ESTATES
WILD PEACH ELEMENTARY SCHOOL
APACHELAND MOBILE HOME SUBDIVISION
SAVANNAH PLANTATION SUBDIVISION
TEXAS CITY CHEMICAL PLANT
HALLS BAYOU BAIT CAMP
HARRIS COUNTY MUD 50
HUNTSMAN PETROCHEMICAL DAYTON FACILITY
MPI KATY PLAZA
JRS MINUTE MAID
SANDY MEADOW ESTATES SUBDIVISION
AMERIPORT 1 DELTA
BERNARD ACRES
KATY ISD AGRICULTURAL FACILITY
TOWN OF HOLIDAY LAKES
K & B WATERWORKS
HANDI PLUS 7335
BERNARD RIVER OAKS
FUEL MAXX 12
CONVENIENCE PLUS
KIDACIOUS ACADEMY
BRAZORIA COUNTY MUD 31
TALL CEDARS MOBILE HOME SUBDIVISION
S & Z FOOD MART
SAN BERNARD RIVER ESTATES
GLENWOOD MOBILE HOME SUBDIVISION
PLANTATION ON COTTON BAYOU
CITY OF SWEENY
SOONER PIPE CROSBY
ECO SERVICES OPERATIONS
MS EXPRESS 704
JONES CREEKWOOD
ATHLON SOLUTIONS CLEAR LAKE
ENCHANTED FOREST DAY CARE
MAXIM PRODUCTION PULLET HOUSE

UNION CARBIDE TEXAS CITY
MUSTANG CREEK BAR-B-QUE
RIVER OAKS
VARNER CREEK UTILITY DISTRICT
HOMELAND SUBDIVISION
SIENNA PLANTATION MUD 4
HARRIS COUNTY MUD 346
COUNTRY MEADOWS
WEST HARRIS COUNTY MUD 5
JSW STEEL USA PLATE DIVISION
TDCJ RAMSEY AREA
FIRST BAPTIST CHURCH HUFFMAN YOUTH
JIMBOS ROADHOUSE
LOWER NECHES VALLEY AUTHORITY
SOUTHWEST SHIPYARD
VALERO CORNER STORE 2320
UT MEDICAL BRANCH GALVESTON
FORT BEND COUNTY MUD 46
GRAND MISSION MUD 2
GULF COAST FRACTIONATORS
DELYNN WATER SYSTEM
DOW CHEMICAL COMPANY PLANT B
TEXAS CITY TERMINAL RAILWAY CO
HAAK VINEYARDS
TURTLE CREEK VILLAGE
MONSANTO PARK CHOCOLATE BAYOU
LORI HEIGHTS MOBILE HOME SUBDIVISION
DEMI JOHN PLACE WATER SYSTEM
FOUR SEASONS MHP
CITY OF MONT BELVIEU
WILD PEACH BAPTIST CHURCH
HIGHLAND RIDGE SUBDIVISION
CHEVRON SELF SERVE 107976
TBCD WINNIE STOWELL
HARRIS COUNTY MUD 432
MAMMOET ROSHARON
WESTERN MOBILE HOME PARK
TRINITY COVE SUBDIVISION
CITY OF HOUSTON LAKE HOUSTON PARKS
HARRIS COUNTY MUD 287
CITY OF LA MARQUE
EAGLE CREEK TRAILER PARK
LONG TERM RV PARK
CITY OF EL CAMPO
SIENNA PLANTATION MUD 1
PCI NITROGEN PASADENA
WATERGATE YACHTING CENTER
BENTWOOD ESTATES MHP
CHINQUAPIN PREPARATORY SCHOOL
HARRIS COUNTY FWSD 58

FORT BEND COUNTY MUD 141
GULF COAST OYSTERS
CHEVRON PHILLIPS CHEMICAL PE SITE
JONES CREEK TERRACE
OASIS TRAVEL PLAZA ANGLETON
SOUTH MEADOWS EAST
CENTRAL BAPTIST CHURCH
CITY OF ROSENBERG
STRAIGHTWAY TRAINING CENTER
GRASSLANDS
GREENLAND SQUARE SUBDIVISION WS
ON THE BAYOU RV PARK
WEE MART
WEST HARRIS COUNTY MUD 7
HEATHERGATE ESTATES
SIENNA PLANTATION MANAGEMENT DISTRICT
BAYRIDGE SUBDIVISION WATER SYSTEM
CITY OF RICHWOOD
CITY OF PASADENA EL CARY ESTATES
LAKE JACKSON MOBILE HOME PARK & RV
HARRIS COUNTY MUD 65
EXXON MOBIL BAYTOWN REFINERY
LEE RIDGE SUBDIVISION
ROOSTERS ORANGE BAR
HARRIS COUNTY LEADERSHIP ACADEMY
THUNDERBIRD UTILITY DISTRICT 1
TWIN OAKS MHP HARRIS
HARRIS COUNTY PCT 3 KATY PARK
BRAZORIA COUNTY B R HANSEN PARK
CITY OF HILLCREST VILLAGE
BOLING MWD
HORSESHOE BEND MARINA
SAN JACINTO RIVER AUTHORITY HIGHLANDS
ODFJELL TERMINALS
CHAMBERS COUNTY IMPROVEMENT DISTRICT 1
CROSS COUNTRY STORES
VISTA UTILITIES
FORT BEND COUNTY MUD 149
MENA REALTY
SAN BERNARD RIVER RV PARK
STAR CAFE
NATURAL HORISUN RV PARK
TIFFANY WATER
O ACES MHP
CASTLEWOOD MUD
CITY OF BAYTOWN
TRINITY BAY CONSERVATION DISTRICT
CITY OF WEBSTER
FORT BEND COUNTY MUD 131
HARRIS COUNTY WCID 50

WESTON MUD
BOLIVAR UTILITY SERVICES LLC
LAKE MUD
ORBIT SYSTEMS INC
BCD SERVICES INC
CITY OF GALVESTON
HARRIS COUNTY MUD 287
HIGH ISLAND ISD
COMMODORE COVE IMPROVEMENT DISTRICT
GALVESTON COUNTY WCID 1
HARRIS COUNTY MUD 449
CITY OF GALENA PARK
CITY OF SEABROOK
CITY OF SWEENY
MILLENNIUM RAIL INC
CITY OF NASSAU BAY
TRINITY BAY CONSERVATION DISTRICT
HARRIS COUNTY MUD 536
SIENNA PLANTATION MUD 5
CITY OF HOUSTON
HARRIS COUNTY MUD 285
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT 525
FRY ROAD MUD
ORBIT SYSTEMS INC
CHELFORD CITY MUD
GALVESTON COUNTY WCID 12
UA HOLDINGS 1994-5 LP
ORBIT SYSTEMS INC
TRINITY BAY CONSERVATION DISTRICT
BOLIVAR UTILITY SERVICES LLC
SOUTH CENTRAL WATER COMPANY
NATIONAL OILWELL VARCO; L.P.
GALVESTON COUNTY MUD 12
HARRIS COUNTY MUD 105
CITY OF EL CAMPO
CITY OF CLUTE
TEXAS PARKS & WILDLIFE DEPARTMENT
LOST RIVER RV LIMITED LIABILITY COMPANY
NATIONAL OILWELL VARCO LP
COLUMBIA-BRAZORIA ISD
TRINITY BAY CONSERVATION DISTRICT
BRAZORIA COUNTY MUD 31
CITY OF JAMAICA BEACH
CITY OF BAYTOWN
CITY OF HOUSTON
CITY OF GALVESTON
CITY OF MORGANS POINT
GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT 51
CITY OF GALVESTON
OAK MANOR MUD

HARRIS FORT BEND COUNTIES MUD 3
SOUTH CENTRAL WATER COMPANY
MAYDE CREEK MUD
STYN LLC
CITY OF LEAGUE CITY
CLEAR LAKE CITY WATER AUTHORITY
BAYVIEW MUNICIPAL UTILITY DISTRICT
CITY OF MISSOURI CITY
HARRIS COUNTY MUD 438
KATY ISD
COUNTRY TERRACE WATER COMPANY INC
NERRO SUPPLY LLC
BRAZORIA COUNTY MUD 55
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
BRAZORIA COUNTY MUD 21
SIENNA PLANTATION MUD 1
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
WILLIAMSBURG REGIONAL SEWAGE AUTHORITY
HARRIS COUNTY MUD 70
CITY OF LA MARQUE
HARRIS COUNTY MUD 284
CITY OF BAYTOWN
AQUA TEXAS INC
MOMIN; ZEHRABEN
HARRIS COUNTY WCID 1
FORT BEND COUNTY MUD 23
AQUA TEXAS INC
CITY OF ROSENBERG
LUCE BAYOU PUD
HARRIS COUNTY MUD 434
AQUA UTILITIES INC
KATY-HOCKLEY CORP
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
CITY OF WHARTON
HARRIS COUNTY MUD 371
HARRIS COUNTY
TEXAS PARKS & WILDLIFE DEPARTMENT
CITY OF LEAGUE CITY
BOLING ISD
CITY OF MISSOURI CITY
CITY OF ARCOLA
MONTGOMERY COUNTY MUD 113
HARRIS COUNTY MUD 418
WHARTON COUNTY WATER CONTROL AND IMPROVEMENT DISTR
MONARCH UTILITIES I LP
HARRIS COUNTY WCID 70
WEST MEMORIAL MUD
AQUA UTILITIES INC
CITY OF HILLCREST VILLAGE
ROMERICA ENTERTAINMENT; LLC

CEDAR BAYOU PARK UD
HARRIS COUNTY MUD NO 50
CITY OF OYSTER CREEK
CITY OF SUGAR LAND
GULF COAST WASTE DISPOSAL AUTHORITY
MEMORIAL VILLAGES WATER AUTHORITY
CITY OF HOUSTON
NEWPORT MUD
290 KICKAPOO DEVELOPMENT INC.
TEXAS DEPARTMENT OF CRIMINAL JUSTICE
CITY OF BAYTOWN
TIKI LEASING COMPANY LTD
CITY OF TEXAS CITY
BRAZORIA COUNTY MUD 29
59th Street Water Pump Station
Agrifos Fertilizer L.L.C.
Airgas Specialty Gases; Inc.
Akzo Nobel Polymer Chemicals - Pasadena
Akzo Nobel Surface Chemistry LLC Houston Plant
Americold - La Porte
Ascend Performance Materials LLC
Baker Petrolite Corporation - Bayport
Bayer MaterialScience - Baytown
Baytown Area Water Authority
Bellaire Braes Plant
Blanchard Refining Company LLC - Galveston Bay Ref
BP Amoco Chemical Company - Texas City Plant
Brazosport Water Authority
Brenntag Southwest Inc.; Houston 1-13 Update
Calumet Penreco; LLC
Central District Wastewater Treatment Plant
Chelford City Regional Wastewater Treatment Plant
Chevron Phillips Chemical Co. LP Clemens Terminal
City of La-Marque Wastewater Treatment Facility
City of Rosenberg - WWTP 1A
Clear Lake Plant
Danevang; TX 0324 Satellite
Dixie Chemical Company
DSM Nutritional Products; Inc.
Dyson Campbell Water Reclamation Center
E. R. Carpenter L.P. - Powell Plant
Eagle US 2 LLC - La Porte
East District Wastewater Treatment Plant
Eastman Chemical Texas City; Inc.
El Dorado Nitrogen; L. P.
Enterprise Almeda Terminal
Equistar Chemicals; LP Chocolate Bayou Chemicals
Equistar Chemicals; LP Chocolate Bayou Polymers
Equistar Chemicals; LP.
ExxonMobil Baytown Chemical Plant

ExxonMobil Baytown Refinery
ExxonMobil Chem. Co. (Mont Belvieu Plastics Plant)
ExxonMobil Chemical Company Baytown Olefins Plant
FBCo. WCID No. 2 Wastewater Treatment Plant
Freeport HyCO
Freeport Wastewater Treatment Plant
Galveston Airport Wastewater Treatment Plant
Galveston County W.C.I.D. #1
Galveston Main Wastewater Treatment Plant
Goodyear Houston Chemical Plant
Grocers Supply Co.
Gulf Bayport Chemicals; L.P.
Gulf Coast Fractionators Facility
Harvest Pipeline Old Ocean Plant
Huntsman Petrochemical LLC - Dayton Plant
INEOS O&P USA LLC - Chocolate Bayou Plant
INEOS USA LLC - Stratton Ridge Facility
ISP Technologies - Texas City
Kaneka North America LLC
Katy Addicks Plant
Kemin Industries; Inc. - Port of Houston Facility
Kuraray America; Inc.
LBC Houston/Bayport Terminal
Marathon Petroleum Company Texas Refining
Mayde Creek Municipal Utility District
MEMORIAL VILLAGES WATER AUTHORITY WWTP
MMD Enterprises Inc. - DBA Ag-Tex Chemical Inc.
Momentive Specialty Chemicals Inc.- Baytown TX
Mont Belvieu Fractionator
Mont Belvieu Fractionator and Terminal
Nova Molecular Technologies; Inc.
Occidental Chemical Corp. - Deer Park VCM Site 3
Occidental Chemical Corporation-Pasadena PVC Plant
Odfjell Terminals (Houston) Inc
Oyster Creek Wastewater Treatment Plant
Pasadena Refinery
Phillips 66 Company - Sweeny Refinery
Robert T. Savely Water Reclamation Facility
Rohm and Haas Chemicals LLC; Bayport Plant
SI Group Texas Operations
Solenis Industrial Water Division
Southwest Shipyard; L.P.
SSI Chusei; Inc.
Texas City Extraction Plant
Texas City Terminal
The Dallas Group of America; Inc.
The Dow Chemical Company; Texas Operations
The Lubrizol Corporation - Bayport Plant
Thomas S. Mackey Water Treatment Plant
TPC Group LLC

TPC Group LLC - Baytown
Univar USA; Inc.--Houston; TX
Valero Refining Texas - L. P.
West District Wastewater Treatment Plant

Regarding our work in Manchester - Starting Sept. 3, we had three teams of two each using multiRea/handheld monitors to monitor in the Manchester community and around the perimeter of the Valero facility, in response to complaints from the community and reports of elevated benzene. TAGA arrived and began monitoring in the Manchester community on September 5, 2017. We also used a PID and FLIR camera to monitor the following four areas: (1) south of LyondellBasell - Houston Refining along Lawndale St.; (2) west of the Magellan Terminals Facility along the fence line on Federal Rd.; (3) southwest of Valero Houston Refinery's Tank 3 across from Sims; and (4) along N Witter St. between Pasadena Refining Systems Inc. (PRSI) and Kinder Morgan's Pasadena Terminal.

From: Bajak, Frank [mailto:FBAJAK@ap.org]
Sent: Monday, January 22, 2018 10:42 AM
To: Gray, David <gray.david@epa.gov>
Cc: R6Press <R6Press@epa.gov>; Lise Olsen <lise.olsen@chron.com>
Subject: RE: AP calling - post-Harvey testing

Repeating in case you missed. Not sure of your status given the federal shutdown.
Thanks!

From: Bajak, Frank
Sent: Thursday, January 18, 2018 10:04 AM
To: David Gray (gray.david@epa.gov) <gray.david@epa.gov>
Cc: 'r6press@epa.gov' <r6press@epa.gov>
Subject: AP calling - post-Harvey testing

Hi David,

I tried calling and left a message. I would appreciate your help with the follow-up questions below, and would like to request an interview with incoming Administrator Idsal on the Harvey environmental response. Should I send a separate email request?

Questions:

I have reviewed the record (what is published on the EPA website) and I see no indication that EPA or TCEQ collected soil and sediment samples EXCEPT at Superfund sites and at the Crosby Arkema plant site. Is that correct? Or were soil and sediment samples collected elsewhere to see if contaminants from Harvey-related spills might have spread in flooding? My question in the Dec. 28 email (below) referred specifically to parks, schools and waterways.

I don't see any information on your website specifying at which industrial facilities in greater Houston or elsewhere in Texas water quality was sampled or how many. Can you identify the sites in greater Houston? If not, provide at least a number? Was soil also sampled by EPA at or near industrial facilities? If so, which? Regarding Valero's refinery in the Manchester district of Houston, did EPA take soil and water samples on site or near it?

I would also like specifics on air monitoring. Can you specify on which industrial sites EPA's air monitoring focused?

EPA was surely aware that Houston registered Texas' worst smog day on Sept. 1. Yet it did not begin ASPECT flights until three days later and its first ASPECT flight over the Houston Ship Channel on Sept. 7. TAGA buses were deployed on Sept. 5. Why not sooner?

EPA has said it tested the air, soil and water at Arkema. But what of Valero's Manchester refinery? EPA told the Houston Chronicle on Sept. 14 that Valero had "significantly underestimated" the amount of benzene released at the Manchester refinery. We know you are investigating. Did EPA confirm through air monitoring of its own - or of others - that Valero was the source of benzene emissions exceeding permissible levels? Did it rely on instruments deployed by the city of Houston? The EDF? (An TCEQ opinion posted online calling those measurements as untrustworthy. Is that also EPA's assessment?).

Many thanks your help,
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak
Cel. Ex. 6 (Signal) Landline : +1-914-472-1145
PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu --Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, December 28, 2017 1:32 PM
To: Bajak, Frank <FBAJAK@ap.org>
Cc: Press <Press@epa.gov>
Subject: Re: AP request - Harvey-related contaminant monitoring

Hi Frank,

For 1 and 2, everything we have is on our website including data reports for all of the Superfund sites. For 3, we previously announced that we were looking into Valero and beyond that we have a longstanding practice of not discussing enforcement cases until they are made public by us. For 4, EPA received several mission assignments to conduct work in support of Hurricane Harvey response activities.

Best,

David

Sent from my iPhone

On Dec 28, 2017, at 7:52 AM, Bajak, Frank <FBAJAK@ap.org> wrote:

David et al,

In collaboration with the Houston Chronicle, we're trying to get a sense of exactly what environmental and public health monitoring was done in metropolitan Houston after Harvey hit, what it determined and which polluters may have been deemed negligent. Our focus is the petrochemical industry. I'd much appreciate your help answering the following questions. We've also queried the TCEQ:

1. What specific testing of soil, air and water was done by EPA in the Houston metro area to determine if public health, parks, schools, marine life and ecosystems may have been affected by contaminants released in Harvey-related events? We would appreciate a detailed response. (If you have data for all of Region 6 at your fingertips we are also interested, though our primary focus is the Houston area, particularly around the ship channel and adjacent waterways).

2. In a joint Sept. 14 status report posted on the TCEQ site the agencies said: "Water quality sampling will be focused on industrial facilities and hazardous waste sites." Where exactly did you take soil and water samples and what substances did you test for? What did the results show? Can we see the reports? What testing was done at federal Superfund sites and when? What did you test for and what were the results?

   The last update I see on your monitoring efforts and findings is here and the most recent document I see posted related to Harvey is dated Oct. 11: (https://response.epa.gov/site/site_profile.aspx?site_id=12353

3. Did you open investigations into any particular spills or unpermitted air emissions in greater Houston? If so, which plants and companies are under investigation? Has the EPA fined any parties (or initiated proceedings to do so) for spills or unpermitted emissions from Aug. 23-Sept. 22 in Region 6?

4. Did EPA obtain or spend any extra funds on Harvey-related spill/upset responses from August through December?

Many thanks and Happy Holidays!
-fb

Frank Bajak, Correspondent
Twitter:@fbajak/Skype:fbajak
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PGP/encrypted chat: http://keybase.io/fbajak 06CFF14700F4CAA4
PGP key at http://pgp.mit.edu –Wickr, Signal, WhatsApp
Houston, Texas, U.S.A

<image001.jpg> <image002.jpg>

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Message

From: Graham, Amy (Young) [Amy_Graham@young.senate.gov]
Sent: 1/23/2018 5:49:08 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: At Superfund sites, Scott Pruitt could flip his industry-friendly script

Nice work

Sent from my iPhone

On Jan 23, 2018, at 12:24 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

NOTE: "I have to give them credit. The experience has been night and day different," [Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis] said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

At Superfund sites, Scott Pruitt could flip his industry-friendly script
The Washington Post
Juliet Eilperin & Dennis Brady
January 23, 2018
https://www.washingtonpost.com/national/health-science/

Not long after Hurricane Harvey battered Houston last summer, Environmental Protection Agency Administrator Scott Pruitt stood on the banks of the San Jacinto River and surveyed a decades-old toxic waste site as divers checked whether the storm had unearthed dangerous chemicals.

Days later, he ordered two corporations to spend $115 million to excavate the contamination rather than leaving it covered. His dramatic decision put Pruitt in unfamiliar territory: Environmental activists cheered, while the targeted firms protested that the directive was not backed by science and could expose more people to health risks.

Pruitt's approach to the San Jacinto River Waste Pits, as well as to several other Superfund sites around the country, stands in stark contrast to the industry-friendly moves on everything from pesticide exposure to power plant pollution that have defined his first year at EPA.

In pressing for aggressive, accelerated cleanups, he is butting heads with companies while siding at times with local environmental groups. His supporters, and Pruitt himself, say it is evidence he is reinvigorating a core function of the agency. His critics see it as a political move, an effort to protect himself against charges that he constantly favors corporate interests.

Yet Pruitt's attention is shifting the conversation in some beleaguered communities. Residents say they don't care what his motivations are — if those bring the results they've long sought.

"Scott Pruitt is probably the most important person right now in the lives of the people in this community," said Dawn Chapman, who lives with her husband and three children near a controversial site northwest of St. Louis.

The landfill there, known as West Lake, contains thousands of tons of radioactive waste from the World War II-era Manhattan Project. Chapman and other activists are pushing for significant excavation. Pruitt has promised them he will issue a decision within days.

There are signs he might seek more extensive — and expensive — removal than EPA staff have recommended in the past. As is the case in Texas, the companies on the hook for the cleanup contend that years of scientific evidence show capping the waste in place would be safer, cheaper and completed sooner.

"Depending on the decision [Pruitt] makes," Chapman said, "he will probably forever remain the hero or the villain in the eyes of this community."

If he continues to propose aggressive actions around the country — his office last month published a list of 21 places in need of "immediate and intense attention" — it would represent one of the rare areas in which he has pushed to apply a cautionary approach when calculating the risk of exposure to environmental hazards.

Individuals familiar with the process, who spoke on the condition of anonymity to discuss internal deliberations, say Pruitt has asked agency staff briefing him on proposals at certain sites to flesh out more extensive remedies.

"In the briefings I've been in, he has set pretty high expectations for getting work done quickly . . . The region will lay out a schedule. And he'll say, 'Can you do it sooner than that? Can you do it faster?'" said Jim Woolford, director of an EPA office that helps run the Superfund program. "It elevates the attention and the work that goes into making those decisions happen faster."

In short, Woolford added, "What gets watched is what gets done."

Peter deFur, who has consulted on Superfund for more than two decades, remains skeptical of the administrator's emphasis on speed.

"The whole thing just raises a big red flag to me," deFur said. While acknowledging past EPA leaders have let some sites languish, he worries rushing to get locations off the program's National Priorities List could mean inadequate cleanups and expose communities to long-term harm.

Mathy Stanislaus, who oversaw the Superfund program during the Obama years, is wary of Pruitt's public posture. "Selecting a few remedies that are more expensive allows him to claim that he is protecting the environment," he said. "Politically, it's a counter against 'I'm just listening to industry.'"

With the San Jacinto site, one of the companies involved has questioned why Pruitt announced a final plan before all data on the hurricane's impact was in. "Removing the existing protective cap, which successfully withstood Hurricane Harvey, could result in significant damage to public health and the local environment," a spokesman for International Paper said in a statement.

The other company that is liable is McGinnis Industrial Maintenance Corp.

Pruitt gave no ground in a recent interview with The Washington Post. "The [companies]are already barking about it, but they caused it," he said. "We're going to hold them accountable."

Still, Pruitt appears willing to alter Superfund plans to ease the burden on some firms. He is revisiting a decision EPA finalized just before Barack Obama left office to clean up Portland Harbor in Oregon, which is projected to cost more than $1 billion and take 13 years to complete.

During his first year in office, Pruitt has consistently listed the Superfund program as one of his top priorities, even as he has trimmed agency staff and rolled back a slew of other environmental regulations — and even as the Trump administration has proposed cutting the program's annual budget by 30 percent, or about $330 million.

At many contaminated sites Pruitt has singled out for attention, the EPA can legally force companies responsible for the pollution to pay for cleanups. At "orphan" sites, where the polluters have gone bankrupt, the federal government still shoulders most of the tab. The pot of available dollars keeps shrinking.

"This is about leadership and attitude and actually making decisions on how we're going to remediate these sites," Pruitt told the Post last year. In 2018, he said he hopes to remove as many as 22 sites from the more than 1,300 that remain on that National Priorities List.

Last spring, Pruitt issued a directive saying he planned to be directly involved in decisions about cleanups in excess of $50 million. He also established a Superfund task force to examine how to restructure the program in ways that favor "expeditious remediation," "reduce the burden" on firms responsible for such efforts and "encourage private investment" in the projects.

So far, however, Pruitt has few concrete results to tout.

The EPA this month heralded cleanups at seven toxic waste sites and credited Pruitt's leadership for their removal from the Superfund list. An Associated Press analysis noted the physical work at each was largely completed before President Trump took office.

Such cleanups are frequently massive projects that take decades. Though every administration can shape the outcome at a site, certain legal guidelines must be followed.

Among the nine criteria the EPA has to consider: Will the proposed approach protect human health and the environment? How permanent will the solution be? Will states and communities embrace it? What are the short-term risks?

Unlike with air and water pollution rules, which do not factor cost into the equation, the agency is required to show the reduction in public health risk justifies the expense of the proposed action.

Albert "Kell" Kelly, the former Oklahoma banker whom Pruitt put in charge of revamping Superfund, said in an interview Pruitt does not want "a shortcut of a remedy" with any case. "He wants to be sure that the remedy is a sound remedy for a long, long time."

The agency is laying the groundwork to defend Pruitt's decisions in court, Kelly said, with the administrator "trying to be very judicious in what he does."

Kelly has faced questions about his qualifications for his current job, given his lack of environmental experience and his $125,000 fine last year from the Federal Deposit Insurance Corp. The FDIC also banned him from future banking activity.

He declined to elaborate on the FDIC settlement but called it a "highly frustrating" experience "which I could go into in depth, [but] I'm not sure that it's wise to do that."

As for his bona fides, "I never represented that I had an environmental science degree," Kelley noted, saying his main job on Superfund is to "bring parties together" and employ "management skills that, frankly, I've known for a long, long time."

The upcoming decision on West Lake will test not only those skills but Pruitt's promises.

Both companies now responsible for the Missouri landfill, Republic Services and Exelon Corp., have urged the EPA to avoid widespread excavation that they say could stir up and spread dangerous pollutants. They back a solution similar to a George W. Bush administration plan to cap and monitor the site, which would be several hundred million dollars cheaper. Protracted litigation is likely if the agency rejects that idea.

The local activists who have spent years arguing for tougher action believe they have greater leverage with the Trump EPA.

"I have to give them credit. The experience has been night and day different," Chapman said. "I don't know what decision [Pruitt] is going to make at this site. But I do know that he will be the one to make it."

Message

From: Emily Holden [eholden@politico.com]
Sent: 12/20/2017 8:38:02 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Superfund task force records?

Actually we're just not even going to cite the AP story. I'm just writing from the PEER documents and saying you couldn't comment on the FOIAs

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com
Mobile and WhatsApp: Ex. 6
@emilyhholden

From: Emily Holden
Sent: Wednesday, December 20, 2017 3:29 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>
Subject: RE: Superfund task force records?

Hey I'm not able to say you that you said he didn't ask for comment without asking him, and I haven't been able to reach him.

So I'm going to say this:

EPA spokesman Jahan Wilcox could not comment on the specifics of the FOIA request and response but disputed the AP story.

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com
Mobile and WhatsApp: Ex. 6
@emilyhholden

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, December 20, 2017 2:37 PM
To: Emily Holden <eholden@politico.com>
Subject: RE: Superfund task force records?

Updated Statement (Use can use the other statement as well, it was approved but some folks would just like this):

"The Associated Press did not reach out to us regarding this story." – EPA spokesman, Jahan Wilcox

---

From: Wilcox, Jahan
Sent: Wednesday, December 20, 2017 1:50 PM

To: 'Emily Holden' <eholden@politico.com>; Press <Press@epa.gov>
Subject: RE: Superfund task force records?

"The Associated Press did not reach out to us regarding this story, opting instead to be the mouthpiece for this activist organization." – EPA spokesman, Jahan Wilcox

---

From: Emily Holden [mailto:eholden@politico.com]
Sent: Wednesday, December 20, 2017 10:28 AM
To: Press <Press@epa.gov>
Subject: Superfund task force records?

Hi. Is it accurate that "a lawyer for EPA has written PEER to say that the task force had no agenda for its meetings, kept no minutes and used no reference materials"?

http://talkingpointsmemo.com/news/pruitt-superfund-task-force-no-records?utm_content=buffer9c4fd&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

If so, can anyone explain how a group that wrote such an extensive report had no records of how it came to be?

Please let me know if there's anything else I should know.

Thanks

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com
Mobile and WhatsApp: + Ex. 6
@emilyhholden

Message

From: Falvo, Nicholas [falvo.nicholas@epa.gov]
Sent: 12/20/2017 7:08:31 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: Superfund task force records?

Hold short for now. Will follow up with you in a bit.

Sent from my iPhone

On Dec 20, 2017, at 2:02 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Wednesday, December 20, 2017 1:50 PM
To: 'Emily Holden' <eholden@politico.com>; Press <Press@epa.gov>
Subject: RE: Superfund task force records?

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Please let me know if there's anything else I should know.

Thanks

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com
Mobile and WhatsApp: **Ex. 6**

@emilyhholden

Message

From: Nguyen, Quoc [Nguyen.Quoc@epa.gov]
Sent: 12/20/2017 7:12:50 PM
To: Blake, Wendy [Blake.Wendy@epa.gov]; Youngblood, Charlotte [Youngblood.Charlotte@epa.gov]; Miller, Kevin [Miller.Kevin@epa.gov]
CC: Falvo, Nicholas [falvo.nicholas@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: Superfund task force records?

Importance: High

ATTORNEY CLIENT PRIVILEGED; ATTORNEY WORK PRODUCT; DELIBERATIVE PROCESS PRIVILEGED

Dear All,

Deliberative Process / Ex. 5

Sincerely,
Quoc

From: Wilcox, Jahan
Sent: Wednesday, December 20, 2017 2:02 PM
To: Nguyen, Quoc <Nguyen.Quoc@epa.gov>
Cc: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: RE: Superfund task force records?
Importance: High

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Wednesday, December 20, 2017 1:50 PM
To: 'Emily Holden' <eholden@politico.com>; Press <Press@epa.gov>
Subject: RE: Superfund task force records?

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Sent: Wednesday, December 20, 2017 10:28 AM
To: Press <Press@epa.gov>
Subject: Superfund task force records?

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http://talkingpointsmemo.com/news/pruitt-superfund-task-force-no-records?utm_content=buffer9c4fd&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

If so, can anyone explain how a group that wrote such an extensive report had no records of how it came to be?

Please let me know if there's anything else I should know.

Thanks

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com
Mobile and WhatsApp: + Ex. 6
@emilyhholden

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 4/11/2018 3:52:38 PM
To: Daly, Matthew [MDaly@ap.org]
Subject: RE: Senate Dems

Sent Lisa our statement.

"From advocating to leave the Paris Accord, working to repeal Obama's Clean Power Plan and WOTUS, declaring a war on lead and cleaning up toxic Superfund sites, Administrator Pruitt is focused on advancing President Trump's agenda of regulatory certainty and environmental stewardship." – EPA spokesman, Jahan Wilcox

From: Daly, Matthew [mailto:MDaly@ap.org]
Sent: Wednesday, April 11, 2018 11:49 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Senate Dems

Are pushing sense of Senate resolution calling for Pruitt to resign or be fired.
Does EPA have a response?

Matthew Daly
Congressional Reporter
The Associated Press
202-641-9481 direct
Ex. 6 cell
Follow me on Twitter: @MatthewDalyWDC

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Message

From: Baptist, Erik [baptist.erik@epa.gov]
Sent: 11/15/2017 10:05:12 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Please update

Jahan,

My original line-by-line also dissected his article too (keep scrolling down). Just wanted to make sure you did not miss it.

Erik Baptist
Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Wilcox, Jahan
Sent: Wednesday, November 15, 2017 5:03 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: FW: Please update

FYI.

From: Wilcox, Jahan
Sent: Wednesday, November 15, 2017 5:01 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Please update

Below are our answers in red which come from our legal team and that takes time.

It is inaccurate to report that we are "involved" in "the case."

I've worked with over 20 AP reporters in over a 10 states and have never submitted a single complaint to an AP editor – and yes that includes working with Bob Lewis who wrote the Star Scientific story about Cuccinelli. From your work in North Carolina, to how you have inaccurately covered the EPA, it's simply incredible that AP's standards do not apply to you.

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, November 15, 2017 12:48 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Please update

Jahan,

AP did not report that EPA was a "party" to the case. We reported that EPA is involved in the case, which is accurate. As stated in the DOJ motion filed last week and the declaration filed EPA's Director of the Environmental Fate and Effects Division, Marietta Echeverria, the agency was obligated to play a key role in facilitating the National Marine Fisheries Service assessment called for in the 2014 settlement. The sentence accurately describes EPA's statutory responsibilities to evaluate the effects of pesticides on threatened or endangered species and prepare the biological evaluations provided to the NMFS as part of the settlement.

We are not "involved" in "the case." Merely submitting a declaration that NMFS filed with its motion is not being "involved." CBD sued NMFS in this case, and that agency is the only federal party. The only legal obligation stemming from that case/settlement was for NMFS to issue a final Biological Opinion; EPA has no obligations pursuant to the settlement agreement.

In her declaration, Echeverria also states EPA's support for the requested delay:

Our completed biological evaluations were not at issue in the NMFS case/settlement.

Given this document and the direction from Congress clearly indicating that the agencies should ensure that opportunities exist for public input on the measures the Services may put forth in biological opinions addressing pesticide registration actions, EPA believes that NMFS should have the time necessary to provide EPA with a draft biological opinion in order to allow EPA to publish the draft opinion for public comment and for NMFS to carefully consider the comments it receives. EPA believes, however, that the agencies will reasonably need an additional year before EPA publishes the draft NMFS biological opinion for public comment.

NMFS needs more time to finish its draft biological opinions. EPA follows good-government principles and therefore would like to publish NMFS's draft biological opinion for public comment after NMFS believes the draft opinion is in good shape. Without an extension of time, NMFS would need to issue a final opinion by December 31 of this year – without the benefit of public input. That's not good government.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, November 15, 2017 12:14 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Please update

The 4th sentence of your story is inaccurate. We are not a party in this case.

On The Record Statement: "This was not an EPA filing. The National Marine Fisheries Service, part of the Department of Commerce and the only defendant in that case, filed a motion to amend the settlement agreement to extend their deadline. EPA filed a declaration to help explain to the court why NMFS might need an extension, which is necessary, in part, because the Obama EPA finished its biological evaluations for chlorpyrifos and 2 other pesticides in January 2017 – nine months later than expected." – EPA spokesman, Jahan Wilcox

Associated Press
https://apnews.com/9e20add1e2d944caa7c8cdc756bae24b/Trump-administration-seeks-to-delay-findings-on-pesticides

Trump administration seeks to delay findings on pesticides

By Michael Biesecker, 11/14/17

WASHINGTON (AP) — President Donald Trump's administration is seeking a two-year delay of an upcoming deadline to determine whether a family of widely used pesticides is harmful to endangered species.

The request filed before a federal judge last week comes after Dow Chemical Co. and two other pesticide makers asked the government to set aside research by federal scientists that shows organophosphates are harmful to about 1,800 critically threatened or endangered species.

Under a 2014 legal agreement, the National Marine Fisheries Service is required to issue findings on the use of the three pesticides under review — chlorpyrifos, diazinon and malathion — by the end of this year. **The Environmental Protection Agency, which is also involved in the case,** is responsible for determining whether pesticides sold in the United States are safe for people and wildlife.

The Associated Press first reported in April that lawyers representing Dow and the other companies sent letters to three of Trump's Cabinet secretaries claiming the government's studies were fundamentally flawed. Dow wrote a $1 million check to help underwrite Trump's inaugural festivities, and company CEO Andrew Liveris led a now-disbanded White House manufacturing working group.

It is the latest example of the Trump administration seeking to block or delay environmental rules at the behest of the industry.

EPA Administrator Scott Pruitt in March reversed an Obama-era effort to bar spraying chlorpyrifos on fruits and vegetables after peer-reviewed studies found that even tiny levels of exposure could hinder the development of children's brains.

Government scientists also compiled an official record running more than 10,000 pages indicating the three organophosphates pose a risk to nearly every endangered species they studied. Before the change in administration, federal regulators had been expected to issue new limits on how and where the three pesticides can be used.

Organophosphorus gas was originally developed as a chemical weapon before World War II. Dow, based in Midland, Michigan, has been selling chlorpyrifos for spraying on citrus fruits, apples, cherries and other crops since the 1960s. It is among the most widely used agricultural pesticides in the United States, with Dow selling about 5 million pounds (2.3 million kilograms) domestically each year.

A coalition of environmental groups has fought in court for years to spur the federal government to more closely examine the risk posed to humans and endangered species by pesticides, especially organophosphates.

"It's appallingly clear that the pesticide industry is now essentially running Trump's EPA," said Lori Ann Burd, environmental health director at the Center for Biological Diversity. "Rather than following the science and the law, the agency is turning its back on endangered species across the country."

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 12/20/2017 6:57:58 PM
To: Emily Holden [eholden@politico.com]
Subject: RE: Superfund task force records?

Can you call me?

From: Wilcox, Jahan
Sent: Wednesday, December 20, 2017 1:50 PM
To: 'Emily Holden' <eholden@politico.com>; Press <Press@epa.gov>
Subject: RE: Superfund task force records?

"The Associated Press did not reach out to us regarding this story, opting instead to be the mouthpiece for this activist organization." – EPA spokesman, Jahan Wilcox

---

From: Emily Holden [mailto:eholden@politico.com]
Sent: Wednesday, December 20, 2017 10:28 AM
To: Press <Press@epa.gov>
Subject: Superfund task force records?

Hi. Is it accurate that "a lawyer for EPA has written PEER to say that the task force had no agenda for its meetings, kept no minutes and used no reference materials"?

http://talkingpointsmemo.com/news/pruitt-superfund-task-force-no-records?utm_content=buffer9c4fd&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

If so, can anyone explain how a group that wrote such an extensive report had no records of how it came to be?

Please let me know if there's anything else I should know.

Thanks

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com
Mobile and WhatsApp: + Ex. 6
@emilyhholden

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 12/20/2017 9:34:12 PM
To: Falvo, Nicholas [falvo.nicholas@epa.gov]
Subject: RE: Superfund task force records?

The news cycle is over.

From: Falvo, Nicholas
Sent: Wednesday, December 20, 2017 4:33 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Superfund task force records?

Deliberative Process / Ex. 5

Sent from my iPhone

On Dec 20, 2017, at 4:08 PM, Nguyen, Quoc <Nguyen.Quoc@epa.gov> wrote:

Hi Jahan:

Attorney Client / Ex. 5

Sincerely,
Quoc

Quoc P. Nguyen
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
202-564-6343

PRIVILEGED COMMUNICATION for internal deliberation only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.

From: Wilcox, Jahan
Sent: Wednesday, December 20, 2017 2:02 PM
To: Nguyen, Quoc <Nguyen.Quoc@epa.gov>
Cc: Falvo, Nicholas <falvo.nicholas@epa.gov>
Subject: RE: Superfund task force records?
Importance: High

Attorney Client / Ex. 5

From: Wilcox, Jahan
Sent: Wednesday, December 20, 2017 1:50 PM
To: 'Emily Holden' <eholden@politico.com>; Press <Press@epa.gov>
Subject: RE: Superfund task force records?

"The Associated Press did not reach out to us regarding this story, opting instead to be the mouthpiece for this activist organization." – EPA spokesman, Jahan Wilcox

From: Emily Holden [mailto:eholden@politico.com]
Sent: Wednesday, December 20, 2017 10:28 AM
To: Press <Press@epa.gov>
Subject: Superfund task force records?

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If so, can anyone explain how a group that wrote such an extensive report had no records of how it came to be?

Please let me know if there's anything else I should know.

Thanks

Emily Holden
Reporter, energy/climate
POLITICO
eholden@politico.com
Mobile and WhatsApp: + **Ex. 6**
@emilyhholden

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 12/20/2017 10:12:30 PM
To: Pace, Julie [JPace@ap.org]; Biesecker, Michael [MBiesecker@ap.org]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Hey Julie

Looking forward to meeting you tomorrow, so no need for a long conversation about this. That said, Michael never reached out to us regarding his story this morning.

Here is our on the record statement that we are asking the AP to include:

"The statement in the Associated Press story is not accurate, nor was EPA contacted by the AP or given an opportunity to confirm the accuracy of the statement. The communication at issue was sent by the Department of Justice, U.S. Attorney's Office of D.C., as part of an ongoing effort to resolve litigation." – EPA spokesman, Jahan Wilcox

EPA Says Superfund Task Force Left Behind Little Paper Trail
December 20, 2017
https://www.voanews.com/a/epa-reports-task-force-on-pollution-left-no-records/4171421.html

The Environmental Protection Agency says an internal task force appointed to revamp how the nation's most polluted sites are cleaned up generated no record of its deliberations.

EPA Administrator Scott Pruitt in May announced the creation of a Superfund Task Force that he said would reprioritize and streamline procedures for remediating more than 1,300 sites. Pruitt, the former attorney general of Oklahoma, appointed a political supporter from his home state with no experience in pollution cleanups to lead the group.

The task force in June issued a nearly three-dozen page report containing 42 detailed recommendations, all of which Pruitt immediately adopted. The advocacy group Public Employees for Environmental Responsibility, known as PEER, quickly filed a Freedom of Information Act request seeking a long list of documents related to the development of Pruitt's plan.

After EPA didn't immediately release any records, PEER sued.

Now, nearly six months after the task force released its report, a lawyer for EPA has written PEER to say that the task force had no agenda for its meetings, kept no minutes and used no reference materials.

Further, there was no written criteria for selecting the 107 EPA employees the agency says served on the task force or background materials distributed to them during the deliberative process for creating the recommendations.

According to EPA, the task force also created no work product other than its final report.

"Pruitt's plan for cleaning up toxic sites was apparently immaculately conceived, without the usual trappings of human parentage," said Jeff Ruch, the executive direction of PEER. "It stretches credulity that 107 EPA staff members with no agenda or reference materials somehow wrote an intricate plan in 30 days."

The task force was led by Albert "Kell" Kelly, whom Pruitt hired at EPA as a senior adviser. Kelly was previously the chairman of Tulsa-based SpiritBank, where he worked as an executive for 34 years.

The Associated Press reported in August that Kelly was barred by the Federal Deposit Insurance Corporation from working for any U.S. financial institution after officials determined he violated laws or regulations, leading to a financial loss for his bank. The FDIC's order didn't detail what Kelly is alleged to have done. Without admitting wrongdoing, he agreed to pay a $125,000 penalty.

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 12/21/2017 3:02:35 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: 2

He didn't reach out to us before writing his story. We called him out on it.

From: Jackson, Ryan
Sent: Thursday, December 21, 2017 9:14 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: 2

What's the issue?

_____
Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6

On Dec 20, 2017, at 11:32 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Biesecker, Michael" <MBiesecker@ap.org>
Date: December 20, 2017 at 9:34:20 PM EST
To: "Wilcox, Jahan" <wilcox.jahan@epa.gov>, "Pace, Julie" <JPace@ap.org>
Cc: "Bowman, Liz" <bowman.liz@epa.gov>, "Bridis, Ted" <TBridis@ap.org>
Subject: Re: Hey Julie

Jahan,

Again, just to clarify your statement below, are you saying Johnny Walker is not representing EPA in this lawsuit? Did EPA's attorney misrepresent the agency's position in his written communications as part of the lawsuit? Were there, in fact, agendas, meeting minutes and background materials provided to the Superfund Task Force as part of its deliberations prior to issuing the 42 recommendations in June? If so, does EPA plan to lawfully provide these requested records under FOIA?

If you are going to say something in the story needs clarification, you need to do so clearly and on the record so that we can include it in our report.

Thanks,

MIchael

From: Biesecker, Michael <mbiesecker@ap.org>
Sent: Wednesday, December 20, 2017 8:47 PM
Subject: Re: Hey Julie
To: Wilcox, Jahan <wilcox.jahan@epa.gov>, Pace, Julie <jpace@ap.org>
Cc: Bowman, Liz <bowman.liz@epa.gov>

Jahan,

The article quotes the letter from EPA's attorney. Are you suggesting he misrepresented the agency's position?

Also, you can understand my hesitancy to reach out in advance of an exclusive story. You would just give it to my completion.

Michael

Get Outlook for iOS

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, December 20, 2017 5:12:32 PM
To: Pace, Julie; Biesecker, Michael
Cc: Bowman, Liz
Subject: Hey Julie

Looking forward to meeting you tomorrow, so no need for a long conversation about this. That said, Michael never reached out to us regarding his story this morning.

Here is our on the record statement that we are asking the AP to include:

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December 20, 2017
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The task force in June issued a nearly three-dozen page report containing 42 detailed recommendations, all of which Pruitt immediately adopted. The advocacy group Public Employees for Environmental Responsibility, known as PEER, quickly filed a Freedom of Information Act request seeking a long list of documents related to the development of Pruitt's plan.

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Now, nearly six months after the task force released its report, a lawyer for EPA has written PEER to say that the task force had no agenda for its meetings, kept no minutes and used no reference materials.

Further, there was no written criteria for selecting the 107 EPA employees the agency says served on the task force or background materials distributed to them during the deliberative process for creating the recommendations.

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The task force was led by Albert "Kell" Kelly, whom Pruitt hired at EPA as a senior adviser. Kelly was previously the chairman of Tulsa-based SpiritBank, where he worked as an executive for 34 years.

The Associated Press reported in August that Kelly was barred by the Federal Deposit Insurance Corporation from working for any U.S. financial institution after officials determined he violated laws or regulations, leading to a financial loss for his bank. The FDIC's order didn't detail what Kelly is alleged to have done. Without admitting wrongdoing, he agreed to pay a $125,000 penalty.

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 4/13/2018 9:07:51 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Jackson, Ryan [jackson.ryan@epa.gov]
Subject: RE: Ethics waiver for Wheeler?

Great. We don't have to help him. He's a terrible reporter who will write a terrible story.

From: Bowman, Liz
Sent: Friday, April 13, 2018 5:07 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Re: Ethics waiver for Wheeler?

I think he's probably looking for the one Andrew Wheeler signed Oct 10, 2017, which takes the form of a letter to our career ethics official and outlines Andrew's commitment to complying with his obligations. It is something nominees work on with the agency ethics officials and is reviewed by the Office of Government Ethics, before a nominee is cleared for nomination. It is available on OGE's website here:

https://extapps2.oge.gov/201/Presiden.nsf/7BAE17C3BF089238852581B90026F0F1/$FILE/Wheeler,%20Andrew%20R.%20%

Sent from my iPhone

On Apr 13, 2018, at 4:18 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Ignore. Wheeler has not even been sworn-in.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, April 13, 2018 4:13 PM
To: Press <Press@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Ethics waiver for Wheeler?

Please provide a copy of any request to the White House Counsel's office seeking an ethics waiver for Andrew Wheeler from President Trump's Executive Order 13770.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445

Public Key M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Sent: 3/20/2018 6:39:44 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Feldman, Carole [CFeldman@ap.org]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Bridis, Ted [TBridis@ap.org]
Subject: RE: Security detail costs for Italy

I was just trying to be helpful and confirm numbers that are currently being circulated. You can report however you want. Have a good day, Michael.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, March 20, 2018 2:37 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Bridis, Ted <TBridis@ap.org>
Subject: RE: Security detail costs for Italy

Jahan,

This doesn't include the cost of $36,000 for the military jet from Ohio to JFK.

I guess I'm confused what distinction you are trying to draw? Between career EPA staff and political appointees. Are they all not accurately described as "EPA staff"?

Do you expect that with providing the documents to the oversight committee, the records will also be released to the public? As I'm sure you are aware, AP is among those who have pending FOIAs for them.

Also, do you have figures for total travel costs for Pruitt, aides and security for 2018?

Thanks,

Michael

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Tuesday, March 20, 2018 2:26 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Security detail costs for Italy

I saw your story. Regarding this line: "The known cost of Pruitt's previously reported trip grew this week after the agency disclosed a highly redacted document showing expenses for Pruitt's security detail cost more than $30,500. "

On background, here is the information, but we ask that you note this includes EPA career (in bold) and EPA political appointees if you are reporting a grand total.

Traveler	Commercial Airfare	Total Expenses
Pruitt, Scott	$7,003.32	$8,997.83
Chmielewski, Kevin	$1,809.63	$5,445.37

Dravis, Samantha	$2,330.98	$5,704.81
Ferguson, Lincoln	$1,906.12	$4,461.08
Finman, Hodayah	**$1,553.16**	**$3,421.72**
Greenwalt, Sarah	$1,919.96	$5,173.92
Gunasekara, Amanda	$2,046.18	$4,549.78
Hupp, Millan	$2,144.57	$5,988.36
Jackson, Ryan	$2,438.28	$4,689.55
Nishida, Jane	**$2,014.64**	**$5,201.56**
Security Detail	$30,553.88	$30,553.88
Grand Total	$55,720.72	$84,187.86

From: Wilcox, Jahan
Sent: Tuesday, March 20, 2018 1:37 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Security detail costs for Italy

The statement is regarding international travel.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, March 20, 2018 1:32 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Security detail costs for Italy

Jahan, on this point: "EPA's security procedures have not deviated over the past 14 years."

Is this accurate? It's been previously reported that neither Jackson nor McCarthy had a full-time security detail and McCarthy was not accompanied by security on weekend trips home to Boston.

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Tuesday, March 20, 2018 1:16 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Security detail costs for Italy

On-the-record statement regarding travel: **"Administrator Pruitt's security detail followed the same procedures for the G7 environmental meeting in Italy that were used during EPA Administrators Stephen Johnson, Lisa Jackson, and Gina McCarthy's trips to Italy. EPA's security procedures have not deviated over the past 14 years."** – EPA spokesman, Jahan Wilcox

On-the-record statement regarding House Oversight: **"We are working with Chairman Gowdy to accommodate his request."** – EPA spokesman, Jahan Wilcox

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, March 20, 2018 1:11 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Security detail costs for Italy

Jahan,

Do you have updated comment on the release of the figure for the cost of the administrator's security detail to go to Italy last year? Also, can you comment on whether the security team flew with him in business class/first class?

I've heard EPA may turn over travel records to House Oversight this week, potentially as soon as today. Can you confirm?

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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Sent: 3/6/2018 6:35:55 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Feldman, Carole [CFeldman@ap.org]
CC: Press [Press@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]
Subject: RE: Request for response

Additional statement (since we had no time before the story posted on the wires to respond).

"Once again, Senate EPW Democrats went to the press before sending their letter to EPA. Security sweeps are common practice in government, as former EPA Administrator Lisa Jackson also had her office swept. We looked at a couple of different vendors and career administrative officials approved the same vendor that the Office of the Inspector General used and other offices within EPA." – EPA spokesman, Jahan Wilcox

---

From: Wilcox, Jahan
Sent: Tuesday, March 6, 2018 10:22 AM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: RE: Request for response

We provided an on-the-record response, but the story was already written.

Here is our statement again: **"We will respond to Senator Carper and Senator Whitehouse through the proper channel."** EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, March 6, 2018 10:15 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: RE: Request for response

So nothing on the underlying question of whether Perrotta played a role in the contract going to Steinmetz?

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Tuesday, March 06, 2018 10:14 AM
To: Feldman, Carole <CFeldman@ap.org>; Biesecker, Michael <MBiesecker@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>
Subject: FW: Request for response

"We will respond to Senator Carper and Senator Whitehouse through the proper channel." EPA spokesman, Jahan Wilcox

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From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, March 6, 2018 10:00 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>

Cc: Press <Press@epa.gov>
Subject: Request for response

Liz, Jahan,

We're writing on letter to administrator Pruitt sent this morning from Sens. Carper and Whitehouse questioning the business relationship between Nino Perrotta from the administrator's security detail and Edwin Steinmetz, the contractor who performed the bug sweep of the administrator's office. Please provide on-the-record response as soon as you can.

Thanks

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 3/6/2018 6:36:52 PM
To: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]
Subject: RE: Response sought re EPA officials' side jobs & EPA-awarded security contract

Updated for a grammar edit.

"Once again, Senate EPW Democrats went to the press before sending their letter to EPA. Security sweeps are common practice in government, as former EPA Administrator Lisa Jackson also had her office swept. We looked at a couple of different vendors and career administrative officials approved the same vendor that the Office of the Inspector General used and other offices within EPA." – EPA spokesman, Jahan Wilcox

---

From: Wilcox, Jahan
Sent: Tuesday, March 6, 2018 1:26 PM
To: 'Jennifer A. Dlouhy' <jdlouhy1@bloomberg.net>
Cc: Press <Press@epa.gov>
Subject: RE: Response sought re EPA officials' side jobs & EPA-awarded security contract

Here is an updated on-the-record statement: **"Once again Senate EPW Democrats went to the press, before sending their letter to EPA. Security sweeps are common practice in government and former EPA Administrator Lisa Jackson had her office swept. We looked at a couple of different vendors and our career administrative officials approved locks that are used for the Inspector General and other offices within EPA."** – EPA spokesman, Jahan Wilcox

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From: Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) [mailto:jdlouhy1@bloomberg.net]
Sent: Tuesday, March 6, 2018 12:28 PM
To: Press <Press@epa.gov>
Subject: Response sought re EPA officials' side jobs & EPA-awarded security contract

Good afternoon, EPA press.

We're writing a short item on the Carper/Whitehouse letter (release/letter below) on EPA-awarded security contracts, which probably will also invoke yesterday's letter from House E&C Democrats re Konkus' and Davis' side jobs.

Do you wish to respond to any piece of this -- ie Whitehouse and Carper's concern that Perrotta may have encouraged the award of an EPA security contract to a business associate or the concern of various House Democrats about EPA appointees maintaining side jobs that conflict with their work for the agency (even if they got approval from the designated ethics officer to do so)?

Thanks,
Jen.

FOR IMMEDIATE RELEASE
March 6, 2018

Contact:
Rich Davidson (Whitehouse), 202-228-6291
Christine Brennan (Carper), 202-224-8832

Whitehouse, Carper Raise Red Flags About EPA Contract with Business Partner of Pruitt's Security Chief

Washington, DC – Senators Sheldon Whitehouse (D-RI) and Tom Carper (D-DE) raised concerns with Environmental Protection Agency (EPA) Administrator Scott Pruitt today about the side-business of Pruitt's head of security, Pasquale "Nino" Perrotta, whose business partner has received a security-related contract from the EPA. Perrotta, who lists himself as an "Acting Special Agent in Charge" at the EPA and has traveled on multiple occasions with Pruitt as part of his protective security detail, is currently listed as a Principal and founder of the Sequoia Security Group. At Sequoia, he is business partners with Edwin Steinmetz, whose company was among the contractors the Associated Press reports swept Pruitt's office for "hidden listening devices and bought sophisticated biometric locks for additional security" at the EPA.

"These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest," write Whitehouse and Carper. The Senators point to a number of government ethics rules Perrotta's business interests may bring into play. They ask Pruitt about Perrotta's current work at EPA, and for additional information on Sequoia and Edwin Steinmetz Associates.

Full text of the Senators' letter is below.

March 6, 2018

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20004

Dear Administrator Pruitt,

We write to request that you provide information about the role Pasquale "Nino" Perrotta plays at Environmental Protection Agency ("EPA"). It has come to our attention that, in addition to being employed by EPA, Mr. Perrotta is also a Principal at Sequoia Security Group. We understand that at least one business partner of Mr. Perrotta's at Sequoia, Edwin Steinmetz, has received a security-related contract from EPA within the last year. These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest.

It is our understanding that Mr. Perrotta is a key member of your protective security detail. His LinkedIn profile states he serves as "Acting Special Agent in Charge" of a U.S. Government agency.[1] According to records provided by EPA to Senator Whitehouse last year, Mr. Perrotta has accompanied you on several trips outside Washington DC, including trips to Kentucky on June 7, 2017, Tulsa and Guymon, OK on July 27, 2017, Denver and Durango, CO on August 4, 2017, and

Grand Forks, ND on August 9, 2017. This is likely an incomplete list of out-of-state travel by you and Mr. Perrotta because the documents provided were related only to your travel on non-commercial flights through August 2017, and Mr. Perrotta accompanied you on all four of the flights identified.

Sequoia Security Group, Inc. is a Maryland-based firm that purports to provide "unique and proven senior executive strategic leadership…in national security, cyber security, protection, investigations, risk, compliance, emergency preparedness and technical surveillance countermeasures."[2] As a Principal in this company, Mr. Perrotta highlights his experience "in threat analysis/mitigation, physical and facility security, major event logistics and VIP travel."[3] His firm biography includes the following:

Since 2004, Nino has been a Senior Special Agent with a United States Govenment [sic] Agency. He is charged with a dual mission, protecting a member of the U.S. Presidential cabinet and coordinating protective intelligence information. Nino has conducted numerous security preparations for his mission and has been responsible for the coordination of both domestic and foreign security advances and conducted sensitive internal and contract investigations valued up to $250 million relating to waste, fraud, abuse and other violations of criminal and civil law.[4]

The firm has described Mr. Perrotta as its founder.[5] His biography on the Sequoia website does not specifically mention that he works for EPA or that the cabinet member he protects is you.

In December, the Associated Press reported that you hired one or more private contractors with federal funds to have your "office swept for hidden listening devices and bought sophisticated biometric locks for additional security."[6] That article indicated that a $3,000 contract was given to Edwin Steinmetz Associates for a "bug sweep" and two other contracts, both under the $3,500 threshold for public reporting, were given for the purchase of biometric locks. Mr. Steinmetz is Vice President of Technical Surveillance Countermeasures at Sequoia; in other words, he is a business partner of Mr. Perrotta.[7] The recipients of the other contracts were not identified in the article.

EPA has adopted supplemental regulations governing outside employment by EPA employees. Those regulations:

- Require approval from an EPA ethics official before an employee engages in outside employment, including consulting services or a subject matter that deals with the policies, programs or operations of EPA;
- Require that any request for approval of outside employment be submitted in writing, and specify the nature of the activity, the name of the organization for which the work will be done, the estimated time to be devoted to the job, and whether the service will be performed entirely outside business hours;
- Prohibit the use of official duty time or federal resources from being used for the outside employment;
- Require that the employee submit revised requests for approval upon a change in the nature and scope of the employee's duties at EPA or the employee's outside employment; and
- Limit any approval to five years.[8]

EPA employees are also subject to federal law and regulations governing conflicts of interest. 18 U.S.C. 208 prohibits federal employees from participating "personally and substantially as a Government officer or employee…in a…contract, claim…or other particular matter in which, to his knowledge, he, his…general partner, [or] organization in which he is serving as officer, director, trustee, general partner or employee…has a financial interest." A waiver to the provisions of section 208 may be granted only if EPA determines in advance that the "employee's financial interest in the

particular matter or matters is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such employee."[9]

So we can understand how EPA is ensuring that Mr. Perrotta is complying with the requirements of 5 C.F.R. 6401.103, please provide the following:

- All requests for approval of outside employment by Mr. Perrotta, including supporting documentation and any other information relevant to the requirements of 5 C.F.R. 6401.103.
- All approvals given by EPA for his outside employment, including any guidance about or limitations to those approvals in any form.
- All financial disclosures made by Mr. Perrotta during his employment at EPA. If Mr. Perrotta did not make financial disclosures for any period of his employment at EPA, please provide an explanation of those gaps.

With respect to Mr. Perrotta's current work at EPA:

- What are Mr. Perrotta's current job title and responsibilities? How have his position and responsibilities changed during your tenure as Administrator?
- Mr. Perrotta's LinkedIn page describes his current position as "Acting Special Agent in Charge." If that is an accurate description, why is he in an "acting" role? Are there plans to post that position for all eligible applicants to compete for? If not, why not? Under what circumstances did the prior Special Agent in Charge leave?
- If Mr. Perrotta's job responsibilities have changed, how did EPA account for them in decisions authorizing his outside employment pursuant to 5 C.F.R. 6401.103?
- In his private employment at Sequoia, Mr. Perrotta notes his expertise in "threat analysis and mitigation" and "VIP travel." Please provide any written assessments authored in whole or in part, or reviewed by, Mr. Perrotta, of security threats to you, including but not limited to the determination that security considerations required you to fly first-class, that you needed to have your office swept for electronic listening devices, that you needed to install biometric locks, that you needed a secure communications booth, that you require around-the-clock security protection, and any other non-disclosed security measure or project you have decided to undertake.
- Is Mr. Perrotta responsible for any contracting decisions, including the determination that EPA should contract for private security services or who should be awarded a contract?
- Please provide any waivers to the conflict of interest provisions of 18 U.S.C. 208 issued by EPA to Mr. Perrotta.

With respect to Sequoia and Edwin Steinmetz Associates:

- Please provide copies of all contracts between EPA and Sequoia, Edwin Steinmetz Associates, or any other person associated with Sequoia.
- Please provide copies of all three contracts related to the bug sweep and biometric locks identified in the Associated Press article.
- Was Mr. Perrotta involved in any decision related to the need for this particular security assessment or the award of these contracts in particular? If so, please provide any documentation authorizing him to participate in these decisions.
- Were these contracts competitively bid? If not, why not and please describe how contractors were selected.

We would appreciate a response to these questions, and responsive documents, not later than March 21, 2018. If you have any questions about these requests please contact [our staff].

1 https://www.linkedin.com/in/nino-perrotta-6b8bb412/

2 http://sequoiasecuritygroup.com/about.html
3 http://sequoiasecuritygroup.com/nino-perrota.html
4 Id.
5 https://www.prnewswire.com/news-releases/sequoia-security-group-inc-and-global-security-solutions-inc-team-up-in-strategic-global-partnership-300153905.html
6 Michael Biesecker, "EPA chief sweeps office for bugs, installs high-tech locks" Associated Press, Dec. 19, 2017, available at: https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1.
7 http://sequoiasecuritygroup.com/edwin-steinmetz.html
8 5 C.F.R. 6401.103
9 5 C.F.R. 2635.402(d)(2)(ii).

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[1] https://www.linkedin.com/in/nino-perrotta-6b8bb412/
[2] http://sequoiasecuritygroup.com/about.html
[3] http://sequoiasecuritygroup.com/nino-perrota.html
[4] Id.
[5] https://www.prnewswire.com/news-releases/sequoia-security-group-inc-and-global-security-solutions-inc-team-up-in-strategic-global-partnership-300153905.html
[6] Michael Biesecker, "EPA chief sweeps office for bugs, installs high-tech locks" Associated Press, Dec. 19, 2017, available at: https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1.
[7] http://sequoiasecuritygroup.com/edwin-steinmetz.html
[8] 5 C.F.R. 6401.103
[9] 5 C.F.R. 2635.402(d)(2)(ii).

—
Jennifer A. Dlouhy
jdlouhy1@bloomberg.net / Ex. 6
reporterjen@protonmail.com
Desk: 202.807.2159
Cell/Text/Signal: Ex. 6
Twitter: @jendlouhyhc
Stories: http://bloom.bg/23Crpvk

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 3/6/2018 6:37:13 PM
To: Elvina Nawaguna [elvinanawaguna@cqrollcall.com]
Subject: RE: Media inquiry: More ethics questions being raised about EPA officials

Updated for a grammar edit.

"Once again, Senate EPW Democrats went to the press before sending their letter to EPA. Security sweeps are common practice in government, as former EPA Administrator Lisa Jackson also had her office swept. We looked at a couple of different vendors and career administrative officials approved the same vendor that the Office of the Inspector General used and other offices within EPA." – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Tuesday, March 6, 2018 1:25 PM
To: 'Elvina Nawaguna' <elvinanawaguna@cqrollcall.com>; Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Media inquiry: More ethics questions being raised about EPA officials

Here is an updated on-the-record statement: **"Once again Senate EPW Democrats went to the press, before sending their letter to EPA. Security sweeps are common practice in government and former EPA Administrator Lisa Jackson had her office swept. We looked at a couple of different vendors and our career administrative officials approved locks that are used for the Inspector General and other offices within EPA."** – EPA spokesman, Jahan Wilcox

From: Elvina Nawaguna [mailto:elvinanawaguna@cqrollcall.com]
Sent: Tuesday, March 6, 2018 12:31 PM
To: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Media inquiry: More ethics questions being raised about EPA officials

Hi Liz,
Can we get a response that we can use for our story on this letter (below) sent by lawmakers questioning whether an EPA security official used his position to influence awarding of a contract to a company he has interest in? Is the company still doing business with EPA?
I also sent a similar inquiry yesterday on a different letter and didn't get a response from EPA.
I'm working on a deadline of 1:30 p.m. eastern.
Thanks.

Elvina Nawaguna
Energy and Environment Reporter
CQ Roll Call
1625 Eye St. NW #200
Washington, DC 20006
Cell Ex. 6
Desk: 202-650-6597

---------- Forwarded message ----------
From: **Davidson, Richard (Whitehouse)** <Richard_Davidson@whitehouse.senate.gov>
Date: 6 March 2018 at 11:29
Subject: RELEASE: Whitehouse, Carper Raise Red Flags About EPA Contract with Business Partner of Pruitt's Security Chief
To: "Davidson, Richard (Whitehouse)" <Richard_Davidson@whitehouse.senate.gov>

FOR IMMEDIATE RELEASE

March 6, 2018

Contact:

Rich Davidson (Whitehouse), 202-228-6291

Christine Brennan (Carper), 202-224-8832

Whitehouse, Carper Raise Red Flags About EPA Contract with Business Partner of Pruitt's Security Chief

Washington, DC – Senators Sheldon Whitehouse (D-RI) and Tom Carper (D-DE) raised concerns with Environmental Protection Agency (EPA) Administrator Scott Pruitt today about the side-business of Pruitt's head of security, Pasquale "Nino" Perrotta, whose business partner has received a security-related contract from the EPA. Perrotta, who lists himself as an "Acting Special Agent in Charge" at the EPA and has traveled on multiple occasions with Pruitt as part of his protective security detail, is currently listed as a Principal and founder of the Sequoia Security Group. At Sequoia, he is business partners with Edwin Steinmetz, whose company was among the contractors the Associated Press reports swept Pruitt's office for "hidden listening devices and bought sophisticated biometric locks for additional security" at the EPA.

"These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest," write Whitehouse and Carper. The Senators point to a number of government ethics rules Perrotta's business interests may bring into play. They ask Pruitt about Perrotta's current work at EPA, and for additional information on Sequoia and Edwin Steinmetz Associates.

Full text of the Senators' letter is below.

March 6, 2018

The Honorable Scott Pruitt

Administrator

Environmental Protection Agency

1200 Pennsylvania Avenue NW

Washington, D.C. 20004

Dear Administrator Pruitt,

We write to request that you provide information about the role Pasquale "Nino" Perrotta plays at Environmental Protection Agency ("EPA"). It has come to our attention that, in addition to being employed by EPA, Mr. Perrotta is also a Principal at Sequoia Security Group. We understand that at least one business partner of Mr. Perrotta's at Sequoia, Edwin Steinmetz, has received a security-related contract from EPA within the last year. These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest.

It is our understanding that Mr. Perrotta is a key member of your protective security detail. His LinkedIn profile states he serves as "Acting Special Agent in Charge" of a U.S. Government agency.[1] According to records provided by EPA to Senator Whitehouse last year, Mr. Perrotta has accompanied you on several trips outside Washington DC, including trips to Kentucky on June 7, 2017, Tulsa and Guymon, OK on July 27, 2017, Denver and Durango, CO on August 4, 2017, and Grand Forks, ND on August 9, 2017. This is likely an incomplete list of out-of-state travel by you and Mr. Perrotta because the documents provided were related only to your travel on non-commercial flights through August 2017, and Mr. Perrotta accompanied you on all four of the flights identified.

Sequoia Security Group, Inc. is a Maryland-based firm that purports to provide "unique and proven senior executive strategic leadership…in national security, cyber security, protection, investigations, risk, compliance, emergency preparedness and technical surveillance countermeasures."[2] As a Principal in this company, Mr. Perrotta highlights his experience "in threat analysis/mitigation, physical and facility security, major event logistics and VIP travel."[3] His firm biography includes the following:

> Since 2004, Nino has been a Senior Special Agent with a United States Govenment [sic] Agency. He is charged with a dual mission, protecting a member of the U.S. Presidential cabinet and coordinating

protective intelligence information. Nino has conducted numerous security preparations for his mission and has been responsible for the coordination of both domestic and foreign security advances and conducted sensitive internal and contract investigations valued up to $250 million relating to waste, fraud, abuse and other violations of criminal and civil law.[4]

The firm has described Mr. Perrotta as its founder.[5] His biography on the Sequoia website does not specifically mention that he works for EPA or that the cabinet member he protects is you.

In December, the Associated Press reported that you hired one or more private contractors with federal funds to have your "office swept for hidden listening devices and bought sophisticated biometric locks for additional security."[6] That article indicated that a $3,000 contract was given to Edwin Steinmetz Associates for a "bug sweep" and two other contracts, both under the $3,500 threshold for public reporting, were given for the purchase of biometric locks. Mr. Steinmetz is Vice President of Technical Surveillance Countermeasures at Sequoia; in other words, he is a business partner of Mr. Perrotta.[7] The recipients of the other contracts were not identified in the article.

EPA has adopted supplemental regulations governing outside employment by EPA employees. Those regulations:

- Require approval from an EPA ethics official before an employee engages in outside employment, including consulting services or a subject matter that deals with the policies, programs or operations of EPA;
- Require that any request for approval of outside employment be submitted in writing, and specify the nature of the activity, the name of the organization for which the work will be done, the estimated time to be devoted to the job, and whether the service will be performed entirely outside business hours;
- Prohibit the use of official duty time or federal resources from being used for the outside employment;
- Require that the employee submit revised requests for approval upon a change in the nature and scope of the employee's duties at EPA or the employee's outside employment; and
- Limit any approval to five years.[8]

EPA employees are also subject to federal law and regulations governing conflicts of interest. 18 U.S.C. 208 prohibits federal employees from participating "personally and substantially as a Government officer or employee…in a…contract, claim…or other particular matter in which, to his knowledge, he, his…general partner, [or] organization in which he is serving as officer, director, trustee, general partner or employee…has a financial interest." A waiver to the provisions of section 208 may be granted only if EPA determines in advance that the "employee's financial interest in the particular matter or matters is not so substantial as to be

deemed likely to affect the integrity of the services which the Government may expect from such employee."[9]

So we can understand how EPA is ensuring that Mr. Perrotta is complying with the requirements of 5 C.F.R. 6401.103, please provide the following:

- All requests for approval of outside employment by Mr. Perrotta, including supporting documentation and any other information relevant to the requirements of 5 C.F.R. 6401.103.

- All approvals given by EPA for his outside employment, including any guidance about or limitations to those approvals in any form.

- All financial disclosures made by Mr. Perrotta during his employment at EPA. If Mr. Perrotta did not make financial disclosures for any period of his employment at EPA, please provide an explanation of those gaps.

With respect to Mr. Perrotta's current work at EPA:

- What are Mr. Perrotta's current job title and responsibilities? How have his position and responsibilities changed during your tenure as Administrator?

- Mr. Perrotta's LinkedIn page describes his current position as "Acting Special Agent in Charge." If that is an accurate description, why is he in an "acting" role? Are there plans to post that position for all eligible applicants to compete for? If not, why not? Under what circumstances did the prior Special Agent in Charge leave?

- If Mr. Perrotta's job responsibilities have changed, how did EPA account for them in decisions authorizing his outside employment pursuant to 5 C.F.R. 6401.103?

- In his private employment at Sequoia, Mr. Perrotta notes his expertise in "threat analysis and mitigation" and "VIP travel." Please provide any written assessments authored in whole or in part, or reviewed by, Mr. Perrotta, of security threats to you, including but not limited to the determination that security considerations required you to fly first-class, that you needed to have your office swept for electronic listening devices, that you needed to install biometric locks, that you needed a secure communications booth, that you require around-the-clock security protection, and any other non-disclosed security measure or project you have decided to undertake.

- Is Mr. Perrotta responsible for any contracting decisions, including the determination that EPA should contract for private security services or who should be awarded a contract?

- Please provide any waivers to the conflict of interest provisions of 18 U.S.C. 208 issued by EPA to Mr. Perrotta.

With respect to Sequoia and Edwin Steinmetz Associates:

- Please provide copies of all contracts between EPA and Sequoia, Edwin Steinmetz Associates, or any other person associated with Sequoia.

- Please provide copies of all three contracts related to the bug sweep and biometric locks identified in the Associated Press article.

- Was Mr. Perrotta involved in any decision related to the need for this particular security assessment or the award of these contracts in particular? If so, please provide any documentation authorizing him to participate in these decisions.

- Were these contracts competitively bid? If not, why not and please describe how contractors were selected.

We would appreciate a response to these questions, and responsive documents, not later than March 21, 2018. If you have any questions about these requests please contact [our staff].

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1 https://www.linkedin.com/in/nino-perrotta-6b8bb412/

2 http://sequoiasecuritygroup.com/about.html

3 http://sequoiasecuritygroup.com/nino-perrota.html

4 Id.

5 https://www.prnewswire.com/news-releases/sequoia-security-group-inc-and-global-security-solutions-inc-team-up-in-strategic-global-partnership-300153905.html

6 Michael Biesecker, "EPA chief sweeps office for bugs, installs high-tech locks" Associated Press, Dec. 19, 2017, available at: https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1.

7 http://sequoiasecuritygroup.com/edwin-steinmetz.html

8 5 C.F.R. 6401.103

9 5 C.F.R. 2635.402(d)(2)(ii).

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[1] https://www.linkedin.com/in/nino-perrotta-6b8bb412/

[2] http://sequoiasecuritygroup.com/about.html

[3] http://sequoiasecuritygroup.com/nino-perrota.html

[4] Id.

[5] https://www.prnewswire.com/news-releases/sequoia-security-group-inc-and-global-security-solutions-inc-team-up-in-strategic-global-partnership-300153905.html

[6] Michael Biesecker, "EPA chief sweeps office for bugs, installs high-tech locks" Associated Press, Dec. 19, 2017, available at: https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1.

[7] http://sequoiasecuritygroup.com/edwin-steinmetz.html

[8] 5 C.F.R. 6401.103

[9] 5 C.F.R. 2635.402(d)(2)(ii).

This e-mail may contain confidential material. If you are not an intended recipient, please notify the sender and delete all copies. It may also contain personal views which are not the views of CQ Roll Call or its owner, The Economist Group. We may monitor e-mail to and from our network. For company information go to http://legal.economistgroup.com.

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/8/2017 1:35:51 PM
To: dlipman@politico.com
Subject: FW: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path
Attachments: image001.jpg; image002.png; image004.jpg

Daniel –

Without attribution at the bottom of this email, the Associated Press says that Bloomberg is now the EPA press office. Except we did an ICYMI from a Bloomberg and Reuters story and we're talking to ABC with Jonathan Karl for 10 minutes to (live podcast).

You might want to consider for Playbook:

OVERHEARD AT AP – After the EPA sent out an ICYMI from Bloomberg, AP reporters questioned if they were the EPA's press office. Except the EPA also sent out a release from Reuters.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 8, 2017 8:24 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Fwd: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Liz,

The Associated Press requests an all-formats interview with Administrator Pruitt to discuss the agency's efforts to prepare in advance of Hurricane Irma, especially at Superfund sites.

It is clear EPA wants people to know assessing and securing that this is a top priority for the agency. AP has hundreds of member news organizations in the Southeast that distribute our text, audio and video to millions of people now in the storm's path. We continue to work to provide our readers specific details of those preparations.

We look forward to your response.

Thanks,

Michael

Michael Biesecker
The Associated Press
Washington, D.C.
202-641-9445 office
Ex. 6 mobile
mbiesecker@ap.org
Twitter: mbieseck

The AP, founded in 1846, has a global network of 240 bureaus, providing news in text, audio, video, graphics and photos to more than 15,000 news outlets with a daily reach of 1 billion people worldwide.

Sent from my iPhone

Begin forwarded message:

From: "Krisher, Tom" <tkrisher@ap.org>
Date: September 8, 2017 at 8:11:28 AM EDT
To: "Biesecker, Michael" <MBiesecker@ap.org>
Subject: FW: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Bloomberg is now the EPA press office? No mention of the AP story by name and only passing mention of the fact that they had no one to go into the sites near Houston.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Friday, September 08, 2017 8:03 AM
To: Krisher, Tom <tkrisher@ap.org>
Subject: BLOOMBERG: EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

BLOOMBERG

EPA Chief Pledges to Secure Toxic Sites in Irma's Storm Path

Jennifer Dlouhy
September 7, 2017
https://www.bloomberg.com/news/articles/2017-09-07/epa-chief-pledges-to-secure-toxic-sites-in-irma-s-storm-path

The Trump administration is applying lessons from Hurricane Harvey's drenching of southeast Texas as it secures toxic waste sites in the path of Hurricane Irma, U.S. environmental chief Scott Pruitt said.

The Environmental Protection Agency's main goal is to make sure there are "enough people on the ground" to quickly assess the integrity of at-risk chemical sites and respond to needs as the monster storm moves through, Pruitt said. Technical staff are already working to secure about 80 Superfund sites in Irma's path from Miami to North Carolina, including a former pesticide plant, military base and machine shop.

"Operationally, we've tried to make sure we apply the same type of approach we used in Texas," Pruitt, EPA's administrator, said in an interview Thursday. "Because of the area and the amount of population that's affected in Florida, we're trying to be even more aggressive." ...

Nearly 200 EPA personnel were deployed in Texas. The agency already has about 77 people working on Irma related efforts and another seven are on the way.

Back-to-back hurricanes hitting the U.S. threaten to strain the federal government's resources, prompting the Senate to pass a $15.25 billion relief bill Thursday, and renewing a debate about the size and scope of federal agencies. The Trump administration has proposed cutting nearly a third of the EPA's budget for the fiscal year that begins Oct. 1 and culling roughly 3,200 employees from the agency's 15,000-member workforce, a process that has already begun as hundreds of workers accept buyouts.

Pruitt stressed the EPA has not been hit by budget reductions yet, as Congress weighs how much to spend on the agency.

To Continue Reading Click Here

<image003.jpg> <image003.jpg> <image003.jpg> <image003.jp

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/11/2017 2:30:38 PM
To: Hewitt, James [hewitt.james@epa.gov]
Subject: DRAFT ...

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/11/2017 4:52:43 PM
To: Kim Strassel [kim.strassel@wsj.com]
Subject: Hey Kim -

Hope you had a great weekend.

Without attribution, if you are still interested in this, on Saturday the Associated Press' reporters Michael Biesecker and Jason Dearen and their editors, allowed a paid intern who was at the EPA for less than one-year to speak into their story and portray him as some sort of expert to discredit the work being done by President Trump, Administrator Pruitt, Governor Scott and others on Hurricanes Harvey and Irma. It's just the latest example of how the Associated Press – which is supposed to be the gold standard for journalism – are deliberately misleading the public about the EPA's efforts regarding Hurricane Harvey and Hurricane Irma. If you need anything else please let me know.

http://abcnews.go.com/Health/wireStory/ap-exclusive-flooding-threatens-toxic-sites-irma-nears-49718959

RESEARCH …
The Associated Press reports that Stephen Sweeney conducted a Superfund flooding study, when his LinkedIn page shows that he was a paid intern. "The EPA needs to do a better job helping people who live near Superfund sites stay informed with accurate information, said Stephen Sweeney, a former employee in EPA's office of policy and one of the American University researchers who conducted the Superfund flooding study. 'These residents need to be aware of their surroundings, and what could be in their water and the floodwater,' Sweeney said. 'There needs to be some sort of public communication. Either mass distribution of information or evacuating residents — it's up to the agency to make that call.'" (The Associated Press, AP Exclusive: Flooding threatens toxic sites as Irma nears, 09/09/17)

https://www.linkedin.com/in/sweeneystephen1

Additionally, according to Federal Data Center on all government employees, Stephen J. Sweeny was a paid intern – with the official title of Administration and Office Support Student Trainee. "Sweeney, Stephen J: GS 04: Annual Salary $31,521: Official Title: Washington Administration and Office Support Student Trainee." (www.fedsdatacenter.com, Accessed 09/09/17)

The Associated Press also cited former EPA employee Betsy Southerland who was caught lying about why she left the agency. "A risk analysis by EPA concluded in 2012 that flooding at such sites in South Florida could pose a risk to public health by spreading contaminated soil and groundwater. Flooding could disturb dangerous pollutants and wash it onto nearby property or contaminate groundwater, including personal wells, said Elizabeth "Betsy" Southerland, who retired last month as director of science and technology in EPA's Office of Water after 30 years at the agency. 'The agency needs to quickly respond with careful monitoring after the storm,' said Southerland, who has criticized EPA's current leadership under President Donald Trump." (The Associated Press, AP Exclusive: Flooding threatens toxic sites as Irma nears, 09/09/17)

The Wall Street Journal: EPA Resignation Facts: https://www.wsj.com/articles/epa-resignation-facts-1502146629

Documents to a FOIA request for Elizabeth Southerland, showed she retired due to family issues, not to do President Trump's budget. "A senior employee at the Environmental Protection Agency (EPA) made a big stink about leaving the agency earlier this month over President Trump's proposed 2018 budget and the direction of the new administration, but new documents show she might not have been telling the whole story. Elizabeth Southerland penned a memo to her EPA colleagues in which she lamented potential budget cuts to the agency outlined in Trump's FY18 budget, released in May. Presidential budgets are rarely, if ever, approved let alone enacted. Still, Southerland wrote in her retirement memo: [T]he President's FY18 budget proposes cuts to state and tribal funding as draconian as the cuts to EPA, while at the same time reassigning a number of EPA responsibilities to the states and tribes. Later in the memo, she continued her war on the Trump administration, declaring: "It may take a few years and even an environmental disaster, but I am confident that Congress and the courts will eventually restore all the environmental protections repealed by this administration because the majority of the American people recognize that this protection of public health and safety is right and it is just." That memo went public August 1, but documents obtained by NTK Network through a Freedom of Information Act (FOIA) request reveal Southerland, who made headlines for her parting shots at the Trump administration, may have left out key details about her departure. In an email to a colleague dated July 26, 2017, Southerland explained her retirement decision was announced internally in June, and gives the reason why: Maybe you did not receive my email about my retirement, but I sent it to you in June as soon as I found out I needed to retire to help out with family medical care." (Need To Know Network, 08/28/17)

From: Wilcox, Jahan
Sent: Thursday, September 7, 2017 4:30 PM
To: 'Kim Strassel' <kim.strassel@wsj.com>
Subject: DRAFT -- Double Standard By The A/P

Kim –

Without attribution wanted to make sure you saw this story about the mistakes and bias that comes from the Associated Press' Michael Biesecker.

> https://www.washingtonpost.com/blogs/erik-wemple/wp/2017/09/07/what-prompted-the-epa-to-attack-an-ap-reporter-over-his-accurate-harvey-reporting/?utm_term=.0723c078736f

Specifically speaking, Bisecker wrote a story about Pruitt's emails that was quickly rebuked by The Oklahoman. Then he knowingly wrote a false story (not once but twice) about a meeting that never occurred between Pruitt and the CEO of Dow Chemical. Then his colleague went to Houston unannounced, literally got in a boat (can show you the emails) while people were still trapped in their homes and claimed that since the EPA staff was not on site at flooded Superfund sites (toxic land sites) that the entire agency was being unresponsive. They were in their boats on Wednesday the day the storm ended. We put out a press release pushing back against the false narrative – EPA employees who were in our command centers were in tears in joy because we had their backs.

> **APRIL 2017 – Associated Press' Michael Biesecker wrote: "AP Exclusive: Pesticide maker tries to kill risk study despite and on the record statement saying it did not happen."** "'We have had no meetings with Dow on this topic and we are reviewing petitions as they come in, giving careful consideration to sound science and good policymaking,' said J.P. Freire, EPA's associate administrator for public affairs." (The Associated Press, 04/20/17)

JUNE 2015 – Associated Press writes a story about Pruitt that was quickly rebuked from The Oklahoman. (See bottom of the email as it's behind a paywall) http://www.oklahoman.com/some-in-media-remain-bothered-by-pruitts-relationship-with-energy-industry/article/5553581

JUNE 2017 – Associated Press' Michael Biesecker wrote: "EPA chief met with Dow CEO before deciding on pesticide ban," despite this statement in their story. "Asked by the AP in April whether Pruitt had meet with Dow executives or lobbyists before his decision, EPA spokesman J.P. Freire replied: 'We have had no meetings with Dow on this topic.'" (The Associated Press, 06/27/17)

JULY 2017 – The Associated Press finally issues a correction.
https://apnews.com/2350d7be5e24469ab445089bf663cdcb

JULY 2017 – The Associated Press report a new wire story and finally include a statement from Dow Chemical and the EPA (which they decided not to use for their story in June) about the meeting never happening. EPA says Pruitt meeting with Dow Chemical head was canceled. "The Environmental Protection Agency and Dow Chemical said Friday that a planned meeting in March between EPA Administrator Scott Pruitt and the company's CEO never took place. The meeting was listed on Pruitt's schedule and reported by The Associated Press on Tuesday. EPA spokeswoman Liz Bowman said in a statement that Pruitt and Dow's Andrew Liveris did have 'a brief introduction in passing' during an energy conference in Houston. She said "no substantive issues" were discussed. Rachelle Schikorra, a spokeswoman for Dow, said the formal meeting 'never happened due to schedule conflicts.' The meeting still appeared on Pruitt's schedule, which was obtained by The Associated Press." (The Associated Press, 06/30/17)

AUGUST 2017 – The Associated Press' Michael Biesecker from Washington along with a colleague in Texas, writes a story headlined 'AP EXCLUSIVE: Toxic waste sites flooded; EPA not on scene."
http://www.statesman.com/news/local/exclusive-toxic-waste-sites-flooded-epa-not-scene/6C2GjwTzXrEmVk3v2IqdOL/

Here's the deal, when an AP reporter not once, not twice, but three times makes mistakes and misleads Americans, the Associated Press rally behind their reporter. But when the mistake is against a Democrat, the immediately fire the reporter. Because in 2013, when the Associated Press made a mistake against one of Bill Clinton's closest friends, Democrat Terry McAuliffe they fired the reporter (Bob Lewis) and editor (Deana Potter). It might be worth doing an editorial on and/or checking in with the Associated Press' Julie Pace and Sally Buzbee (Julie Pace / jpace@ap.org or Sally Buzbee / sbuzbee@ap.org) to see why the AP has two different standards on how they hold their reporters and editors accountable when a mistake is made against a Hillary Clinton Democrat (McAuliffe) and a member of Trump's cabinet.

In 2013, the Associated Press fired Bob Lewis and his editor Dena Potter for reporting a false story – which was retracted in less than 60 minutes – about one of Bill and Hillary Clinton's best friends, Democrat Terry McAuliffe. "The Associated Press has fired its veteran Virginia politics reporter Bob Lewis on the heels of his erroneous report about gubernatorial candidate Terry McAuliffe — a move that came as a shock to the politicians and journalists who have worked with Lewis during his two-decade tenure in Richmond. The decision, which was made Monday, came on the heels of an Oct. 9 report in which Lewis alleged that McAuliffe had lied to a federal official investigating a death benefits scam. The Associated Press retracted the story less than two hours after it went up, and Lewis immediately took responsibility for the mistake. Dena Potter, the Richmond-based news editor who edited Lewis's report, has also been fired. The news, first reported by Huffington Post, was confirmed by POLITICO on Monday afternoon." (Politico, 10/21/13)

The Columbia Journalism Review wrote that the Associated Press was correct to fire Bob Lewis for reporting false information against Democrat Terry McAuliffe. "Many journalists are outraged the AP would fire its longtime Virginia capitol reporter over one serious mistake that was retracted in 98 minutes. There's even a petition demanding that the AP reinstate him and two other editors who were also fired. As much as I truly hate to write this, and as much as I empathize as a fellow journalist, the AP was right to fire capitol statehouse reporter Bob Lewis and the supervisor who edited the story. In his 112-word story, Lewis accused Virginia gubernatorial candidate Terry McAuliffe of lying to a federal investigator about a death benefits scam in Rhode Island, then didn't give the candidate enough time to respond. Lewis wrongly believed the initials TM in court documents referred to McAuliffe. They did not." (The Columbia Journalism Review, 10/28/13)

https://twitter.com/jpaceDC/status/904400918535430144

Sally Buzbee: "We stand by our original reporting and provided the EPA with ample time to respond to our questions. We included the EPA's responses when they were provided." Executive Editor Sally Buzbee waded into the dispute with this statement." (The Washington Post, 09/07/17)

McAuliffe and the Clintons: A friendship as close as family, with benefits, risks for both
- https://www.washingtonpost.com/politics/the-mcauliffes-and-the-clintons-a-friendship-as-close-as-family/2013/10/27/aaaac252-3d7d-11e3-a94f-b58017bfee6c_story.html?utm_term=.3218a1c89382

If you need anything else please let me know.

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

What prompted the EPA to attack an AP reporter over his accurate Harvey reporting?
The Washington Post
Eric Wimple
September 7, 2017
https://www.washingtonpost.com/blogs/erik-wemple/wp/2017/09/07/what-prompted-the-epa-to-attack-an-ap-reporter-over-his-accurate-harvey-reporting/?utm_term=.0723c078736f

The Environmental Protection Agency is all over Michael Biesecker, a reporter for the Associated Press. His reading habits, for instance. "We are able to see who opens our emails," says an EPA official, referring to press-release blasts sent out by the agency. "Michael very rarely opens a positive story about [EPA Administrator] Scott Pruitt. He only opens stories where he tries to create problems."

Scrutiny of Biesecker's press-release consumption amped up in the summer months, after a significant dustup between the two organizations. In late June, Biesecker reported that Pruitt had "met privately with the chief

executive of Dow Chemical shortly before reversing his agency's push to ban a widely used pesticide after health studies showed it can harm children's brains, according to records obtained by The Associated Press."

Except that the private meeting didn't really happen, though it was indeed listed on a schedule obtained by the AP. Scheduling conflicts prevented it from taking place. The AP ran a correction stating, in part, "A spokeswoman for the EPA says the meeting listed on the schedule was canceled, though Pruitt and [Dow Chemical CEO Andrew] Liveris did have a 'brief introduction in passing.'"

Along with the correction, the AP ran a new story with more information about the non-meeting: "The EPA did not respond to inquiries about the scheduled meeting before the AP story was published and later did not state on the record that the meeting had been canceled." (An EPA official protests that, indeed, the agency did respond before the story was published). The New York Times, by the way, made the very same error.

Following that episode, the EPA pulled Biesecker from its master email list. "He's more than welcome to visit our website," says an EPA official, noting that there are some 50 AP reporters on the blast list — and Biesecker can get the releases from them. But why de-list the guy? "We don't think he's a trustworthy reporter," says the EPA official.

The evaluation of untrustworthiness, argues the official, stems from the Dow-Pruitt meeting story, plus a previous instance in which Biesecker — along with staffer Adam Kealoha Causey — wrote an article based on emails from Pruitt's previous work as Oklahoma attorney general. "Newly obtained emails underscore just how closely Environmental Protection Agency chief Scott Pruitt coordinated with fossil fuel companies while serving as Oklahoma's state attorney general, a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions," notes the lead of the piece.

An EPA official cited an editorial in the Oklahoman taking issue with the story. "The fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious," wrote the newspaper.

Other alleged Biesecker infractions have also upset the EPA. In June, Biesecker forwarded to the EPA press office a news release from Investigative Reporters and Editors announcing that Pruitt had won the organization's "Golden Padlock" award "recognizing the most secretive U.S. agency or individual." Noted the EPA official via email, "this unnecessary email reiterates his dislike for Mr. Pruitt."

So there was distrust in the water when Biesecker and the AP landed on Hurricane Harvey. A trail of emails shows that the wire service decided early on how it would focus its investigative efforts: Houston has long been a petrochemical hub, with $50 billion in chemical plant construction since 2013. The city's deep roots in this industry mean that companies have left behind a fair number of messes, some of them qualifying as EPA Superfund sites. A team of AP journalists wanted to know how these sites would fare underwater.

On Aug. 17, more than a week before Harvey's landfall, the AP requested a copy of EPA's "screening analysis" involving Superfund sites around floodplains or in danger of sea-level rise. As Harvey later bounced out of Texas and into Louisiana, the AP sprung into action, checking out flooded Superfund sites — by foot and by boat — and pressing the EPA for information. Here's an Aug. 30 email inquiry obtained by the Erik Wemple Blog: "How many Superfund sites are underwater? Specific locations? What monitoring are state and federal regulators doing this week? Are they visiting sites by boat? Are they sampling floodwater? What specific actions are they taking to potentially mitigate the risk of hazardous materials migrating off site due to flooding?" It continued pressing those issues over the following days.

On Sept. 2, Biesecker and colleague Jason Dearen showed the results of their efforts under the provocative and alarming headline, "AP EXCLUSIVE: Toxic waste sites flooded, EPA not on scene." In all, the outlet had visited seven Superfund sites in the Houston region. Several hours after the AP issued its story, the EPA responded with a statement indicating that it had seen aerial imagery showing that 13 of 41 sites were flooded and were "experiencing possible damage." The statement started out by denouncing "misleading and inaccurate reporting" on the topic.

The AP adjusted its article, but not its narrative:

The statement confirmed the AP's reporting that the EPA had not yet been able to physically visit the Houston-area sites, saying the sites had "not been accessible by response personnel." EPA staff had checked on two Superfund sites in Corpus Christi on Thursday and found no significant damage.

AP journalists used a boat to document the condition of one flooded Houston-area Superfund site, but accessed others with a vehicle or on foot. The EPA did not respond to questions about why its personnel had not yet been able to do so.

The next day, the EPA did something that federal agencies, as a general proposition, do not do. It put a news release on the EPA website blasting not just a news outlet, but a specific reporter. With attitude, too.

Yesterday, the Associated Press' Michael Biesecker wrote an incredibly misleading story about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the audacity to imply that agencies aren't being responsive to the devastating effects of Hurricane Harvey. Not only is this inaccurate, but it creates panic and politicizes the hard work of first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted initial assessments at 41 Superfund sites – 28 of those sites show no damage, and 13 have experienced flooding. This was left out of the original story, along with the fact that EPA and state agencies worked with responsible parties to secure Superfund sites before the hurricane hit. Leaving out this critical information is misleading.

In a chat with the Erik Wemple Blog, a second EPA official criticized the AP for allegedly getting in over its head. "I've never experienced in my career at EPA this kind of thing happening, where the reporter shows up at a devastated site and makes his own determination," says the official, arguing that the required skills are technical and exacting. Nothing, in other words, that a generalist scribe could profitably undertake. It's far better, said EPA officials, to join agency experts on one of their ride-along tours, as journalists from ABC, CBS, CNBC, CNN and Bloomberg did on Monday. "Crews were able to take videos, photographs and talk directly with technical staff and subject matter experts on the ground," reads an EPA news release/damage-control document on the tour. "Boats were on the water determining impacts at the temporary armored cap in the San Jacinto River, to provide access to the crews."

Much of the anger within the EPA stemmed from the AP's headlining conclusion that the agency was "not on scene." "The sites are flooded — I don't know what we're supposed to do," says one of the EPA officials. The headline was later changed to, "AP EXCLUSIVE: Toxic waste sites flooded in Houston area."

Asked about the EPA's charges that the wire service omitted key facts and generally placed the government agency in a bad light, AP spokeswoman Emily Leshner responded, "We stand by our original reporting and provided the EPA with ample time to respond to our questions. We included the EPA's responses when they

were provided." Executive Editor Sally Buzbee waded into the dispute with this statement: "AP's exclusive story was the result of on-the-ground reporting at Superfund sites in and around Houston, as well as AP's strong knowledge of these sites and EPA practices. We object to the EPA's attempts to discredit that reporting by suggesting it was completed solely from 'the comforts of Washington' and stand by the work of both journalists who jointly reported and wrote the story."

Those are strong words, though they're too few. Buzbee would have done well to lament the trajectory of Biesecker's treatment by the EPA: He makes a single mistake in a story based on original reporting and a records request — then he publishes a hard-edged enterprise piece that displeases those in power. He also engages in some snippy emailing. Based on these considerations, the EPA places its full authority behind the imperative of crushing him.

There is no question that reporters lack the capacity to deliver laboratory-quality assessments of the dangers posed by inundated Superfund sites. And the original headline was a touch on the harsh side. Yet the AP story was factually sound, it was an act of enterprise, and it showed editorial independence. As a taxpayer, would you prefer an Associated Press that waits for agency minders to escort its people to the sites, or an Associated Press that braves the elements on its own?

Those considerations notwithstanding, the EPA chose an ad hominem form of pushback, though an agency official dissents from this characterization. "This wasn't personal. It's about his reporting," says the official. "It's not about who he is as a person."

Note that the attacks from agency officials against the AP and its Washington-based environmental reporter are hatched from the comfort of anonymity.

We'll be seeing more of this approach to the media, of course. An EPA official tells this blog that the release slamming Biesecker boosted morale. "I was with 20 to 30 career folks who were appalled by the story and they nearly teared up when press release went out. ... This administration was defending their hard work and dedication," said the official.

Pruitt's dealings with energy industry continue to agitate
Editorial
June 2015,
http://www.oklahoman.com/some-in-media-remain-bothered-by-pruitts-relationship-with-energy-industry/article/5553581

The disdain that some in the media have for President Trump and members of his administration is evident regularly. Recent coverage related to EPA administrator Scott Pruitt provides an example of interest to locals because of Pruitt's Oklahoma ties.

A former state senator, Pruitt won election as attorney general in 2010, and was easily re-elected in 2014. From the beginning he made it clear he would actively oppose Obama administration overreach, particularly regulations that had the potential to harm businesses and individuals.

The administration kept Pruitt's "federalism" unit busy, as his office filed at least 14 lawsuits against the Environmental Protection Agency. The most high-profile of those were fights against the Clean Power Plan,

which mandated cuts that all states had to make to greenhouse gas emissions, and the Waters of the United States rule, which greatly expanded the EPA's control over bodies of water such as ponds and creeks. The U.S. Supreme Court eventually stayed the CPP and an appeals court put the water rule on hold.

Pruitt's nomination as EPA administrator drew swift and strident opposition from environmentalists and some in the media who said Trump's confirmation would essentially be placing the fox in charge of the henhouse. Both sectors remain upset.

An Associated Press story from Washington last week about emails Pruitt sent and received as attorney general did what it could to further establish Pruitt as a minion for the oil and gas industry — which environmentalists see as dead set on ruining the earth as we know it.

The AP, a wire service used by media outlets around the world including The Oklahoman, said the emails "underscore just how closely" Pruitt "coordinated with fossil fuel companies" as Oklahoma's AG, "a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions."

That's quite an opening paragraph. Pruitt didn't just work with energy companies while attorney general — he worked "closely" with "fossil fuel companies" (the ultimate bogey men) to essentially keep global warming from abating.

The AP report went on to note that some of Pruitt's emails involved the Domestic Energy Producers Alliance, a trade group that, as AP pointed out, includes "billionaire Harold Hamm, a political backer of Pruitt and a frequent adviser to President Donald Trump."

We've always found it interesting how some in the media are quick to identify conservatives (such as Hamm) as "billionaires." The Koch brothers, for example, aren't just supporters of conservative (and other) causes. They're "billionaire" supporters. The tag is intended to touch a nerve with those who have a problem with the "greedy" 1 percent — but only those 1 percent who don't share their worldview.

Pruitt was rightfully criticized for not promptly turning over emails to Democratic senators prior to his confirmation vote earlier this year. And it's possible this latest batch of emails could provide additional fodder for criticism. But the fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious.

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/15/2017 6:46:53 PM
To: Graham, Amy [graham.amy@epa.gov]
Subject: RE: AP Questions

You betcha.

From: Graham, Amy
Sent: Friday, September 15, 2017 2:46 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: AP Questions

Deliberative Process / Ex. 5

Sent from my iPhone

On Sep 15, 2017, at 1:35 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Deliberative Process / Ex. 5 Not only does Michael reinvent facts about the EPA, while he wrote stories in North Carolina, he consistently manipulated and wrote false information for the AP.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 15, 2017 2:31 PM
To: Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP Questions

Hi David, et all

Just following up on these additional questions from last night. Do you expect to provide any additional info today?

Also, I need to ask for clarification on Amy's earlier statement that "EPA's On-Scene Coordinator conducted another site inspection and did not find any evidence of a black oily discharge or material from the site." Also, from last night's media release, "Yesterday, an EPA On-scene coordinator conducted an inspection of Vince Bayou to follow up on a rumor that material was offsite and did not find any evidence of a black oily discharge or material from the U.S. Oil Recovery site."

If that is the case, does EPA know the origin of the black, oily-looking water that appears to be plainly visible in the NOAA aerial imagery from Aug. 31?

Meanwhile, call logs from the U.S. Coast Guard's National Response Center hotline note that it received two calls Sept. 9 from "U.S. Oil Recovery Superfund" to report spills of storm water from the site earlier that week as the result of heavy rain.

According to EPA guidelines, responsible parties are required to report "hazardous substance release or oil spill" to the NRC hotline if the release enters "navigable waters or adjoining shorelines."

Did EPA know about the reports of spills from the same site where Amy's statement says EPA found no evidence of discharges? How can we reconcile that? Can you help us understand what steps EPA staff went through? Did they do a visual assessment? Walk the site? Drive past it? Collect and/or test samples?

A press release previously said 45,000 gallons of water were vacuumed up at the site. Was that related to these spills, or a separate issue? Was the recovered storm water all collected on site, or was any collected from neighboring roads, properties or waterways.

Finally, EPA's public statements make no direct reference to spills occurring at U.S. Oil Recovery. Why has the agency elected not to make the public aware of these incidents?

My deadline is 4 p.m. EST

Thanks,

Michael

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, September 14, 2017 5:47 PM
To: Biesecker, Michael; Graham, Amy
Cc: Wilcox, Jahan; Press; Dunklin, Reese; Press
Subject: RE: AP Questions

No worries

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, September 14, 2017 4:45 PM
To: Gray, David <gray.david@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: RE: AP Questions

Thank you. I wish we could give you more time, but we had already been waiting for response since Tuesday.

From: Gray, David [mailto:gray.david@epa.gov]
Sent: Thursday, September 14, 2017 5:44 PM
To: Biesecker, Michael; Graham, Amy
Cc: Wilcox, Jahan; Press; Dunklin, Reese; Press
Subject: RE: AP Questions

Hi Michael,

I see that you are on a tight deadline. Give me a minute to see what answers I have to your follow up questions.

Best,
David

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, September 14, 2017 4:15 PM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>; Dunklin, Reese <RDunklin@ap.org>
Subject: FW: AP Questions

Amy,

Thanks for your response to AP's questions from Tuesday.

Your answers prompt several follow-ups:

Does EPA have an estimate of how long its assessment of the damage at the two sites is expected to continue?

On Saturday, EPA said the results of its testing from the 43 Superfund sites in Texas affected by the storm would be completed earlier this week and that "results will be available soon." What sampling has occurred to date at U.S. Oil Recovery and the San Jacinto River Waste Pits? When will those results be released?

You write that an EPA team conducted an on-site inspection at U.S. Oil Recovery on Sept. 4 and that "No evidence of an oily black water was found at that time." NOAA aerial photos from Aug. 31, five days earlier, show black-colored water surrounding the site and flowing into the Houston Ship Channel (photo attached). Was EPA able to sample and test water from Vince Bayou? Were any samples collected prior to Sept. 4?

Where did the 45,000 gallons of potentially contaminated water vacuumed up at the site after the storm come from? Was it all rainwater, or were tanks at the site overtopped by floodwaters. Has the water collected at the site sampled and tested for contaminants?

The U.S. Oil Recovery site has 24-hour security camera monitoring. Has EPA reviewed footage from during the storm to determine conditions at the time?

A dive team has been on site at San Jacinto for at least two days. Why has EPA not yet been able to conclude whether the underwater portion of the cap was damaged? Any estimate of how much longer that might take?

AP is moving a story on this tonight. Please provide any additional response by 6:30 p.m.

Thanks,

Michael

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Thursday, September 14, 2017 3:49 PM
To: Dunklin, Reese; Wilcox, Jahan
Cc: Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – Here is our update:

San Jacinto River Waste Pits Superfund Site: Underwater inspections by the EPA dive team started this week and are continuing. The assessment is on-going and repairs are underway on the armored layer of the cap. Any needed additional repairs have not been determined. The security cameras have not been restored.

US Oil Recovery: EPA's On-Scene Coordinator conducted another site inspection and did not find any evidence of a black oily discharge or material from the site. An EPA team conducted an on-site inspection on September 4 to assess the site conditions post-storm. No evidence of an oily black water was found at that time. The responsible party has been directed to sample the water standing in the open tanks and remove the excess storm waters. The responsible party has conducted operations to remove the excess water, and ensure that all materials in the former wastewater treatment tanks is secured.

Thanks,
Amy

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Thursday, September 14, 2017 11:17 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello,

I'm checking in again to see whether you all have information answering the questions I sent on Tuesday?

Thanks,

Reese Dunklin, the Associated Press

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, September 13, 2017 2:39 PM
To: Dunklin, Reese
Cc: Graham, Amy; Gray, David; Press
Subject: RE: AP RE: Hoping to reach David Gray

If you have this information from City Lab then you can cite City Lab.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: Re: AP RE: Hoping to reach David Gray

Can you at least confirm this information David Gray provided to City Lab:

The "armor" part of the armored cap covering the San Jacinto waste pits—the layer of rocks—had been at least partially displaced during the flood, although no damage to the liner itself has been reported so far. At the U.S. Oil recovery site in Pasadena, where the EPA has attempted to keep used oil products from entering waterways, crews were working to vacuum floodwaters from the facilities, Gray said, adding that "no sheen or odor was observed in the overflowing water." He anticipated that further assessment at both sites would take several days.

https://www.citylab.com/environment/2017/09/hurricane-harvey-toxic-superfund-pollution-epa/539553/

On Sep 13, 2017, at 2:16 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> We are still working on this, along with the new request from your reporter in Michigan about Hurricane Irma as well.
>
> **From:** Dunklin, Reese [mailto:RDunklin@ap.org]
> **Sent:** Wednesday, September 13, 2017 2:57 PM
> **To:** Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
> **Subject:** RE: AP RE: Hoping to reach David Gray
>
> Hello Amy,
>
> Just circling back around on this and making sure I didn't miss anything by chance.
>
> Thanks,
>
> Reese Dunklin
>
> **From:** Graham, Amy [mailto:graham.amy@epa.gov]
> **Sent:** Wednesday, September 13, 2017 11:19 AM
> **To:** Dunklin, Reese; Gray, David; Press
> **Subject:** RE: AP RE: Hoping to reach David Gray
>
> Will have more information for you shortly.

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Wednesday, September 13, 2017 11:30 AM
To: Graham, Amy <graham.amy@epa.gov>; Gray, David <gray.david@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP RE: Hoping to reach David Gray

Hello again Amy,

I'm just touching base to ensure you all received this and were preparing any answers or responses. Do you have a prospective ETA?

I'm getting word that the deadline on my end may be coming up later today.

Sorry to pester, but just want to get a sense for your plans.

Thanks,

Reese Dunklin, the AP

From: Dunklin, Reese
Sent: Tuesday, September 12, 2017 4:27 PM
To: 'Graham, Amy'; Gray, David; Press
Cc: Dunklin, Reese
Subject: RE: AP RE: Hoping to reach David Gray

Hello Amy,

Thanks for getting back to me so quickly. I appreciate the fast response. As I mentioned to David, I had some questions about the the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites.

I'm following up on the assessments at those two sites. Here were some of the questions I was hoping to get answered. We can get on the phone if that's quicker.

San Jacinto

It appears there has been significant ongoing work to repair the above water berm protecting "armored cap." As I understand it, two-thirds of the cap is normally under the river. Last week EPA said divers would be going to the site to assess whether the underwater sections of the cap are still in place. So I was wondering:

--Has that assessment occurred?
--Was there any indication whether any of the underwater portion of the cap was damaged?
--Are there other assessment efforts under way?
--What else necessitated the additional assessment efforts?
--What kind of water or soil sampling has EPA conducted on site?
--When those sampling results will be made available, if they're not already?
--Is there any evidence that harmful contamination has migrated off site?

U.S. Oil Recovery

It appears a significant amount of black, oily water flowed from the site and into Vince Bayou. So I was wondering:

-- What else necessitated the additional assessment efforts?
--Has EPA conducted sampling of surface waters and sediments in the area after the storm?
--What do the results show?
--Are there other assessment efforts under way?
--work is being done at the site in the wake of the storm (e.g. any monitoring or clean up)?
--Can EPA assure the public that no harmful contamination migrated off site? If not, has the agency yet determined the potential risks to human health and wildlife?

I appreciate your help on this and look forward to hearing back from you soon. Is it possible for me to get a response back by tomorrow?

Thanks in advance,

Reese Dunklin

–

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image001.jpg>

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From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, September 12, 2017 2:58 PM
To: Gray, David; Dunklin, Reese; Press
Subject: RE: AP RE: Hoping to reach David Gray

Hi Reese – What are your specific questions?

From: Gray, David
Sent: Tuesday, September 12, 2017 3:28 PM
To: Dunklin, Reese <RDunklin@ap.org>; Press <Press@epa.gov>
Subject: AP RE: Hoping to reach David Gray

Hi Reese,

Thanks for the note. I got the same request from Michael Biesecker and our HQ office is handling this response. I am copying them here so they know to add you to the response.

David

From: Dunklin, Reese [mailto:RDunklin@ap.org]
Sent: Tuesday, September 12, 2017 2:09 PM
To: Gray, David <gray.david@epa.gov>
Cc: Dunklin, Reese <RDunklin@ap.org>
Subject: Hoping to reach David Gray

Hello David,

I left a voice mail at 214 665 2200 to this effect. My name is Reese Dunklin, and I'm based in the AP's Dallas office. I'm hoping to reach you regarding the San Jacinto Waste Pits and U.S. Oil Recovery superfund sites. Is there a better number for me to try for you? You can also reach me at 972 502 7571.

Thanks for reading this far,

Reese Dunklin, AP

Reese Dunklin, reporter
The Associated Press

4851 LBJ Freeway, Suite 300 Dallas, TX 75244
972-502-7571 (office)
Ex. 6 *(mobile/text)*
rdunklin@ap.org

<image002.jpg>

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 10/3/2017 1:46:38 AM
To: lachlan.markay@thedailybeast.com
Subject: Fwd: Pruitt flights on non-commercial aircraft

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: September 29, 2017 at 3:27:17 PM EDT
To: "Pace, Julie" <JPace@ap.org>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

If you and Sally want to come and meet with the Chief of Staff, Ryan Jackson, Jahan and me, we would be more than happy to meet with you guys. I can ask the Administrator if he would also like to participate, but I have to check and get back to you. Let me know your thoughts and we can work out dates.

From: Pace, Julie [mailto:JPace@ap.org]
Sent: Friday, September 29, 2017 3:12 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Liz,

As I have mentioned, Sally Buzbee, AP's executive editor, and I are more than happy to come in and discuss these issues with Administrator Pruitt. The date you initially proposed didn't work for Sally as she was out of the country so we're awaiting word from you on another opportunity.

Julie

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, September 29, 2017 3:09 PM
To: Pace, Julie <JPace@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Julie – I understand that you are busy and running the office – we would love to not have to email you to seek corrections on the biased reporting on our Agency and the Administrator. As the AP refuses to hold Michael accountable with regard to his biased reporting on Republican elected officials (like AP did with veteran reporter Bob Lewis), we have told you that we won't work with a reporter that blatantly violates the AP's published values, including by: asking colleagues to misrepresent themselves to get information for his byline; reporting inaccurately, unfairly and dishonestly; and, reporting with a bias and a distortion of the facts. We respectfully continue to object to the Associated Press' refusal to take our concerns seriously. If you are too busy to address our concerns, please send us the name and contact

information of your editor or chief, who will hopefully have more time to discuss these concerns and more of a willingness to take them seriously. Thanks again – Liz

---

From: Pace, Julie [mailto:JPace@ap.org]
Sent: Friday, September 29, 2017 2:42 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Jahan – I run a bureau full time. I don't report on the EPA. If you're more comfortable sending material directly to me, that's fine. But Michael covers the EPA and as I've told Liz numerous times, that is not changing. So when I receive emails from you, I send them to our EPA reporter.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, September 29, 2017 2:32 PM
To: Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

Julie –

Is there a reason why you have decided not to reply to our emails?

We have made it abundantly clear that we will work with the Associated Press, just not Michael Biesecker. Also since we are on this topic, why did the AP fire Bob Lewis, Dena Potter and Norman Gomlak for 1 incorrect story regarding Hillary Clinton's Terry McAuliffe but rally around Michael Bisecker despite his repeated and deliberate mistakes against EPA Administrator Scott Pruitt and other Republican officials.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 29, 2017 2:18 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

Jahan,

Is there a reason why you can't just provide AP the same documents you've provided to others? Seems like you guys would want to appear as transparent as possible on this.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, September 29, 2017 2:08 PM
To: Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

We can confirm that E&E News' reporting is accurate:
https://www.eenews.net/assets/2017/09/28/document_daily_04.pdf.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 29, 2017 1:54 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Do you have a total cost for the four flights?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, September 29, 2017 12:47 PM
To: Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

Julie –

Everything that was reported by Fox News' John Roberts was accurate and this should answer every question: **https://www.youtube.com/watch?v=Gi0lubqu5Mo&feature=youtu.be**

In terms of repayment, you can use this statement: **"If a reimbursement was necessary for official government travel, the EPA's Ethics Office would have told us during the approval process and we would've acted accordingly,"** – EPA spokeswoman Liz Bowman said

Finally, if you are looking for the letters from our ethics office, we are directing you to Politico's Playbook (September 28, 2017) and can confirm their reporting was accurate: **"-- AN EPA OFFICIAL** emailed us the authorization memos from the EPA's general counsel's office for the flights Pruitt
took: http://politi.co/2fBCgUV ... http://politi.co/2k3xZuG ...http://politi.co/2hyaNnD."

Have a great weekend!

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 29, 2017 12:07 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Pruitt flights on non-commercial aircraft

Liz,

In a Tweet Wednesday night, you said Administrator Pruitt has only taken one charter flight and three flights on government aircraft.

We are aware of the charter flight to Colorado and the military flight to Cincinnati. Could you please provide the dates, departure and destination for the two other government flights you cited.

Also, HHS Secretary Price now says he will repay the treasury for his share of the private charter flights he made at taxpayer expense. Can you provide an explanation for why the administrator declined a seat on Gov. Hickenlooper's plane for the Colorado flight? Is Pruitt giving any consideration to repaying a portion of that flight?

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/29/2017 4:48:22 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]

From: Wilcox, Jahan
Sent: Friday, September 29, 2017 12:47 PM
To: Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

Julie –

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In terms of repayment, you can use this statement: **"If a reimbursement was necessary for official government travel, the EPA's Ethics Office would have told us during the approval process and we would've acted accordingly,"** – EPA spokeswoman Liz Bowman said

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Have a great weekend!

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 29, 2017 12:07 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Pruitt flights on non-commercial aircraft

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We are aware of the charter flight to Colorado and the military flight to Cincinnati. Could you please provide the dates, departure and destination for the two other government flights you cited.

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Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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Sent: 10/3/2017 2:27:29 PM
To: Ford, Hayley [ford.hayley@epa.gov]
Subject: Fwd: Pruitt flights on non-commercial aircraft

Sent from my iPhone

Begin forwarded message:

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: October 3, 2017 at 9:41:03 AM EDT
To: "Pace, Julie" <JPace@ap.org>, "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

That makes sense; how about if we all meet and then decide what makes the most sense? When are you free this week?

From: Pace, Julie [mailto:JPace@ap.org]
Sent: Tuesday, October 3, 2017 9:02 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Hi – I'm happy to meet with all of you at your convenience. Realistically, I'll probably only be able to get Sally down here if the Administrator is involved in the meeting, given the demands on her schedule. Let me know how you'd like to proceed.

Julie

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, September 29, 2017 3:27 PM
To: Pace, Julie <JPace@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

If you and Sally want to come and meet with the Chief of Staff, Ryan Jackson, Jahan and me, we would be more than happy to meet with you guys. I can ask the Administrator if he would also like to participate, but I have to check and get back to you. Let me know your thoughts and we can work out dates.

From: Pace, Julie [mailto:JPace@ap.org]
Sent: Friday, September 29, 2017 3:12 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Liz,

As I have mentioned, Sally Buzbee, AP's executive editor, and I are more than happy to come in and discuss these issues with Administrator Pruitt. The date you initially proposed didn't work for Sally as she was out of the country so we're awaiting word from you on another opportunity.

Julie

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, September 29, 2017 3:09 PM
To: Pace, Julie <JPace@ap.org>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Julie – I understand that you are busy and running the office – we would love to not have to email you to seek corrections on the biased reporting on our Agency and the Administrator. As the AP refuses to hold Michael accountable with regard to his biased reporting on Republican elected officials (like AP did with veteran reporter Bob Lewis), we have told you that we won't work with a reporter that blatantly violates the AP's published values, including by: asking colleagues to misrepresent themselves to get information for his byline; reporting inaccurately, unfairly and dishonestly; and, reporting with a bias and a distortion of the facts. We respectfully continue to object to the Associated Press' refusal to take our concerns seriously. If you are too busy to address our concerns, please send us the name and contact information of your editor or chief, who will hopefully have more time to discuss these concerns and more of a willingness to take them seriously. Thanks again – Liz

---

From: Pace, Julie [mailto:JPace@ap.org]
Sent: Friday, September 29, 2017 2:42 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Jahan – I run a bureau full time. I don't report on the EPA. If you're more comfortable sending material directly to me, that's fine. But Michael covers the EPA and as I've told Liz numerous times, that is not changing. So when I receive emails from you, I send them to our EPA reporter.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, September 29, 2017 2:32 PM
To: Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

Julie –

Is there a reason why you have decided not to reply to our emails?

We have made it abundantly clear that we will work with the Associated Press, just not Michael Biesecker. Also since we are on this topic, why did the AP fire Bob Lewis, Dena Potter and Norman Gomlak for 1 incorrect story regarding Hillary Clinton's Terry McAuliffe but rally around Michael Bisecker despite his repeated and deliberate mistakes against EPA Administrator Scott Pruitt and other Republican officials.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 29, 2017 2:18 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

Jahan,

Is there a reason why you can't just provide AP the same documents you've provided to others? Seems like you guys would want to appear as transparent as possible on this.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, September 29, 2017 2:08 PM
To: Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

We can confirm that E&E News' reporting is accurate: https://www.eenews.net/assets/2017/09/28/document_daily_04.pdf.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 29, 2017 1:54 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Pruitt flights on non-commercial aircraft

Do you have a total cost for the four flights?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, September 29, 2017 12:47 PM
To: Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt flights on non-commercial aircraft

Julie –

Everything that was reported by Fox News' John Roberts was accurate and this should answer every question: **https://www.youtube.com/watch?v=Gi0lubqu5Mo&feature=youtu.be**

In terms of repayment, you can use this statement: **"If a reimbursement was necessary for official government travel, the EPA's Ethics Office would have told us during the approval process and we would've acted accordingly,"** – EPA spokeswoman Liz Bowman said

Finally, if you are looking for the letters from our ethics office, we are directing you to Politico's Playbook (September 28, 2017) and can confirm their reporting was accurate: **"-- AN EPA**

OFFICIAL emailed us the authorization memos from the EPA's general counsel's office for the flights Pruitt
took: http://politi.co/2fBCgUV ... http://politi.co/2k3xZuG ...http://politi.co/2hyaNnD."

Have a great weekend!

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 29, 2017 12:07 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Pruitt flights on non-commercial aircraft

Liz,

In a Tweet Wednesday night, you said Administrator Pruitt has only taken one charter flight and three flights on government aircraft.

We are aware of the charter flight to Colorado and the military flight to Cincinnati. Could you please provide the dates, departure and destination for the two other government flights you cited.

Also, HHS Secretary Price now says he will repay the treasury for his share of the private charter flights he made at taxpayer expense. Can you provide an explanation for why the administrator declined a seat on Gov. Hickenlooper's plane for the Colorado flight? Is Pruitt giving any consideration to repaying a portion of that flight?

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
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T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 10/12/2017 2:45:37 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Falvo, Nicholas [falvo.nicholas@epa.gov]
Subject: FW: AP: EPA announces $115 million cleanup for Houston site, 10/12/17

Deliberative Process / Ex. 5

From: Sorokin, Nicholas
Sent: Thursday, October 12, 2017 10:44 AM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: AP: EPA announces $115 million cleanup for Houston site, 10/12/17

Associated Press
https://apnews.com/e7f9e96c5b5b4c9fa9130493e7573ca4/EPA-announces-$115-million-cleanup-for-Houston-site
EPA announces $115 million cleanup for Houston site
By Associated Press, 10/12/17

HOUSTON (AP) — The Environmental Protection Agency approved a plan to remove sediments laced with highly toxic dioxin from a partially submerged Superfund site near Houston damaged during Hurricane Harvey, officials announced Wednesday.

The announcement comes two weeks after the federal agency said an unknown amount of dioxins — which have been linked to birth defects and cancer — may have washed downriver from the San Jacinto Waste Pits after floodwaters jarred loose a protective cap of fabric and rock designed to keep them from spreading.

The EPA said in a statement that it planned to excavate 212,000 cubic yards of contaminated material from the site along the San Jacinto River that was a paper mill in the 1960s. It estimated the cost at $115 million.

The statement said a small, unspecified amount of material would stay on the site and that temporary barriers would be built to hold back the river during excavation and removal.

The agency did not specify a timeline and one of the companies responsible, Waste Management subsidiary McGinnis Industrial Maintenance Corp., said Wednesday that it would oppose the removal, adding that it provides less protection to affected communities than the existing cap.

“We disagree with EPA’s claim that the local or downstream areas can be protected during removal,” McGinnis said in an emailed statement.

On Sept. 28, EPA announced that sediment samples collected by an agency dive team from the exposed area underwater showed dioxin levels more than 2,300 times the threshold for triggering a cleanup.

Dioxins do not dissolve easily in water but can be carried away with any contaminated sediments and deposited over a wider area.

Local residents said contaminated mud might have washed into neighborhood homes that flooded during the late August storm.

At least a dozen Superfund sites in and around Houston were flooded last month in the days after Harvey's record-shattering rains stopped.

About 16 acres of the San Jacinto site were covered in 2011 with the cap — three years after it had been placed on the Superfund National Priority List.

The cap has required extensive repairs on at least six occasions in recent years, with sections becoming displaced or going missing.

—

Nicholas Sorokin
Office of Media Relations Intern
U.S. Environmental Protection Agency
Telephone: (202) 564-5334
sorokin.nicholas@epa.gov

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 10/12/2017 5:13:51 PM
To: Gray, David [gray.david@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Konkus, John [konkus.john@epa.gov]
Subject: RE: San Jacinto ROD

Deliberative Process / Ex. 5

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, October 12, 2017 1:02 PM
To: Gray, David <gray.david@epa.gov>
Cc: Press <Press@epa.gov>
Subject: San Jacinto ROD

David,

Two quick questions about EPA's Record of Decision ordering a cleanup at the San Jacinto River Waste Pits:

1) Can PRPs appeal a ROD, or is this final?
2) EPA previously said additional testing would be conducted to determine if exposed contaminated sediments migrated down river during and after Harvey. Has that assessment been completed and what are the results?

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

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Sent: 10/23/2017 2:09:43 PM
To: Pace, Julie [JPace@ap.org]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]
Subject: FW: Narragansett Bay conference

So the liberal Associated Press puts a story on the wire and then asks for a comment 35 minutes later. Great work Julie!

- http://www.startribune.com/epa-cancels-appearance-of-scientists-at-rhode-island-event/452354983/

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, October 23, 2017 9:39 AM
To: Konkus, John <konkus.john@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Narragansett Bay conference

John,

Please send me EPA's statement on why the three agency scientists will not be presenting their paper at the conference today.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
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mbiesecker@ap.org
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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 3/6/2018 6:56:28 PM
To: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]
Subject: RE: Response sought re EPA officials' side jobs & EPA-awarded security contract

Just tried to call you.

From: Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) [mailto:jdlouhy1@bloomberg.net]
Sent: Tuesday, March 6, 2018 1:39 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Response sought re EPA officials' side jobs & EPA-awarded security contract

Checking on last line: Used IN other offices?

"Once again, Senate EPW Democrats went to the press before sending their letter to EPA," EPA spokesman Jahan Wilcox said by email. "Security sweeps are common practice in government, as former EPA Administrator Lisa Jackson also had her office swept. We looked at a couple of different vendors, and our career administrative officials approved the same vendor that the Office of the Inspector General used **in** other offices within EPA."

--
Jennifer A. Dlouhy
jdlouhy1@bloomberg.net / Ex. 6
reporterjen@protonmail.com
Desk: 202.807.2159
Cell/Text/Signal: Ex. 6
Twitter: @jendlouhyhc
Stories: http://bloom.bg/23Crpvk

From: wilcox.jahan@epa.gov At: 03/06/18 13:36:58
To: Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:)
Subject: RE: Response sought re EPA officials' side jobs & EPA-awarded security contract

Updated for a grammar edit.

"Once again, Senate EPW Democrats went to the press before sending their letter to EPA. Security sweeps are common practice in government, as former EPA Administrator Lisa Jackson also had her office swept. We looked at a couple of different vendors and career administrative officials approved the same vendor that the Office of the Inspector General used and other offices within EPA." – EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Tuesday, March 6, 2018 1:26 PM
To: 'Jennifer A. Dlouhy' <jdlouhy1@bloomberg.net>
Cc: Press <Press@epa.gov>
Subject: RE: Response sought re EPA officials' side jobs & EPA-awarded security contract

Here is an updated on-the-record statement: **"Once again Senate EPW Democrats went to the press, before sending their letter to EPA. Security sweeps are common practice in government and former EPA Administrator Lisa Jackson had her office swept. We looked at a couple of different vendors and our career administrative officials approved locks that are used for the Inspector General and other offices within EPA."** – EPA spokesman, Jahan Wilcox

From: Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) [mailto:jdlouhy1@bloomberg.net]
Sent: Tuesday, March 6, 2018 12:28 PM
To: Press <Press@epa.gov>
Subject: Response sought re EPA officials' side jobs & EPA-awarded security contract

Good afternoon, EPA press.

We're writing a short item on the Carper/Whitehouse letter (release/letter below) on EPA-awarded security contracts, which probably will also invoke yesterday's letter from House E&C Democrats re Konkus' and Davis' side jobs.

Do you wish to respond to any piece of this -- ie Whitehouse and Carper's concern that Perrotta may have encouraged the award of an EPA security contract to a business associate or the concern of various House Democrats about EPA appointees maintaining side jobs that conflict with their work for the agency (even if they got approval from the designated ethics officer to do so)?

Thanks,

Jen.

FOR IMMEDIATE RELEASE

March 6, 2018

Contact:

Rich Davidson (Whitehouse), 202-228-6291

Christine Brennan (Carper), 202-224-8832

Whitehouse, Carper Raise Red Flags About EPA Contract with Business Partner of Pruitt's Security Chief

Washington, DC – Senators Sheldon Whitehouse (D-RI) and Tom Carper (D-DE) raised concerns with Environmental Protection Agency (EPA) Administrator Scott Pruitt today about the side-business of Pruitt's head of security, Pasquale "Nino" Perrotta, whose business partner has received a security-related contract from the EPA. Perrotta, who lists himself as an "Acting Special Agent in Charge" at the EPA and has traveled on multiple occasions with Pruitt as part of his protective security detail, is currently listed as a Principal and founder of the Sequoia Security Group. At Sequoia, he is business partners with Edwin Steinmetz, whose company was among the contractors the Associated Press reports swept Pruitt's office for "hidden listening devices and bought sophisticated biometric locks for additional security" at the EPA.

"These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest," write Whitehouse and Carper. The Senators point to a number of government ethics rules Perrotta's business interests may bring into play. They ask Pruitt about Perrotta's current work at EPA, and for additional information on Sequoia and Edwin Steinmetz Associates.

Full text of the Senators' letter is below.

March 6, 2018

The Honorable Scott Pruitt

Administrator

Environmental Protection Agency

1200 Pennsylvania Avenue NW

Washington, D.C. 20004

Dear Administrator Pruitt,

We write to request that you provide information about the role Pasquale "Nino" Perrotta plays at Environmental Protection Agency ("EPA"). It has come to our attention that, in addition to being employed by EPA, Mr. Perrotta is also a Principal at Sequoia Security Group. We understand that at least one business partner of Mr. Perrotta's at Sequoia, Edwin Steinmetz, has received a security-related contract from EPA within the last year. These facts raise questions about Mr. Perrotta's compliance with EPA regulations and concerns that he may have used his position at the agency to influence the award of EPA contracts to a person or company in which he has a financial interest.

It is our understanding that Mr. Perrotta is a key member of your protective security detail. His LinkedIn profile states he serves as "Acting Special Agent in Charge" of a U.S. Government agency.[1] According to records provided by EPA to Senator Whitehouse last year, Mr. Perrotta has accompanied you on several trips outside Washington DC, including trips to Kentucky on June 7, 2017, Tulsa and Guymon, OK on July 27, 2017, Denver and Durango, CO on August 4, 2017, and Grand Forks, ND on August 9, 2017. This is likely an incomplete list of out-of-state travel by you and Mr. Perrotta because the documents provided were related only to your travel on non-commercial flights through August 2017, and Mr. Perrotta accompanied you on all four of the flights identified.

Sequoia Security Group, Inc. is a Maryland-based firm that purports to provide "unique and proven senior executive strategic leadership…in national security, cyber security, protection, investigations, risk, compliance, emergency preparedness and technical surveillance countermeasures."[2] As a Principal in this company, Mr. Perrotta highlights his experience "in threat analysis/mitigation, physical and facility security, major event logistics and VIP travel."[3] His firm biography includes the following:

Since 2004, Nino has been a Senior Special Agent with a United States Govenment [sic] Agency. He is charged with a dual mission, protecting a member of the U.S. Presidential cabinet and coordinating protective intelligence information. Nino has conducted numerous security preparations for his mission and has been responsible for

the coordination of both domestic and foreign security advances and conducted sensitive internal and contract investigations valued up to $250 million relating to waste, fraud, abuse and other violations of criminal and civil law.[4]

The firm has described Mr. Perrotta as its founder.[5] His biography on the Sequoia website does not specifically mention that he works for EPA or that the cabinet member he protects is you.

In December, the Associated Press reported that you hired one or more private contractors with federal funds to have your "office swept for hidden listening devices and bought sophisticated biometric locks for additional security."[6] That article indicated that a $3,000 contract was given to Edwin Steinmetz Associates for a "bug sweep" and two other contracts, both under the $3,500 threshold for public reporting, were given for the purchase of biometric locks. Mr. Steinmetz is Vice President of Technical Surveillance Countermeasures at Sequoia; in other words, he is a business partner of Mr. Perrotta.[7] The recipients of the other contracts were not identified in the article.

EPA has adopted supplemental regulations governing outside employment by EPA employees. Those regulations:

· Require approval from an EPA ethics official before an employee engages in outside employment, including consulting services or a subject matter that deals with the policies, programs or operations of EPA;

· Require that any request for approval of outside employment be submitted in writing, and specify the nature of the activity, the name of the organization for which the work will be done, the estimated time to be devoted to the job, and whether the service will be performed entirely outside business hours;

· Prohibit the use of official duty time or federal resources from being used for the outside employment;

· Require that the employee submit revised requests for approval upon a change in the nature and scope of the employee's duties at EPA or the employee's outside employment; and

· Limit any approval to five years.[8]

EPA employees are also subject to federal law and regulations governing conflicts of interest. 18 U.S.C. 208 prohibits federal employees from participating "personally and

substantially as a Government officer or employee…in a…contract, claim…or other particular matter in which, to his knowledge, he, his…general partner, [or] organization in which he is serving as officer, director, trustee, general partner or employee…has a financial interest." A waiver to the provisions of section 208 may be granted only if EPA determines in advance that the "employee's financial interest in the particular matter or matters is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect from such employee."[9]

So we can understand how EPA is ensuring that Mr. Perrotta is complying with the requirements of 5 C.F.R. 6401.103, please provide the following:

· All requests for approval of outside employment by Mr. Perrotta, including supporting documentation and any other information relevant to the requirements of 5 C.F.R. 6401.103.

· All approvals given by EPA for his outside employment, including any guidance about or limitations to those approvals in any form.

· All financial disclosures made by Mr. Perrotta during his employment at EPA. If Mr. Perrotta did not make financial disclosures for any period of his employment at EPA, please provide an explanation of those gaps.

With respect to Mr. Perrotta's current work at EPA:

· What are Mr. Perrotta's current job title and responsibilities? How have his position and responsibilities changed during your tenure as Administrator?

· Mr. Perrotta's LinkedIn page describes his current position as "Acting Special Agent in Charge." If that is an accurate description, why is he in an "acting" role? Are there plans to post that position for all eligible applicants to compete for? If not, why not? Under what circumstances did the prior Special Agent in Charge leave?

· If Mr. Perrotta's job responsibilities have changed, how did EPA account for them in decisions authorizing his outside employment pursuant to 5 C.F.R. 6401.103?

· In his private employment at Sequoia, Mr. Perrotta notes his expertise in "threat analysis and mitigation" and "VIP travel." Please provide any written assessments authored in whole or in part, or reviewed by, Mr. Perrotta, of security threats to you, including but not limited to the determination that security considerations required you to fly first-class, that you needed to have your office swept for electronic listening devices, that you needed to install biometric locks, that you needed a secure communications booth, that you require around-the-clock security protection, and any other non-disclosed security measure or project you have decided to undertake.

· Is Mr. Perrotta responsible for any contracting decisions, including the determination that EPA should contract for private security services or who should be awarded a contract?

· Please provide any waivers to the conflict of interest provisions of 18 U.S.C. 208 issued by EPA to Mr. Perrotta.

With respect to Sequoia and Edwin Steinmetz Associates:

· Please provide copies of all contracts between EPA and Sequoia, Edwin Steinmetz Associates, or any other person associated with Sequoia.

· Please provide copies of all three contracts related to the bug sweep and biometric locks identified in the Associated Press article.

· Was Mr. Perrotta involved in any decision related to the need for this particular security assessment or the award of these contracts in particular? If so, please provide any documentation authorizing him to participate in these decisions.

· Were these contracts competitively bid? If not, why not and please describe how contractors were selected.

We would appreciate a response to these questions, and responsive documents, not later than March 21, 2018. If you have any questions about these requests please contact [our staff].

1 https://www.linkedin.com/in/nino-perrotta-6b8bb412/

2 http://sequoiasecuritygroup.com/about.html

3 http://sequoiasecuritygroup.com/nino-perrota.html

4 Id.

5 https://www.prnewswire.com/news-releases/sequoia-security-group-inc-and-global-security-solutions-inc-team-up-in-strategic-global-partnership-300153905.html

6 Michael Biesecker, "EPA chief sweeps office for bugs, installs high-tech locks" Associated Press, Dec. 19, 2017, available at: https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1.

7 http://sequoiasecuritygroup.com/edwin-steinmetz.html

8 5 C.F.R. 6401.103

9 5 C.F.R. 2635.402(d)(2)(ii).

###

[1] https://www.linkedin.com/in/nino-perrotta-6b8bb412/

[2] http://sequoiasecuritygroup.com/about.html

[3] http://sequoiasecuritygroup.com/nino-perrota.html

[4] Id.

[5] https://www.prnewswire.com/news-releases/sequoia-security-group-inc-and-global-security-solutions-inc-team-up-in-strategic-global-partnership-300153905.html

[6] Michael Biesecker, "EPA chief sweeps office for bugs, installs high-tech locks" Associated Press, Dec. 19, 2017, available at: https://www.apnews.com/242fd35342c34a41b2e2db69b64c44d1.

[7] http://sequoiasecuritygroup.com/edwin-steinmetz.html

[8] 5 C.F.R. 6401.103

[9] 5 C.F.R. 2635.402(d)(2)(ii).

Jennifer A. Dlouhy
jdlouhy1@bloomberg.net Ex. 6
reporterjen@protonmail.com
Desk: 202.807.2159
Cell/Text/Signal: Ex. 6
Twitter: @jendlouhyhc
Stories: http://bloom.bg/23Crpvk

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 3/7/2018 10:33:31 PM
To: Packard, Elise [Packard.Elise@epa.gov]
Subject: Fwd: Press Q

Sent from my iPhone

Begin forwarded message:

From: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Date: March 7, 2018 at 4:27:30 PM EST
To: "Leopold, Matt" <Leopold.Matt@epa.gov>, "Wehrum, Bill" <Wehrum.Bill@epa.gov>
Cc: "Bowman, Liz" <Bowman.Liz@epa.gov>
Subject: Press Q

Call us when you can. We don't know the answer to this or we can walk up and talk in person.

From: Wilcox, Jahan
Sent: Wednesday, March 7, 2018 4:19 PM
To: Leopold, Matt <Leopold.Matt@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: AP questions regarding ethics waivers

I'm coming up to see you.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, March 7, 2018 4:15 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: AP questions regarding ethics waivers

Are you declining to answer this?

Also, on the ethics agreements compliance certification reports filed by the agency, both Matt Leopold and Bill Wehrum declined to answered "yes" or "no" on question 6a, which says "I am recusing from particular matters in which I know I have a personal or imputed financial interest ..." Neither has ethics waivers that have been publicly disclosed. Why do they feel that question is "not applicable" to them (even though that was one of the options printed on the form).

From: Wilcox, Jahan <wilcox.jahan@epa.gov>
Sent: Wednesday, March 07, 2018 4:03 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Feldman, Carole <CFeldman@ap.org>
Cc: Press <Press@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: AP questions regarding ethics waivers

"All EPA employees get ethics briefings when they start and continually work with our ethics office regarding any potential conflicts they may encounter while employed here." – EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, March 7, 2018 1:57 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: AP questions regarding ethics waivers

Liz, Jahan,

AP is reporting for today on ethics agreements and waivers for Trump administration officials. The story will specifically cite the ethics waiver requested EPA and granted by the White House to Erik Baptist, Jeffery Sands and Lee Forsgren. All worked as lobbyists on regulatory issues the waivers allowed them to work on at EPA.

Of 59 political appointees at EPA whose resumes were reviewed by AP, about half have strong industry ties. More than a dozen were registered lobbyists for industries or companies regulated by EPA.

Please provide comment on how, in the agency's view, does this not violate the spirt of President Trump's pledges to drain the swamp?

Also, on the ethics agreements compliance certification reports filed by the agency, both Matt Leopold and Bill Wehrum declined to answered "yes" or "no" on question 6a, which says "I am recusing from particular matters in which I know I have a personal or imputed financial interest ..." Neither has ethics waivers that have been publicly disclosed. Why do they feel that question is "not applicable" to them (even though that was one of the options printed on the form).

Thanks,

Michael

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
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Sent: 3/8/2018 3:24:42 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: IG LEAKS - 2

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, January 17, 2018 11:51 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Administrator Pruitt's trip to Japan

Liz, Jahan,

AP is planning to report about Administrator Pruitt's trip to Japan next week, citing officials both inside EPA and within the Japanese Foreign Ministry. Can you provide any comment or details about the planned agenda for the trip and who he plans to meet with?

Japan is a major importer of Liquefied Natural Gas, on which it has become more dependent since the Fukushima disaster. Boosting LNG experts was one of the reasons EPA cited for the Morocco trip last month.

Also, Pruitt's calendar shows meetings with LNG pipeline and export owner Kinder Morgan two days before leaving for last month's trip. Can you comment on whether LNG exports to Morocco, Japan or other countries was discussed?

Pruitt's calendar also shows a Dec. 8 meeting with Inspector General Arthur Elkins, whose office announced earlier this month it was expanding an already ongoing probe to include Pruitt's travel expenses through the end of 2017. Please provide comment on whether the two men discussed the administrator's travel during that meeting?

Our information is that the Japan trip will include a contingent of a half dozen aides and cost more than $43,000, not including security. That is more than twice the size and cost of a similar trip taken by EPA Administrator Gina McCarthy in 2015.

Our understanding is that Pruitt's airline ticket cost more than $10,300, which corresponds to the cost of a Business Class seat and is more than three times what McCarthy's 2015 ticket cost. Can you comment on why Administrator Pruitt utilizes premium class airfare when he travels.

A prompt response is appreciated.

Thanks,

Michael

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Sent: 3/8/2018 3:25:02 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: IG LEAKS - 3

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 13, 2017 11:32 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

Jahan,

I see you guys issued a press release about Pruitt's trip to Morocco, after refusing to comment about it to AP. We plan to write about the taxpayer-incurred costs of the trip.

They include Pruitt's airline ticket cost $17,597.49 and a total cost of at least $39,067 for five people (including Pruitt, Ryan Jackson, Samantha Dravis and security staff).

Please provide on the record comment on EPA's perspective on why these costs were justified. How did the purpose of the trip, which was to promote "the potential benefit of liquefied natural gas imports on Morocco's economy" fulfil EPA's mission to protect the environment and enforce U.S. environmental laws?

Also, please comment on why the cost of Pruitt's ticket was several times that of the others in the EPA contingent and would appear to indicate he flew First Class. Why was that level of luxury necessary for a public servant traveling at taxpayer expense?

I have a 1:30 deadline for this story, so your quick response is appreciated.

Thanks,

Michael

From: Biesecker, Michael
Sent: Tuesday, December 12, 2017 1:30 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

Can you affirm on the record that all of Administrator Pruitt's meeting with Bob Murray are listed on his calendar?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, December 12, 2017 12:34 PM
To: Biesecker, Michael <MBiesecker@ap.org>

Cc: Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov."

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, December 12, 2017 12:09 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: RE: Pruitt in Paris/Morocco

Still hoping to get a response to this. Administrator Pruitt is a public official. His travel shouldn't be a secret.

Michael

From: Biesecker, Michael
Sent: Monday, December 11, 2017 2:41 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Pruitt in Paris/Morocco

Liz, Jahan,

Can you confirm whether Adminstrator Pruitt will be attending the climate summit in Paris this week. We also heard he's headed to Morocco. Could you provide any detail about what he'll be doing there?

Thanks,

Michael

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Sent: 3/8/2018 3:26:38 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: IG LEAKS - 4

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, December 18, 2017 11:47 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Bug sweeping, biometric locks

Liz, Jahan,

AP will be publishing a story about $3,000 in taxpayer funds expended in April for a contractor to sweep Administrator Pruitt's office for electronic listening devices. We will also be reporting on spending to install biometric locks in his suite.

When coupled with the previously reported purchase of the privacy booth, it raises questions about why Pruitt feels the need to invest in courter-surveillance measures that none of his predecessors felt were necessary. EPA headquarters is a secure building with armed security and metal detectors at the entrances. Pruitt also has his personal security detail. Is the administrator concerned about the potential for electronic spying against him by the agency's own employees?

As part of the same story, we will also be mentioning the $120,000 Definers contract and the FOIAs filed by America Rising targeted at EPA employees viewed as potentially disloyal to the Trump administration. Please provide any comment you have on those issues.

Thanks,

Michael

AP

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Sent: 11/3/2017 3:08:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Beck, Nancy [beck.nancy@epa.gov]; Dravis, Samantha [dravis.samantha@epa.gov]
Subject: FW: American Chemistry Council meeting

FYI.

From: Wilcox, Jahan
Sent: Friday, November 3, 2017 11:03 AM
To: Pace, Julie <JPace@ap.org>
Subject: FW: American Chemistry Council meeting

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, November 3, 2017 10:55 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: American Chemistry Council meeting

Liz, Jahan,

Will there be any press availability to hear Administrator Pruitt's remarks on Nov. 9 to the ACC board on Nov. 9? If not, why not?

On-the-record … "Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov." EPA spokesman, Jahan Wilcox

Also, can you provide context as to why such a large EPA contingent (8 people in addition to Pruitt) is necessary expenditure of taxpayer funds?

On-the-record … "We tentatively have four aides – which includes individuals from our policy, public engagement, and press teams – who are scheduled to attend this event." EPA spokesman, Jahan Wilcox

I'm writing on deadline for today.

Thanks,

Michael

AP

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Sent: 11/3/2017 6:04:28 PM
To: Biesecker, Michael [MBiesecker@ap.org]; Bowman, Liz [Bowman.Liz@epa.gov]; Pace, Julie [JPace@ap.org]
CC: Press [Press@epa.gov]
Subject: RE: American Chemistry Council meeting

Will there be any press availability to hear Administrator Pruitt's remarks on Nov. 9 to the ACC board on Nov. 9? If not, why not?

On-the-record … "Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov." EPA spokesman, Jahan Wilcox

Also, can you provide context as to why such a large EPA contingent (8 people in addition to Pruitt) is necessary expenditure of taxpayer funds?

On-the-record … "We tentatively have four aides – which includes individuals from our policy, public engagement, and press teams – who are scheduled to attend this event." EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, November 3, 2017 1:55 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: American Chemistry Council meeting

Julie is not always in the office or checking email. If you want to ensure comment makes it into the story in a timely fashion, you need to send it to the reporter that requested it.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, November 03, 2017 1:53 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: American Chemistry Council meeting

Response sent to Julie Pace.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, November 3, 2017 1:51 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: American Chemistry Council meeting

Still hoping for a response on this. AP would hope to include at least some comment from EPA in a story examining the transparency of the administrator's closed-door meetings with industry groups.

From: Biesecker, Michael
Sent: Friday, November 03, 2017 10:55 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; 'Bowman, Liz' <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: American Chemistry Council meeting

Liz, Jahan,

Will there be any press availability to hear Administrator Pruitt's remarks on Nov. 9 to the ACC board on Nov. 9? If not, why not?

Also, can you provide context as to why such a large EPA contingent (8 people in addition to Pruitt) is necessary expenditure of taxpayer funds?

I'm writing on deadline for today.

Thanks,

Michael

AP

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Sent: 11/3/2017 10:35:08 PM
To: Biesecker, Michael [MBiesecker@ap.org]
Subject: Re: American Chemistry Council meeting

It depends on the city. In this situation it's 150 or less for lodging.

Then somewhere around 98 for meals if you are on the ground for a full 24 hours, otherwise you get two-thirds if you are on the ground for 23 hours, 59 minutes or less.

On Nov 3, 2017, at 6:29 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

Ah, so what is the current per diem?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, November 03, 2017 6:28 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Cc: Pace, Julie <JPace@ap.org>
Subject: Re: American Chemistry Council meeting

What I am saying is this:

> Hotel rates fluctuate and upon booking our nightly rate was $135, which is within the government per diem. Currently there are rooms available for $202.

Where's the confusion? There's no federally mandated rate.

On Nov 3, 2017, at 6:23 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

So you're staying for less than $135?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, November 03, 2017 6:20 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Pace, Julie <JPace@ap.org>
Subject: Re: American Chemistry Council meeting

Michael -

It's truly incredible how often you get your facts wrong.

I said: **We are staying within the government per diem and in this instance that is $135 for lodging.**

Then I said: Hotel rates fluctuate and upon booking our nightly rate was $135, which is within the government per diem. Currently there are rooms available for $202.

Never did I say we had a federally mandated room rate, which is what you reported.

On Nov 3, 2017, at 2:56 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Answers below.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, November 3, 2017 2:38 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>; Pace, Julie <JPace@ap.org>
Subject: RE: American Chemistry Council meeting

Please detail the part of the question that you say is factually inaccurate? **The number 8. We tentatively have four aides – which includes individuals from our policy, public engagement, and press teams – who are scheduled to attend this event.**

What is the total number of people going who are EPA employees, including members of the EPA's Office of Enforcement and Compliance Assurance assigned to provide security? **We do not comment on security procedures. If the Associated Press is attempting to expose the number of security agents needed to protector the Administrator of the Environmental Protection Agency on this trip that is your decision, but this is highly unusual.**

Also, the listed costs from ACC are $649 per person for the basic registration and $389 per night per room. Will EPA being paying those rates for the EPA staff in attendance? **No. We are we are staying within the government per diem and in this instance that is $135 for lodging.**

Thanks.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, November 03, 2017 2:32 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Bowman, Liz

<Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>; Pace, Julie <JPace@ap.org>
Subject: RE: American Chemistry Council meeting

We answered your first question: **"Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on** www.epa.gov**."** EPA spokesman, Jahan Wilcox

The premise of your second question is factually inaccurate and our statement correctly identifies the aides traveling with Administrator Pruitt: **"We tentatively have four aides – which includes individuals from our policy, public engagement, and press teams – who are scheduled to attend this event."** EPA spokesman, Jahan Wilcox

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, November 3, 2017 2:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: American Chemistry Council meeting

Jahan,

Can you direct me where on the EPA website this scheduled Nov. 9 trip has been disclosed? Also, the four aides you mention don't include the administrator's security detail, as I'm sure you are aware. You also didn't answer the questions I asked, which will be noted high in our story.

Thanks,

Michael

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, November 3, 2017 10:55 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: American Chemistry Council meeting

Liz, Jahan,

Will there be any press availability to hear Administrator Pruitt's remarks on Nov. 9 to the ACC board on Nov. 9? If not, why not?

On-the-record … "Due to security concerns we do not comment on Administrator Pruitt's upcoming schedule, but every meeting that he attends is posted on www.epa.gov**."** EPA spokesman, Jahan Wilcox

Also, can you provide context as to why such a large EPA contingent (8 people in addition to Pruitt) is necessary expenditure of taxpayer funds?

On-the-record … "We tentatively have four aides – which includes individuals from our policy, public engagement, and press teams – who are scheduled to attend this event." EPA spokesman, Jahan Wilcox

I'm writing on deadline for today.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-40

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 11/3/2017 10:55:51 PM
To: Biesecker, Michael [MBiesecker@ap.org]
CC: Pace, Julie [JPace@ap.org]
Subject: Re: American Chemistry Council meeting

Yes!

Have a great evening

Sent from my iPhone

On Nov 3, 2017, at 6:40 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

> Do you agree this is accurate?
>
> EPA spokesman Jahan Wilcox declined to provide an estimate of the total cost for the trip, but said the government employees would be staying for $135 a night, within the limit allowed under federal reimbursement rules.
>
> **From:** Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
> **Sent:** Friday, November 03, 2017 6:38 PM
> **To:** Biesecker, Michael <MBiesecker@ap.org>
> **Cc:** Pace, Julie <JPace@ap.org>
> **Subject:** Re: American Chemistry Council meeting
>
> It's not a federally mandated rate, this hotel does not have a government rate which is easy for someone to fact check.
>
> Our lodging per diem varies on the city and in this case we can stay anywhere under 150 in this part of South Carolina.
>
> On Nov 3, 2017, at 6:33 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
>
> > And the confusion comes in the way you wrote your sentence, "We are staying within the government per diem and in this instance that is $135 for lodging."
> >
> > As I understand it, a per diem is the maximum rate the government will pay for a room. You wrote that the per diem "in this instance that is $135 for lodging."
> >
> > **From:** Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
> > **Sent:** Friday, November 03, 2017 6:28 PM
> > **To:** Biesecker, Michael <MBiesecker@ap.org>
> > **Cc:** Pace, Julie <JPace@ap.org>
> > **Subject:** Re: American Chemistry Council meeting

What I am saying is this:

> Hotel rates fluctuate and upon booking our nightly rate was $135, which is within the government per diem. Currently there are rooms available for $202.

Where's the confusion? There's no federally mandated rate.

On Nov 3, 2017, at 6:23 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

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> ---
>
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> **To:** Biesecker, Michael <MBiesecker@ap.org>; Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Pace, Julie <JPace@ap.org>
> **Subject:** Re: American Chemistry Council meeting
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> I said: **We are staying within the government per diem and in this instance that is $135 for lodging.**
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From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, November 3, 2017 2:38 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>; Pace, Julie <JPace@ap.org>
Subject: RE: American Chemistry Council meeting

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Cc: Press <Press@epa.gov>
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On-the-record … "We tentatively have four aides – which includes individuals from our policy, public engagement, and press teams – who are scheduled to attend this event." EPA spokesman, Jahan Wilcox

I'm writing on deadline for today.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Reporter
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Twitter: @mbieseck
Public Key

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Washington, D.C. 2

T 202-641-9445
M Ex. 6

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 11/3/2017 11:06:14 PM
To: Biesecker, Michael [MBiesecker@ap.org]
Subject: Re: RE:

Thank you. When it comes to travel, I want to make sure it's 100 percent accurate.

I will as well start trying to do better to work with you. I'm actually a big fan of a lot of AP reporters in DC and across the country. Have a good evening.

Sent from my iPhone

> On Nov 3, 2017, at 6:49 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:
>
> Thanks. I will.
>
> You might not believe this, but I work very hard to be accurate. If I misunderstand something you guys send over and garble it, I will correct it immediately. And I would always rather hear from you all quickly than the let it hang out on the wire not quite right.
>
>
> -----Original Message-----
> From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
> Sent: Friday, November 03, 2017 6:44 PM
> To: Biesecker, Michael <MBiesecker@ap.org>
> Subject:
>
> I do hope you have a good weekend.
>
> I'm not trying to be mean, the per diem is different than a federal mandate when no government rates exist at that hotel.
>
> Have a great weekend!
>
>
> The information contained in this communication is intended for the use of the designated recipients named above. If the reader of this communication is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The Associated Press immediately by telephone at +1-212-621-1500 and delete this email. Thank you.

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 11/15/2017 10:19:28 PM
To: Baptist, Erik [baptist.erik@epa.gov]
Subject: FW: Please update

You're great dude!

From: Wilcox, Jahan
Sent: Wednesday, November 15, 2017 5:12 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; 'Pace, Julie' <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Please update

Julie and Michael – one more thing.

The additional information in red comes from our legal team, but it's abundantly clear accurately reporting information is not a top priority by the AP's EPA reporter.

Associated Press
https://apnews.com/9e20add1e2d944caa7c8cdc756bae24b/Trump-administration-seeks-to-delay-findings-on-pesticides
Trump administration seeks to delay findings on pesticides
By Michael Biesecker, 11/14/17

WASHINGTON (AP) — President Donald Trump's administration is seeking a two-year delay of an upcoming deadline to determine whether a family of widely used pesticides is harmful to endangered species.

The request filed before a federal judge last week comes after Dow Chemical Co. and two other pesticide makers asked the government to set aside research by federal scientists that shows organophosphates are harmful to about 1,800 critically threatened or endangered species.

In April 2017, the pesticide industry asked EPA to pull back its biological evaluations for three pesticides. EPA has not granted that request. It is misleading to insinuate otherwise.

Under a 2014 legal agreement, the National Marine Fisheries Service is required to issue findings on the use of the three pesticides under review — chlorpyrifos, diazinon and malathion — by the end of this year**. The Environmental Protection Agency, which is also involved in the case,** is responsible for determining whether pesticides sold in the United States are safe for people and wildlife.

EPA's "responsibility" is not related to this case/settlement.

The Associated Press first reported in April that lawyers representing Dow and the other companies sent letters to three of Trump's Cabinet secretaries claiming the government's studies were fundamentally flawed. Dow wrote a $1 million check to help underwrite Trump's inaugural festivities, and company CEO Andrew Liveris led a now-disbanded White House manufacturing working group.

It is the latest example of the Trump administration seeking to block or delay environmental rules at the behest of the industry.

EPA's biological evaluation is not a rule. NMFS's and FWS's biological opinions will be final agency actions, but they are not "environmental rules."

EPA Administrator Scott Pruitt in March reversed an Obama-era effort to bar spraying chlorpyrifos on fruits and vegetables after peer-reviewed studies found that even tiny levels of exposure could hinder the development of children's brains.

The Obama Administration spent almost 8 years evaluating the effects of chlorpyrifos and only after a court order did the Obama EPA feel compelled to do something in the waning months of the Administration. The Trump EPA is planning to continue to study the effects using sound principles of science.

Government scientists also compiled an official record running more than 10,000 pages indicating the three organophosphates pose a risk to nearly every endangered species they studied. Before the change in administration, federal regulators had been expected to issue new limits on how and where the three pesticides can be used.

How so? The original settlement agreement for NMFS only contemplated final biological opinions by December 31, as the AP article noted. Federal regulators cannot "prejudge" an outcome – especially before the most important scientific analysis is completed.

Organophosphorus gas was originally developed as a chemical weapon before World War II. Dow, based in Midland, Michigan, has been selling chlorpyrifos for spraying on citrus fruits, apples, cherries and other crops since the 1960s. It is among the most widely used agricultural pesticides in the United States, with Dow selling about 5 million pounds (2.3 million kilograms) domestically each year.

A coalition of environmental groups has fought in court for years to spur the federal government to more closely examine the risk posed to humans and endangered species by pesticides, especially organophosphates.

Those groups filed a petition with EPA in 2007 and sued the Obama EPA for its inertia in 2014. The Ninth Circuit ordered EPA to rule on their petition by March 31, 2017.

"It's appallingly clear that the pesticide industry is now essentially running Trump's EPA," said Lori Ann Burd, environmental health director at the Center for Biological Diversity. "Rather than following the science and the law, the agency is turning its back on endangered species across the country."

This quote is a gratuitous attack on EPA. The agency has taken no official action to merit such a statement.

From: Wilcox, Jahan
Sent: Wednesday, November 15, 2017 5:01 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Please update

Below are our answers in red which come from our legal team and that takes time.

It is inaccurate to report that we are "involved" in "the case."

I've worked with over 20 AP reporters in over a 10 states and have never submitted a single complaint to an AP editor – and yes that includes working with Bob Lewis who wrote the Star Scientific story about Cuccinelli. From your work in North Carolina, to how you have inaccurately covered the EPA, it's simply incredible that AP's standards do not apply to you.

Jahan

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, November 15, 2017 12:48 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Please update

Jahan,

AP did not report that EPA was a "party" to the case. We reported that EPA is involved in the case, which is accurate. As stated in the DOJ motion filed last week and the declaration filed EPA's Director of the Environmental Fate and Effects Division, Marietta Echeverria, the agency was obligated to play a key role in facilitating the National Marine Fisheries Service assessment called for in the 2014 settlement. The sentence accurately describes EPA's statutory responsibilities to evaluate the effects of pesticides on threatened or endangered species and prepare the biological evaluations provided to the NMFS as part of the settlement.

We are not "involved" in "the case." Merely submitting a declaration that NMFS filed with its motion is not being "involved." CBD sued NMFS in this case, and that agency is the only federal party. The only legal obligation stemming from that case/settlement was for NMFS to issue a final Biological Opinion; EPA has no obligations pursuant to the settlement agreement.

In her declaration, Echeverria also states EPA's support for the requested delay:

Our completed biological evaluations were not at issue in the NMFS case/settlement.

Given this document and the direction from Congress clearly indicating that the agencies should ensure that opportunities exist for public input on the measures the Services may put forth in biological opinions addressing pesticide registration actions, EPA believes that NMFS should have the time necessary to provide EPA with a draft biological opinion in order to allow EPA to publish the draft opinion for public comment and for NMFS to carefully consider the comments it receives. EPA believes, however, that the agencies will reasonably need an additional year before EPA publishes the draft NMFS biological opinion for public comment.

NMFS needs more time to finish its draft biological opinions. EPA follows good-government principles and therefore would like to publish NMFS's draft biological opinion for public comment after NMFS believes the draft opinion is in good shape. Without an extension of time, NMFS would need to issue a final opinion by December 31 of this year – without the benefit of public input. That's not good government.

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, November 15, 2017 12:14 PM
To: Biesecker, Michael <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Please update

The 4th sentence of your story is inaccurate. We are not a party in this case.

On The Record Statement: "This was not an EPA filing. The National Marine Fisheries Service, part of the Department of Commerce and the only defendant in that case, filed a motion to amend the settlement agreement to extend their deadline. EPA filed a declaration to help explain to the court why NMFS might need an extension, which is necessary, in part, because the Obama EPA finished its biological evaluations for chlorpyrifos and 2 other pesticides in January 2017 – nine months later than expected." – EPA spokesman, Jahan Wilcox

Associated Press
https://apnews.com/9e20add1e2d944caa7c8cdc756bae24b/Trump-administration-seeks-to-delay-findings-on-pesticides
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By Michael Biesecker, 11/14/17

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Under a 2014 legal agreement, the National Marine Fisheries Service is required to issue findings on the use of the three pesticides under review — chlorpyrifos, diazinon and malathion — by the end of this year. **The Environmental Protection Agency, which is also involved in the case,** is responsible for determining whether pesticides sold in the United States are safe for people and wildlife.

The Associated Press first reported in April that lawyers representing Dow and the other companies sent letters to three of Trump's Cabinet secretaries claiming the government's studies were fundamentally flawed. Dow wrote a $1 million check to help underwrite Trump's inaugural festivities, and company CEO Andrew Liveris led a now-disbanded White House manufacturing working group.

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###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 11/15/2017 3:35:54 PM
To: Biesecker, Michael [MBiesecker@ap.org]
Subject: RE: Our statement - EPA spokesman Jahan Wilcox

Got it. Something like this took longer to find the answer because it was no an EPA filing.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, November 15, 2017 10:18 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Our statement - EPA spokesman Jahan Wilcox

Jahan,

I appreciate you getting back to me but didn't see this until this morning, since it came after EOB and more than 6 hours after the request for comment. If response from you guys is going to be coming in the evening, please consider giving me an earlier heads up just to let me know it's on the way so I can get it added. You are also always welcome to text me at **Ex. 6**

Michael

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, November 14, 2017 7:09 PM
To: Biesecker, Michael <MBiesecker@ap.org>
Subject: Our statement - EPA spokesman Jahan Wilcox

This was not an EPA filing. The National Marine Fisheries Service, part of the Department of Commerce and the only defendant in that case, filed a motion to amend the settlement agreement to extend their deadline. EPA filed a declaration to help explain to the court why NMFS might need an extension, which is necessary, in part, because the Obama EPA finished its biological evaluations for chlorpyrifos and 2 other pesticides in January 2017 – nine months later than expected.

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Sent: 11/15/2017 5:19:46 PM
To: Baptist, Erik [baptist.erik@epa.gov]
CC: Beck, Nancy [beck.nancy@epa.gov]
Subject: RE: AP: Trump administration seeks to delay findings on pesticides, 11/15/17

Thank you very much

From: Baptist, Erik
Sent: Wednesday, November 15, 2017 11:43 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Beck, Nancy <Beck.Nancy@epa.gov>
Subject: FW: AP: Trump administration seeks to delay findings on pesticides, 11/15/17

FYI: We are not a party in the case.

Erik Baptist
Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Sorokin, Nicholas
Sent: Wednesday, November 15, 2017 11:32 AM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: AP: Trump administration seeks to delay findings on pesticides, 11/15/17

Associated Press
https://apnews.com/9e20add1e2d944caa7c8cdc756bae24b/Trump-administration-seeks-to-delay-findings-on-pesticides
Trump administration seeks to delay findings on pesticides
By Michael Biesecker, 11/14/17

WASHINGTON (AP) — President Donald Trump's administration is seeking a two-year delay of an upcoming deadline to determine whether a family of widely used pesticides is harmful to endangered species.

The request filed before a federal judge last week comes after Dow Chemical Co. and two other pesticide makers asked the government to set aside research by federal scientists that shows organophosphates are harmful to about 1,800 critically threatened or endangered species.

Under a 2014 legal agreement, the National Marine Fisheries Service is required to issue findings on the use of the three pesticides under review — chlorpyrifos, diazinon and malathion — by the end of this year. The Environmental Protection Agency, which is also involved in the case, is responsible for determining whether pesticides sold in the United States are safe for people and wildlife.

The Associated Press first reported in April that lawyers representing Dow and the other companies sent letters to three of Trump's Cabinet secretaries claiming the government's studies were fundamentally flawed. Dow wrote a $1 million check to help underwrite Trump's inaugural festivities, and company CEO Andrew Liveris led a now-disbanded White House manufacturing working group.

It is the latest example of the Trump administration seeking to block or delay environmental rules at the behest of the industry.

EPA Administrator Scott Pruitt in March reversed an Obama-era effort to bar spraying chlorpyrifos on fruits and vegetables after peer-reviewed studies found that even tiny levels of exposure could hinder the development of children's brains.

Government scientists also compiled an official record running more than 10,000 pages indicating the three organophosphates pose a risk to nearly every endangered species they studied. Before the change in administration, federal regulators had been expected to issue new limits on how and where the three pesticides can be used.

Organophosphorus gas was originally developed as a chemical weapon before World War II. Dow, based in Midland, Michigan, has been selling chlorpyrifos for spraying on citrus fruits, apples, cherries and other crops since the 1960s. It is among the most widely used agricultural pesticides in the United States, with Dow selling about 5 million pounds (2.3 million kilograms) domestically each year.

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Nicholas Sorokin
Office of Media Relations Intern
U.S. Environmental Protection Agency
Telephone: (202) 564-5334
sorokin.nicholas@epa.gov

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 11/15/2017 5:20:09 PM
To: Baptist, Erik [baptist.erik@epa.gov]; Beck, Nancy [beck.nancy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: FW: Please update

From: Wilcox, Jahan
Sent: Wednesday, November 15, 2017 12:14 PM
To: 'Biesecker, Michael' <MBiesecker@ap.org>; Pace, Julie <JPace@ap.org>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Please update

The 4th sentence of your story is inaccurate. We are not a party in this case.

On The Record Statement: "This was not an EPA filing. The National Marine Fisheries Service, part of the Department of Commerce and the only defendant in that case, filed a motion to amend the settlement agreement to extend their deadline. EPA filed a declaration to help explain to the court why NMFS might need an extension, which is necessary, in part, because the Obama EPA finished its biological evaluations for chlorpyrifos and 2 other pesticides in January 2017 – nine months later than expected." – EPA spokesman, Jahan Wilcox

Associated Press
https://apnews.com/9e20add1e2d944caa7c8cdc756bae24b/Trump-administration-seeks-to-delay-findings-on-pesticides
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###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6
Work Email: wilcox.jahan@epa.gov

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 11/16/2017 4:10:47 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: GOP senators opposed to Dourson

Will handle

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Thursday, November 16, 2017 10:59 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: GOP senators opposed to Dourson

Circling back on this.

From: Biesecker, Michael
Sent: Wednesday, November 15, 2017 9:00 PM
To: 'Wilcox, Jahan' <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: GOP senators opposed to Dourson

North Carolina Sens. Richard Burr and Thom Tillis have announced they will vote against the nomination of Michael Dourson. Does EPA have response?

Also, please provide Dourson's current salary as senior adviser.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

Have a tip for the Associated Press? We have a secure way to send it to us, anonymously. Follow this link for instructions: www.ap.org/tips

AP is the essential global news network, delivering fast, unbiased news from every corner of the world to all media platforms and formats. Founded in 1846, AP today is the largest and most trusted source of independent news and information. On any given day, more than half the world's population sees news from AP.

"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Sent: 12/6/2017 10:01:28 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: EPA Announces Additional Public Listening Sessions on Proposed Repeal of Clean Power Plan

Will handle.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Wednesday, December 6, 2017 4:18 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: FW: EPA Announces Additional Public Listening Sessions on Proposed Repeal of Clean Power Plan

Are there dates and times for these hearings yet?

Begin forwarded message:

> **From:** "EPA Press Office" <press@epa.gov>
> **Date:** December 6, 2017 at 3:11:07 PM EST
> **To:**
> **Subject: EPA Announces Additional Public Listening Sessions on Proposed Repeal of Clean Power Plan**
> **Reply-To:** press@epa.gov

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

EPA Announces Additional Public Listening Sessions on Proposed Repeal of Clean Power Plan

WASHINGTON (December 6, 2017) – The U.S. Environmental Protection Agency (EPA) will hold three additional public listening sessions on the proposed repeal of the Clean Power Plan in San Francisco, Calif., Gillette, Wyo. and Kansas City, Mo.

"Due to the overwhelming response to our West Virginia hearing, we are announcing additional opportunities for the public to voice their views to the Agency," **said EPA Administrator Scott Pruitt.**

Public listening sessions will be on EPA's proposed repeal of the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units

(commonly known as the Clean Power Plan). Dates and specific locations will be released in coming weeks; please see the website for details. All persons wanting to speak are encouraged to register in advance.

"The Trump administration is listening to the people of Wyoming," **said U.S. Senator John Barrasso (R-WY), chairman of the Senate Committee on Environment and Public Works (EPW).** "Today's announcement that the EPA will hold a listening session in Gillette, on the impacts of the so-called 'Clean Power Plan,' demonstrates the administration's commitment to hear directly from the people who would have been hurt most by this punishing regulation. The Clean Power Plan would have meant lost jobs for energy workers in Gillette and across Wyoming. I am thankful to EPA Administrator Scott Pruitt for his leadership on this important issue."

Registration information will be posted at: https://www.epa.gov/stationary-sources-air-pollution/electric-utility-generating-units-repealing-clean-power-plan

Oral comments and supporting information presented at each session will be included in the docket for this proceeding.

Written comments about EPA's proposal must be received by the last day of the comment period, January 16, 2018. Comments should be identified by Docket ID No. EPA-HQ-OAR-2017-0355 and may be submitted by one of the methods listed on the Clean Power Plan Proposed Repeal: How to Comment web page.

Background:
Soon after the previous Administration issued the Clean Power Plan in 2015, 150 entities including 27 states, 24 trade associations, 37 rural electric co-ops, and three labor unions challenged the CPP, highlighting a range of legal and technical concerns. A few months later, the United States Supreme Court stayed the CPP, immediately halting implementation—the first time the Supreme Court had ever issued a stay to block the enforcement of a regulation.

On March 28, 2017, Administrator Pruitt signed a notice indicating the EPA's intent to review the Clean Power Plan, in accord with the President's Energy Independence Executive Order. On October 16, the EPA proposed to repeal the Clean Power Plan, proposing that it is not consistent with the Clean Air Act. EPA is now taking comment on that proposal and has extended the public comment period to January 16, 2018.

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Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/11/2017 4:36:00 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: POLITICO's Morning Energy: Irma batters Florida with massive flooding, electric outages — EPA's climate adaptation work continues — Elliott tapped for PHMSA chief

So much EPA today

From: Morning Energy [mailto:morningenergy@politico.com]
Sent: Monday, September 11, 2017 10:09 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: POLITICO's Morning Energy: Irma batters Florida with massive flooding, electric outages — EPA's climate adaptation work continues — Elliott tapped for PHMSA chief

By Anthony Adragna | 09/11/2017 10:00 AM EDT

IRMA WALLOPS FLORIDA: It may take days to fully understand the scale of the damage, but the catastrophic Hurricane Irma hammered Florida throughout Sunday just days after Texas bore the brunt of Hurricane Harvey. Millions of people were without power (latest estimates had around 3.5 million customers without electricity) and Acting Homeland Security Secretary Elaine Duke told the Miami Herald many could be without power for weeks in the storm's aftermath. Florida Power & Light CEO Eric Silagy said in a statement late Sunday that an "extensive rebuild" of Florida's west coast electric grid would leave customers without power for extended periods.

EPA said ahead of landfall it had completed rapid assessments of 90 Superfund sites in Florida and would ensure any impacted site would be inspected as soon as it's safe to do so. Sen. Marco Rubio told the Associated Press on Sunday agency officials were "generally positive" about the security of Superfund sites during the hurricane, but "they can't guarantee it 100 percent," he added. EPA Administrator Scott Pruitt also allowed three Tampa Electric Company facilities and several Monroe County units to operate without meeting all air pollution controls in an attempt to ensure a steady stream of electricity.

TIME TO DISCUSS CLIMATE CHANGE? Bucking prominent Trump administration officials like Energy Secretary Rick Perry and Pruitt, Miami's Republican mayor said Saturday it's "the time" to discuss climate change and what can be done about the problem, The Miami Herald reports. "This is the time to talk about climate change," Mayor Tomás Regalado said. "If this isn't climate change, I don't know what is. This is a truly, truly poster child for what is to come."

McCain agrees: Speaking on CNN's "State of the Union" on Sunday, Sen. John McCain said it was time to sit down and discuss potential solutions. "There [are] things happening with the climate in the world that is unprecedented," he said. "We have to understand that the climate may be changing and we can take common sense measures which will not harm the American people."

Quotable: In response to Pruitt's comments that discussing climate change during hurricanes is "insensitive," climate hawk Sen. Brian Schatz tweeted: "Every Senate R except for one voted for Pruitt. The Republican Party is refusing moral and political responsibility for the planet itself."

IT'S MONDAY EVERYONE! I'm your host Anthony Adragna, and 39 states (more than ME would've thought) have had a lawmaker serve as president pro tempore in the Senate. For today: Who is the longest-

serving Speaker of the House in U.S. history? Send your tips, energy gossip and comments to aadragna@politico.com, or follow us on Twitter @AnthonyAdragna, @Morning_Energy and @POLITICOPro.

CLIMATE ADAPTATION WORK TRUDGES ON: Staffers working on climate adaptation at EPA continue those efforts even though the four people working on that matter were moved to different offices a few months ago, Pro's Emily Holden reports . "Unequivocally, the Office of Policy continues to support work on climate adaptation," said Joel Scheraga, a veteran EPA employee and the agency's senior adviser for climate adaptation. "The bottom line is that climate adaptation work continues." Even though Pruitt has put many climate change initiatives on ice, Scheraga said EPA is still available to work with state and local leaders who want to prepare for the effects of climate change, including heavy rains, more intense hurricanes and sea-level rise.

An agency spokesman, Jahan Wilcox, said the reorganization "occurred in the spring and allowed these four employees to continue their work on climate change adaptation within the Office of Policy," which is run by Samantha Dravis, a top aide to Pruitt. The four work within the Office of Regulatory Planning and Management and the National Center of Environmental Economics.

MORE EPA AMENDMENTS COMING: Hurricane Irma prompted House Majority Leader Kevin McCarthy to scrap votes scheduled for today, but lawmakers will vote on lingering EPA and Interior amendments to an eight-title spending package H.R. 3354 (115) this week. Before breaking last week, votes were ordered on amendments barring EPA from enforcing its methane rule, prohibiting the use of the social cost of carbon in regulations, blocking the closure of any EPA regional offices and slashing agency appropriation by $1.87 billion.

INVESTIGATIONS GALORE! Confirmation came late Friday that a bunch of Trump administration actions were under review by watchdogs. Among them:

1. **Zinke's call to Alaskans:** GAO said it would issue a legal opinion about Interior Secretary Ryan Zinke's calls to Alaska Sens. Lisa Murkowski and Dan Sullivan over their Obamacare repeal votes, Pro's Alex Guillén reports, citing letters released Friday. Zinke allegedly told both lawmakers that Murkowski's vote against moving ahead on healthcare repeal efforts could negatively impact Alaskan energy goals in the Trump administration.

2. **Interior's staff reshuffle:** Interior's inspector general confirmed it would look into Zinke's June reassignment of a number of senior executive staff, Pro's Esther Whieldon reports. Among of the dozens of staff moves under review is Zinke's decision to transfer Joel Clement from a managerial position involving climate change issues to a job collecting royalties from oil and gas companies.

3. **Hiring practices for political appointees:** GAO has also agreed to look into the hiring practices of various political appointees at EPA and the White House Council on Environmental Quality, as well as whether those officials are complying with ethics requirements, two senior Environment and Public Works Committee Democrats said Friday. "When an agency can just ignore those rules-and congressional oversight-the result often leads to corruption and scandal," Sens. Tom Carper and Sheldon Whitehouse , who requested the probe, said in a statement. "We're grateful that GAO will let us know what EPA hasn't."

AT LONG LAST, PHMSA CHIEF PICKED: Late Friday night, the White House announced its selection of Howard "Skip" Elliott to run the Pipeline and Hazardous Materials Safety Administration, Pro Transportation's Tanya Snyder reports . He's a 40-year veteran of the U.S. freight rail industry and currently vice president of public safety, health, environment and security for CSX Transportation in Jacksonville, Fla. Elliott's portfolio includes hazardous materials transportation safety, crisis management, and environmental compliance. He received a lifetime achievement award from the Association of American Railroads for his work on hazardous materials transportation safety.

ICYMI: Fears are growing among the solar industry that a forthcoming trade commission ruling - and Trump's increasing frustration with advisers recommending a cautious approach to trade - could result in steep tariffs being set on shipments of solar equipment into the country that could stunt the industry's rapid growth, Pro's Esther Whieldon, Eric Wolff and Andrew Restuccia report. The U.S. International Trade Commission rules later this month on the complaint from solar manufacturers Suniva and SolarWorld USA and, if it finds damage, would send the matter over to the White House for a final decision.

Key takeaway: A senior administration official said Trump is very likely to support tariffs against the solar imports if the ITC sends the complaint over to 1600 Pennsylvania.

Meanwhile, the sector boasted its largest second quarter ever with 2,387 megawatts of solar photovoltaic systems installed, according to the Solar Energy Industries Association's latest report. That's more than quarter one of 2017 and represents a eight percent year-over-year increase.

MAIL CALL! REVERSE COURSE ON CLIMATE PREPAREDNESS: Carper, top EPW Democrat, sent a letter to Trump Friday urging him to reinstate several previously canceled Obama-era initiatives on climate preparedness. "While our country debates how to address climate change, rising sea levels and extreme weather events are no longer a matter of debate, becoming the new norm and placing extreme burdens on the American people and economy," Carper wrote. Among his requests: Reinstate the requirements that federally funded projects be required to take flood risks under consideration and hold a "red team-blue team" exercise on preparedness rather than climate science.

EYEING AN EXIT? Tucked away in a New York Times report on how Trump's rattling Republicans ahead of the midterms comes the tidbit that Rep. Fred Upton, chairman of the House Energy and Commerce Energy Subcommittee, "may retire or run for the Senate." Upton has been one of the most visible faces on energy policy in the House. He later emailed Jonathan Martin, the Times reporter, to say he was eyeing the Senate seat now held by Sen. Debbie Stabenow. ME can't wait for the Upton v. Kid Rock primary.

WATCH THIS SPACE: Wednesday marks the deadline for EPA and environmental challengers to suggest expedited briefing schedules in the lawsuit over Pruitt's delay of the chemical safety rule, Pro's Alex Guillén reports in Energy Regulation Watch. That comes even as the U.S. Court of Appeals for the D.C. Circuit declined to immediately reinstate the rule in the aftermath of Hurricane Harvey. And, ICYMI, Trump picked Gregory Katsas, currently a deputy counsel at the White House, for the open slot of the D.C. Circuit left open recent retirement of Judge Janice Rogers Brown.

THIS SEEMS TIMELY: The National League of Cities and the Environmental and Energy Study Institute are holding a briefing today at 3 p.m. in Cannon 122 to hear what various cities around the U.S. are doing to invest in resiliency. Speakers include Pittsburgh Mayor Bill Peduto.

IT'S TIME TO RECTIFY: Germany's automobile industry must "rectify the mistakes" exposed in its Dieselgate emissions scandal but there's still a robust future for the sector, Chancellor Angela Merkel said in a podcast Saturday, POLITICO Europe's Kalina Oroschakoff reports . "We've experienced a major loss of trust in the car industry," Merkel said. "But at the same time, we also know that the car industry is an important pillar of our economic success, as well as of our reputation as an export nation, and the quality label 'Made in Germany.'" With just two weeks to go until the German elections, Merkel is trying to walk the fine line of chastising the industry for its failure in the emissions cheating scandal without alienating the hundreds of the thousands of workers in the sector.

THIS SEEMS LIKE A BIG DEAL: China has begun the preliminary research into eventually banning the sale of all fossil fuel powered vehicles, the BBC reports. "Those measures will certainly bring profound changes for our car industry's development," Xin Guobin, the country's vice minister of industry, said. China has not said when the ban might go into effect.

QUICK HITS

- Receding floodwaters expose long-term health risks after Harvey. Bloomberg.

- Troubled Water: EPA, DEP don't require Florida schools to test for lead in drinking water. Treasure Coast News.

- Doddridge case called a boost for surface owners in Marcellus gas region. Charleston Gazette-Mail.

- Residents washed away by Harvey wait for answers about waste pit pollution. Houston Chronicle.

- West Virginia Withdraws Approval of Mountain Valley Pipeline. AP.

- Japan Backs U.S. Proposal to Target North Korea's Oil Supplies. Bloomberg.

HAPPENING THIS WEEK

MONDAY

3:00 p.m. - The Environmental and Energy Study Institute holds a discussion on "How Can Cities Become More Resilient to Extreme Weather?" Cannon 122

TUESDAY

9:00 a.m. - "The New Geopolitics of Natural Gas," Atlantic Council, 1030 15th Street NW, 12th Floor

10:00 a.m. - "Powering America: Defining Reliability in a Transforming Electricity Industry," House Energy and Commerce Energy Subcommittee, Rayburn 2123

10:00 a.m. - "Resiliency: The Electric Grid's Only Hope," House Science, Space and Technology Committee, 2318 Rayburn

10:00 a.m. - The Center for Climate and Energy Solutions releases a new brief and hosts a webinar featuring business leaders on how and why companies are putting an internal price on carbon emissions, contact: press@c2es.org

2:30 p.m. - "Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act: Oversight of Fisheries Management Successes and Challenges," Senate Commerce Oceans, Atmosphere, Fisheries, and Coast Guard Subcommittee, Russell 253

2:30 p.m. - "Fostering Innovation: Contributions of the Department of Energy's National Laboratories," Senate Energy and Natural Resources Energy Subcommittee, Dirksen 366

4:00 p.m. - Full committee marks up various bills, House Natural Resources Committee, 1334 Longworth

WEDNESDAY

8:30 a.m. - API holds an event on the natural gas and oil industry's impact in all 50 states, G11 Dirksen

10:00 a.m. - "Big Relief for Small Business: Legislation Reducing Regulatory Burdens on Small Manufacturers and Other Job Creators," House Energy and Commerce Environment Subcommittee, Rayburn 2123

10:00 a.m. - The full House Natural Resources Committee holds a markup of pending calendar business, Longworth 1334

10:00 a.m. - "Expanding and Accelerating the Deployment and Use of Carbon Capture, Utilization, and Sequestration," Senate Environment and Public Works Committee, Dirksen 406

11:00 a.m. - National Biodiesel Board holds its BioFry event for congressional staff, 406 1st St. SE

12:00 p.m. - Save the U.S. EPA holds a press conference and march to the EPA, National Press Club, Zenger Room, 529 14th Street N.W., 13th floor

2:30 p.m. - "The Venezuela Crisis: The Malicious Influence of State and Criminal Actors," The House Foreign Affairs Committee Western Hemisphere Subcommittee, 2200 Rayburn

THURSDAY

8:30 a.m. - "State of the Art: Innovations in CO2 Capture and Use," Center for Climate and Energy Solutions, Hart 902

8:30 a.m. - POLITICO Pro policy summit, Omni Shoreham Hotel, 2500 Calvert Street, NW

10:00 a.m. - "EIA's International Energy Outlook 2017," Center for Strategic and International Studies, 1616 Rhode Island Avenue, NW

FRIDAY

12:00 p.m. - "Battery Storage and the Power Sector," National Capital Area Chapter of the United States Association for Energy Economics , Carmine's, 425 7th St NW,

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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 11/14/2017 8:28:25 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: EPA court filing on chlorpyrifos

Can you please reply to AP with this?

From: Baptist, Erik
Sent: Tuesday, November 14, 2017 3:28 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: RE: EPA court filing on chlorpyrifos

My proposed statement is below:

Deliberative Process / Ex. 5

Erik Baptist
Senior Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
1200 Pennsyvlania Ave., NW
Washington, DC 20460
(202) 564-1689
baptist.erik@epa.gov

From: Bowman, Liz
Sent: Tuesday, November 14, 2017 3:07 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: RE: EPA court filing on chlorpyrifos

Eric, can you please edit the following:

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Tuesday, November 14, 2017 2:53 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Subject: RE: EPA court filing on chlorpyrifos

Any updates?

From: Bowman, Liz
Sent: Tuesday, November 14, 2017 1:03 PM
To: Beck, Nancy <Beck.Nancy@epa.gov>; Yamada, Richard (Yujiro) <yamada.richard@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FW: EPA court filing on chlorpyrifos

Do you all have any information/background here?

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Tuesday, November 14, 2017 1:01 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: EPA court filing on chlorpyrifos

Liz, Jahan,

In a court filing yesterday, EPA has asked a judge to delay by two years the Dec. 31 deadline to complete risk assessments for the impacts of chlorpyrifos, diazinon and malathion on endangered species. As AP reported in April, the manufactures for the pesticides, including Dow Chemical, asked Administrator Pruitt to "set aside" the findings of federal scientists who determined the pesticides were potentially harmful to about 1,800 critically threatened or endangered species.

Please provide on the record comment on EPA's reasoning as to why the requested 2-year delay is justified.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"There are only two forces that can carry light to all corners of the globe – the sun in the heavens and The Associated Press down here." – Mark Twain, 1906

"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 11/29/2017 4:42:32 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: AP: EPA hears worries about climate in heart of coal country, 11/29/17

Is this a joke? This is like an advertisement for the Sierra Club. He doesn't even mention that the person he is quoting here was working at EPA when the CPP was written.

From: Sparacino, Jessica
Sent: Wednesday, November 29, 2017 10:31 AM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: AP: EPA hears worries about climate in heart of coal country, 11/29/17

AP
https://apnews.com/ff0843b78aa94a6dbfdc5c4f2f51557d/EPA-hears-worries-about-climate-in-heart-of-coal-country
EPA hears worries about climate in heart of coal country
By: Michael Biesecker and John Raby, 11/28/17

CHARLESTON, W.Va. (AP) — After more than four decades as a coal miner, Stanley Sturgill ambled into an ornate room at West Virginia's state capitol Tuesday to deliver a stark message to the Trump administration: Climate change is real and continuing to burn the dirty fossil fuel hurts future generations.

He was among dozens who had their say at a public hearing over the intended repeal of an Obama-era plan to limit planet-warming carbon emissions. The Environmental Protection Agency was holding the only scheduled hearing on the policy reversal in Charleston, capital of a state heavily dependent on coal mining. The hearing was expected to last two days.

There were warnings from the other side, too — that the regulations threaten to choke off livelihoods in coal country and drive up people's energy costs. But despite the locale of the hearing, those concerned about climate change packed the hearing room.

Sturgill, who said he suffers from black lung disease, wanted the Clean Power Plan upheld for his three grandchildren and three great-grandchildren. He and his wife drove several hours from Lynch, Kentucky, to speak because "we may be old, but we still love living."

"Now to be realistic, do I really think that the administration cares what this old worn coal miner has to say?" asked Sturgill, 72, who conceded that his pro-environment views were not popular in his hometown. "I don't know. I really doubt it. But I had to be here, and as long as I can draw a breath, I'm going to keep working to fight climate change and protect the land and country I love."

The Clean Power Plan sought to reduce use of the dirtiest fossil fuel but never took effect because of lawsuits filed by coal companies and conservative-leaning states. Coal-fired power plants are a major source of the carbon emissions driving climate change.

Among those testifying Tuesday was Bob Murray, chief executive Murray Energy Corp. He derided the Obama plan as an illegal power grab that has cost coal miners their jobs. About two dozen of Murray's employees sat in the audience, while still more miners attended pro-coal rallies outside the Capitol.

"The Clean Power Plan would devastate coal-fired electricity generation in America," said Murray, whose company employs 5,200 miners and has 14 active coal mines. "This would impose massive costs on the power sector and on American consumers."

West Virginia has been especially hit hard by the decades of decline in the coal industry, losing thousands of jobs. However, energy market analysts say the downturn in coal prices has been largely driven by competition from cheaper, cleaner burning natural gas, not government regulations.

American Petroleum Institute consultant Jack Harrison told EPA that any replacement of the Clean Power Plan "should contemplate states relying on natural gas" and new technologies that reduce emissions.

Under the Obama administration, EPA held four multiday public hearings — in Washington, Atlanta, Pittsburgh and Denver — to collect feedback before issuing the Clean Power Plan in 2015. About two dozen conservative-leaning states and a battery of fossil-fuel companies immediately sued, preventing the carbon reduction plan from taking effect before the election of President Donald Trump, who as a candidate pledged to repeal it.

To head EPA, Trump appointed Scott Pruitt, a former Oklahoma attorney general who was among those who fought the Clean Power Plan in court. Pruitt has made it a priority to delay and reverse recent environmental regulations hurting the profits of coal and petrochemical companies.

Though Trump, Pruitt and others have blamed environmental regulations for the loss of coal-mining jobs, the accelerating shift of electric utilities using cheaper and cleaner-burning natural gas is a primary culprit.

Pruitt has also sought to cast doubt on the consensus of climate scientists that the continued burning of fossil fuels is the main driver of global warming. Scientists say climate change has already triggered rising seas and more extreme weather, including killer heat waves, worsened droughts and torrential rains.

Pruitt did not attend Tuesday's public hearing, which was presided over by EPA employees. But even with the hearing being held in the heart of coal country, most speakers said they supported limits on carbon emissions.

The Sierra Club's climate-policy director, Liz Perera, told them that the proposed repeal ignores scientific reality.

"This is about the kind of world that we want to leave for our children," she said.

Environmental activist Vicki Mattson of Athens, Ohio, said her home county has four solar power installation companies. Clean energy will create well-paying new jobs, she said.

"We all need to look at solar and wind," Mattson said. "Clean power is the future. We can join the rest of the world or be left behind."

Sturgill, the retired miner, said the EPA under the Trump administration was protecting fossil-fuel industry profits at the expense of the environment and the health of Americans who have to breathe polluted air.

He recounted a Native American proverb, and urged the policy makers at EPA to take it to heart: "When the last tree is cut down, the last fish eaten, and the last stream poisoned, only then will you realize you cannot eat money."

Jessica Sparacino
US Environmental Protection Agency
Office of Public Affairs Intern
(202) 564-5327
WJCN 2502J

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 11/28/2017 5:07:42 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: AP: EPA gathers coal country comments about climate plan repeal, 11/28/17

How is this fact-checked?

From: Sorokin, Nicholas
Sent: Tuesday, November 28, 2017 11:08 AM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: AP: EPA gathers coal country comments about climate plan repeal, 11/28/17

Associated Press
https://apnews.com/ff0843b78aa94a6dbfdc5c4f2f51557d/EPA-gathers-coal-country-comments-about-climate-plan-repeal
EPA gathers coal country comments about climate plan repeal
By John Raby and Michael Biesecker, 11/28/17

CHARLESTON, W.Va. — The coal industry and environmentalists are squaring off at a two-day public hearing over the Trump administration's planned repeal of an Obama-era plan to limit planet-warming carbon emissions.

The Environmental Protection Agency is holding the only scheduled hearing on the reversal in Charleston, West Virginia. The state is heavily dependent on coal mining.

The Clean Power Plan sought to ratchet down use of the dirtiest fossil fuel. Coal-fired power plants are a major source of the carbon emissions driving climate change.

Among those testifying Tuesday was Bob Murray, chief executive Murray Energy Corp. He derided the Obama plan as an illegal power grab that devastated his industry, costing coal miners their livelihoods.

Sierra Club's climate-policy director Liz Perera countered that the proposed repeal ignores scientific reality.

___
Nicholas Sorokin
Office of Media Relations Intern
U.S. Environmental Protection Agency
Telephone: (202) 564-5334
sorokin.nicholas@epa.gov

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 9/14/2017 12:04:18 AM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: Carl Icahn

From: Bowman, Liz
Sent: Wednesday, September 13, 2017 7:39 PM
To: 'Pace, Julie' <JPace@ap.org>
Subject: FW: Carl Icahn

Hi Julie – Off the record: We are standing by wanting to work with other AP reporters, pending transparency. I am sure you are getting just as tired of getting these emails as I am sending them, but I want to keep the lines of communications open. While this is cute and all, I don't see how its sustainable for Biesecker to keep adding his byline to articles being developed by manipulating his colleagues? Especially when his biggest claim is that we are the ones who aren't being transparent … This is coming across as some kind of AP 'deep state/resist' movement aimed directly at EPA…

From: Bowman, Liz
Sent: Wednesday, September 13, 2017 7:09 PM
To: 'Krisher, Tom' <tkrisher@ap.org>
Cc: 'Pace, Julie' <JPace@ap.org>
Subject: RE: Carl Icahn

Why is an auto reporter writing about this?

From: Krisher, Tom [mailto:tkrisher@ap.org]
Sent: Wednesday, September 13, 2017 7:07 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Carl Icahn

Thank you. That doesn't answer why the email search didn't go further back than Feb. 17, since Mr. Icahn was named special adviser to Mr. Trump in December.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, September 13, 2017 6:59 PM
To: Krisher, Tom <tkrisher@ap.org>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
Subject: RE: Carl Icahn

Hi Tom, Off the record: Michael Abboud forwarded me your email exchange. Our statement for the record is below:

"EPA went above and beyond to be responsive to the Democrats' request for open and transparent information. Any claims otherwise are false." – EPA spokesperson, Liz Bowman

From: Krisher, Tom [mailto:tkrisher@ap.org]
Sent: Wednesday, September 13, 2017 5:03 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Carl Icahn

The 39 senior leaders would have had EPA addresses prior to Feb. 17, correct?

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Wednesday, September 13, 2017 5:02 PM
To: Krisher, Tom <tkrisher@ap.org>
Subject: RE: Carl Icahn

I understand but Administrator Pruitt did not have an EPA email address before February 17th, so there was no emails to search. Please let me know if you have any further questions.

From: Krisher, Tom [mailto:tkrisher@ap.org]
Sent: Wednesday, September 13, 2017 4:59 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Carl Icahn

Thanks Michael. I thought that was the case. But the senators are alleging of conflicts that date to Dec. 21, the day that Mr. Icahn was named a special advisor to the President. I'm wondering why the search didn't go back farther than that.

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Wednesday, September 13, 2017 4:54 PM
To: Krisher, Tom <tkrisher@ap.org>; Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>; Press <Press@epa.gov>
Subject: RE: Carl Icahn

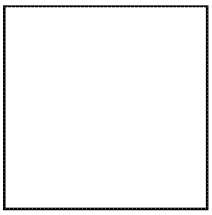
Hey Tom, February 17th was Administrator Pruitt's first day in office.

From: Krisher, Tom [mailto:tkrisher@ap.org]
Sent: Wednesday, September 13, 2017 4:32 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>; Press <Press@epa.gov>
Subject: Carl Icahn

Hi Julia,
I'm not sure who else to address this to at EPA, but I've got a copy of Administrator Pruitt's letter to Senator Whitehouse about Carl Icahn and allegations that he manipulated the price of those renewable fuel credits. The letter says they searched the EPA's email server and could find no emails to or from 39 EPA senior leaders from Feb. 17 to Aug. 18. I'm wondering why the search period didn't go back farther than Feb. 17. The administration announced that Mr. Icahn would be a special adviser to the president on Dec. 27. Also, did the email search turn up any emails from Mr. Pruitt to Mr. Icahn?
Thanks,
Tom

From: Tricia Lynn [mailto:lynn.tricia@epa.gov]
Sent: Tuesday, May 23, 2017 12:03 PM

To: Krisher, Tom <tkrisher@ap.org>
Subject: EPA Budget Returns Focus to Core Statutory Mission



CONTACT:
press@epa.gov

FOR IMMEDIATE RELEASE
May 23, 2017

EPA Budget Returns Focus to Core Statutory Mission

WASHINGTON –The proposed Fiscal Year 2018 budget for the U.S. Environmental Protection Agency, announced today, provides $5.655 billion to help the agency protect human health and the environment. With a 31 percent cut from the FY 2017 Annualized Continuing Resolution, and a 30 percent reduction from the FY 2017 Enacted budget, the President's budget aims to reduce redundancies and inefficiencies and prioritize EPA's core statutory mission of providing Americans with clean air, land, and water.

"The President's budget respects the American taxpayer," said EPA Administrator Scott Pruitt. "This budget supports EPA's highest priorities with federal funding for priority work in infrastructure, air and water quality, and ensuring the safety of chemicals in the marketplace."

DETAILS OF THE FISCAL YEAR 2018 BUDGET PROPOSAL INCLUDE:

Supporting the President's Focus on the Nation's Infrastructure
The infrastructure of the nation is not limited to roads and bridges. The infrastructure needs of our communities are broader. They include making improvements to drinking water and waste water infrastructure as well as a focus on cleaning up contaminated land. Efforts in the Superfund and Brownfields programs can lead to tangible benefits for communities: a cleaner environment and the redevelopment of sites back to beneficial or to new economic use, which is important to the economic well-being of communities and provides a new foundation for American greatness.

-- EPA's support for water infrastructure will be provided under the State Revolving Funds (SRFs) and Water Infrastructure Finance and Innovation Act (WIFIA) program. The FY 2018 budget includes $2.3 billion for the SRFs and $20 million for the WIFIA program. The WIFIA requires a small appropriation compared to its potential loan volume, demonstrating respect for the American taxpayer. Under WIFIA, EPA could potentially provide approximately $1 billion in credit assistance, which would spur an estimated $2 billion in total infrastructure investment.

-- In FY 2018, the Superfund Remedial program provides $342 million to support states, local communities and tribes in their efforts to assess and cleanup many of the worst contaminated sites in the United States and return them to productive use. EPA will maximize appropriated dollars by reducing administrative costs, identifying

efficiencies, and prioritizing the cleanup of sites where funds are available from existing settlements with responsible parties.

-- In FY 2018, EPA is investing over $118 million in support for Brownfields to help communities oversee, assess, safely cleanup and redevelop brownfield properties. The cleanup and reuse of contaminated lands often can play a role in economically revitalizing a community.

Improving America's Air Quality

EPA's FY 2018 budget of $448 million provides funding to better manage and support air quality with stakeholders through common sense standards, guidelines, and grant assistance. The budget focuses on air quality efforts and on making progress toward increased attainment. Most notably, $100 million is allotted to perform key activities in support of the National Ambient Air Quality Standards (NAAQS). It discontinues funding of the Clean Power Plan, climate change research, and partnership programs. $139 million in program eliminations and $95 million in major programmatic changes will reorient the agency efforts in addressing air quality.

Ensuring Clean and Safe Water

EPA is requesting $83.7 million in drinking water programs to continue to partner with states, drinking water utilities, and other stakeholders to identify and address current and potential sources of drinking water contamination. These efforts are integral to the sustainable infrastructure efforts because source water protection can reduce the need for additional drinking water treatment and associated costs.

The FY 2018 budget includes $193 million to support work in surface water protection and wetlands programs. EPA will continue to provide scientific water quality criteria information, review and approve state water quality standards, and review and approve state lists of impaired waters. In FY 2018, the agency will continue to work with states and other partners on Total Maximum Daily Loads (TMDLs) as required by the Clean Water Act, as well as on other waterbody restoration plans for listed impaired waterbodies. EPA also will continue to implement and support core water quality programs that control point-source discharges through permitting and pre-treatment programs. Over $651 million in program eliminations, including Geographic Programs and non-point source grants, and $115 million in major programmatic changes will focus the agency's water programs on addressing core statutory requirements and national priorities. Responsibility for funding local environmental efforts is returned to State and local entities.

Keeping America's Environment Safe from Toxic Chemicals

EPA's chemical safety programs are integral to maintaining environmental and human health. In FY 2018, EPA requests a total of $296 million to strengthen the capability of EPA, other regulators, and the public to assess chemical hazards and potential exposures, identify potential risks to human health and the environment and take appropriate risk management action.

In FY 2018, increased resources will support the agency's significant continuing and new responsibilities for ensuring that new and existing chemicals are evaluated in a timely manner. EPA will work aggressively to complete additional chemical risk assessments from the Toxic Substances Control Act (TSCA) Work Plan list of existing chemicals and meet its requirement to review all current pesticide registrations by 2022. The agency also is implementing fee-based funding as is envisioned in the statute. The agency will continue efforts to reduce risk and ensure that safety and compliance, including on-going pesticides licensing efforts. Program eliminations totaling nearly $53 million combined with nearly $60 million in other major program changes, including research programs, will focus federal resources on highest national priorities and core statutory requirements.

Supporting State and Tribal Partners

Effective environmental protection is a joint effort of EPA, states and our tribal partners. EPA must work

collectively with states and tribes as the primary implementers of EPA's statutory obligations. Realizing the value of these partnerships, for FY 2018, EPA is requesting $597 million in funding for State and Tribal Assistance Categorical Grants. These levels are in line with the broader strategy of streamlining environmental protection and focusing federal investment in core statutory programs. The agency will work with states and tribes to target core grant resources and provide flexibility to address their specific priorities.

Reducing and Eliminating Programs

As careful stewards of the taxpayer's resources, we will look to attack fraud, waste, and abuse. Also, EPA will continue to examine its programs to identify those that create unnecessary redundancies or those that have served their purpose and accomplished their mission. The FY 2018 President's Budget identifies and eliminates a number of programs totaling over $1 billion. Details can be found in EPA FY 2018 Congressional Justification:https://www.epa.gov/planandbudget/fy2018.

EPA's FY 2018 budget request includes the elimination of $427 million in Geographic Program funding. Recognizing the progress that has been made to date, these eliminations return responsibility for funding local environmental efforts to state and local entities. EPA will encourage states, tribes, and communities to continue to make progress from within core EPA program funding. In addition, nearly $30 million in locally focused funds for infrastructure projects on Alaska Native Villages and on the US Mexico Border are not requested in this budget; however, these types of projects may be eligible for funding under the Clean Water and Drinking Water State Revolving Funds.

For more information on EPA's FY 2018 proposed budget, please visit
https://www.epa.gov/planandbudget/fy2018

R097

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Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460 United States
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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 10/10/2017 5:56:49 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: For OPA review: AP background interview request on innovation at Bonita Peak SF site

---

From: regionalpress
Sent: Tuesday, October 10, 2017 1:51 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: For OPA review: AP background interview request on innovation at Bonita Peak SF site

See below re: ap reporter request for background followup interview re: gold king mine / bonita peak superfund site.

Are you ok with this ? thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
202-253-7056 (mobile)

From: Mylott, Richard
Sent: Friday, October 06, 2017 1:55 PM
To: regionalpress <regionalpress@epa.gov>
Cc: Mutter, Andrew <mutter.andrew@epa.gov>; McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>; Peterson, Cynthia <Peterson.Cynthia@epa.gov>; Faulk, Libby <Faulk.Libby@epa.gov>
Subject: For OPA review: AP background interview request on innovation at Bonita Peak SF site

Background interview request with AP Dan Elliott AP on innovative technologies at BPMD SF site. Reporter requests conversation for next week.

Proposed approach/content

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 4/18/2018 6:53:11 PM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Ford, Hayley [ford.hayley@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Hupp, Millan [hupp.millan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: APPROVAL: Questions regarding Pruitt coach flights to Tulsa

This is what we will send to AP. Please speak up in the next 10 minutes if you have a concern.

Deliberative Process / Ex. 5

From: Minoli, Kevin
Sent: Wednesday, April 18, 2018 2:43 PM
To: Leopold, Matt <Leopold.Matt@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Here is a possible response. If it is too many words or there are other concerns let me know.

Deliberative Process / Ex. 5

Kevin S. Minoli
Principal Deputy General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8064

From: Leopold, Matt
Sent: Wednesday, April 18, 2018 2:16 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa
Importance: High

Kevin has worked with Ken on this issue. Ccing him here to help.

Matthew Z. Leopold
General Counsel
U.S. Environmental Protection Agency
(202) 564-8040

From: Wilcox, Jahan
Sent: Wednesday, April 18, 2018 2:11 PM
To: Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Cc: Ford, Hayley <ford.hayley@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: Re: Questions regarding Pruitt coach flights to Tulsa

Deliberative Process / Ex. 5

On Apr 18, 2018, at 2:07 PM, Ferguson, Lincoln <ferguson.lincoln@epa.gov> wrote:

For review:

Deliberative Process / Ex. 5

ON BACKGROUND:

Deliberative Process / Ex. 5

From: Ford, Hayley
Sent: Wednesday, April 18, 2018 1:54 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>; Hupp, Millan <hupp.millan@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Believe Matt/OGC have done an analysis on the buddy pass so will let him answer.

Deliberative Process / Ex. 5

Hayley Ford
Deputy White House Liaison and Personal Aide to the Administrator

Environmental Protection Agency
ford.hayley@epa.gov
Phone: 202-564-2022
Cell: Ex. 6

From: Bowman, Liz
Sent: Wednesday, April 18, 2018 1:50 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Ford, Hayley <ford.hayley@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>
Subject: RE: Questions regarding Pruitt coach flights to Tulsa

Deliberative Process / Ex. 5

From: Wilcox, Jahan
Sent: Wednesday, April 18, 2018 1:49 PM
To: Ford, Hayley <ford.hayley@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Leopold, Matt <Leopold.Matt@epa.gov>
Subject: Re: Questions regarding Pruitt coach flights to Tulsa

Hayley do you have anything in regards to the buddy pass? Or can you track it down.

On Apr 18, 2018, at 1:42 PM, Biesecker, Michael <MBiesecker@ap.org> wrote:

> Liz, Jahan,
>
> AP is preparing to report that EPA records confirm that Administrator Pruitt flew in coach-class seats to Oklahoma on at least two occasions last year when the agency wasn't paying for his ticket. Both instances were for legs of EPA-funded trips on which Ken Wagner was traveling with the administrator.
>
> You'll remember that AP reported earlier this month that an EPA official said Pruitt flew home on weekend trips for Oklahoma Sooners football games using a companion pass obtained with Wagner's frequent flyer miles. Ethics experts say that is a potential violation of federal ethics rules barring officials from accepting gifts from their subordinates that have a market value of more than $10.
>
> Please provide on the record response to two questions:
>
> 1) If the administrator needed to fly in premium class seats due to security concerns, as both he and the agency have claimed, then why did he fly coach when the agency wasn't paying?
> 2) Did the administrator consult with EPA ethics counsel before accepting a companion pass from Wagner, a federal employee who is his subordinate? If so, did he receive a waiver allowing him to accept the airfare as a gift?
>
> I'm writing on deadline, so a quick response would be appreciated.

Thanks,

Michael

<image001.jpg>

<image002.jpg>

Michael Biesecker
Investigative Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

1100 13 St. NW, Suite 700
Washington, D.C. 20005-4076

T 202-641-9445
M Ex. 6

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"I go with Custer and will be at the death." – AP reporter Mark Kellogg's final dispatch from the Battle of the Little Bighorn, 1876

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Message

From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/5/2017 11:34:45 PM
To: Wemple, Erik [Erik.Wemple@washpost.com]
Subject: FW: Superfund

On background – EPA official for everything below –

Again went to three superfund sites unannounced and less than 24 hours after the storm.

From: Graham, Amy
Sent: Tuesday, September 5, 2017 7:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Fwd: Superfund

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 12:16:33 PM EDT
> **To:** "Gray, David" <gray.david@epa.gov>, "Liz Bowman (Bowman.Liz@epa.gov)" <Bowman.Liz@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, EOC Public Information <EOC_Public_Information@epa.gov>
> **Subject: FW: Superfund**
>
> See the note below about Superfunds
>
> ---
>
> **From:** Biesecker, Michael [mailto:MBiesecker@ap.org]
> **Sent:** Friday, September 1, 2017 12:14 PM
> **To:** StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** Superfund
>
> Christie, Amy,
>
> Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."
>
> Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?
>
> I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

Michael Biesecker
Reporter
mbiesecker@ap.org
Twitter: @mbieseck
Public Key

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/5/2017 11:33:12 PM
To: Wemple, Erik [Erik.Wemple@washpost.com]
Subject: FW: Superfund

On background – EPA official for everything below –

At the bottom of this email on Friday, September 1 they told us they visited three sites on Thursday (same day as the explosion in Crosby). There was no heads up on that and if there was what were we supposed to do, stop dealing with the explosion in Crosby and take them around in boats for their story?

From: Graham, Amy
Sent: Tuesday, September 5, 2017 7:06 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Fwd: Superfund

Scroll to bottom

Sent from my iPhone

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** September 1, 2017 at 4:07:13 PM EDT
> **To:** "Biesecker, Michael" <MBiesecker@ap.org>, "StClair, Christie" <StClair.Christie@epa.gov>
> **Cc:** Press <Press@epa.gov>, "Gray, David" <gray.david@epa.gov>
> **Subject: RE: Superfund**
>
> Michael – Here is our statement:
>
> **"EPA is focused on the safety of those affected by Hurricane Harvey and providing emergency response support - not engaging in attempts to politicize an ongoing tragedy." -- Liz Bowman, EPA spokesperson**
>
> Off the record - also wanted to share the following article:
>
> **Daily Caller**
> http://dailycaller.com/2017/08/30/consensus-still-no-connection-between-global-warming-and-floods/
> **CONSENSUS: Still No Connection Between Global Warming And Floods**
> By Michael Bastasch, 8/30/17
>
> As scientists and media pundits debate human activity's role in Hurricane Harvey, a new study finds no evidence global warming increased flooding over North America and Europe.
>
> A study published in the Journal of Hydrology found "the number of significant trends in major-flood occurrence across North America and Europe was approximately the number expected due to chance alone."

In fact, the study only adds to the Intergovernmental Panel on Climate Change's (IPCC) 2013 findings that there's little to no evidence of increased flooding across the world amid rising temperatures. IPCC findings are regarded as scientific "consensus" by most climate scientists.

"The results of this study, for North America and Europe, provide a firmer foundation and support the conclusion of the IPCC that compelling evidence for increased flooding at a global scale is lacking," reads the study by an international team of scientists.

The team, led by U.S. Geological Survey scientist Glenn Hodgkins, examined data from hundreds of flood gauges, looking at periods from 1931 to 2010. What they found was flooding was more correlated with decadal natural ocean cycles than long-term global climate change.

"Generalizations about climate-driven changes in floods across large domains or diverse catchment types that are based upon small samples of catchments or short periods of record are ungrounded," the study found.

The study's findings support data from the Environmental Protection Agency (EPA). About 60 percent of locations where the EPA measures flooding show a decrease in "magnitude and intensity since 1965," according to University of Colorado professor Roger Pielke Jr.

Pielke also found that flood damage has been declining as a proportion of the U.S. economy since 1940 — that way you control for population growth and development.

Scientists predict man-made warming from greenhouse gas emissions will increase the frequency and severity of extreme weather events, like rainfall and storms. That, in turn, could increase flooding.

In the wake of Hurricane Harvey, scientists and media pundits have debated the storm's connection to global warming. Climate scientist Michael Mann arguedthat while human activity didn't "cause" the storm, sea level rise and higher ocean temperature made it more severe.

Harvey made landfall as a Category 4 hurricane Friday night. Rescuers have evacuated thousands of people from flooded homes, and at least 20 people have died.

A New York Times editor urged readers to ignore science and realize global warming played a role in Harvey's destructiveness.

The IPCC has found no significant upward trend in hurricanes, and National Oceanic and Atmospheric Administration scientists warned it was "premature to conclude that human activities ... have already had a detectable impact on Atlantic hurricane or global tropical cyclone activity."

Whatever the validity of Mann's argument, the Houston area experienced record levels or rainfall and thousands of residents had to flee their homes as the flood waters closed in. southeastern Texas and southern Louisiana have gotten about 25 trillion gallons of rain.

New Orleans officials worried they would be inundated with flooding for the second time in as many weeks after a water pump broke as Harvey turned north. The city was spared the worst of Harvey's rains, however, and there hasn't been much flooding.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 3:39 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>

Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

In 2012, EPA conducted a nationwide assessment of the increased threat to Superfund sites poised by climate change, including rising sea levels and stronger hurricanes. Of the more than 1,600 sites reviewed as part of the study, 521 were determined to be located in 1-in-100 year and 1-in-500 year flood zones. Nearly 50 sites located in coastal areas could also be vulnerable to rising sea levels.

The report lists two dozen Superfund sites that were determined to be the most vulnerable to flooding and sea-level rise associated with climate change. One of those, the Bailey Waste Disposal site in Bridge City, Texas, is currently under about 20 feet of water.

As part of its review, has Administrator Pruitt's Superfund Task Force reviewed this issue?

Pruitt himself has called climate scientists predictions of stronger storms "alarmist." Has Hurricane Harvey has any impact on his views?

Please provide on-the-record comment. I am writing on deadline for today.

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:53 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

That's correct. We will begin to assess other sites after flood waters recede in those areas.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 1:09 PM
To: Graham, Amy <graham.amy@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Superfund

When does EPA expect it will be able to visit and assess flooded sites in Houston and Port Arthur? After the floodwaters waters recede?

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Friday, September 01, 2017 1:04 PM
To: Biesecker, Michael; StClair, Christie
Cc: Press; Gray, David
Subject: RE: Superfund

Michael - Unified Command personnel inspected two Superfund sites in the Corpus Christi area yesterday. Both the Falcon Refinery Site and the Brine Service Site show no significant damage. No emergency clean up response for storm damage is needed at the two sites.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Friday, September 1, 2017 12:14 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Superfund

Christie, Amy,

Following up from earlier in the week, AP is still seeking details on what EPA is doing regarding flooded Superfund sites. EPA's press release on Wednesday said EPA is "assesses conditions at the NPL Superfund sites in the storm's impact area" and was "began rapid assessments at two sites that are accessible after floodwaters have receded and this work will continue."

Which sites were those? What did EPA find? Did EPA take samples to determine whether contaminates leached out into floodwaters? Were more sites visited and assessed on Thursday? How many people has EPA assigned to this work?

I will add that AP has visited three Houston-area superfund sites yesterday. All were still heavily flooded and we saw no state or federal personnel there (or anyone else). We are visiting and documenting more sites today.

Michael

AP

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From: Wilcox, Jahan [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=88FD588E97D3405D869BCAE98D391984-WILCOX, JAH]
Sent: 9/3/2017 4:22:01 PM
To: jbechdel@ntknetwork.com
Subject: Fwd: EPA Response To The AP's Misleading Story

Sent from my iPhone

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 11:19:21 AM CDT
To: "Wilcox.jahan@epa.gov" <Wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story
Reply-To: press@epa.gov

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

Good afternoon -

Yesterday, the Associated Press' Michael Biesecker wrote an **incredibly misleading story** about toxic land sites that are under water.

Despite reporting from the comfort of Washington, Biesecker had the audacity to imply that agencies aren't being responsive to the devastating effects of Hurricane Harvey. Not only is this inaccurate, but it creates panic and politicizes the hard work of first responders who are actually in the affected area.

Here's the truth: through aerial imaging, EPA has already conducted initial assessments at **41** Superfund sites - **28** of those sites show no damage, and **13** have experienced flooding. This was left out of the original story, along with the fact that EPA and state agencies worked with responsible parties to secure Superfund sites before the hurricane hit. Leaving out this critical information is misleading.

Administrator Pruitt already visited Southeast Texas and is in constant contact with local, state and county officials. And EPA, has a team of experts imbedded with other local, state and federal authorities, on the ground responding to Harvey - none of which Biesecker included in his story.

Unfortunately, the **Associated Press' Michael Biesecker** has a history of letting the facts get in the way of his story. Earlier this summer, he made-up a meeting that Administrator Pruitt had, and then deliberately discarded information that refuted his inaccurate story - ultimately prompting a nation-wide correction. Additionally, the Oklahoman took him to task for sensationalized reporting.

- Correction: EPA-Dow Chemical story
- Associated Press Engulfed in CNN-Level Scandal as it Covers Up Invention of Imaginary Pruitt Meeting

If you're reporting on this misleading story then below is a statement from the EPA.

"Once again, in an attempt to mislead Americans, the Associated Press is cherry-picking facts, as EPA is monitoring Superfund sites around Houston and we have a team of experts on the ground working with our state and local counterparts responding to Hurricane Harvey. Anything to the contrary is yellow journalism."
- EPA Associate Administrator, Liz Bowman

BACKGROUND ...

The Hill reports EPA finds 13 Superfund sites possibly damaged after Harvey. "The Environmental Protection Agency (EPA) said Saturday that 13 Superfund sites have been flooded or could be facing damage as a result of Hurricane Harvey. The agency said that two of the sites, which are areas that are polluted with hazardous material and require extensive cleanup, had been inspected and do not require immediate cleanup. Eleven sites have proven to be inaccessible for response teams, however the agency said teams are in place to inspect the areas once flooding from the storm subsides. In total, the EPA said that it had conducted initial assessments at 41 Superfund sites in impacted areas using 'aerial images' and contact with with those responsible for regular cleanup activities." (The Hill, 09/02/17)

In June, the editorial board at the Oklahoman reminded their readers of the sensationalized reporting that comes from the Associated Press' Michael Biesecker. "The disdain that some in the media have for President Trump and members of his administration is evident regularly. Recent coverage related to EPA administrator Scott Pruitt provides an example of interest to locals because of Pruitt's Oklahoma ties. … An Associated Press story from Washington last week about emails Pruitt sent and received as attorney general did what it could to further establish Pruitt as a minion for the oil and gas industry — which environmentalists see as dead set on ruining the earth as we know it. The AP, a wire service used by media outlets around the world including The Oklahoman, said the emails 'underscore just how closely' Pruitt 'coordinated with fossil fuel companies' as Oklahoma's AG, 'a position in which he frequently sued to block federal efforts to curb planet-warming carbon emissions.' That's quite an opening

paragraph. Pruitt didn't just work with energy companies while attorney general — he worked 'closely' with 'fossil fuel companies' (the ultimate bogey men) to essentially keep global warming from abating. … The fact Pruitt regularly corresponded and dealt with energy industry officials as attorney general of a state where energy is the No. 1 industry should not be surprising nor should it, by itself, be considered nefarious."

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Sent: 9/3/2017 4:21:55 PM
To: elizabeth@freebeacon.com
Subject: Fwd: EPA Response To The AP's Misleading Story

Sent from my iPhone

Begin forwarded message:

From: "EPA Press Office" <press@epa.gov>
Date: September 3, 2017 at 11:19:21 AM CDT
To: "Wilcox.jahan@epa.gov" <Wilcox.jahan@epa.gov>
Subject: EPA Response To The AP's Misleading Story
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