Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 5/9/2018 2:24:59 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Thank you!!!

-----Original Message-----
From: Daguillard, Robert
Sent: Wednesday, May 9, 2018 10:24 AM
To: Block, Molly <block.molly@epa.gov>
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Reading. Let me circle back.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

-----Original Message-----
From: Block, Molly
Sent: Wednesday, May 09, 2018 10:23 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Can you figure out the confusion here?

-----Original Message-----
From: Ronald Orol [mailto:rorol@thedeal.com]
Sent: Wednesday, May 9, 2018 10:17 AM
To: Block, Molly <block.molly@epa.gov>
Cc: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

This 2016 figure seems to contradict Warren's letter, which says that the EPA has granted at least 24 waivers in recent months, a significant change from the 6-8 waivers granted annually in the past several years.

. In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation

From: Block, Molly [mailto:block.molly@epa.gov]
Sent: Wednesday, May 09, 2018 10:04 AM
To: Ronald Orol <rorol@thedeal.com>
Cc: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." Jahan Wilcox, EPA spokesperson Additional background (not for attribution):
. As requests for waivers are based on CBI, EPA cannot share company-specific information.
. Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption. As of 4/24/18: 24 approvals, 1 denial and 4 pending - total applicants are 29. There are 38 plants who could qualify for exemptions in the U.S. . In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation. . When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a

scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship." . During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency. . On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
From: Ronald Orol [mailto:rorol@thedeal.com]
Sent: Wednesday, May 09, 2018 9:13 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: FW: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

Hi Robert,
Can I get a comment from the EPA on this? Can you provide a justification for providing CVR Energy a waiver from the RFS regulations? Are the statistics the senators cite correct, re. the number of waivers granted.. my deadline is noon.
Thanks,
Ron

From: Elizabeth Warren Press Office [mailto:press@warren.senate.gov]
Sent: Wednesday, May 09, 2018 8:25 AM
To: Ronald Orol <rorol@thedeal.com>
Subject: Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery

FOR IMMEDIATE RELEASE
May 9, 2018
Contact: Matt Cournoyer, 202-224-2292
Warren, Colleagues Question Carl Icahn, Scott Pruitt on Renewable Fuel Standard Waiver for Icahn's Refinery Icahn's CVR Energy Claimed "Economic Hardship" - but Made a Profit of over $200 Million in 2017 DOJ Investigating Icahn for Potential Illegal Actions While Advising President Trump on RFS Letter to Icahn (PDF) | Letter to EPA (PDF) Washington, DC - United States Senators Elizabeth Warren (D-Mass.), Sheldon Whitehouse (D-R.I.), Sherrod Brown (D-Ohio), Tammy Duckworth (D-Ill.), Tammy Baldwin (D-Wis.), Amy Klobuchar (D-Minn.), and Tina Smith (D-Minn.) sent letters to Environmental Protection Agency (EPA) Administrator Scott Pruitt and Carl Icahn, billionaire former adviser to President Trump and Chairman of CVR Energy Inc., to request information on reports that the EPA granted CVR an "economic hardship waiver" from the Renewable Fuel Standard (RFS). The senators have previously raised concerns about Icahn's actions related to the RFS and his access to key Administration RFS decision makers when he was a White House special adviser. They expressed concern that Mr. Icahn, who is currently under investigation by federal prosecutors for potential illegal activity while working as a White House adviser to change RFS regulations, received a "hardship waiver" even though CVR made a profit of over $230 million in 2017.
In 2016, Mr. Icahn, who was a public supporter of Scott Pruitt's nomination as EPA Administrator, bet heavily on a drop in the price of renewable fuel credits. Mr. Icahn then secured a position as a senior adviser to President Trump and recommended personnel and policies that did in fact cause the price of these credits to drop - ultimately resulting in a $50 million windfall for his company. After Mr. Pruitt was nominated, Mr. Icahn said that Scott Pruitt "feels strongly about the absurdity of these (RFS) obligations."
"We are troubled by the news that a corporation that made a profit of over $200 million in 2017, and that is owned by a billionaire former 'special adviser' to the President who is currently under investigation by federal prosecutors for his activities in the RFS market, has now received a 'hardship waiver' from the RFS," wrote the senators.
Refiners can receive a temporary exemption from RFS requirements if they produce less than 75,000 barrels of oil per calendar day and prove to the EPA that complying with the RFS "would impose a disproportionate economic hardship" on them. The EPA has granted at least 24 waivers in recent months, a significant change from the 6-8 waivers granted annually in the past several years. CVR reported profits of over $230 million in 2017 and reportedly received an exemption this year after being denied in a previous year. The senators asked the EPA and Mr. Icahn to answer questions about the exemption and how it was granted by no later than May 22, 2018.
In February 2017, Senator Warren led a letter to White House Counsel Don McGahn about the role Mr. Icahn was playing in President Trump's White House, how he was involved in the selection of Scott Pruitt to be the nominee for EPA Administrator, and to what extent Icahn influenced RFS policy. They also asked the EPA for information about Mr. Icahn's role in determining the fate of the RFS. In May of 2017, they called on the heads of the Commodities Futures Trading Commission (CFTC), the Securities and Exchange Commission (SEC), and the EPA to investigate the activities of Mr. Icahn for potential insider trading, market manipulation, and other securities and commodities law violations in the market for renewable fuel credits. Mr. Icahn's company disclosed in its November 2017 public SEC filings that DOJ had opened an investigation of Mr. Icahn's activities in the RFS market.
###

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To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Block, Molly[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: Wed 4/4/2018 4:10:35 PM (UTC)
Subject: RE: RFS Inquiry

Will make sure we're using that in full for future inquiries.

From: Bowman, Liz
Sent: Wednesday, April 4, 2018 12:10 PM
To: Block, Molly <block.molly@epa.gov>
Subject: RE: RFS Inquiry

Sorry! I added to it a bit with Mandy

From: Block, Molly
Sent: Wednesday, April 4, 2018 12:06 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: RFS Inquiry

That's what I got from you at 10:55 this morning… It's just a portion of the background section in that email.

From: Bowman, Liz
Sent: Wednesday, April 4, 2018 12:05 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: RFS Inquiry

This isn't the most recent statement; please hold

From: Block, Molly
Sent: Wednesday, April 4, 2018 12:04 PM
To: meghan.gordon@spglobal.com
Cc: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RFS Inquiry

Meghan –

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

Best,
Molly

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 4/16/2018 9:37:33 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: FOR REVIEW: RFS Inquiry

She already has your initial statement, but I can send it again. The chain goes back about two weeks and she keeps checking up on the numbers.

From: Bowman, Liz
Sent: Monday, April 16, 2018 5:34 PM
To: Block, Molly <block.molly@epa.gov>
Subject: RE: FOR REVIEW: RFS Inquiry

That's fine, thanks but send with my bigger statement.

From: Block, Molly
Sent: Monday, April 16, 2018 5:32 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FOR REVIEW: RFS Inquiry

Here's what Robert got back. Let me know how you want to proceed.

From: Daguillard, Robert
Sent: Monday, April 16, 2018 5:26 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: RFS Inquiry

The program says:

Ex. 5 Deliberative Process (DP)

OK to send?

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Apr 16, 2018, at 3:11 PM, Block, Molly <block.molly@epa.gov> wrote:

Yes please!

From: Daguillard, Robert
Sent: Monday, April 16, 2018 3:11 PM
To: Press <Press@epa.gov>
Subject: FW: RFS Inquiry

Should I check with the program?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Gordon, Meghan [mailto:meghan.gordon@spglobal.com]
Sent: Monday, April 16, 2018 3:05 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: RFS Inquiry

Hi Robert and press team,

Is this still up to date:
EPA received **29** petitions from small refineries for the 2017 compliance year and has granted **25**.

Has EPA received any 2018 petitions? Or is it too soon for that?

Thanks,
Meghan

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, April 09, 2018 1:17 PM
To: Gordon, Meghan
Cc: Press
Subject: Re: RFS Inquiry

Meghan, on background, please: These numbers are still accurate.

Regards, R.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Apr 9, 2018, at 11:59 AM, Gordon, Meghan <meghan.gordon@spglobal.com> wrote:

Are these #s still up to date? Asking just in case other applications have come in.

EPA received 29 petitions from small refineries for the 2017 compliance year and has granted 25.

Thanks again,
Meghan

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, April 05, 2018 1:30 PM
To: Gordon, Meghan
Cc: Press
Subject: RE: RFS Inquiry

Meghan, still on background, please:

"For the 2017 compliance year, we have received 29 petitions from small refineries.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Gordon, Meghan [mailto:meghan.gordon@spglobal.com]
Sent: Thursday, April 05, 2018 12:14 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: RFS Inquiry

Thanks. A source is saying 30 additional petitions are being considered. Is that for 2017 compliance then?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, April 05, 2018 12:05 PM
To: Gordon, Meghan
Cc: Press
Subject: RE: RFS Inquiry

Meghan, on background, not for attribution, please:

"We have not received 2018 petitions."

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency

Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Gordon, Meghan [mailto:meghan.gordon@spglobal.com]
Sent: Thursday, April 05, 2018 11:48 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: RFS Inquiry

Thanks, Robert. We publish to a real-time newswire, so the deadline is always asap.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, April 05, 2018 11:47 AM
To: Gordon, Meghan
Subject: RE: RFS Inquiry

Good morning Meghan,

I imagine you're writing a story today? What's your deadline, please?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Gordon, Meghan [mailto:meghan.gordon@spglobal.com]
Sent: Thursday, April 05, 2018 11:43 AM
To: Block, Molly <block.molly@epa.gov>
Cc: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: RFS Inquiry

Can you say how many small refinery waiver applications you've received for 2018 compliance?

From: Block, Molly [mailto:block.molly@epa.gov]
Sent: Wednesday, April 04, 2018 7:29 PM
To: Gordon, Meghan
Cc: Press; Daguillard, Robert
Subject: Re: RFS Inquiry

For the 2017 compliance year

Sent from my iPhone

On Apr 4, 2018, at 7:20 PM, Gordon, Meghan <meghan.gordon@spglobal.com> wrote:

Thanks again, Molly. I asked this to Liz but didn't hear back: Are the 25 waivers all for 2017?

From: Block, Molly [mailto:block.molly@epa.gov]
Sent: Wednesday, April 04, 2018 12:09 PM
To: Gordon, Meghan
Cc: Press; Daguillard, Robert
Subject: RE: RFS Inquiry

You can attribute it to the Agency.

From: Gordon, Meghan [mailto:meghan.gordon@spglobal.com]
Sent: Wednesday, April 4, 2018 12:05 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: RFS Inquiry

Thanks, Molly. When you say "on background," can I attribute this to EPA? I don't need to use your name, but I do need to say that the information came from an official source.

From: Block, Molly [mailto:block.molly@epa.gov]
Sent: Wednesday, April 04, 2018 12:04 PM
To: Gordon, Meghan
Cc: Press; Daguillard, Robert
Subject: RFS Inquiry

Meghan –

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far.

Best,
Molly

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Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 4/24/2018 5:26:05 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
Subject: RE: Small refinery waivers

Feel free to send her the update. Thanks!

From: Daguillard, Robert
Sent: Tuesday, April 24, 2018 1:25 PM
To: Block, Molly <block.molly@epa.gov>
Subject: RE: Small refinery waivers

Molly, from the program. Will you send, or should I?

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Block, Molly
Sent: Tuesday, April 24, 2018 1:11 PM
To: Gordon, Meghan <meghan.gordon@spglobal.com>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: Small refinery waivers

Meghan –

Still checking on the numbers, but in the meantime:

"There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues."

On the waivers:

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." **Liz Bowman, EPA spokesperson**

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship."
- During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.

From: Gordon, Meghan [mailto:meghan.gordon@spglobal.com]
Sent: Tuesday, April 24, 2018 11:45 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: Small refinery waivers

Hi Robert and press team,

How many 2017 small refinery waivers has EPA granted? Checking for any updates to the previous figures of 25 granted out of 29 petitions received.

Ahead of Administrator Pruitt's testimony later this week, can you share why the agency considers these waivers as important and justified under the RFS? Just looking for some more color for a curtain raiser.

Many thanks,
Meghan

Meghan Gordon
S&P Global Platts
(202) 383-2001 office
Ex. 6 Personal Privacy (PP) cell

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Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 4/23/2018 7:44:45 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: E&E News (Sean Reilly) RE: Follow up to Pre-Registered Speakers for CCR Hearing. DDL: 4/23, 3:15 PM)

Gtg

From: Lynn, Tricia
Sent: Monday, April 23, 2018 3:06 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: E&E News (Sean Reilly) RE: Follow up to Pre-Registered Speakers for CCR Hearing. DDL: 4/23, 3:15 PM)

Background:
Follow up to question about number of speaker registrants for CCR hearing. He's asking "So it's fair to say that the hearing could take up all of the allotted time from 9 a.m. until 8 p.m?"

Suggested Response:
Ex. 5 Deliberative Process (DP)

From: Sean Reilly [mailto:sreilly@eenews.net]
Sent: Monday, April 23, 2018 2:57 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Number of pre-registered speakers for tomorrow's public hearing on proposed changes to 2015 CCR rule

Thanks. So it's fair to say that the hearing could take up all of the allotted time from 9 a.m. until 8 p.m?

From: Lynn, Tricia <lynn.tricia@epa.gov>
Sent: Monday, April 23, 2018 2:54 PM
To: Sean Reilly <sreilly@eenews.net>
Subject: RE: Number of pre-registered speakers for tomorrow's public hearing on proposed changes to 2015 CCR rule

Sean—

If attributing, for attribution to "an EPA spokesperson:"

While we are still finalizing the number, we can say that nearly all the 4 minute time slots have been filled by speakers pre-registering.

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA

Office: 202.564.2615

From: Sean Reilly [mailto:sreilly@eenews.net]
Sent: Monday, April 23, 2018 1:56 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Number of pre-registered speakers for tomorrow's public hearing on proposed changes to 2015 CCR rule

Hi Tricia:

I'm doing a story on a teleconference this afternoon by environmental groups in connection with the hearing and just wanted to check on approximately how many people are pre-registered to speak. My deadline is 3:15.

Thanks,
Sean

Sean Reilly
Reporter
E&E News
202-446-0433 (Desk)
Ex. 6 Personal Privacy (PP) Cell)
sreilly@eenews.net
Twitter: @SeanatGreenwire

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Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 4/19/2018 7:45:24 PM
To: Hewitt, James [hewitt.james@epa.gov]; David Ade [david.ade@gray.tv]; Press [Press@epa.gov]
Subject: RE: RFS hardship waiver data

David –

"There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues."

On the waivers:

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the blending threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." Liz Bowman, EPA spokesperson

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship."
- During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.

From: Hewitt, James
Sent: Thursday, April 19, 2018 3:09 PM
To: David Ade <david.ade@gray.tv>; Press <Press@epa.gov>
Subject: RE: RFS hardship waiver data

Looping in the press team.

From: David Ade [mailto:david.ade@gray.tv]
Sent: Thursday, April 19, 2018 3:08 PM

To: Hewitt, James <hewitt.james@epa.gov>
Subject: RFS hardship waiver data

Hi James,

I am looking for a comment/interview, plus background data on how many Renewable Fuel Standard waivers have been granted over the last several years.

I am working on a story about the letter several Midwest senators sent a few days ago.

I have a claim that previously, only 2-3 waivers were granted in a year, then in 2016 it was roughly 20, and in 2017 roughly 25. Is there a place I can find data to verify or counter this claim?

Also, is anybody from the agency available for an interview on the issue?

Thank you,

--
David Ade
Multimedia journalist | Gray Television Washington News Bureau
david.ade@gray.tv
Cell: Ex. 6 Personal Privacy (PP)

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 2/14/2018 4:55:07 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: RE: Withdrawal of proposed rule re nonattainment area classifications for 2015 ozone NAAQS--following up on vm

Sean?

-----Original Message-----
From: Jones, Enesta
Sent: Wednesday, February 14, 2018 11:51 AM
To: Block, Molly <block.molly@epa.gov>
Subject: Re: Withdrawal of proposed rule re nonattainment area classifications for 2015 ozone NAAQS--following up on vm

He is asking for attribution and saying he is not going to put the "on background" section in background. Are we acquiescing?

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 12/19/2017 3:05:40 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: Comment for Monday article on pyrethoids

Thanks

From: Daguillard, Robert
Sent: Tuesday, December 19, 2017 10:05 AM
To: Press <Press@epa.gov>
Subject: Fwd: Comment for Monday article on pyrethoids

Ex. 5 Deliberative Process (DP)

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

Begin forwarded message:

> **From:** Rene Ebersole < Ex. 6 Personal Privacy (PP) >
> **Date:** December 14, 2017 at 3:00:15 PM EST
> **To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>
> **Subject: Re: FW: Comment for Monday article on pyrethoids**
>
> Thanks for your email. This piece about consumer exposure to pesticides is for Prevention Magazine. Deadline is next Tuesday.
>
> On Thu, Dec 14, 2017 at 2:30 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> > Good afternoon Rene,
> >
> > What's your deadline, please? Also, what outlet(s) are your researching a story, or series, for? Or are you just looking for subject matter background?
> >
> > Thanks, R.
> >
> > Robert Daguillard
> >
> > Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Rene Ebersole [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, December 14, 2017 2:25 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: FW: Comment for Monday article on pyrethoids

Hi Robert,

Thanks for your comment about pyrethroids. I'm working on another story about glyphosate, this time for Prevention. Can you please provide the latest statement on glyphosate? Basically the same type of info that you sent on pyrethroids?

Also, if possible, a quick explanation of why the EPA's previous determinations about the carcinogenicity of glyphosate vary from IARC's. Your agency considers different types of data, correct?

Thanks for getting back to me. Unfortunately, the pyrethroid story was published before I heard from you. I'd really like to have some input from the EPA for this Prevention article.

Best,

Rene

---------- Forwarded message ----------
From: **Daguillard, Robert** <Daguillard.Robert@epa.gov>
Date: Mon, Nov 27, 2017 at 10:46 AM
Subject: FW: Comment for Monday article on pyrethoids
To: Rene Ebersole < Ex. 6 Personal Privacy (PP) >
Cc: Press <Press@epa.gov>

Rene, with apologies for the late response, and for attribution to "an EPA spokesperson," please:

EPA is considering the EWG and other comments that were submitted on EPA's draft human health risk assessments as part of the open comment period for certain pyrethrins and pyrethroids. The pyrethroid class of pesticides is currently being re-evaluated as part of the ongoing registration review program. The comment period closed on November 13, 2017 (see docket EPA-HQ-OPP-2011-0039-0083 at www.regulations.gov). EPA is currently assessing the comments received and will determine whether any risk management is needed. Over the course of 2018, the agency expects to release the remaining draft pyrethroid human health risk assessments for public comment. More information about the status of the pyrethroid re-evaluation can be found at: https://www.epa.gov/ingredients-used-pesticide-products/pyrethrins-and-pyrethroids#reg%20review.

Very best, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

Rene Ebersole

Science Journalist/Contributing Editor *Audubon* magazine

Adj. Professor of Journalism, New York University

reneebersole.com/ @rebersole

--

Rene Ebersole
Science Journalist/Contributing Editor *Audubon* magazine
Adj. Professor of Journalism, New York University
reneebersole.com/ @rebersole

Message

From: jarrett.renshaw@thomsonreuters.com [jarrett.renshaw@thomsonreuters.com]
Sent: 4/4/2018 3:19:10 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Philadelphia Energy Solutions

Thx

Sent from my iPhone

On Apr 4, 2018, at 11:00 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Yes, thank you for checking – I just wanted to explain it without being directly quoted, for your understanding
>
> ---
>
> **From:** jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]
> **Sent:** Wednesday, April 4, 2018 10:58 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** RE: Philadelphia Energy Solutions
>
> Can we attribute the 25 approvals to an EPA source?
>
> Jarrett Renshaw
> National Energy Markets Reporter
> Reuters
> jarrett.renshaw@thomsonreuters.com
> Office: (646) 223-6193
> Cell: Ex. 6 Personal Privacy (PP)
> Twitter: @jarrettrenshaw
> IM: jrenshaw_reuters08
>
> ---
>
> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> **Sent:** Wednesday, April 04, 2018 10:55 AM
> **To:** Renshaw, Jarrett (Reuters)
> **Subject:** RE: Philadelphia Energy Solutions
>
> Hi Jarrett – I just saw your story (below), and I am sorry if I didn't see your inquiry. Would you please consider updating your article with the following quote/information? Thank you – Liz
>
> "The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**
>
> **On background** (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

From: jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]
Sent: Monday, January 29, 2018 12:59 PM
To: jarrett.renshaw@thomsonreuters.com; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Philadelphia Energy Solutions

Sorry, it's actually May 1.

Jarrett Renshaw
National Energy Markets Reporter
Reuters
jarrett.renshaw@thomsonreuters.com
Office: (646) 223-6193
Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw_reuters08

From: Renshaw, Jarrett (Reuters)
Sent: Monday, January 29, 2018 12:38 PM
To: 'Bowman.liz@epa.gov'; 'Wilcox.jahan@epa.gov'
Subject: Philadelphia Energy Solutions

Hello, I am working with Richard Valdmanis on the Philadelphia Energy Solutions bankruptcy case and the company's petition for relief from its 2016 and 2017 RIN obligations. It appears the EPA has agreed to extend the compliance deadline until April 1 2017 and wanted to confirm. It's in a filing, so that's where I will attribute. Thanks for your response.

Jarrett Renshaw
National Energy Markets Reporter
Reuters
jarrett.renshaw@thomsonreuters.com
Office: (646) 223-6193
Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw_reuters08

Message

From: Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]
Sent: 4/4/2018 3:06:48 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Philadelphia Energy Solutions

Yes

Sent from my iPhone

On Apr 4, 2018, at 11:00 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Yes, right?

From: jarrett.renshaw@thomsonreuters.com [mailto:jarrett.renshaw@thomsonreuters.com]
Sent: Wednesday, April 4, 2018 10:56 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Philadelphia Energy Solutions

On the background piece...is that for calendar year '17?

Jarrett Renshaw
National Energy Markets Reporter
Reuters
jarrett.renshaw@thomsonreuters.com
Office: (646) 223-6193
Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw_reuters08

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, April 04, 2018 10:55 AM
To: Renshaw, Jarrett (Reuters)
Subject: RE: Philadelphia Energy Solutions

Hi Jarrett – I just saw your story (below), and I am sorry if I didn't see your inquiry. Would you please consider updating your article with the following quote/information? Thank you – Liz

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

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Sent: Monday, January 29, 2018 12:59 PM
To: jarrett.renshaw@thomsonreuters.com; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Philadelphia Energy Solutions

Sorry, it's actually May 1.

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Twitter: @jarrettrenshaw
IM: jrenshaw_reuters08

Message

From: jarrett.renshaw@thomsonreuters.com [jarrett.renshaw@thomsonreuters.com]
Sent: 4/4/2018 3:01:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Philadelphia Energy Solutions

Understood, just wanted to confirm the 25 are for 2017 or some other year.

Jarrett Renshaw
National Energy Markets Reporter
Reuters
jarrett.renshaw@thomsonreuters.com
Office: (646) 223-6193
Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw_reuters08

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, April 04, 2018 11:00 AM
To: Renshaw, Jarrett (Reuters)
Subject: RE: Philadelphia Energy Solutions

Yes, thank you for checking – I just wanted to explain it without being directly quoted, for your understanding

---

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Sent: Wednesday, April 4, 2018 10:58 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Philadelphia Energy Solutions

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Subject: RE: Philadelphia Energy Solutions

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"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner

exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

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To: jarrett.renshaw@thomsonreuters.com; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
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Sorry, it's actually May 1.

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From: Renshaw, Jarrett (Reuters)
Sent: Monday, January 29, 2018 12:38 PM
To: 'Bowman.liz@epa.gov'; 'Wilcox.jahan@epa.gov'
Subject: Philadelphia Energy Solutions

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jarrett.renshaw@thomsonreuters.com
Office: (646) 223-6193
Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw_reuters08

Message

From: Sean Reilly [sreilly@eenews.net]
Sent: 4/12/2018 8:43:34 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Presidential Memorandum for the Administrator of the Environmental Protection Agency

How about Bill Wehrum?

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Thursday, April 12, 2018 3:24 PM
To: Sean Reilly <sreilly@eenews.net>
Subject: Re: Presidential Memorandum for the Administrator of the Environmental Protection Agency

Not for attribution: no he wasn't

Sent from my iPhone

On Apr 12, 2018, at 3:14 PM, Sean Reilly <sreilly@eenews.net> wrote:

> Watching on the webcast. Was Mr. Pruitt there?
>
> ---
>
> **From:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Sent:** Thursday, April 12, 2018 3:13 PM
> **To:** Sean Reilly <sreilly@eenews.net>
> **Subject:** RE: Presidential Memorandum for the Administrator of the Environmental Protection Agency
>
> Hi Sean – We didn't realize you were there. Thanks – Liz
>
> ---
>
> **From:** Sean Reilly [mailto:sreilly@eenews.net]
> **Sent:** Thursday, April 12, 2018 3:12 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** RE: Presidential Memorandum for the Administrator of the Environmental Protection Agency
>
> Hi again, Liz:
>
> Also, was Mr. Pruitt at the Rose Garden ceremony this afternoon? We didn't see him.
> My deadline is 3:30.
>
> Thanks,
> Sean
>
> ---
>
> **From:** Sean Reilly
> **Sent:** Thursday, April 12, 2018 2:33 PM
> **To:** 'Bowman, Liz' <Bowman.Liz@epa.gov>
> **Subject:** FW: Presidential Memorandum for the Administrator of the Environmental Protection Agency
>
> Hi Liz:
>
> Kelly Love referred this question to you. Is the "executive order" that Mr. Pruitt referenced in last week's Washington Times podcast?

My deadline is 3:15.

Thanks,
Sean

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
April 12, 2018

April 12, 2018

MEMORANDUM FOR THE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY

SUBJECT: Promoting Domestic Manufacturing and Job Creation -- Policies and Procedures Relating to Implementation of Air Quality Standards

Under the Clean Air Act (CAA), Public Law 88-206, the Environmental Protection Agency (EPA) establishes National Ambient Air Quality Standards (NAAQS) for certain common air pollutants, often referred to as "criteria pollutants," which it must review every 5 years. Over the past four decades, EPA has revised these standards a number of times to increase their stringency, including revisions to the standards for ozone, particulate matter, and four other criteria pollutants. Since 1970, emissions of criteria pollutants have declined dramatically and air quality has improved significantly. At the same time, each new revision of the NAAQS triggers numerous new planning, permitting, and other requirements for affected States, localities, and regulated entities. In addition, each new revision can affect the planning for and availability of Federal funding for certain new transportation projects.

Under the CAA, States with areas that do not meet revised NAAQS must submit for approval to the Administrator of the EPA (Administrator) State Implementation Plans (SIPs) showing how they will comply with the revised standards. States that fail to submit a SIP or that submit an inadequate SIP risk the imposition of a Federal Implementation Plan (FIP) that establishes a path to compliance. In addition, manufacturers and other applicants seeking preconstruction permits for new construction generally must demonstrate compliance with the new standards as soon as they go into effect. As the NAAQS have become more stringent, obtaining the air permits needed to construct new manufacturing and industrial facilities or to expand or modernize existing facilities has become increasingly difficult. In some areas, revised NAAQS are approaching what are considered to be "background levels" of pollution (i.e., levels

associated with natural sources or emissions originating outside of the United States), leading to significant practical challenges for constructing or expanding manufacturing and industrial facilities. Those challenges range from difficulties in demonstrating compliance to costs and uncertainty associated with permitting delays and emissions-control requirements.

Under the CAA, EPA has also established a Regional Haze Program, which requires States to submit for the Administrator's approval plans that cover 10-year implementation periods and to demonstrate "reasonable progress" toward improving and maintaining visibility in certain national parks and wilderness areas. In recent years, States have spent significant time and resources developing Regional Haze Program SIPs. EPA, however, has rejected several of them, in whole or in part, and issued FIPs in their place, which often impose more costly and burdensome measures.

Given the national importance of successful and efficient implementation of air quality standards to promote public health, welfare, and economic growth, this memorandum directs the Administrator to take specific actions to ensure efficient and cost-effective implementation of the NAAQS program, including with regard to permitting decisions for new and expanded facilities, and with respect to the Regional Haze Program. These actions are intended to ensure that EPA carries out its core missions of protecting the environment and improving air quality in accord with statutory requirements, while reducing unnecessary impediments to new manufacturing and business expansion essential for a growing economy.

Accordingly, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby directed as follows:

Section 1. Timely Processing of State Implementation Plans. The Administrator shall, as practicable and consistent with law, endeavor in all cases to take final action on SIPs within 18 months of the date of the submission of a SIP. This goal applies to all SIPs and SIP revisions submitted pursuant to section 110 of the CAA (42 U.S.C. 7410). The Administrator shall consider the expansion of existing performance goals related to the timely processing of SIPs starting with the Fiscal Year (FY) 2019 performance plan.

Sec. 2. Cooperative Engagement with States to Review Regional Haze Plans. The Administrator shall undertake a process to review all full or partial FIPs issued under the 2007 planning period of the Regional Haze Program and to develop options, at the request of affected States, consistent with law, to replace FIPs with approvable SIPs. The Administrator shall consider the expansion of existing performance goals related to the cooperative engagement with States in EPA's review of Regional Haze Plans starting with the FY 2019 performance plan.

Sec. 3. Timely Processing of Preconstruction Permit Applications. The Administrator shall endeavor to take final action on applications for preconstruction permits, as appropriate and consistent with law, within 1 year of the date of receiving a complete application. This 1-year goal applies to all completed applications for preconstruction permits for which EPA is the direct permitting authority under the CAA. The Administrator shall also seek to ensure that determinations relating to the completeness of an application are not unduly delayed. To the extent that a State is the direct permitting authority, EPA shall endeavor to provide prompt technical support, reviews, and determinations, as necessary and consistent with applicable law, in order to assist States in the timely issuance of preconstruction permits. The Administrator shall, starting with the FY 2019 performance plan, develop performance goals related to the timely processing of preconstruction permit applications.

Sec. 4. Demonstrations or Petitions Submitted Pursuant to Sections 319 and 179B of the CAA Relating to Emissions Beyond the Control of State and Local Air Agencies. The Administrator shall take the following actions with regard to demonstrations or petitions submitted pursuant to sections 319 and 179B of the CAA (42 U.S.C. 7619, 7509a), in order to provide relief to State and local air agencies addressing emissions that are beyond their control:

(a) Timely Processing. With respect to all exceptional event demonstrations submitted pursuant to section 319 of the CAA (42 U.S.C. 7619), and all demonstrations or petitions relating to international emissions submitted pursuant to section 179B of the CAA (42 U.S.C. 7509a), the Administrator shall endeavor to take final action within 120 days of a complete submission, as appropriate and consistent with law. The Administrator shall also endeavor to use available monitoring data and modeling tools to assist States in identifying potential exceptional events and international emissions that may affect concentrations of criteria pollutants. The Administrator shall, starting with the FY 2019 performance plan, develop performance goals related to the timely processing of demonstrations or petitions.

(b) Policies Relating to International Emissions. The Administrator shall ensure that EPA continues to take into consideration a State's ability to meet and attain NAAQS that may be affected by international transport of criteria pollutants. With regard to all demonstrations or petitions submitted pursuant to section 179B of the CAA, the Administrator shall also seek to ensure, including through rulemakings or guidance and as appropriate and consistent with law, that EPA does not limit its consideration of demonstrations or petitions to those submitted by States located on the borders of the United States with Mexico or Canada, but rather considers section 179B demonstrations or petitions submitted by any State, including but not limited to those located in the Western United States. Additionally, with respect to section 179B demonstrations or petitions, the Administrator shall ensure that EPA does not limit its consideration to emissions emanating from Mexico or Canada, but rather considers, where appropriate, emissions that

may emanate from any location outside the United States, including emissions from Asia.

(c) Continuing Assessment. In implementing section 179B of the CAA (42 U.S.C. 7509a), section 319 of the CAA (42 U.S.C. 7619), and section 182(h) of the CAA (42 U.S.C. 7511a(h)), the Administrator shall ensure that EPA continues to assess background concentrations and sources of pollution outside of the control of State and local air agencies that may affect implementation or application of these provisions. Such assessment may include current and future trends in pollution from foreign sources; regional trends in exceptional events, including wildfires, stratospheric ozone intrusions, and volcanic seismic activities; and other events, as appropriate and consistent with law.

Sec. 5. Monitoring and Modeling Data. The Administrator shall take the following actions to ensure that monitoring and modeling data is used appropriately in designations, permitting decisions, and demonstrations:

(a) Designations. Given the significant planning, permitting, and other requirements for affected States, localities, and regulated entities associated with nonattainment designations, the Administrator's goal for future designations should be, to the extent feasible and permitted by law, to rely on data from EPA-approved air quality monitors for such designations.

(b) Permitting Decisions and Demonstrations.

(i) Where modeling is necessary for permitting decisions, for State plans, or for exceptional event or international emissions demonstrations, the Administrator shall seek to ensure that EPA's applicable modeling tools are sufficiently accurate for their intended application; and that the relevant State or local air agency, or permit applicant as applicable, is consulted regarding whether the use of modeling projections in lieu of monitored data is appropriate. The Administrator should also seek to streamline EPA's processes for considering and approving inputs to models and updates to modeling techniques, including updates to account for site-specific conditions. Where EPA-approved models are not representative of site conditions or planned activities, the Administrator shall seek, as appropriate and consistent with law, to streamline the process for approving alternative models and to provide for other methods that promote innovative State approaches.

(ii) The Administrator shall, consistent with law, continue to take actions, such as setting significant impact levels and related values, that enable EPA to clearly identify the types or classes of permitting and related decisions that do not require modeling or that can rely on streamlined modeling approaches. This requirement is especially important in areas for which EPA concludes that permits need to demonstrate compliance with NAAQS that have yet to be fully implemented. In developing significant impact levels, EPA should, as appropriate and consistent with law, allow for natural variability in meteorological conditions and industrial processes.

Sec. 6. Offsets. To the extent consistent with law and air quality improvement, the Administrator shall provide flexibility to States with regard to identifying and achieving offsets, including by allowing intrastate and

regional inter-precursor trading. These efforts should include development and implementation of flexible offset policies in rural areas where few facilities exist to generate offsets, in order to promote their economic expansion. The Administrator shall examine steps to help regions and States benefit from flexibilities available in the permitting process for new facilities and projects.

Sec. 7. Future NAAQS Reviews. The Administrator shall evaluate whether EPA is complying fully with the requirements of section 109(d)(2)(C) of the CAA (42 U.S.C. 7409(d)(2)(C)) relating to the scope and characterization of advice provided by its Clean Air Act Scientific Advisory Committee, including requirements that the Committee advise the Administrator regarding background concentrations and adverse public health or other effects that may result from implementation of revised air quality standards. In addition, the Administrator shall examine the current NAAQS review process and develop criteria to ensure transparency in the evaluation, assessment, and characterization of scientific evidence in such reviews. The Administrator shall also develop clear guidance for differentiating the role of science and policy considerations in establishing NAAQS.

Sec. 8. Timely Issuance of Implementing Regulations and Guidance. When issuing any final rule establishing or revising NAAQS, the Administrator shall, where appropriate and consistent with law, concurrently issue regulations and guidance necessary for implementing the new or revised standards. The regulations and guidance shall specify the information that is relevant to the submission and consideration of SIPs and preconstruction permit applications.

Sec. 9. Review of Rules, Guidance, Memoranda, and Procedures Relating to State Implementation Plans and Permitting. The Administrator shall evaluate EPA's existing rules, guidance, memoranda, and other public documents relating to the implementation of NAAQS, including documents that relate to the submission and consideration of preconstruction permit applications. The Administrator shall, consistent with law, determine whether any such documents should be revised or rescinded to ensure more timely permitting decisions under the NAAQS. Any resulting revisions or rescissions should seek, among other things, to provide States with additional implementation flexibility. The Administrator should also evaluate the adequacy of existing internal review procedures to determine whether they can be improved to ensure prompt evaluation and timely action on new and pending SIPs and permit applications.

Sec. 10. General Provisions. (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(d) You are hereby authorized and directed to publish this memorandum in the *Federal Register*.

DONALD J. TRUMP

###

Unsubscribe

The White House · 1600 Pennsylvania Avenue, NW · Washington DC 20500 · 202-456-1111

To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Kissel, Mary[mary.kissel@wsj.com]
Sent: Thur 1/25/2018 9:36:27 PM (UTC)
Subject: Re: EPA Air Memo Attached

thank you

On Thu, Jan 25, 2018 at 4:08 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Additional Information (background, not for attribution):

Background:

Section 112 of the Clean Air Act defines a major source of hazardous air pollutants (HAP) as one that emits 10 tons per year or more of any single HAP or 25 tons per year or more of any combination of HAP. Major sources are subject to Maximum Achievable Control Technology (MACT) standards which reflect the level of control achieved by the best controlled sources in a category.

Shortly after EPA began implementing emissions standards to control HAP, the Agency received multiple requests to clarify whether a major source could avoid requirements applicable to major sources by taking measures to limit its potential-to-emit (PTE) below the CAA major source emissions thresholds. In May 1995, the EPA produced the "Potential to Emit for MACT Standards – Guidance on Timing Issues" memorandum, commonly referred to as the "once-in-always-in" policy. At that time, EPA took the position that facilities that are major sources of HAP on the first substantive compliance date of an applicable major source MACT standard must comply "permanently" with that standard even if the source were subsequently to become an area source by limiting its PTE. In response to E.O. 13777 and 13783, EPA received comments on the need to revise this 1995 policy. As a result, EPA reviewed this policy.

Questions and Answers

What does the guidance memo mean?

This guidance memorandum addresses the question of when a major source subject to a maximum achievable control technology (MACT) standard under section 112 of the Clean Air Act (CAA) may be reclassified as an area source, and thereby avoid being subject thereafter to major source MACT and other requirements applicable to major sources under CAA section 112.

Why is EPA rescinding the memo?

The Agency has determined that it had no statutory authority under the Clean Air Act to place a time limit on when a facility may be determined to be an area source, and that a plain language reading of the Act must allow facilities to be reclassified as area sources once their potential to emit hazardous air pollutants falls below the levels that define major sources.

EPA has now determined that a major source which limits its potential to emit (PTE) so as to bring its hazardous air pollutant (HAP) emissions below the applicable threshold becomes an area source, no matter when the source may choose to take measures to limit its PTE. That source, now having area source status, will not be subject to major source

requirements, in particular, major source maximum achievable control technology (MACT) standards – so long as the source's PTE remains below the applicable HAP emission thresholds.

By removing unnecessary monitoring, recordkeeping, and reporting associated with being a major source, this revised guidance will relieve compliance and expense burden from regulated entities.

How can EPA change its position on Once In, Always In (OIAI)?

EPA can withdraw the OIAI policy through this guidance memorandum because it is not a regulation and not subject to rulemaking. EPA has determined that the OIAI policy articulated in the 1995 Seitz memo is contrary to the plain language of the Clean Air Act, and, therefore, must be withdrawn.

Does the Clean Air Act (CAA) support the Once In, Always In (OIAI) policy as laid out in the 1995 memo?

In short, Congress placed no temporal limitations on the determination of whether a source emits or has the potential to emit hazardous air pollutants in sufficient quantity to qualify as a major source. To the extent the Once In, Always In policy imposed such a temporal limitation (*i.e.*, before the "first compliance date"), EPA had no authority to do so under the plain language of the statute.

What source categories might be helped by this revised policy?

Example 1: As a specific example, EPA surveyed sources subject to the Aerospace NESHAP. Out of 233 respondents only 99 of the sources are true major sources today. Reformulation is the primary method of compliance in the coatings sector. In the case of the Aerospace NESHAP most facilities reduced HAP emissions to area source levels through formulation. In the case of wood furniture specifically, once a facility converts to low-HAP coatings it makes little sense to revert back to higher HAP coatings.

Example 2: Methyl tertiary-butyl ether (MTBE), a hazardous air pollutant (HAP) under the Clean Air Act (CAA), had been used in U.S. gasoline at low levels since 1979 to replace lead as an octane enhancer. Between 1992-2005, MTBE was used at higher concentrations in some gasoline to fulfill the oxygenate requirements set by Congress in the 1990 CAA. In 1994, the EPA issued a Maximum Achievable Control Technology (MACT) standard for gasoline distribution (Stage 1), covering bulk terminals and breakout stations. The MACT standard established the first substantive compliance date of December 15, 1997. Sources unable to limit their PTE before December 15, 1997, are required to comply with the MACT and could not be reclassified as area sources in the future. In 2005, Congress passed the Energy Policy Act that removed the oxygenate requirement for reformulated gasoline (RFG). At the same time, Congress also instituted a renewable fuel standard. In response, refiners made a wholesale switch removing MTBE and blending fuel with ethanol. MTBE has not been used in significant quantities in RFG areas since 2005 and a similar decrease in use has also been observed in conventional gasoline areas. For some of the facilities subject to these standards, the absence of MTBE may have made them an area source; however, they are still subject to the recordkeeping and reporting requirements of the MACT standard. There is a companion area source standard based on GACT that excludes affected sources from the requirement to obtain a title V permit.

From: Kissel, Mary [mailto:mary.kissel@wsj.com]
Sent: Thursday, January 25, 2018 3:49 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: EPA Air Memo Attached

Thank you

On Thu, Jan 25, 2018 at 3:48 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

--

Mary E. Kissel
Editorial Board Member, The Wall Street Journal.
1211 Avenue of the Americas, New York, NY 10036
Office: +1 212 416-3121 Twitter: @marykissel

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To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Osborne, James[James.Osborne@chron.com]
Sent: Wed 4/4/2018 8:34:10 PM (UTC)
Subject: RE: RIN exemptions

Got it.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, April 04, 2018 4:30 PM
To: Osborne, James <James.Osborne@chron.com>
Subject: RE: RIN exemptions

Roughly 20 for 2016; 25 to 30 for 2017.

Compliance period for 2016 RINS ends on March 31, 2017
Compliance period for 2017 ends March 31, 2018
Compliance period for 2018 (the RVOs we finalized this past November) will end on March 31, 2019.

From: Osborne, James [mailto:James.Osborne@chron.com]
Sent: Wednesday, April 4, 2018 3:36 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: RIN exemptions

Liz,

Circling back on this. We're getting ready to post the story online, so need to be sure these numbers are right.

James

From: Osborne, James
Sent: Wednesday, April 04, 2018 1:48 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>
Subject: RE: RIN exemptions

So 25 for 2017, and then 25-30 for 2016?

Double checking because Bill said only "a few" 2017 waivers had been granted so far.

James

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, April 04, 2018 11:22 AM
To: Osborne, James <James.Osborne@chron.com>
Subject: RE: RIN exemptions

Hi James – Let me check on the 2016 exemptions, here is an additional quote/background. These 25 are for calendar year 2017.

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

From: Osborne, James [mailto:James.Osborne@chron.com]
Sent: Wednesday, April 4, 2018 11:01 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: RIN exemptions

Liz,

Will you be able to get me the exact number of 2016 exemptions, which bill said he would provide today.

Also, any chance he could add a little to his quote about why exemptions have increased. Right now all I have is "nothing has changed."

Thanks,

James

On Apr 3, 2018, at 3:42 PM, Osborne, James <James.Osborne@chron.com> wrote:

> How about this afternoon before 6pm? Or tomorrow morning, either before 11am or after 12:30pm?
>
> James
>
> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> **Sent:** Tuesday, April 03, 2018 3:36 PM
> **To:** Osborne, James <James.Osborne@chron.com>
> **Subject:** FW: RIN exemptions
>
> HI James – I can schedule a call with you and Bill, our head of air, to walk you through the program. What time works for you?
>
> **From:** Bowman, Liz
> **Sent:** Tuesday, April 3, 2018 10:44 AM
> **To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
> **Subject:** Fwd: RIN exemptions
>
> Can you all help here?
>
> Begin forwarded message:
>
> > **From:** "Osborne, James" <James.Osborne@chron.com>
> > **Date:** April 3, 2018 at 10:38:09 AM EDT
> > **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> > **Subject: RIN exemptions**
> >
> > Liz,
> >
> > I'm working on a story about the EPA giving exemptions to refineries for RINs.
> >
> > Do you think someone from EPA would be available to discuss those exemptions? Either on record or background?
> >
> > Also, I need some documentation for the story. Would you be able to get me the following?
> >
> > 1. A list of refineries given exemptions from RIN requirements since Jan. 2017.

2. Year by year data on exemptions given going back to 2005 (including the number of exempted refineries and the total number of ethanol equivalent gallons (RINs) exempted).
3. EPA Administrator Pruitt's daily appointment calendar since taking office.

Thanks. I'm on deadline for tomorrow lunchtime. If you have any questions please call me on 202-263-6516.

James Osborne
Washington Energy Correspondent
Houston Chronicle/Hearst Newspapers (D.C. Bureau)
1331 H Street NW, 11th Floor
Washington, DC 20005
Tel: 202-263-6516
Twitter: @osborneja

Message

From: Elliott, Dan [delliott@ap.org]
Sent: 3/13/2018 9:57:40 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: FW: Questions about tort claims from Gold King Mine spill
Attachments: Tort claim letter from New Mexico.pdf

Liz:

I would appreciate getting answers to these questions, which I sent you in previous emails. I saw that Administrator Pruitt gave The Denver Post the answer to question 4 on Monday, but I request that you confirm the answer for me.

Thank you.

Dan Elliott
Associated Press

1. The tort claims spreadsheet the EPA gave me in response to my most recent FOIA says Jackson, Gilmour & Dobbs, PC, filed a claim for $154,443,879 on behalf of the state of New Mexico. However, the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks $130 million. Last week, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains $130 million. Can you tell me why the EPA spreadsheet says $154,443,879?
2. The spreadsheet says Will Ferguson & Associates filed 11 claims for $10 million each, two claims for $5 million each and one for $100 million. Last week, Will Ferguson told me his firm's most recent revised claims do not include any for $100 million. The original set of claims from the law firm did include at least one for $100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for $100 million? Is it possibly an obsolete claim from the firm's original submission?
3. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruitt mentioned in an Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
4. When do you expect to complete the review of all the claims, which the administrator promised?

AP

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From: Elliott, Dan
Sent: Monday, March 12, 2018 1:21 PM
To: Bowman, Liz (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>
Subject: Questions about tort claims from Gold King Mine spill

Liz:

I'm following up on these four questions, which I sent to you last week, about the Gold King Mine tort claims. The story is tentatively scheduled to run tomorrow (March 13).

1. The tort claims spreadsheet the EPA gave me in response to my most recent FOIA says Jackson, Gilmour & Dobbs, PC, filed a claim for $154,443,879 on behalf of the state of New Mexico. However, the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks $130 million. Last week, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains $130 million. Can you tell me why the EPA spreadsheet says $154,443,879?
2. The spreadsheet says Will Ferguson & Associates filed 11 claims for $10 million each, two claims for $5 million each and one for $100 million. Last week, Will Ferguson told me his firm's most recent revised claims do not include any for $100 million. The original set of claims from the law firm did include at least one for $100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for $100 million? Is it possibly an obsolete claim from the firm's original submission?
3. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruitt mentioned in an Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
4. When do you expect to complete the review of all the claims, which the administrator promised?

Thank you.

Dan Elliott

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From: Elliott, Dan
Sent: Thursday, March 08, 2018 11:28 AM
To: Bowman, Liz (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>
Subject: FW: A third follow-up question

Liz:

Two other questions have come up since my last email. In the tort claims spreadsheet the EPA gave me in response to my most recent FOIA request, two entries are incorrect, according to the parties that filed them:

5. The spreadsheet says Jackson, Gilmour & Dobbs, PC, filed a claim for $154,443,879 on behalf of the state of New Mexico, but the firm's claim letter of May 12, 2016 (attached), which the EPA provided to me in response to an earlier FOIA request, said the state seeks $130 million. On Tuesday, Cholla Khoury of the New Mexico Attorney General's Office told me the state's tort claim remains $130 million. Can you tell me why the EPA spreadsheet says $154,443,879?
6. The spreadsheet says Will Ferguson & Associates filed 11 claims for $10 million each, two claims for $5 million each and one for $100 million. On Wednesday, Will Ferguson told me his firm's most recent revised claims do not include any for $100 million. The original set of claims from the law firm did include at least one for $100 million, but those were all revised downward. Can you tell me why the EPA spreadsheet still lists one for $100 million? Is it possibly an obsolete claim from the firm's original submission?

Also, these two questions, which I submitted earlier, are still pending:

1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
2. When do you expect to complete the review of all the claims, which the administrator promised?

Thanks.

Dan Elliott

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From: Elliott, Dan
Sent: Wednesday, March 07, 2018 11:06 AM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>
Subject: RE: A third follow-up question

Liz:

Understood, thanks. What about my first two follow-up questions?

1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
2. When do you expect to complete the review?

Dan Elliott

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From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Wednesday, March 07, 2018 8:58 AM
To: Elliott, Dan <delliott@ap.org>
Subject: RE: A third follow-up question

Hi Dan – On Background (not for attribution): We encourage you to reach out to DOJ for this question, as the Federal Tort Claims Act applies to the entire federal government, not just EPA. Thanks – Liz

The FTCA states: "A tort claim against the United States shall be forever barred unless it is presented in writing to the appropriate Federal agency within two years after such claim accrues or unless action is begun within six months after the date of mailing, by certified or registered mail, of notice of final denial of the claim by the agency to which it was presented."

From: Elliott, Dan [mailto:delliott@ap.org]
Sent: Tuesday, March 6, 2018 5:02 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: A third follow-up question

Liz:

In addition to the two questions in my earlier email, I have another: Did the statute of limitations for Gold King claims expire on Aug. 5? Can any more claims be filed?

Dan Elliott

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From: Elliott, Dan
Sent: Tuesday, March 06, 2018 12:15 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>
Subject: RE: Questions about damage claims from Gold King Mine spill

Liz:

Thank you for this. Two follow-up questions:

1. Was the six-month deadline to "act on claims under reconsideration" that Administrator Pruit mentioned in the Aug. 4, 2017, news release a self-imposed deadline or is it stated in federal law or EPA regulations?
2. When do you expect to complete the review?

Thanks.

Dan Elliott

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From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Monday, March 05, 2018 8:23 AM
To: Elliott, Dan <delliott@ap.org>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Questions about damage claims from Gold King Mine spill

H Dan -- To the first two questions, the Agency received hundreds of new claims during 2017, many of which were submitted after the administrator indicated in July 2017 that he would reconsider the previously denied claims. The 400-or-so number is correct. With regard to the last question: We are in the process of examining the merits of all of the claims not currently in litigation, including the supporting documentation submitted by the claimants.

Thank you – Liz

From: Elliott, Dan [mailto:delliott@ap.org]
Sent: Friday, March 2, 2018 12:54 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Questions about damage claims from Gold King Mine spill

Liz:

Hoping to wrap up at noon ET Tuesday.

Dan

Get Outlook for iOS

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Thursday, March 1, 2018 6:37:16 PM
To: Elliott, Dan
Cc: Abboud, Michael
Subject: Re: Questions about damage claims from Gold King Mine spill

Hi Dan - What's your deadline? I need to ask some folks here

On Mar 1, 2018, at 8:17 PM, Elliott, Dan <delliott@ap.org> wrote:

> Michael, Liz:
>
> We communicated last August about claims filed against the EPA for the Gold King Mine spill. I received a list of claims, attached, from the EPA today in response to a FOIA request. I have three questions for you:
>
> 1. An EPA news release (http://bit.ly/2F4A43F) dated Aug. 4, 2017, stated, "There are currently 144 total claims pending, including the ones undergoing reconsideration, that require EPA action." However, list I received has 403 claims. Which is the correct number?
> 2. In January 2017, the EPA said it had received 73 claims. Why did the number change?
> 3. The Aug. 4 news release also stated, "EPA has six months (until the end of December) to act on claims under reconsideration." Six months from Aug. 4 would be Feb. 6, 2018. Either way, the six months has expired. Has EPA reached a decision on all the claims and, if so, what were the decisions?
>
> Thank you.
>
> Dan Elliott

AP

<image002.jpg>

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Message

From: Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP)
on behalf of Alexander Nazaryan [a.nazaryan@newsweek.com]
Sent: 4/2/2018 9:49:11 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Question - For Attribution

I am confused by Administrator Pruitt's definition of federalism. If the states should have more say, as he has advocated, then how come he is taking away California's say regarding emissions? Please enlighten. Thanks.

--
Alexander Nazaryan
Senior Writer
Newsweek
www.newsweek.com/authors/alex-nazaryan

Message

From: Michael Bastasch [mike@dailycallernewsfoundation.org]
Sent: 2/15/2018 8:41:49 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: FW: Any idea what this means?

Thanks!

On Thu, Feb 15, 2018 at 3:38 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Mike – On background (not for attribution): This is an effort to streamline SIP reporting requirements, related to proving compliance with NAAQS. States and MPOs have to prove that their transportation activities "conform" to Clean Air Act requirements through the submission of complicated and costly reports/SIPs – in technical speak this process is referred to as conformity.

For the transition from 2008 to 2015 ozone standard, the issue of how to revoke the prior standard will be addressed in final implementation/SIP requirements rule.

For background on issue from the associations representing MPOs and state transportation officials:

https://www.regulations.gov/contentStreamer?documentId=EPA-HQ-OAR-2016-0202-0068&attachmentNumber=1&contentType=pdf

Thanks – Liz

From: Michael Bastasch [mailto:mike@dailycallernewsfoundation.org]
Sent: Monday, February 12, 2018 12:04 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Any idea what this means?

Hey guys,

On pg. 44 of the infrastructure plan, it talks about Clean Air Act NAAQS reviews. The wording is a little vague so I'm not sure what it's specifically referring to. Do you guys have any more detail or explanation on what's going on?

https://www.whitehouse.gov/wp-content/uploads/2018/02/INFRASTRUCTURE-211.pdf

Let me know. Thanks!

Best,

Mike

--

Michael Bastasch

Daily Caller News Foundation

--
Michael Bastasch
Daily Caller News Foundation

Message

From: Eilperin, Juliet [Juliet.Eilperin@washpost.com]
Sent: 3/20/2018 5:35:30 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Dennis, Brady [Brady.Dennis@washpost.com]
Subject: RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

Thanks for this—we will want to follow up, but won't do it immediately just due to all sorts of other news. If we wanted to, would there be a staffer willing to talk on this?

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Tuesday, March 20, 2018 1:16 PM
To: Eilperin, Juliet <Juliet.Eilperin@washpost.com>; Dennis, Brady <Brady.Dennis@washpost.com>
Subject: RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

[EXTERNAL EMAIL]

On the record:
"Administrator Pruitt believes that Americans deserve transparency, with regard to the science and data that's underpinning regulatory decisions being made by this Agency," – EPA spokesperson Liz Bowman

Background (not for attribution):
We are in the process of finalizing a proposal to put out for public comment on this issue…we are still a few weeks out from making an official announcement.

From: Eilperin, Juliet [mailto:Juliet.Eilperin@washpost.com]
Sent: Tuesday, March 20, 2018 9:27 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Dennis, Brady <Brady.Dennis@washpost.com>
Subject: RE: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

Hey Liz, is there a chance we can set up an interview today to discuss this science initiative? We'd be happy to talk to the administrator or a key staffer, whatever works for you.
Best,
Juliet

From: EPA Press Office <press=epa.gov@cmail20.com> **On Behalf Of** EPA Press Office
Sent: Tuesday, March 20, 2018 8:50 AM
To: Eilperin, Juliet <Juliet.Eilperin@washpost.com>
Subject: Scott Pruitt Will End EPA's Use Of 'Secret Science' To Justify Regulations

N
[useanvironmentalprotection

The Daily Caller

Scott Pruitt Will End EPA's Use Of 'S
Science' To Justify Regulations

Michael Bastasch
March 19, 2018
http://dailycaller.com/2018/03/19/epa-scott-pruitt-secret-science/
[usenvironmentalprotectionagency.cmail20.com]

Environmental Protection Agency (EPA) Administrator Scott Pruitt will sc
agency's use of "secret science" to craft regulations.

“We need to make sure their data and methodology are published as par
Pruitt said in an exclusive interview with The Daily Caller News Foundati
it’s not transparent. It’s not objectively measured, and that’s important

Pruitt will reverse long-standing EPA policy allowing regulators to rely or
scientific data in crafting rules. Such studies have been used to justify te
dollars worth of regulations.

EPA regulators would only be allowed to consider scientific studies that r
available for public scrutiny under Pruitt’s new policy. Also, EPA-funded
need to make all their data public.

“When we do contract that science out, sometimes the findings are publ
that part of our rule-making processes, but then we don’t publish the me
data that went into those findings because the third party who did the st
it to us,” Pruitt added.

“And we’ve said that’s fine — we’re changing that as well,” Pruitt told T

Conservatives have long criticized EPA for relying on scientific studies th
their findings but not the underlying data. However, Democrats and envi
activists have challenged past attempts to bring transparency to studies
making.

Texas Republican Rep. Lamar Smith pushed legislation to end the use of
“secret science” at EPA. Pruitt instituted another policy in 2017 backed
EPA-funded scientists serving on agency advisory boards.

“If we use a third party to engage in scientific review or inquiry, and tha
rulemaking, you and every American citizen across the country deserve t
the data, what’s the methodology that was used to reach that conclusion
underpinning of what — rules that were adopted by this agency,” Pruitt

Pruitt’s pending science transparency policy mirrors Smith’s HONEST Act
the House in March 2017. Smith’s office was pleased to hear Pruitt was a
policy the House Committee on Science, Space and Technology chairman

“The chairman has long worked toward a more open and transparent rule
process at EPA, and he looks forward to any announcement from Adminis
that would achieve that goal,” committee spokeswoman Thea McDonald

Junk science crusader Steve Milloy also called on EPA to end its use of “s
in rule making, especially when it comes to studies on the toxicity of fine
the air.

EPA has primarily relied on two 1990s studies linking fine particulate pol
premature death. Neither studies have made their data public, but EPA
findings to justify sweeping air quality regulations.

Reported benefits from EPA rules are "mostly attributable to the reducti
exposure to fine particulate matter," according to the White House Offi
Management and Budget report. That's equivalent to billions of dollars.

In fact, one of EPA's most expensive regulation on the books, called MAT
of its estimated benefits from reducing particulates not from reducing m
the rule was ostensibly crafted to address.

EPA estimated MATS would cost $8.2 billion but yield between $28 billio
in public health benefits. It's a similar story for the Clean Power Plan, w
estimated would cost $8.4 billion and yield from $14 billion to $34 billio
climate benefits.

Democrats and environmentalists have largely opposed attempts to requ
transparent scientific data. Said data would restrict the amount of studi
but a major objection is making data public would reveal confidential pa
opponents argue.

"A lot of the data that EPA uses to protect public health and ensure that
air and clean water relies on data that cannot be publicly released," Uni
Scientists representative Yogin Kothari told E&E News.

"It really hamstrings the ability of the EPA to do anything, to fulfill its m
said.

Milloy, however, countered and argued it's a "red herring" to claim that
regulators to use public science data would harm patient privacy.

"The availability of such data sets is nothing new," said Milloy, publisher
JunkScience.com and senior fellow at the Energy and Environmental Leg

"The state of California, for example, makes such data available under t
'Public Use Death Files,'" Milloy said. "We used such data in the form of
million anonymized death certificates in our recent California study on p
death."

"Opponents of data transparency are just trying to hide the data from in
scrutiny," Milloy added. "But the studies that use this data are taxpayer
they are used to regulate the public."

To Read The Full Article Click Here [usenvironmentalprotectionagency.c

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

Unsubscribe [usenvironmentalprotectionagency.cmail20.com]

Message

From: Michael Bastasch [mike@dailycallernewsfoundation.org]
Sent: 2/27/2018 6:55:28 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: FW: Per your Request -

Thanks!

On Tue, Feb 27, 2018 at 1:48 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

For background, not for attribution.

From: Bowman, Liz
Sent: Tuesday, February 27, 2018 1:47 PM
To: 'Miranda Green' <mgreen@thehill.com>
Cc: Konkus, John <konkus.john@epa.gov>; Block, Molly <block.molly@epa.gov>; Kelsi Daniell (daniell.kelsi@epa.gov) <daniell.kelsi@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; hewitt.james@epa.gov
Subject: Per your Request -

Please send to your editor, as you haven't provided his/her name or contact information yet.

Major EPA reorganization will end science research program – Not true, research will continue

BY MIRANDA GREEN - 02/26/18 08:49 PM EST

A federal environmental program that distributes grants to test the effects of chemical exposure on adults and children is being shuttered amidst a major organization consolidation at the Environmental Protection Agency (EPA).

Not true: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership. Nothing is "being shuttered" there is no "major organization"

The National Center for Environmental Research (NCER) will no longer exist following plans to combine three EPA offices, the agency confirmed to The Hill on Monday.

Not true: No functions will be eliminated. Career and political staff – together- have initiated a process to bring multiple functions into one office – based on changes that have occurred over years.

The program provides millions of dollars in grants each year.

Funding of grants has nothing to do with any potential reorganization.

Perhaps best known for its handling of fellowships that study the effects of chemicals on children's health, the NCER will be dissolved and science staff serving there will be reassigned elsewhere within the department, the EPA said.

NOT TRUE: Nothing is "being dissolved" – staff will join with functions similar to what they are doing; no functions are being eliminated.

The merger will involve the EPA's Office of Administrative and Research Support, Office of Program Accountability and Resource Management, and the grants and contracts managed by the NCER to create a new Office of Resource Management.

A merging of functions is very different than a "shuttering amidst a major reorganization"

Other EPA functions consolidated into the new office include the handling of Freedom of Information Act (FOIA) requests, records management and budget formulation functions.

FOIA responses are functions performed across the agency, in all offices. There are FOIA officers in each, program/office. That isn't changing.

An EPA spokesperson said the extensive organizational changes are meant to create more efficiency within the agency.

Where did you get the word "extensive" – seems subjective. You are neglecting to say that this is an efficiency designed by career leadership, that is being initiated and going through the approval process.

"EPA's Office of Research and Development is one of the world's leading environmental and human health research organizations. In order to maintain the quality and focus of our research, senior leaders from the research and development office are proactively taking steps to create management efficiencies within the organization," the spokesperson said. "These changes will help EPA's Office of Research and Development be more responsive to agency priorities and funding realities."

The White House's fiscal 2018 and 2019 budgets both proposed zeroing out major programs under the NCER, but the cuts were not taken up in the most recent congressional budget.

The budget has nothing to do with this.

An EPA spokesperson said that under the planned overhaul, employees currently working at the NCER will not be fired, but may have their positions altered.

"fired" seems like fearmongering here – also, this is not true: all functions are continuing and the reorganization effort being initiated does not affect any employment status. The email that YOU QUOTE FROM says "staff affected will retain the grade and career ladder of their position"!

"At the appropriate time, the science staff currently in NCER will be redeployed to the [Office of Research and Development] labs/centers/offices matching their expertise to organizational needs. This reorganization

could result in a change of positions or functions. Staff in the affected organizations will retain the grade and career ladder of their position of record," the spokesperson said.

See above.

The NCER is largely known for the funding it provides through its premiere program, Science To Achieve Results (STAR). Under the STAR program, grants are given to the Children's Environmental Health and Disease Prevention Research Centers, which were established in 1988 to discover methods to reduce children's health risks from environmental factors.

As explained: The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"Those programs have been so successful in advancing our scientific understanding and our ability to address the ways that environmental chemicals can impact children's health," said Tracey Woodruff, a former senior scientist and policy adviser at the EPA under the Clinton and Bush administrations. "The children centers were really the first and only centers to uncover the relationship with prenatal exposure to flame retardants and IQ deficiencies in children."

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A report released by the National Academy of Sciences last year that was compiled at the EPA's request championed the STAR program for its "numerous successes."

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"STAR has had numerous successes, such as in research on human health implications of air pollution, on environmental effects on children's health and well-being, on interactions between climate change and air quality, and on the human health implications of nanoparticles. Those are just a few examples; many more could be cited," the report read.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

A former EPA official who worked within the NCER said the loss of the STAR program would be harmful to both the EPA and national science.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"The program was designed to not provide direct benefits to the agency but to the public. Without the STAR grants program there is a loss of an environmental agency that will look at both environmental and human health issues and to exam environmental issues of the future," the source cautioned.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

Woodruff called the decision to merge the NCER with the other offices, which currently do not focus on handling grants, extremely concerning.

The funding of grants has nothing to do with a reorganization that has been initiated by ORD career and political leadership.

"They make it sound like this is a way to create efficiency, but it masks what's happening to this actually programmatic, scientific function of NCER and the STAR program. That makes you think, is this really just an efficiency argument masking their real intention to get rid of the research grant program, which they have said they want to do in the past?" she said. "Answering FOIAs and administering scientific grants are not the same thing."

Exactly; maybe The Hill should explain to readers that each EPA office typically has a FOIA officer and the reorganization that is initiated is to help consolidate administration activities of this particular department – not to change FOIAS, and that – AGAIN – the funding of grants has nothing to do with this.

The EPA has recently acknowledged a slow-down in the rate of FOIA requests answered, citing a backlog in previous requests made under the Obama administration and an uptick in FOIA requests sent since President Trump took office.

The EPA official did not acknowledge how the agency rearrangement may address those issues.

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

--
Michael Bastasch
Daily Caller News Foundation

Message

From: Richard.Valdmanis@thomsonreuters.com [Richard.Valdmanis@thomsonreuters.com]
Sent: 4/10/2018 10:07:05 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: RFS waivers - question from Reuters

Thanks Liz.
Can you comment on CVR?

On Apr 10, 2018, at 5:39 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Rich – "The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the blending threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." Liz Bowman, EPA spokesperson

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship."
- During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.

From: Richard.Valdmanis@thomsonreuters.com [mailto:Richard.Valdmanis@thomsonreuters.com]
Sent: Tuesday, April 10, 2018 1:32 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>

Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: RFS waivers - question from Reuters

Thanks Liz – my deadline is tonight.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, April 10, 2018 1:31 PM
To: Valdmanis, Richard J. (Reuters)
Cc: Wilcox, Jahan
Subject: Re: RFS waivers - question from Reuters

Hi Rich - We will check and get back to you. What's your deadline?

Sent from my iPhone

On Apr 10, 2018, at 1:29 PM, "Richard.Valdmanis@thomsonreuters.com" <Richard.Valdmanis@thomsonreuters.com> wrote:

> Liz, Jahan,
> Two queries for you:
>
> - We have it from a good source that EPA provided CVR Energy a small refinery waiver from the RFS for 2017. You were kind enough to help us out with the detail that EPA had approved around 25 such waivers as of last week. Can you confirm/deny that CVR is among them – either on record, on background, or off record?
>
> - Husky Energy has confirmed they applied for a waiver for 2018. They are a pretty large Canadian company – big presence in Canada but small in the US. Can you describe the EPA's approach to handling such cases? Does it look only at the particular refinery, or does it look at the company as a whole?
>
> Thanks very much
> Rich

Message

From: Henry Brean [hbrean@reviewjournal.com]
Sent: 2/8/2018 8:32:27 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Follow-up | question re EPA lab

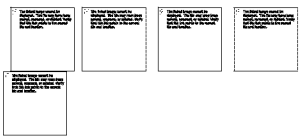
Thank you for the detailed response.

Once ORD ceases operations in Las Vegas later this year, what presence if any will EPA still have in the Las Vegas Valley. For example, I know EPA leases office space across from the UNLV campus for finance personnel. Will that office (and any others EPA maintains in Las Vegas) be closing as well?

Sorry for all the questions. I just want to make sure my reporting is accurate.

Thanks again.

Henry Brean
Reporter
1111 W. Bonanza Road, Las Vegas, Nevada 89106
P. 702.383.0350



On Thu, Feb 8, 2018 at 11:51 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Henry – Please see below, on background – not for attribution. Thank you – Liz

BACKGROUND:

Las Vegas Timeline

- EPA has had a leasing arrangement with the University of Las Vegas, Nevada (UNLV) for many years, allowing EPA to rent laboratory and office space on the university campus. With the expiration of the lease on Sept. 30, 2020, EPA is preparing to vacate the 2.5 buildings of lab and office space the agency is presently leasing.

- Under the last Administration, the Agency proposed to build a new laboratory/multi-use facility in Las Vegas.

- Consequently, EPA's Office of Research and Development is consolidating lab operations to government-owned research facilities in other geographic locations. This consolidation effort is in compliance with a 2016 federal law directing federal agencies to reduce the federal government footprint and decrease the amount of leased space used by federal agencies. Vacating the leased space on the UNLV

campus and relocating research laboratories to existing federally-owned facilities is expected to save approximately $1.25 million per year in lease costs.

- EPA expects to relocate EPA workforce from the UNLV campus by the end of 2018 in order to allow time to conduct an environmental due diligence assessment of the vacated facilities. Environmental due diligence is a process performed to ensure the space is safe for future use.

- ORD notified our National Research Exposure Laboratory staff with laboratory functions that they will be relocated from Las Vegas (Official Union Notification May 3, 2017) or have the option to find other employment or retire. EPA is paying for the costs of those individuals willing to relocate and to date, 8 of the 9 laboratory personnel have agreed to relocate.

- With increasing pressure on our resources and internal and external drivers to reduce the federal footprint, particularly in leased space, ORD has made the decision to end all operations in Las Vegas by September 30, 2018. The non-laboratory staff in Las Vegas include modelers, health and safety staff, a facility manager, as well as administrative staff.

- On Tuesday, February 6, 2018, ORD notified the remainder of staff in Las Vegas that they will be given the option to relocate to one of ORD's other locations, retire, or separate from the Agency by September 30, 2018. The Agency will pay for relocation costs.

Q: Where can I find information about the 2016 federal law directing federal agencies to reduce the federal government footprint?

A: The law can be found online here: https://www.govtrack.us/congress/bills/114/hr4465/text/enr

Q: Which EPA labs and offices are located on the UNLV campus?

A: Leased space on the UNLV campus currently only has staff from EPA's Office of Research and Development (ORD), including the following ORD labs and offices:

- EPA's National Exposure Research Laboratory (NERL)
- EPA's National Homeland Security Research Center (NHSRC)
- EPA's Office of Science Information Management (OSIM)
- EPA's Office of Administration and Research Support (OARS)

Q: How many EPA federal employees are located on UNLV?

A: There are approximately 40 EPA federal employees located on the UNLV campus.

From: Henry Brean [mailto:hbrean@reviewjournal.com]
Sent: Wednesday, February 7, 2018 6:27 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Follow-up | question re EPA lab

Thank you. I left a message with the public affairs person for Region 9 as well.

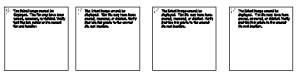
I'm also trying to clarify if the EPA is closing all of its offices in Las Vegas in September or just its facilities on the UNLV campus. I guess the EPA rents office space across the street from the university and has at minimum a finance office there.

Henry Brean

Reporter

1111 W. Bonanza Road, Las Vegas, Nevada 89106

P. 702.383.0350



On Wed, Feb 7, 2018 at 3:11 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Henry – We are trying to track this down; will get back to you as soon as we can. Thank you – Liz
>
> **From:** Henry Brean [mailto:hbrean@reviewjournal.com]
> **Sent:** Wednesday, February 7, 2018 5:29 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: Follow-up | question re EPA lab

Hi again, Liz.

I don't know if you saw my follow-up questions about the EPA lab in Las Vegas I sent yesterday. I was trying to find out specifics on how many people worked at the office in Las Vegas prior to 2011, how many remain today, and how many of those impacted by this change have decided to remain with EPA?

Now I have another question for you: Apparently in 2014, Congress approved $7.85 million for the EPA to begin the planning process for a new office in Las Vegas. In light of EPA's decision not to keep offices here, do you know what happened to that money?

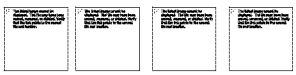
Let me know. Thanks.

Henry Brean

Reporter

1111 W. Bonanza Road, Las Vegas, Nevada 89106

P. 702.383.0350



On Tue, Feb 6, 2018 at 11:28 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Henry – EPA is consolidating services into EPA-owned buildings in Cincinnati, Ohio and Research Triangle Park, NC. This decision will save taxpayer dollars and streamline layers. EPA staff will be given the opportunity to relocate to an EPA-owned facility by the summer of 2018.
>
> For additional background (not attribution):

The previous administration decided (2011) to start consolidating the facility foot print and therefore, EPA's Office of Research and Development is moving out of leased space. In 2018, ORD will move all employees out of the leased space in Las Vegas, NV. The move will be completed by September 30, 2018. Staff affected by this consolidation will be given the option to relocate to one of ORD's other locations, retire, or separate from the Agency. The Agency will pay for relocation costs. As this decision was made a while ago, there are a few employees left in the space, who have known for a while that there will be an opportunity to relocate.

Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]
To: Bowman, Liz[Bowman.Liz@epa.gov]
From: Amy Harder[amy@axios.com]
Sent: Mon 12/18/2017 6:41:06 PM (UTC)
Subject: Re: CPP -- ANPRM

Thank you!

On Dec 18, 2017, at 12:49 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Attached; you can release this at 1:45 p.m. as an "obtained copy" – not for attribution.

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

<FRN State GHG Guidelines 2060-AT67 ANPRM_20171214_signature.docx>

Message

From: Alexander Kaufman [alexander.kaufman@huffpost.com]
Sent: 4/24/2018 5:33:39 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Confirming the new science transparency rule

I'm an idiot and saw the tweet just after sending this. Sorry about that.

On Tue, Apr 24, 2018 at 1:32 PM, Alexander Kaufman <alexander.kaufman@huffpost.com> wrote:
any word yet on the press plans? will the signing be livestreamed?

On Tue, Apr 24, 2018 at 10:43 AM, Alexander Kaufman <alexander.kaufman@huffpost.com> wrote:
thank you

On Tue, Apr 24, 2018 at 10:32 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Alexander – On deep background only (not for attribution): the Administrator will be signing this proposed rule this afternoon, along with some stakeholders. Press plans are still being discussed; will keep you updated.

From: Alexander Kaufman [mailto:alexander.kaufman@huffpost.com]
Sent: Tuesday, April 24, 2018 10:01 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Confirming the new science transparency rule

https://www.washingtonpost.com/news/energy-environment/wp/2018/04/24/pruitt-to-unveil-controversial-transparency-rule-limiting-what-research-epa-can-use/?utm_term=.bb5ae821d4bd

Can you guys confirm this? For my planning purposes: When will the announcement be?

--

Alexander C. Kaufman

Reporter

HUFFPOST

o: 917-606-4668

m: Ex. 6 Personal Privacy (PP)

@AlexCKaufman

Skype: Alexander_Kaufman

770 Broadway, Floor 4, New York, NY 10003

--
Alexander C. Kaufman
Reporter
HUFFPOST
o: 917-606-4668
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Skype: Alexander_Kaufman
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--
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@AlexCKaufman
Skype: Alexander_Kaufman
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--
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HUFFPOST
o: 917-606-4668
m: Ex. 6 Personal Privacy (PP)
@AlexCKaufman
Skype: Alexander_Kaufman
770 Broadway, Floor 4, New York, NY 10003

Message

From: Alexander Nazaryan [a.nazaryan@newsweek.com]
Sent: 5/1/2018 8:53:53 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Pruitt

Jahan, do you expect that Administrator Pruitt will be reimbursing the taxpaying public for his first-class travel, his SCIF and other expenses that have been determined to be either above spending limit or otherwise inappropriate?

This is for attribution. Thank you.

--
Alexander Nazaryan
Senior Writer
Newsweek
www.newsweek.com/authors/alex-nazaryan

Message

From: Sean Moran [smoran@breitbart.com]
Sent: 10/17/2017 7:55:30 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Treasury stats- Breitbart News

It's all good figured out we have a cloud solution we can use.

Thanks!

Sent from my iPhone

On Oct 17, 2017, at 3:53 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> I am not sure? This is what policy staff sent me
>
> Sent from my iPhone
>
> On Oct 17, 2017, at 12:08 PM, Sean Moran <smoran@breitbart.com> wrote:
>
>> Awesome this is great Liz. With this database there is no way to link via url, right? Might save and link this is up in the cloud to source this info.
>>
>> Sean Moran
>> Policy Reporter
>> Breitbart News
>>
>> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
>> **Sent:** Monday, October 16, 2017 7:41 PM
>> **To:** Sean Moran <smoran@breitbart.com>
>> **Subject:** Re: Treasury stats- Breitbart News
>>
>> Nice meeting you today, thanks again for coming. Stats below (background please, not for attribution):
>>
>> See judgment fund database here: https://jfund.fms.treas.gov/jfradSearchWeb/JFPymtSearchAction.do, the total amount of attorney's fees paid under prior administration was $14,966,044.
>>
>> **By the Numbers:**[i]
>>
>> · **$1.5 Million Paid Out in Last 2 Years of Obama:** During the last two years of the Obama Administration (2015-2016), EPA paid over $1.5 million dollars in attorney's fees and costs pursuant to consent decrees and settlement agreements where the Agency was a defendant in an environmental-law challenge.

- **24 Closed-Door Negotiations in Last 2 Years of Obama**, EPA entered into a total of 24 consent decrees and settlement agreements where the Agency was a defendant in an environmental-law challenge.

- **4 Most Egregious Settlements w/ Activists:** The 4 most egregious settlements w activist groups comprise almost $1 million of that $1.5 million total for 2015-2016:
    - **$350,000: Northwest Center for Alternatives to Pesticides**
    - **$332,958: NRDC**
    - **$165,000: Waterkeeper Alliance**
    - **$145,000: Environmental Defense Center**

Treasury Judgement Fund Database:[ii]

- **$13.6 Million Spent in Attorneys' Fees under Obama:** In 295 cases where EPA was exclusively the defendant, over $13.6 million was paid in attorney fees under the prior administration
    - NOTE: there are no case numbers or plaintiffs listed in the judgement fund database, so there is no way to determine who received the fees or exactly how much were a result of sue-and-settle – but it is accurate to say that EPA spent over $13.6 million in attorney's fees under the prior administration.
    - NOTE: This number is likely both over- and under-inclusive, because it includes cases where fees were paid from DOJ's judgment fund that are not "sue and settle" cases, but might not include fees paid from EPA's own budget (where the statute provides for that) that could be considered "sue and settle."

- $14,966,044 –total attorney fees paid under Obama Administration (including when EPA was among other federal defendants, as well as federal tort claims and discrimination cases (i.e. not sue and settle)).

Sent from my iPhone

On Oct 16, 2017, at 5:06 PM, Sean Moran <smoran@breitbart.com> wrote:

> Hey Liz, great meeting you earlier today. Those Treasury stats you mentioned earlier sounded interesting, if you have a chance could you or someone on the team throw them my way?
>
> Thanks,
>
> Sean Moran
> Policy Reporter
> Breitbart News

Message

From: Eilperin, Juliet [Juliet.Eilperin@washpost.com]
Sent: 10/16/2017 6:21:22 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: a few follow up questions, on sue and settle

Thanks, and the press release did post, si I have that now. Thanks.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, October 16, 2017 2:16 PM
To: Eilperin, Juliet <Juliet.Eilperin@washpost.com>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: a few follow up questions, on sue and settle

Hi Juliet – **Off the record:** The memo and directive are attached; the press release should have gone out, it may just take a bit for it to be posted…I will double check on that. The chart is from the Chamber, also attached. With regard to the specific examples, I would suggest you reach out to William Kovacs from the U.S. Chamber at 202-463-5457 or Wkovacs@uschamber.com. He is the best person to talk with, in regard to understanding the examples mentioned below. EPA is the only Agency we are aware of issuing this directive at this time…the meeting tomorrow is to discuss this and other issues that Administrator Pruitt is leading from EPA.

Additional Background (not for attribution):

Meese Policy, 1986 (please see page 5 of PDF): *Please note that we reference it in our memorandum in support of the directive.*
Memorandum from Edwin Meese III, Attorney General, to All Assistant Attorneys General and All United States Attorneys, Re: Department Policy Regarding Consent Decrees and Settlement Agreements (Mar. 13, 1986) (hereinafter "Meese Policy"), *available at* http://www.archives.gov/news/samuel-alito/accession-060-89-1/Acc060-89-1-box9-memoAyer-LSWG-1986.pdf[archives.gov].

From Memo/Directive:

1. **EPA will now publish notices of intent to sue within 15 days of receipt.**

   Issue: Prior to 2013, EPA did not maintain a public database with Notices of Intent to sue the Agency. Since 2013, EPA has maintained a webpage that posts NOIs; however, the webpage is not adequately updated to ensure the public and interested parties are made aware of NOIs with sufficient time to seek participation in the subsequent litigation negotiations.
   a. See EPW republicans letter to Gina McCarthy Sept. 2016, which identified several NOIs reported in the press that were not on EPA's webpage

2. **EPA will now publish complaints and petitions for review within 15 days of receipt**

   Issue: Prior to 2013, EPA did not maintain a public database with petitions for review. Since 2013, EPA has maintained a webpage that posts petitions for review; however, the webpage is not adequately updated to ensure the public and interested parties are made aware of such petitions with sufficient time to seek participation in the litigation negotiations.

a. See EPW Republicans letter to Gina McCarthy Sept. 2016, which found EPA's webpage with CAA petitions for rulemaking was last updated in May 2014

3. **EPA will now reach out to any states or regulated entities that may be affected by a potential settlement or consent decree within 15 days of receiving a complaint or petition for review**

   Issue: EPA under the prior administration did not actively notify or seek input from states and regulated entities that may be potentially impacted by a regulation that is subject to settlement negotiations. Oftentimes, states were made aware of a settlement agreement or consent decree when the court order became public – i.e., when it was too late to provide public input.

   a. See Steam Electric ELG case where the parties moved to enter into the settlement agreement on the same day the petitioners filed their complaint.
   b. See ND and other states re: regional haze; utilities re: Utility MACT; utilities re: Steam Electric ELG; Henry Clay and other brick manufacturers for Brick MACT; etc.

4. **EPA will now publish a list of and the details of consent decrees and settlement agreements that govern EPA actions within 30 days, and will post any new consent decrees or settlement agreements within 15 days of entering into such agreements.**

   Issue: EPA does not maintain a public database of settlement agreements or consent decrees the Agency enters into, nor does it maintain a public database of attorney's fees paid by the Agency pursuant to these agreements and decrees. While many settlement agreements and consent decrees would specify the amount of attorney's fees paid, many simply stated attorney's fees would be determined "informally" between the litigants and the agency. Such language has left the public no opportunity to learn of the amount of taxpayer dollars paid in these cases.

   a. See Utility MACT and MACT consent decrees for "informally" determine attorney's fees language
   b. See also Department of Treasury's Judgment Fund database which does not specify the case number or petitioners/payees receiving attorney's fees

5. **EPA expressly forbids the practice of entering into any consent decree or settlement agreement that exceeds the authority of the courts; or attempts to transfer what would otherwise be a discretionary function to a non-discretionary duty.**

   Issue: There are instances in which EPA agreed to take action pursuant to a settlement agreement or consent decree that was otherwise within the agency's discretion. Such agreements were purported to have "prejudged the outcome" of a rulemaking, inconsistent with the APA.

   a. See Lead, Renovation, Repair, and Painting Program consent decree where EPA agreed to issue a rule that removed the opt-out provisions

6. **EPA will seek to exclude the payment of attorney's fees in settlement agreements.**

   Issue: EPA has paid millions in attorney's fees to special interest groups pursuant to settlement agreements and consent decrees. In many cases, tens of thousands of dollars were paid in attorney's fees for simple paperwork in cases that were swiftly settled. There are also cases where fees were paid at inflated rates for big-law NYC or San Francisco attorneys.

a. See ND regional haze consent decree which was filed in CA federal court paid out more than $22,000 in attorney's fees; Steam Electric ELG consent decree paid out $40,000 in attorney's fees for a non-discretionary duty settlement
b. Per the Department of Treasury's Judgment Fund, EPA paid out more than $13 million in attorney's fees under the Obama Administration. In the last two years, EPA paid $1.5 million in attorney's fees just for cases that resulted in a settlement agreement or consent decree.

7. **EPA will ensure any future settlement agreement or consent decree provides the agency adequate time for the established rulemaking process, providing for appropriate interagency review and consultation.**

   Issue: EPA has previously agreed to take regulatory action pursuant to a settlement agreement or consent decree in an unrealistic period of time, which oftentimes short circuited important interagency review by OMB or consultations under ESA or SBREFA and left the public with little or no opportunity to provide input. In July 2014, the Government Accountability Office (GAO) found that EPA did not conduct full economic analyses for two rules due to short consent decree deadlines. Absent robust economy analyses, the public is left without fully understanding the impact of EPA rules.
   a. See Utility MACT consent decree entered into on April 15, 2010, included a requirement that EPA issue a proposed rule by March 16, 2011, and issue a final rule a mere eight months later – on November 16, 2011.
   b. See Steam Electric ELG consent decree entered into on March 19, 2012, included a requirement that EPA issue a proposed rule just four months later – by July 23, 2012. This unrealistic deadline resulted in at least three subsequent modified consent decrees to extend the deadline.

8. **EPA will provide an unprecedented level of public participation in the settlement process by requiring 30-day public comment on any proposed settlement agreement and any subsequent modifications, and will provide an opportunity for public hearing on a proposed agreement.**

   Issue: EPA has provided little to no opportunities for public participation in the settlement process. While the Clean Air Act is the only environmental statute that expressly requires 30-day public comment period for proposed settlement agreements under the CAA, EPA never provided this minimum public opportunity for agreements under other environmental statutes. Even under CAA settlements, EPA had not provided any opportunity for public comment on modified agreements. Moreover, EPA rejected requests from states and regulated entities to host public hearings on proposed agreements.
   a. Note EO 12866 on regulatory development advises federal agencies that meaningful public participation on a proposed regulatory action is no less than a period of 60 days.
   b. See Steam Electric ELG, a case under the Clean Water Act, so no public comment period on the proposed agreement or its three modifications were provided.

From: Eilperin, Juliet [mailto:Juliet.Eilperin@washpost.com]
Sent: Monday, October 16, 2017 1:39 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: a few follow up questions, on sue and settle

Dear Liz and Jahan,
I posted an initial version of my story, but wanted to check a few things:

1. I still haven't gotten a press release or link to the directive, and I didn't see a news release on the EPA website. Am I missing something?
2. Do you have specifics on the ND and other example the administrator mentioned, on boiler MACT? I'm trying to determine how the outcome of those rules were substantively affected, since most of these seem to be about just deadlines.
3. The bar chart you had up is just the one in the US Chamber of Commerce report, right, as shown here? https://www.uschamber.com/report/sue-and-settle-regulating-behind-closed-doors[uschamber.com]
4. As I understand it, the Meese memo became part of regulatory procedure in 1991, when it was adopted as part of the Code of Regulations. I assume the Administrator wasn't implying otherwise, but wanted to check.
5. Are there any other departments I can identify that are actively exploring doing this? I checked w the WH, but they referred me back to you.
6. I know he has a 2:15 pm meeting with conservatives in the EEOB tomorrow—is that to discuss this policy?

Thanks so much, Juliet

Juliet Eilperin
Senior National Affairs Correspondent
Washington Post
Juliet.eilperin@washpost.com
(O) 202-334-7774
(C) Ex. 6 Personal Privacy (PP)
@eilperin

Message

From: Wallace, Gregory [gregory.wallace@turner.com]
Sent: 10/11/2017 12:03:53 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: questions from CNN regarding draft strategic plan

Thank you, Liz. This is very helpful.

Best, Greg

On Oct 10, 2017, at 7:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Greg – Responses below. Thanks for the additional time – Liz

---

From: Wallace, Gregory [mailto:gregory.wallace@turner.com]
Sent: Tuesday, October 10, 2017 5:29 PM
To: Press <Press@epa.gov>
Cc: Marsh, Rene <Rene.Marsh@cnn.com>
Subject: questions from CNN regarding draft strategic plan

Good afternoon,

We're working on a story about the agency's draft strategic plan. Our deadline is this afternoon.

To make sure EPA's perspective is properly represented, we have a few questions:

1. Why are there no references to climate change in the plan? We are focused on tangible environmental results for the American people: cleaning up contaminated land, punishing those that break environmental laws to the detriment to human health and the environment – and providing more Americans with access to clean air, land, and water.

2. One of the key goals is a rebalancing of federal and state responsibilities. Given the agency's budget proposal, which cuts or eliminates many grant programs that states currently rely on, how does the agency expect to work with states on this focus area? Background (not for attribution): It's been over a decade since the president signed a budget passed by Congress.

3. The Federal Register website currently shows no comments have been submitted. I realize it's early, and comments are likely to come as the month goes on. Has the agency received any comments so far on the plan, including through other avenues like the letters sent to Congress? Background (not for attribution): most comments are submitted toward the end of a comment period – that is typical/not unusual

Thank you, Greg

Gregory Wallace
CNN
202-738-3113

Message

From: Biesecker, Michael [MBiesecker@ap.org]
Sent: 8/28/2017 9:08:32 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: RE: FDIC action against Kell Kelly

Thanks. I'll check with my boss and see if we can figure out a work around that out copy desk won't object to.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, August 28, 2017 5:07 PM
To: Biesecker, Michael
Cc: Bowman, Liz; Graham, Amy
Subject: RE: FDIC action against Kell Kelly

I don't have the authority to speak on the record to this question. I have steered you to the answer and also gave a statement on background. If you have to say that we declined to comment, I understand.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, August 28, 2017 5:03 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: FDIC action against Kell Kelly

I really appreciate that Jahan. I'm not trying to be difficult. My employer has rules on sourcing that I have to follow, and I recognize that other media outlets have different rules. We can cite named sources in other media outlets, if they are unavailable to us. But I can't cite someone else's unnamed source.

I'd really like to put this in the story, but it needs to be from a named source.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, August 28, 2017 4:53 PM
To: Biesecker, Michael
Cc: Bowman, Liz; Graham, Amy
Subject: RE: FDIC action against Kell Kelly

Then please cite the Oklahoman, which I have seen the AP do (for other outlets) if you want. I was trying to be helpful.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, August 28, 2017 4:36 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: FDIC action against Kell Kelly

AP rules on quoting unnamed sources say I have to cite a reason the official speaking requested and was granted anonymity, otherwise I can't use it. Are you not authorized to speak on this issue?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, August 28, 2017 4:35 PM
To: Biesecker, Michael
Cc: Bowman, Liz; Graham, Amy
Subject: RE: FDIC action against Kell Kelly

Sure. For attribution from an EPA official …

"Kelly told senior officials about his FDIC matter. Kelly will remain in his paid position as a senior advisor to Pruitt," said an EPA official.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, August 28, 2017 4:29 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: FDIC action against Kell Kelly

Thanks. Would really prefer not to quote the Oklahoman saying what EPA said. Can't you guys just say the same thing to AP?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, August 28, 2017 4:28 PM
To: Biesecker, Michael
Cc: Bowman, Liz; Graham, Amy
Subject: RE: FDIC action against Kell Kelly

Question 1 – Would refer you to this line in the Oklahoman: "The EPA said Kelly told senior officials about his FDIC matter. Kelly will remain in his paid position as a senior adviser to Pruitt."
http://newsok.com/article/5561650

Question 2 – Checking. Can I get back to you by 5p. Moving as fast as I can on this and I know you are on deadline.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, August 28, 2017 4:06 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: FDIC action against Kell Kelly

Just to confirm, you are OK with me reporting that EPA declined to answer whether Administrator Pruitt knew about FDIC's pending action against Kelly when he hired him as a senior adviser.

As to this part of Jackson's quote: "Spirit would confirm that at no point in Kell's service did he take any action which threatened the bank."

I called the bank and spoke with Joyce Nadell, the executive VP. They declined to offer any such statement. Do you have anything else to back up the contention that Kell's actions didn't endanger the bank?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, August 28, 2017 3:43 PM

To: Biesecker, Michael
Cc: Bowman, Liz; Graham, Amy
Subject: RE: FDIC action against Kell Kelly

Below is a statement from both Frank Keating, former Oklahoma Governor and former CEO of the ABA and Ryan Jackson, EPA CoS.

"Kell Kelly is a man of high integrity. During my time as CEO of the American Bankers Association, Mr. Kelly served as my chairman and helped lead the association through a difficult period following 2008 financial crisis; Administrator Pruitt is fortunate to have him," said Frank Keating, former Oklahoma governor and former CEO of the American Bankers Association.

"Kell Kelly retired from Spirit Bank after 34 years serving as executive vice president and ultimately CEO to join EPA as Administrator Pruitt's principal advisor leading an effort to finance and clean up the nation's worst contaminated sites. Upon leaving, Spirit Bank requested that Kell remain on its board of directors which Kell declined due to full time employment in Washington, D.C. Spirit would confirm that at no point in Kell's service did he take any action which threatened the bank. Kell has received full ethics and financial disclosure training as any EPA political appointee and senior official receives. I have personally known Kell for a number of years. EPA is fortunate to have him as part of our team. He has already contributed immensely to the Administrator's agenda to speed up remediation timelines. He has already gained the respect of the EPA career staff, and being responsible for hiring political appointees at EPA, I was eager to report to Administrator Pruitt we had brought Kell on our team." – Ryan Jackson, EPA Chief of Staff

---

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, August 28, 2017 2:28 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: FDIC action against Kell Kelly

Thanks much.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, August 28, 2017 2:28 PM
To: Biesecker, Michael
Subject: RE: FDIC action against Kell Kelly

Hopefully. I am working on this right now.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, August 28, 2017 2:26 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: FDIC action against Kell Kelly

Can you get me something by 4?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, August 28, 2017 2:24 PM
To: Biesecker, Michael; Bowman, Liz
Subject: RE: FDIC action against Kell Kelly

What is your deadline? Let me find these answers and get back to you.

From: Biesecker, Michael [mailto:MBiesecker@ap.org]
Sent: Monday, August 28, 2017 2:19 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: FDIC action against Kell Kelly

Liz, Jahan,

AP is doing something short on the FDIC fine and banking ban against Kell Kelly after he "engaged or participated in a violation of law or regulation, unsafe or unsound practice, and/or breach of fiduciary duty" at SpiritBank in Tulsa.

Does Kelly have any response to the FDIC's action against him? EPA comment?

Also, please answer whether Scott Pruitt was aware of the pending FDIC action against Kelly when he hired him at EPA.

Writing for today.

Thanks,

Michael

AP

ASSOCIATED PRESS

Michael Biesecker
Reporter
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Twitter: @mbieseck
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T 202-641-9445
M Ex. 6 Personal Privacy (PP)

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: Ebbs, Stephanie [Stephanie.Ebbs@abc.com]
Sent: 9/27/2017 8:49:22 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: Checking back in on secure room

A couple more, either of these look like the right thing?

https://acousticalsolutions.com/product/privacyshield-12x12-room-kit/

https://acousticalsolutions.com/product/alphasorb-acoustic-panel-room-kit/

Stephanie Ebbs
ABC News-Washington
(desk) 202-222-7300
(cell) Ex. 6 Personal Privacy (PP)
@stephebbs

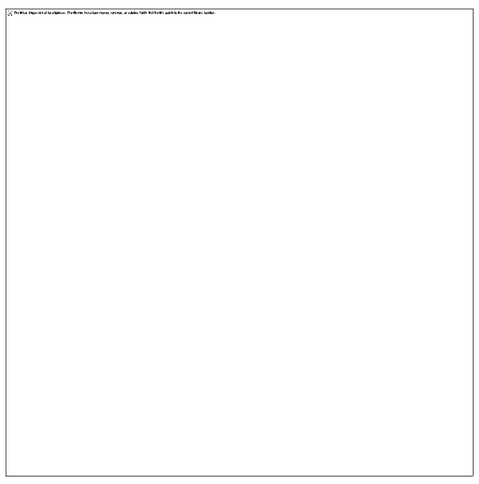
From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Wednesday, September 27, 2017 2:50:29 PM
To: Ebbs, Stephanie
Cc: Wilcox, Jahan
Subject: Re: Checking back in on secure room

Off the record: hahah no

Sent from my iPhone

On Sep 27, 2017, at 2:49 PM, Ebbs, Stephanie <Stephanie.Ebbs@abc.com> wrote:

> We're trying to get an idea of what this booth looks like. Is this the kind of thing you're talking about?
>
> https://acousticalsolutions.com/product/audiometric-booth/



IAC AudioMetric Booth | Acoustical Solutions

acousticalsolutions.com

The IAC AudioMetric Booth is designed an engineered to provide sound isolation with maximum flexibility in any environment.

Stephanie Ebbs
ABC News-Washington
(desk) 202-222-7300
(cell) Ex. 6 Personal Privacy (PP)
@stephebbs

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Wednesday, September 27, 2017 10:26:59 AM
To: Ebbs, Stephanie
Cc: Wilcox, Jahan
Subject: RE: Checking back in on secure room

Hi Stephanie – I apologize for the delay. What you are referring to is a secured communication area in the administrator's office so secured calls can be received and made. Federal agencies need to have one of these so that secured communications, not subject to hacking from the outside, can be held. It's called a Sensitive Compartmented Information Facility (SCIF). This is something which a number, if not all, cabinet offices have and EPA needs to have updated. Thanks – Liz

For additional background (not for attribution): This area is for him to be able to take calls with the president, quickly, without fears of outside hacking. As you probably know, the president calls frequently, often, and as needed – rather than pre-scheduled calls set at particular days/times. Therefore, having a secure area in his office is the most efficient and safe way for him to be able to have secure communications with the president or other cabinet officials.

From: Ebbs, Stephanie [mailto:Stephanie.Ebbs@abc.com]
Sent: Wednesday, September 27, 2017 10:15 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Checking back in on secure room

Hi Liz,

I wanted to check back in on my request yesterday, are you able to send me any statement on the secure room being added to the administrator's office? They are working on a piece for World News Tonight that will include the reports from yesterday so I'd really like to be able to include comment from the EPA

Feel free to give me a call, thanks

Stephanie Ebbs
ABC News-Washington
(desk) 202-222-7300
(cell) Ex. 6 Personal Privacy (PP)
@stephebbs

To: Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Ebbs, Stephanie[Stephanie.Ebbs@abc.com]
Sent: Wed 9/27/2017 3:01:43 PM (UTC)
Subject: Re: Checking back in on secure room

Thanks Liz, appreciate it.

Stephanie Ebbs

ABC News-Washington

(desk) 202-222-7300

(cell) Ex. 6 Personal Privacy (PP)

@stephebbs

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Wednesday, September 27, 2017 10:26:59 AM
To: Ebbs, Stephanie
Cc: Wilcox, Jahan
Subject: RE: Checking back in on secure room

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From: Ebbs, Stephanie [mailto:Stephanie.Ebbs@abc.com]
Sent: Wednesday, September 27, 2017 10:15 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Checking back in on secure room

Hi Liz,

I wanted to check back in on my request yesterday, are you able to send me any statement on the secure room being added to the administrator's office? They are working on a piece for World News Tonight that will include the reports from yesterday so I'd really like to be able to include comment from the EPA

Feel free to give me a call, thanks

Stephanie Ebbs

ABC News-Washington

(desk) 202-222-7300

(cell) Ex. 6 Personal Privacy (PP)

@stephebbs

Message

From: Taylor Gee [tgee@politico.com]
Sent: 8/4/2017 12:09:18 AM
To: Graham, Amy [graham.amy@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: Re: Congratulations from Politico Magazine

Thanks so much! We look forward to receiving the administrator's answers.

Sent from my iPhone

On Aug 3, 2017, at 7:05 PM, Graham, Amy <graham.amy@epa.gov> wrote:

> Hi Taylor - Lincoln will be sending you something by noon tomorrow.
>
> Sent from my iPad
>
> On Aug 3, 2017, at 12:45 PM, Taylor Gee <tgee@politico.com> wrote:
>
>> Hi Amy,
>>
>> I wanted to let you know that we are closing the anonymous section of the survey, but if Administrator Pruitt would like to participate in the attributable section (what is your favorite book this year, etc.), he'll still have that option until noon tomorrow. I've attached that section to this email here, and you can return it to this email address.
>>
>> Thanks!
>> Taylor
>>
>> ---
>>
>> **From:** Graham, Amy [mailto:graham.amy@epa.gov]
>> **Sent:** Tuesday, August 01, 2017 11:24 AM
>> **To:** Taylor Gee
>> **Cc:** Bowman, Liz; Wilcox, Jahan; Ferguson, Lincoln
>> **Subject:** RE: Congratulations from Politico Magazine
>>
>> Hi Taylor – I will check with our team to see where we are at on the responses. Thanks for following up.
>>
>> ---
>>
>> **From:** Taylor Gee [mailto:tgee@politico.com]
>> **Sent:** Tuesday, August 1, 2017 11:21 AM
>> **To:** Graham, Amy <graham.amy@epa.gov>
>> **Cc:** Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
>> **Subject:** RE: Congratulations from Politico Magazine
>>
>> Hi Amy,
>>
>> Thanks again for organizing the photoshoot with Administrator Pruitt. I just glanced at the photos, and I think they look great!
>>
>> I was wondering if your team had the chance to coordinate responses to the survey we sent you? We're past the deadline we had set, but the administrator's participation is

particularly important to us. If you could get us the responses by Thursday, it wouldn't be too late.

As a reminder, the survey is anonymous, except for an attributable section at the end which would accompany the bio we've written, and the survey can be completed through the below link or by sending back the filled-out word document.

https://goo.gl/forms/efS0X2EY84ZIZDZ33

Thanks!
Taylor Gee
Assistant Editor
POLITICO Magazine

From: Bowman, Liz
Sent: Monday, July 10, 2017 5:36 PM
To: Carrie Budoff Brown <carrie@politico.com>
Cc: Taylor Gee <tgee@politico.com>; Janet Michaud <jmichaud@politico.com>; Katie Ellsworth <kellsworth@politico.com>; Graham, Amy <graham.amy@epa.gov>
Subject: RE: Congratulations from Politico Magazine

Thanks, Carrie. Amy Graham, our head of media relations is setting up an interview and photo, and coordinating sending you responses to the questionnaire.

From: Carrie Budoff Brown [mailto:carrie@politico.com]
Sent: Friday, July 7, 2017 3:38 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Taylor Gee <tgee@politico.com>; Janet Michaud <jmichaud@politico.com>; Katie Ellsworth <kellsworth@politico.com>
Subject: Congratulations from Politico Magazine

Dear Mr. Administrator,

Congratulations… I'm writing to tell you that we at POLITICO MAGAZINE have selected you as one of 2017's "POLITICO 50"—our annual list of the key thinkers, doers and visionaries who are reshaping American politics and policy.

This bipartisan list—filled with everyone from lawmakers to activists to writers, and more—recognizes the 50 people across the country who are most influencing the national political debate. It's not a power or fame ranking so much as a tribute to the importance of ideas and the people behind them.

You and the others on our POLITICO 50 list will be featured in our September/October print issue of the magazine, which will be published at the beginning of September. As part of our issue, we invite you to complete a short survey, which we're asking of everyone on the list. You may either fill out the online survey here: https://goo.gl/forms/efS0X2EY84ZIZDZ33, or return the attached Word file by email to my colleague Taylor Gee (tgee@politico.com). We'd appreciate it if you're able to complete the survey by **July 14**. The tallied survey answers will be published in the issue in September.

We would also love to photograph you for the issue in the next few weeks if possible. Our creative director, Janet Michaud, and her team will be in touch soon to try to coordinate a shoot.

For now, we ask that you keep this recognition private until the entire list is unveiled this fall. We're happy to coordinate on publicity with you or your communications team later in the summer. In the meantime, for questions about the survey or anything else about the POLITICO 50, please don't hesitate to contact me or Taylor at 703-647-8542.

Congratulations again.

Sincerely,
Carrie Budoff Brown
Editor, POLITICO

P.S. You can see the previous three POLITICO 50 lists and surveys here:

- 2014 list; 2014 survey
- 2015 list; 2015 survey
- 2016 list; 2016 survey

--

washington, dc
mobile: Ex. 6 Personal Privacy (PP)
portfolio: stephenvoss.com

<ANSWERS FOR ATTRIBUTION.docx>

Message

From: Kevin Bogardus [kbogardus@eenews.net]
Sent: 8/2/2017 7:07:19 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

July 23.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, August 02, 2017 3:04 PM
To: Kevin Bogardus <kbogardus@eenews.net>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

When did you submit that FOIA?

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Wednesday, August 2, 2017 3:03 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

I got the letter, which has already been reported on, as well as the report, which has not, so I'm focusing more on the report.

Let me know if you have any thoughts. Thanks.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, August 02, 2017 3:01 PM
To: Kevin Bogardus <kbogardus@eenews.net>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Hi Kevin – Off the record, I am a little confused about what you are writing on – What did you get through FOIA?

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Wednesday, August 2, 2017 2:57 PM
To: Wilcox, Jahan <wilcox.jahan@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>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Hey guys, one more follow-up. I just got the following documents through FOIA and attached to this email – the letter (already reported on) and the "Allegation" report (new).

I don't have any questions for you and I wanted to give you a heads up about the piece. That said, I'm happy to add any thoughts you have to the piece.

If you wish to comment, please get back to me as soon as possible. My deadline is 4 pm EST today. Thanks for your help.

-Kevin

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To: 'Wilcox, Jahan' <wilcox.jahan@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>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Thanks for letting me know, Jahan. If you do get a copy of the letter, please send it my way – it will just be "obtained by E&E News" for attribution. Thanks again.

-Kevin

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Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

We don't have this but noticed it was on the Examiner's website:
https://www.scribd.com/book/355277408/EPA

Hopefully that helps.

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Subject: FW: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Liz, John, Amy, Lincoln, Jahan, Mike and James,

Hi, it's Kevin Bogardus with E&E News.

Quick question: Can you share a copy of the EPA Scientific Integrity Review Panel letter that is referenced in this story below?

Please get back to me as soon as possible. Thank you for your help.

-Kevin

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, August 01, 2017 4:50 PM
To: Kevin Bogardus <kbogardus@eenews.net>
Subject: WFB: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

The Washington Free Beacon

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge
August 1, 2017
Elizabeth Harrington
http://freebeacon.com/issues/scientific-integrity-committee-clears-pruitt-against-sierra-clubs-climate-denier-charge/

The Sierra Club has failed in its attempt to label Scott Pruitt a violator of the Environmental Protection Agency's Scientific Integrity Policy.

Pruitt is off the hook for expressing an opinion about global warming, as a scientific review panel ruled that it is within EPA policy to call for rigorous debate on the issue, according to a letter obtained by the Washington Free Beacon.

"The freedom to express one's opinion about science is fundamental to EPA's Scientific Integrity Policy even (and especially) when that point of view might be controversial," wrote Dr. Thomas Sinks, the director of the EPA's Office of the Science Advisor.

The Sierra Club filed a complaint to the inspector general against Pruitt in March, alleging Pruitt violated the Scientific Integrity Policy by saying during an interview that there is disagreement among scientists about whether CO2 is the primary driver of global warming.

The inspector general referred the allegation to Dr. Francesca Grifo, the EPA's Scientific Integrity Official, who then passed along the Sierra Club's complaint to the EPA Scientific Integrity Committee.

The committee cleared Pruitt of the charge, and, in fact, defended the EPA administrator for expressing his opinion and encouraging "vigorous debate."

"In his response, the Administrator expressed his opinion regarding contributions to global warming and called for more debate, review, and analysis as a precursor to any future EPA policy decision on the matter," the Scientific Integrity Review Panel said. "This expression of opinion, which was not made in a decisional context, is fully within the protections of EPA's Scientific Integrity Policy and does not violate that Policy. We also note that, in his remarks, the Administrator did not suppress or alter Agency scientific findings."

The EPA panel went further in refuting the Sierra Club's interpretation of the Scientific Integrity Policy. The liberal environmentalist group had branded Pruitt a "climate denier" in its complaint.

"Expressing an opinion about science is not a violation of the EPA Scientific Integrity Policy," the EPA panel said. "Indeed, the Scientific Integrity Policy—in the spirit of promoting vigorous debate and inquiry—specifically encourages employees to express their opinion should the employee disagree with scientific data, scientific interpretations, or scientific conclusions."

The Sierra Club did not immediately respond to a request for comment.

The group's complaint was spurred by an interview Pruitt gave to CNBC, where he was asked, "Do you believe that it's been proven that carbon dioxide is the primary control knob for climate?"

Pruitt responded: "No. I think that measuring with precision human activity on the climate is something very challenging to do and there's tremendous disagreement about the degree of impact. So no, I would not agree that it's a primary contributor to the global warming that we see. But we don't know that yet… We need to continue the debate and continue the review and the analysis."

The letter was signed by Dr. Sinks, and sent to Elena Saxonhouse, a senior attorney for the Sierra Club, and Joanne Spalding, the group's chief climate counsel.

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

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Message

From: Kevin Bogardus [kbogardus@eenews.net]
Sent: 8/2/2017 7:02:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
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Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Thanks for letting me know, Jahan. If you do get a copy of the letter, please send it my way – it will just be "obtained by E&E News" for attribution. Thanks again.

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Please get back to me as soon as possible. Thank you for your help.

-Kevin

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Subject: WFB: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

The Washington Free Beacon

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge
August 1, 2017
Elizabeth Harrington
http://freebeacon.com/issues/scientific-integrity-committee-clears-pruitt-against-sierra-clubs-climate-denier-charge/

The Sierra Club has failed in its attempt to label Scott Pruitt a violator of the Environmental Protection Agency's Scientific Integrity Policy.

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"In his response, the Administrator expressed his opinion regarding contributions to global warming and called for more debate, review, and analysis as a precursor to any future EPA policy decision on the matter," the Scientific Integrity Review Panel said. "This expression of opinion, which was not made in a decisional context, is fully within the protections of EPA's Scientific Integrity Policy and does not violate that Policy. We also note that, in his remarks, the Administrator did not suppress or alter Agency scientific findings."

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"Expressing an opinion about science is not a violation of the EPA Scientific Integrity Policy," the EPA panel said. "Indeed, the Scientific Integrity Policy—in the spirit of promoting vigorous debate and inquiry—specifically encourages employees to express their opinion should the employee disagree with scientific data, scientific interpretations, or scientific conclusions."

The Sierra Club did not immediately respond to a request for comment.

The group's complaint was spurred by an interview Pruitt gave to CNBC, where he was asked, "Do you believe that it's been proven that carbon dioxide is the primary control knob for climate?"

Pruitt responded: "No. I think that measuring with precision human activity on the climate is something very challenging to do and there's tremendous disagreement about the degree of impact. So no, I would not agree that it's a primary contributor to the global warming that we see. But we don't know that yet… We need to continue the debate and continue the review and the analysis."

The letter was signed by Dr. Sinks, and sent to Elena Saxonhouse, a senior attorney for the Sierra Club, and Joanne Spalding, the group's chief climate counsel.

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

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Message

From: Annie Snider [asnider@politico.com]
Sent: 8/15/2017 7:19:53 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Comment on TSCA lawsuits?

Thanks, Liz, I will pass this by my editors.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, August 15, 2017 12:59 PM
To: Annie Snider <asnider@politico.com>
Subject: RE: Comment on TSCA lawsuits?

Sorry, I wish this had come to me…I apologize for not getting you a more substantive response. I told the San Fran paper yesterday that EPA is still reviewing the substance of the challenges, but is prepared to vigorously defend these important rules. And, that we welcome working with all stakeholders in a constructive way, including specific suggestions for approaches we can take and the tools we can use that are consistent with the statute, to ensure that chemicals in commerce are reviewed by EPA for safety. If you want to update your story, I would appreciate it.

From: Annie Snider [mailto:asnider@politico.com]
Sent: Tuesday, August 15, 2017 12:33 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Comment on TSCA lawsuits?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, August 14, 2017 1:34 PM
To: Annie Snider <asnider@politico.com>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: RE: Comment on TSCA lawsuits?

Annie, for attribution to "an EPA spokesperson," please:

We don't comment on pending litigation.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Annie Snider [mailto:asnider@politico.com]
Sent: Monday, August 14, 2017 1:01 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: RE: Comment on TSCA lawsuits?

My deadline is right now. Here's info: https://www.edf.org/health/tsca-case-resources

http://www.ewg.org/release/environmental-groups-sue-trump-administration-over-new-rules-will-make-it-harder-protect

If you want to comment but can't get me something in the next 5 minutes, we can add it into our next item on this in the newsletter.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, August 14, 2017 12:59 PM
To: Annie Snider <asnider@politico.com>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: RE: Comment on TSCA lawsuits?

Good morning Annie,

Sorry, I was out Friday. Did the groups file these lawsuits today? And do you have a copy of the complaints?

Also, what's your deadline and how late will you be updating your story?

From: Annie Snider [mailto:asnider@politico.com]
Sent: Monday, August 14, 2017 12:53 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: Comment on TSCA lawsuits?

Hi all – I'm writing a quick WB on the suits filed by environmental groups over the 2 new TSCA regs. Do you have comment?

Annie Snider
Reporter
POLITICO
asnider@politico.com
703-672-2819 - desk
Ex. 6 Personal Privacy (PP) - cell
@AnnElizabeth18

Message

From: Kevin Bogardus [kbogardus@eenews.net]
Sent: 8/2/2017 6:56:34 PM
To: Wilcox, Jahan [wilcox.jahan@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]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge
Attachments: Allegation #124 Review Panel Report FINAL.pdf; Signed Sierra Club Response.pdf

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Sent: Tuesday, August 01, 2017 5:09 PM
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>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

We don't have this but noticed it was on the Examiner's website:
https://www.scribd.com/book/355277408/EPA

Hopefully that helps.

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Tuesday, August 1, 2017 5:02 PM
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: FW: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Liz, John, Amy, Lincoln, Jahan, Mike and James,

Hi, it's Kevin Bogardus with E&E News.

Quick question: Can you share a copy of the EPA Scientific Integrity Review Panel letter that is referenced in this story below?

Please get back to me as soon as possible. Thank you for your help.

-Kevin

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, August 01, 2017 4:50 PM
To: Kevin Bogardus <kbogardus@eenews.net>
Subject: WFB: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

The Washington Free Beacon

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge
August 1, 2017
Elizabeth Harrington
http://freebeacon.com/issues/scientific-integrity-committee-clears-pruitt-against-sierra-clubs-climate-denier-charge/

The Sierra Club has failed in its attempt to label Scott Pruitt a violator of the Environmental Protection Agency's Scientific Integrity Policy.

Pruitt is off the hook for expressing an opinion about global warming, as a scientific review panel ruled that it is within EPA policy to call for rigorous debate on the issue, according to a letter obtained by the Washington Free Beacon.

"The freedom to express one's opinion about science is fundamental to EPA's Scientific Integrity Policy even (and especially) when that point of view might be controversial," wrote Dr. Thomas Sinks, the director of the EPA's Office of the Science Advisor.

The Sierra Club filed a complaint to the inspector general against Pruitt in March, alleging Pruitt violated the Scientific Integrity Policy by saying during an interview that there is disagreement among scientists about whether CO2 is the primary driver of global warming.

The inspector general referred the allegation to Dr. Francesca Grifo, the EPA's Scientific Integrity Official, who then passed along the Sierra Club's complaint to the EPA Scientific Integrity Committee.

The committee cleared Pruitt of the charge, and, in fact, defended the EPA administrator for expressing his opinion and encouraging "vigorous debate."

"In his response, the Administrator expressed his opinion regarding contributions to global warming and called for more debate, review, and analysis as a precursor to any future EPA policy decision on the matter," the Scientific Integrity Review Panel said. "This expression of opinion, which was not made in a decisional context, is fully within the protections of EPA's Scientific Integrity Policy and does not violate that Policy. We also note that, in his remarks, the Administrator did not suppress or alter Agency scientific findings."

The EPA panel went further in refuting the Sierra Club's interpretation of the Scientific Integrity Policy. The liberal environmentalist group had branded Pruitt a "climate denier" in its complaint.

"Expressing an opinion about science is not a violation of the EPA Scientific Integrity Policy," the EPA panel said. "Indeed, the Scientific Integrity Policy—in the spirit of promoting vigorous debate and inquiry—specifically encourages employees to express their opinion should the employee disagree with scientific data, scientific interpretations, or scientific conclusions."

The Sierra Club did not immediately respond to a request for comment.

The group's complaint was spurred by an interview Pruitt gave to CNBC, where he was asked, "Do you believe that it's been proven that carbon dioxide is the primary control knob for climate?"

Pruitt responded: "No. I think that measuring with precision human activity on the climate is something very challenging to do and there's tremendous disagreement about the degree of impact. So no, I would not agree that it's a primary contributor to the global warming that we see. But we don't know that yet… We need to continue the debate and continue the review and the analysis."

The letter was signed by Dr. Sinks, and sent to Elena Saxonhouse, a senior attorney for the Sierra Club, and Joanne Spalding, the group's chief climate counsel.

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

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Message

From: Kevin Bogardus [kbogardus@eenews.net]
Sent: 8/1/2017 9:11:34 PM
To: Wilcox, Jahan [wilcox.jahan@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]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Thanks for letting me know, Jahan. If you do get a copy of the letter, please send it my way – it will just be "obtained by E&E News" for attribution. Thanks again.

-Kevin

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, August 01, 2017 5:09 PM
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>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
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Subject: WFB: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

The Washington Free Beacon

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge
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Elizabeth Harrington
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"In his response, the Administrator expressed his opinion regarding contributions to global warming and called for more debate, review, and analysis as a precursor to any

future EPA policy decision on the matter," the Scientific Integrity Review Panel said. "This expression of opinion, which was not made in a decisional context, is fully within the protections of EPA's Scientific Integrity Policy and does not violate that Policy. We also note that, in his remarks, the Administrator did not suppress or alter Agency scientific findings."

The EPA panel went further in refuting the Sierra Club's interpretation of the Scientific Integrity Policy. The liberal environmentalist group had branded Pruitt a "climate denier" in its complaint.

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The Sierra Club did not immediately respond to a request for comment.

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The letter was signed by Dr. Sinks, and sent to Elena Saxonhouse, a senior attorney for the Sierra Club, and Joanne Spalding, the group's chief climate counsel.

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

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Message

From: Robin Bravender [rbravender@eenews.net]
Sent: 9/8/2017 11:44:03 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Schwab, Justin [Schwab.Justin@epa.gov]
Subject: Re: Story about Clean Power Plan

Thank you! Have a great weekend.

Robin Bravender
E&E News Reporter
Desk: 202-446-0410
Mobile: Ex. 6 Personal Privacy (PP)

On Sep 8, 2017, at 7:08 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Robin – As discussed on the phone, a statement is below. Thanks and have a good weekend – Liz
>
> For attribution: Justin is a member of a team of career and political staff, across multiple agencies who have been working on the review of the Clean Power Plan. It's important to distinguish the regulation, which is a nation-wide rule and matter of general applicability, from any particular law suit. Each of our staff has had an ethics briefing and is committed to serving in a fair and professional way.
>
> For background: With regard to your second comment, I am not sure what you mean, I think my comment above addresses that. I also want to point you back to the article that Kevin wrote a few months ago, where our ethics counsel described Justin as being assiduous with regard to his financial disclosure obligations. I assure you that he is also assiduous about all his recusals and ethical obligations.
>
> https://www.eenews.net/greenwire/stories/1060054206
>
> ---
>
> **From:** Robin Bravender [mailto:rbravender@eenews.net]
> **Sent:** Friday, September 8, 2017 3:21 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Schwab, Justin <Schwab.Justin@epa.gov>
> **Subject:** RE: Story about Clean Power Plan
>
> Hello again,
>
> Just to follow up, here are the characterizations I have heard (and this is why I'm interested in writing about Justin). I'd be happy to hear feedback on this:
>
> From an administration official: Justin Schwab is the chief legal figure on the Clean Power Plan at EPA.
>
> From an industry attorney involved with the Clean Power Plan litigation: Justin Schwab is a central figure in the Clean Power Plan repeal, and is thought to have been the primary drafter of the Clean Power Plan notice that went over to OMB.

From: Robin Bravender
Sent: Friday, September 08, 2017 1:07 PM
To: 'Bowman, Liz' <Bowman.Liz@epa.gov>; 'Schwab.justin@Epa.gov' <Schwab.justin@Epa.gov>
Subject: Story about Clean Power Plan

Hi Liz and Justin,

I'm working on a story for Monday about Justin playing a lead role in the Clean Power Plan review at EPA. The story will just be a look at him and his background and the status of the Clean Power Plan overhaul.

I'd love to chat with him on background or off the record for just a few minutes today, if that's possible. I'm told that he's playing a lead role in the Clean Power Plan work over there, so I'd like to just introduce our readers to him.

I'd also be happy to talk over the weekend, but I realize that's probably not ideal. My deadline is Sunday at 5 p.m. (the story will publish Monday morning).

Thank you!

Robin Bravender
Climatewire deputy editor, E&E News
rbravender@eenews.net
202-446-0410 (desk)
Ex. 6 Personal Privacy (PP) (mobile)
@rbravender

E&E NEWS
122 C Street NW 7th Floor Washington, DC 20001
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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM, E&ETV

To: Bowman, Liz[Bowman.Liz@epa.gov]
Cc: Abboud, Michael[abboud.michael@epa.gov]
From: Michael Bastasch[mike@dailycallernewsfoundation.org]
Sent: Thur 7/27/2017 8:39:26 PM (UTC)
Subject: Re: Schnare Piece -- EPA Response

Hmm. Ok thanks!

On Thu, Jul 27, 2017 at 4:37 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Off the record, i don't know; our folks told us that they aren't commenting on stuff in interagency review so we don't know details

Sent from my iPhone

On Jul 27, 2017, at 3:59 PM, Michael Bastasch <mike@dailycallernewsfoundation.org> wrote:

Your guess is as good as mine. Thanks so much for getting back to me.
Also, did you see the report in Politico ME about you guys considering section 112? Is that true or is someone leaking bad information?

On Thu, Jul 27, 2017 at 3:54 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

So, off the record: It's really hard for me to speak to b/c I never met him and if we overlapped, I didn't know b/c I never saw him at meetings or interacted with him, and I think he is upset about not landing the role he envisioned for himself. It's suspect that he is randomly bringing this up, months after departure … I really don't see what he gets out of it, other than his name in the press?

From: Michael Bastasch [mailto:mike@dailycallernewsfoundation.org]
Sent: Thursday, July 27, 2017 3:15 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Schnare Piece -- EPA Response

Thanks. I've just been wondering about this whole thing. Does anyone know why he went off the edge? He never says what the "unethical" or "illegal" thing is.

On Thu, Jul 27, 2017 at 3:14 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

As a follow-up, I saw that Schnare told E&E that Don Benton offered him a top spot – on background (not for attribution): Benton had little responsibility during his time here, none of which included the authority to make job offers.

From: Michael Bastasch [mailto:mike@dailycallernewsfoundation.org]

Sent: Thursday, July 27, 2017 2:13 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Schnare Piece -- EPA Response

Thanks, Liz.

On Thu, Jul 27, 2017 at 2:11 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Mike – I want to provide you with a statement on the Schnare piece and some additional background information you can work into the article. Thanks – Liz

Mr. Schnare's claims are false. From my understanding, he was at EPA for about a month following Pruitt's confirmation. He was never being considered for a top spot. His claims are wildly untrue and his references to things like "professional ethics" and "sensitive issues" and "actions taken outside the law" without any specificity, tends to point to a lack of veracity in his claims. All Schnare saw while he was here was Administrator Pruitt's first two weeks of nearly exclusive meetings with career senior staff at all the program offices, and regular or at least weekly, meetings with career and political staff on a variety of issues.

Additional background:

Schnare wanted to lead the evaluation of climate science so his criticism of that ,among his other criticisms, is simply that of a disgruntled former employee disappointed that he could not contribute. His claims that the President asked him to do this job demonstrates a dramatic flair which offers some insight into how he operated during his short time at EPA.

Thanks,

Liz Bowman

U.S. Environmental Protection Agency (EPA)

Office: 202-564-3293

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Michael Bastasch

Daily Caller News Foundation

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Michael Bastasch

Daily Caller News Foundation

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Michael Bastasch
Daily Caller News Foundation

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Michael Bastasch
Daily Caller News Foundation

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 7/10/2017 3:35:08 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Budget statement

Liz - Is this still the budget statement that we should be using? Wasn't sure if there was something more updated since the hearings?

Ex. 5 Deliberative Process (DP)

From: Daguillard, Robert
Sent: Monday, July 10, 2017 11:33 AM
To: Autumn Spanne <Ex. 6 Personal Privacy (PP)>
Cc: Press <Press@epa.gov>
Subject: RE: Press query: Navajo uranium remediation and FY18 budget impacts

Dear Autumn, for attribution to "an EPA spokesperson," please.

The budget blueprint reflects the President's priorities of preserving clean air and water as well as to ease the burden of costly regulations to industry. Administrator Pruitt is committed to leading the EPA in a more effective, more focused, less costly way as we partner with states to fulfill the agency's core mission.

Thanks, R.

From: Autumn Spanne [mailto:Ex. 6 Personal Privacy (PP)
Sent: Friday, July 07, 2017 2:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Press query: Navajo uranium remediation and FY18 budget impacts

Thanks, Robert.

On Fri, Jul 7, 2017 at 2:22 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Got it. Let me check.

From: Autumn Spanne [mailto:Ex. 6 Personal Privacy (PP)
Sent: Friday, July 07, 2017 2:21 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Press query: Navajo uranium remediation and FY18 budget impacts

Hi Robert,

Thanks for getting back to me. I guess I'd put the question back to you: when do you think it's feasible to get answers to the questions? I need to file the story with my editor Monday, but if I know something is coming soon thereafter, I might be able to beg a bit more time. Let me know what you think - and thanks!

Best,

Autumn

On Fri, Jul 7, 2017 at 2:03 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon (morning to you) Autumn,

Thanks for your questions. Is Monday your hard deadline? When are you planning to publish your story?

Regards, R.

From: Autumn Spanne [mailto: **Ex. 6 Personal Privacy (PP)**
Sent: Friday, July 07, 2017 10:45 AM
To: Press <Press@epa.gov>
Subject: Fwd: Press query: Navajo uranium remediation and FY18 budget impacts

Good morning,

I sent the below message to Tricia Lynn, but was re-directed to this address. Thanks for helping connect me with the appropriate people to answer the below questions:

I'm a journalist working on a story for the Center for Investigative Reporting about the uranium remediation program on the Navajo Nation, and how it would be affected by the proposed cuts to EPA's budgets and possible changes to the Superfund program and possibly other EPA programs.

This year, I've spent time visiting and interviewing Navajo residents who have lived directly next to open air waste sites and abandoned mines for years without a remedy for radiation and the toxic chemicals/heavy metals that contaminate their air and water. They now express concern and confusion over the FY2018 EPA budget cuts and its potential implications for continued progress on uranium waste remediation.

Can you direct me to the person or persons most appropriate to respond to the (below) questions? Most pertain to the FY18 budget but also relate to specific programs - some of which are your areas, some of which aren't, so I'm not sure how best to direct them.

My deadline is end of Monday. Thanks very much!

Best wishes,

Autumn Spanne

Independent Journalist/Ted Scripps Fellow

Center for Environmental Journalism

University of Colorado, Boulder

Cell: Ex. 6 Personal Privacy (PP)

Skype: autumnspanne

Twitter: autumnspanne

autumnspanne.com

Ex. 6 Personal Privacy (PP)

QUESTIONS:

-Given the enormous scope and cost of the uranium cleanup on Navajo Nation, and given Administrator Pruitt's intention to more directly oversee the most expensive, complex Superfund sites, are there changes planned either in resource levels (funding, staffing, etc.) or management of these sites on Navajo Nation? Please be as specific as possible in detailing any recent or planned changes.

-If Superfund cleanup processes are to be sped up and streamlined, as Administrator Pruitt has stated recently, how will US EPA ensure, in the particularly complex case of Navajo Nation uranium waste, that the remedies are sufficient to protect human health amid 30% cuts to the program's overall budget?

- With the significant cuts specifically to the Superfund enforcement budget, how can EPA ensure continued vigorous pursuit of responsible parties? How can EPA ensure that cleanup will be thorough with diminished funding, and avoid resorting to more cosmetic/superficial changes that fail to permanently and completely remove contamination?

- How would EPA grants funding tribal environmental protection offices and staff be affected by the proposed cuts, and how would US EPA ensure that this did not impede progress on uranium remediation projects, or opportunities for community participation/input?

- The following two questions pertain specifically to the linked news:

https://insideepa.com/daily-news/epa-proposal-cut-radiation-program-may-affect-cleanups-standards

Would the elimination of the radiation protection program in the EPA's air office impact uranium cleanup sites on Navajo Nation? If so, how will EPA ensure that the health of Navajo residents living in close proximity to waste sites with significantly elevated radiation levels is not additionally compromised by the elimination of this program?

- Finally, will the policy enacted last year directing EPA to consider Traditional Ecological Knowledge in various programs conducting cleanup in coordination with tribes be preserved, or is this also vulnerable to budget cuts and streamlining strategies?

--

Autumn Spanne

Independent Journalist

Scripps Fellow in Environmental Journalism

University of Colorado, Boulder

autumnspanne.com

Ex. 6 Personal Privacy (PP)

Cell Ex. 6 Personal Privacy (PP)

Skype: autumnspanne

Twitter: autumnspanne

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Skype: autumnspanne

Twitter: autumnspanne

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 6/26/2017 2:23:21 AM
To: Morris, Madeline [morris.madeline@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: Fwd: FOX NEWS SUPERFUND INTERVIEW

Hi Madeline - We have been working on with FoxNews.com to set up an interview on the Administrator's Superfund initiative. The reporter would like to come to D.C. early this week for an on-camera interview. Can you please share some potential days/times when we can set something up? We would need about a 30 minute window.

Thank you,
Amy

Begin forwarded message:

> **From:** "Graham, Amy" <graham.amy@epa.gov>
> **Date:** June 23, 2017 at 4:59:31 PM EDT
> **To:** "Liz Bowman (Bowman.Liz@epa.gov)" <Bowman.Liz@epa.gov>, "Jahan Wilcox (wilcox.jahan@epa.gov)" <wilcox.jahan@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Kelly, Albert" <kelly.albert@epa.gov>, "Ferguson, Lincoln" <ferguson.lincoln@epa.gov>
> **Subject: FOX NEWS SUPERFUND INTERVIEW**
>
> Team + Kell – Circling back on this. Andrew O'Reilly would like to travel to DC (from New York) to do an on-camera interview with the Administrator for FoxNews.com early next week. This could be done from the Fox DC studio or at our EPA office. They are unable to do an interview in NY on Friday.
>
> The interview will focus on the Administrator's Superfund initiative. He has assured me that while he will ask all the questions - including the tougher ones like funding and concerns of cutting corners in the cleanup process – this is not a hit piece and there won't be any gotchas.

Ex. 5 Deliberative Process (DP)

> He also asked for a list of Superfund sites near New York City that are good examples of where improved leadership could lead to quicker results, and I am working with the program to track this down.
>
> ---
>
> **From:** Graham, Amy
> **Sent:** Thursday, June 22, 2017 3:38 PM
> **To:** Liz Bowman (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>
> **Subject:** FW: Superfund Sites
>
> FoxNews is very eager to do a story on our Superfund efforts. I've been working with Andrew to provide background on what we're doing. He's looking to get an interview on the books – either in DC or New York – next week. Can we get this on the Administrator's calendar? I can ask them to come here to us.
>
> ---
>
> **From:** O'Reilly, Andrew [mailto:Andrew.Oreilly@FOXNEWS.COM]
> **Sent:** Wednesday, June 21, 2017 11:06 AM

To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Superfund Sites

Hey Amy,
If the Administrator is in NY any time soon we could do it up here, but if DC is better than we could do it at our studio there (or even at EPA headquarters if I can get a videographer to tag along with me). Let me know what works best and what dates/times look good. A couple of options are always better so we can make sure to have a studio and /or shooter ready for the interview.

-Andrew

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Wednesday, June 21, 2017 11:03 AM
To: O'Reilly, Andrew
Subject: RE: Superfund Sites

Hey Andrew – What are you thinking for the interview? Would the Administrator need to be in New York?

I also know you've reached out to our regional office, but it's best to direct any questions you have to me.

Thanks!

From: O'Reilly, Andrew [mailto:Andrew.Oreilly@FOXNEWS.COM]
Sent: Wednesday, June 21, 2017 10:47 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Superfund Sites

Hey Amy,
Just checking to see if any progress has been made in securing the Administrator for an interview? I just spoke with our video team and we're looking to go big with this piece. Hope your day is going well.

-Andrew

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, June 20, 2017 11:40 AM
To: O'Reilly, Andrew
Subject: RE: Superfund Sites

Andrew – Per our conversation, I am sending along additional background information. Let me know if you need an on the record comment from me and I'm happy to get you something. Also working to see if we can set up an interview with the Administrator. Thanks.

On Background (not for attribution):

EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use.

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cost $50 million or more with the Administrator, and instructing EPA Regions to work more closely with the Administrator's Office throughout the remedy development process.

One of Administrator Pruitt's first trips was to visit the East Chicago Superfund site, because he wanted to see and hear first-hand from the people who are counting on EPA's help. He was the first EPA Administrator to visit East Chicago.

There are currently 1,336 sites on the National Priority List of Superfund sites that are located across the country. It's very clear this was not a top-priority, or priority in general, from the previous administration because of the little progress made in eight years.

With regard to the Budget:
The proposed budget for EPA is a 31 percent cut, the proposed cut to the Superfund program is 30 percent; or a $330 million reduction. As the Administrator has said many times, money is not the issue with this program. We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups. It is also worth noting that we believe there is significant amount of money being wasted in administrative costs in this program (ranging from 28 to 55 percent depending on the region, for prior years, for indirect costs that are loaded as a percentage of direct clean-up costs, such as: administrative matters, personnel matters, guidance development, office utility and supply costs), and we are in the process of trying to identify and reduce these inefficiencies through our Task Force. Of course, some of the oversight costs are probably necessary, but we also know there is a lot of inefficiencies and waste – so that is what we are trying to identify and flush out.

The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false. Applicable regulations require us to select remedies that will be protective to human health and the environment based on the anticipated future use of the site and other criteria. That isn't changing as a part of this initiative. Unlike the previous administration that failed to prioritize the Superfund program, Administrator Pruitt is providing real leadership that will lead to better results at Superfund sites across the country.

Specific examples:
USS Lead Superfund Site - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. He has pledged improved coordination, communication and cleanup of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and today EPA announced the creation of a community involvement coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

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The Anaconda Copper Mine – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

Here is a link to additional information on how Superfund settlements are negotiated with potentially responsible parties (PRPs): https://www.epa.gov/enforcement/negotiating-superfund-settlements

---

From: O'Reilly, Andrew [mailto:Andrew.Oreilly@FOXNEWS.COM]
Sent: Tuesday, June 20, 2017 9:31 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Superfund Sites

Hey Amy,
My office number is 212-901-4712. Look forward to hearing from you.

-Andrew

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, June 20, 2017 9:30 AM
To: O'Reilly, Andrew
Subject: RE: Superfund Sites

Hi Andrew – Absolutely. What's the best number to call you at around 10:30?

From: O'Reilly, Andrew [mailto:Andrew.Oreilly@FOXNEWS.COM]
Sent: Tuesday, June 20, 2017 9:16 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: Superfund Sites

Hi Amy,
I'm a reporter with Fox News and am working on a story about Administrator Pruitt's push to speed up Superfund clean-ups and what this would entail. I was hoping you had a a couple of minutes today for a phone call to discuss this. Look forward to hearing back from you.

-Andrew

Andrew O'Reilly
Reporter
FoxNews.com

1211 Avenue of the Americas
New York, NY 10036
O: 212.901.4712
M: Ex. 6 Personal Privacy (PP)
E: Andrew.OReilly@Foxnews.com
@aoreilly

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Message

From: Kelly, Albert [kelly.albert@epa.gov]
Sent: 6/23/2017 9:45:59 PM
To: Graham, Amy [graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Konkus, John [konkus.john@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: FOX NEWS SUPERFUND INTERVIEW

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Albert Kelly
Senior Advisor to the Administrator
1200 Pennsylvania Avenue, NW
Washington, DC 20460
202 306 8830

From: Graham, Amy
Sent: Friday, June 23, 2017 5:23 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: FOX NEWS SUPERFUND INTERVIEW

Depends on when we do the interview, but they're hoping to put the package together next week for FoxNews.com.

From: Bowman, Liz
Sent: Friday, June 23, 2017 5:21 PM
To: Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: FOX NEWS SUPERFUND INTERVIEW

When would it air?

From: Graham, Amy
Sent: Friday, June 23, 2017 5:00 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Kelly, Albert <kelly.albert@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: FOX NEWS SUPERFUND INTERVIEW

Team + Kell – Circling back on this. Andrew O'Reilly would like to travel to DC (from New York) to do an on-camera interview with the Administrator for FoxNews.com early next week. This could be done from the Fox DC studio or at our EPA office. They are unable to do an interview in NY on Friday.

The interview will focus on the Administrator's Superfund initiative. He has assured me that while he will ask all the questions - including the tougher ones like funding and concerns of cutting corners in the cleanup process – this is not a hit piece and there won't be any gotchas.

Ex. 5 Deliberative Process (DP)

He also asked for a list of Superfund sites near New York City that are good examples of where improved leadership could lead to quicker results, and I am working with the program to track this down.

From: Graham, Amy
Sent: Thursday, June 22, 2017 3:38 PM
To: Liz Bowman (Bowman.Liz@epa.gov) <Bowman.Liz@epa.gov>; Jahan Wilcox (wilcox.jahan@epa.gov) <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: FW: Superfund Sites

FoxNews is very eager to do a story on our Superfund efforts. I've been working with Andrew to provide background on what we're doing. He's looking to get an interview on the books – either in DC or New York – next week. Can we get this on the Administrator's calendar? I can ask them to come here to us.

From: O'Reilly, Andrew [mailto:Andrew.Oreilly@FOXNEWS.COM]
Sent: Wednesday, June 21, 2017 11:06 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Superfund Sites

Hey Amy,
If the Administrator is in NY any time soon we could do it up here, but if DC is better than we could do it at our studio there (or even at EPA headquarters if I can get a videographer to tag along with me). Let me know what works best and what dates/times look good. A couple of options are always better so we can make sure to have a studio and /or shooter ready for the interview.

-Andrew

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Wednesday, June 21, 2017 11:03 AM
To: O'Reilly, Andrew
Subject: RE: Superfund Sites

Hey Andrew – What are you thinking for the interview? Would the Administrator need to be in New York?

I also know you've reached out to our regional office, but it's best to direct any questions you have to me.

Thanks!

From: O'Reilly, Andrew [mailto:Andrew.Oreilly@FOXNEWS.COM]
Sent: Wednesday, June 21, 2017 10:47 AM

To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Superfund Sites

Hey Amy,
Just checking to see if any progress has been made in securing the Administrator for an interview? I just spoke with our video team and we're looking to go big with this piece. Hope your day is going well.

-Andrew

From: Graham, Amy [mailto:graham.amy@epa.gov]
Sent: Tuesday, June 20, 2017 11:40 AM
To: O'Reilly, Andrew
Subject: RE: Superfund Sites

Andrew – Per our conversation, I am sending along additional background information. Let me know if you need an on the record comment from me and I'm happy to get you something. Also working to see if we can set up an interview with the Administrator. Thanks.

On Background (not for attribution):

EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use.

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Specific examples:
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Hey Amy,
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From: Graham, Amy [mailto:graham.amy@epa.gov]
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Message

From: Davenport, Coral [coral.davenport@nytimes.com]
Sent: 6/23/2017 3:41:52 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Pruitt's speech to Harvard club on Paris

OK, thank you! Intvu Monday would be perfect.

On Fri, Jun 23, 2017 at 11:35 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Yes, any quotes would need to be from an interview specifically about this article. Let me see if we can schedule something for Monday with the Administrator. I will get back to you shortly. I also am going to send you some names of career staffers you can talk to today about the collaborative effort of the political and staff...to start, I have included the contact information for Wendy, who is the acting head of our chemicals and pesticides office, who worked very closely with Dr. Beck on the TSCA rules that came out yesterday. I am running to a meeting, but will send you more names...

Wendy Cleland-Hamnett

Acting Assistant Administrator

Principal Deputy Assistant Administrator Office of Chemical Safety & Pollution Prevention U.S.

202-564-3810

Cleland-hamnett@epa.gov

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Friday, June 23, 2017 11:19 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

Ok -- even the Mayor one? You'd mentioned when we spoke by phone last week that that one -- the only one I'm asking to use -- shld be fine.

We'd like to run the story this weekend, but if he cld speak on Monday, we can prob push til next week.

On Fri, Jun 23, 2017 at 11:13 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

What's your deadline? Because this is a big piece and it is Friday afternoon, and we are testifying in the Senate on Tuesday. We want to work with you, but trying to figure out logistics.

Since that conversation you all had was off the record and a general get-to-know-you, any quotes from him for this article or other ones, will need to be from an interview on the record.

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Friday, June 23, 2017 11:04 AM

To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

Got it. Cld he speak by phone today?

The only quote I'd want to use from the earlier intvu is this one, where I asked him about staff employee complaints of low morale and not being included in major decisions.

"I spent the first couple of weeks running for Mayor here. But ultimately, these are my decisions."

Meanwhile, cld he address these qs?

Career employees in several policy shops say they have not been consulted on policy decisions they work on, such as revising the CPP and WOTUS, reconsidering CAFE, and the decision to reverse the ban on chlorpyrifos. Instead, they say a lot of this decision-making appears left to politically appointed staff and outsourced to lobbyists or state AGs. Is this a fair concern? What's your response?

How much are you consulting with the Republican AGs? How much weight does their counsel play in shaping regulatory rollbacks, particularly legal language and strategy?

The EPA's own staff scientists recommended against reversing the chlorpyrifos ban, saying that the chemical causes developmental damage in children, and EPA's own notice to stay the methane rule also noted that delaying the rule could dispropotionately harm children. Critics say these decisions undermine the EPA's own mission to protect public health. What's your response?

The President has tasked Admin. Pruitt with crafting the legal pathway to extracting the US from the Paris Agreement -- a task that would typically go to the State Department's international law efforts. It's not really within the purview E.P.A.'s portfolio or Pruitt's background or expertise. How is this work getting done? Who is he consulting with?

Could you send a list, even if partial, of environmental groups that the administrator has met with as he does outreach on crafting his regulatory policy agenda?

Thanks so much,

Coral

On Thu, Jun 22, 2017 at 9:45 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Okay...as a friendly reminder all the stuff discussed with the Administrator when you came in was off the record. If you want to use on the record quotes for him for this particular article, we will need to try to find a time for you to talk with him again. He was okay with you using stuff on California because that was the same day, but that was weeks ago, and so it would only make sense to do a interview for a new story so that he understands the context

Sent from my iPhone

On Jun 22, 2017, at 8:35 PM, Coral Davenport <coral.davenport@nytimes.com> wrote:

Yes - wld ideally need to be tomoro before noon!

Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

1627 I St. NW, Suite 700

Washington, DC 20006

coral.davenport@nytimes.com

O 202-862-0359

C Ex. 6 Personal Privacy (PP)

Twitter @CoralMDavenport

On Jun 22, 2017, at 8:33 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Would you be willing to talk to career staff who would say they have had a positive reaction? I can send you some names of people to reach out to.

Sent from my iPhone

On Jun 22, 2017, at 8:06 PM, Davenport, Coral <coral.davenport@nytimes.com> wrote:

Yes, definitely more than one...

On Thu, Jun 22, 2017 at 7:57 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Define "loot";)? Like more than one?

Sent from my iPhone

On Jun 22, 2017, at 7:33 PM, Davenport, Coral <coral.davenport@nytimes.com> wrote:

Thanks! Can you send/say something about the happy employees for this story? I can tell you that I 've talked to a loooot of unhappy ones.

I'm not completely sure how the ProPublica/NYT relationship works myself. I've never been a part of those projects and don't think I know anyone who has. But let me find out who would know and see if they can explain.

On Thu, Jun 22, 2017 at 7:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Okay sounds good—please note that we also have a lot of HAPPY career staff; who are ready to get to work. For some background (not for attribution): I am actually working on a piece with our "senior advisor to the administrator for regional and state affairs" –

a position that did not exist under the previous administration – that outlines the positive reception he has received as he travels from region-to-region. As part of that piece, we will explain that it is our understanding that no politically-appointed staffer has visited all the regions in a year, and by mid-July he will have visited each Regional office. In his first 60 days, he made 10 visits to regional offices, 14 visits by next week.

As a follow-up to those visits, he receives many thank you notes from EPA employees for the positive message that he brings. In these meetings he discusses the Administrator's vision for the Agency. He has asked the staff if they have ever been asked to weaken their regulatory work or change their enforcement since the Administrator has been in office, and he said the answer is a "resounding no." For example, there is a Superfund manager in one of the regional offices who has been working at EPA for over 45 years and could easily retire now and walk away – but he remains to stay because he loves his job.

I understand there are reports of "low morale" – but it's also worth noting that there are a lot of dedicated staff who want to work with us; to provide clean air, land, and clean water to their local communities.

On an unrelated note, can you explain the relationship between ProPublica and NYT?

Thanks – Liz

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Thursday, June 22, 2017 6:57 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

Hope he feels better!

I'm wrapping up my story looking at the big picture of his tenure so far -- number of regs rolled back, high-profile influential role with the president, back-to-basics agenda, unhappy career staff, influence of his old OK/AG network.

Putting together a few quotes that I'd like to use from our intvu that I'd like to run by you, plus a list of qs raised by the reporting -- will prob send these over early tomorrow.

On Tue, Jun 20, 2017 at 8:45 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> He isn't going anymore. He is really sick and cancelled meetings today and doesn't think he will be better tomorrow.
>
> Sent from my iPhone
>
> On Jun 20, 2017, at 2:39 PM, Davenport, Coral <coral.davenport@nytimes.com> wrote:

Got it, tks. Will there be a webcast, transcript or recording?

On Tue, Jun 20, 2017 at 2:28 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Coral – He is speaking to the Manhattan Institute, at the Harvard Club. He doesn't have prepared remarks, but will be talking about the U.S. progress reducing six criteria pollutants under the NAAQs program; how we are committed to real environmental results; and, how he is restoring a rule of law and cooperative federalism.

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Tuesday, June 20, 2017 1:43 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Pruitt's speech to Harvard club on Paris

cld you send over remarks as prepared on embargo?

tks!

--

Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

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Washington, DC 20006

coral.davenport@nytimes.com

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Message

From: Wagner, Kenneth [wagner.kenneth@epa.gov]
Sent: 6/23/2017 2:29:31 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Pruitt's speech to Harvard club on Paris

I hardly think The NY Times has their finger on the pulse of our regional employees...

I have some thoughts to share on how to Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

Talk to you tomorrow

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 Personal Privacy (PP) **cell**
wagner.kenneth@epa.gov

On Jun 22, 2017, at 6:57 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Let me know what you think on including a quote or if you would be willing to get on the phone w her ...

Sent from my iPhone

Begin forwarded message:

From: "Davenport, Coral" <coral.davenport@nytimes.com>
Date: June 22, 2017 at 7:32:13 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
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> Okay sounds good—please note that we also have a lot of HAPPY career staff; who are ready to get to work. For some background (not for attribution): I am

actually working on a piece with our "senior advisor to the administrator for regional and state affairs" – a position that did not exist under the previous administration – that outlines the positive reception he has received as he travels from region-to-region. As part of that piece, we will explain that it is our understanding that no politically-appointed staffer has visited all the regions in a year, and by mid-July he will have visited each Regional office. In his first 60 days, he made 10 visits to regional offices, 14 visits by next week.

As a follow-up to those visits, he receives many thank you notes from EPA employees for the positive message that he brings. In these meetings he discusses the Administrator's vision for the Agency. He has asked the staff if they have ever been asked to weaken their regulatory work or change their enforcement since the Administrator has been in office, and he said the answer is a "resounding no." For example, there is a Superfund manager in one of the regional offices who has been working at EPA for over 45 years and could easily retire now and walk away – but he remains to stay because he loves his job.

I understand there are reports of "low morale" – but it's also worth noting that there are a lot of dedicated staff who want to work with us; to provide clean air, land, and clean water to their local communities.

On an unrelated note, can you explain the relationship between ProPublica and NYT?

Thanks – Liz

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Thursday, June 22, 2017 6:57 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

Hope he feels better!

I'm wrapping up my story looking at the big picture of his tenure so far -- number of regs rolled back, high-profile influential role with the president, back-to-basics agenda, unhappy career staff, influence of his old OK/AG network.

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Sent from my iPhone

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Got it, tks. Will there be a webcast, transcript or recording?

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Hi Coral – He is speaking to the Manhattan Institute, at the Harvard Club. He doesn't have prepared remarks, but will be talking about the U.S. progress reducing six criteria pollutants under the NAAQs program; how we are committed to real environmental results; and, how he is restoring a rule of law and cooperative federalism.

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Tuesday, June 20, 2017 1:43 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Bowman, Liz

<Bowman.Liz@epa.gov>
Subject: Pruitt's speech to Harvard club on Paris

cld you send over remarks as prepared on embargo?

tks!

--

Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

1627 I St. NW, Suite 700

Washington, DC 20006

coral.davenport@nytimes.com

O 202-862-0359

C Ex. 6 Personal Privacy (PP)

Twitter @CoralMDavenport

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Message

From: Wagner, Kenneth [wagner.kenneth@epa.gov]
Sent: 6/23/2017 12:02:44 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Pruitt's speech to Harvard club on Paris

I would do what you think is best...taking off now, but we can talk tomorrow

Kenneth E. Wagner
Senior Advisor to the Administrator
For Regional and State Affairs
U S Environmental Protection Agency
202-564-1988 office
Ex. 6 Personal Privacy (PP) **cell**
wagner.kenneth@epa.gov

On Jun 22, 2017, at 7:57 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Let me know what you think on including a quote or if you would be willing to get on the phone w her ...

Sent from my iPhone

Begin forwarded message:

From: "Davenport, Coral" <coral.davenport@nytimes.com>
Date: June 22, 2017 at 7:32:13 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

Thanks! Can you send/say something about the happy employees for this story? I can tell you that I 've talked to a loooot of unhappy ones.

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Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 6/20/2017 3:39:11 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Superfund Background

Flexible – but we should do it soon. I actually thought maybe we could **Ex. 5 Deliberative Process (DP)**

From: Bowman, Liz
Sent: Tuesday, June 20, 2017 11:35 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Superfund Background

That sounds good – lets go ahead and send him this and then talk with the new scheduler about getting a time on his calendar for like Thursday, before he goes to Tulsa…when is their deadline?

From: Graham, Amy
Sent: Tuesday, June 20, 2017 11:34 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Superfund Background

This is just for background first and then I told him to let us know what he needs on the record after he reviews it. He would like an interview with SP.

From: Bowman, Liz
Sent: Tuesday, June 20, 2017 11:33 AM
To: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Superfund Background

This is great, but I think you should include a quote up top from you that they can use on the record.

From: Graham, Amy
Sent: Tuesday, June 20, 2017 11:32 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Superfund Background

Hey – I am going to send some of this information that you compiled for WaPo to Fox News. Let me know if you have any issue with the following info:

On Background (not for attribution):

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

With regard to the Budget:

Ex. 5 Deliberative Process (DP)

The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Specific examples:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 6/8/2017 5:04:30 PM
To: Lyons, Troy [lyons.troy@epa.gov]
CC: Palich, Christian [palich.christian@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Bowman, Liz [Bowman.Liz@epa.gov]; Konkus, John [konkus.john@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: Re: DRAFT: Response Statement/Pitch to Carper

Yes. Thank you!

Sent from my iPhone

On Jun 8, 2017, at 1:02 PM, Lyons, Troy <lyons.troy@epa.gov> wrote:

May want to add that Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jun 8, 2017, at 12:21 PM, Palich, Christian <palich.christian@epa.gov> wrote:

Looks fantastic to me, and the background info is great.

Christian R. Palich
Deputy Associate Administrator
Office of Congressional & Intergovernmental Relations
U.S Environmental Protection Agency
O: 202.564.4944
C: Ex. 6 Personal Privacy (PP)
E: Palich.Christian@epa.gov

From: Graham, Amy
Sent: Thursday, June 8, 2017 12:15 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: DRAFT: Response Statement/Pitch to Carper

I like the pitch. Slight tweak to the statement for attribution.

Ex. 5 Deliberative Process (DP)

From: Wilcox, Jahan
Sent: Thursday, June 8, 2017 11:52 AM
To: Lyons, Troy <lyons.troy@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Palich, Christian <palich.christian@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Konkus, John <konkus.john@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: DRAFT: Response Statement/Pitch to Carper

Below is a very, very rough draft in terms of possible pitch, pushback and statement.

Ex. 5 Deliberative Process (DP)

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Message

From: Dennis, Brady [Brady.Dennis@washpost.com]
Sent: 6/19/2017 1:35:04 AM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Superfunds

Pizza and nachos. That's a solid Father's Day special...

Brady Dennis
The Washington Post
202-334-7745
brady.dennis@washpost.com
@brady_dennis

On Jun 18, 2017, at 8:58 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Thanks for sending the link. You obviously did a lot of work on this piece and I appreciate that it comes across fair. You are giving a voice to the families living in this area, which is much needed.
>
> Matt got to sleep in and eat pizza and nachos, all a luxury at our house. Happy Father's Day to you and your sweet family.
>
> Thanks again for the link.
>
> Sent from my iPhone
>
> On Jun 18, 2017, at 8:42 PM, Dennis, Brady <Brady.Dennis@washpost.com> wrote:
>
>> Hey Liz,
>>
>> Saw that they just posted the Superfund story (link below). Assuming it will run in tomorrow's paper. Thanks again for working to set up the interview last week -- I'm glad it worked out.
>>
>> Hope it's been a nice father's day around your house. Talk soon...
>>
>> -brady
>>
>> https://www.washingtonpost.com/national/health-science/scott-pruitt-vows-to-speed-the-nations-superfund-cleanups-communities-wonder-

how/2017/06/18/353c6566-4b07-11e7-9669-250d0b15f83b_story.html?utm_term=.c143b0f06513

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Sunday, June 11, 2017 1:57:15 PM
To: Dennis, Brady
Subject: RE: Superfunds

One more thing that I forgot to mention; with regard to the Brownfields grants, we are giving out $56.8 million to 172 local communities to clean up Brownfields sites. In addition to Superfunds, Brownfields grants "aid under-served and economically disadvantaged communities through the assessment and cleanup of abandoned industrial and commercial properties and expand the ability of communities to recycle vacant and abandoned properties for new, productive reuses." Press release on this is below. Thank you – Liz

https://www.epa.gov/brownfields/announcing-award-568-million-fy17-brownfields-assessment-and-cleanup-grants[epa.gov]

From: Bowman, Liz
Sent: Friday, June 9, 2017 6:56 PM
To: 'Dennis, Brady' <Brady.Dennis@washpost.com>
Subject: RE: Superfunds

Yes, thanks – you too! **Ex. 6 Personal Privacy (PP)**

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]
Sent: Friday, June 9, 2017 6:54 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Superfunds

Thanks for sending all this, Liz. I appreciate it. On the quote – assuming I can attribute that to you?

Have a nice weekend.

-b

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, June 09, 2017 6:48 PM
To: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: Superfunds

Hi Brady – Below, please find a quote that you can use, in the absence of a discussion with the Administrator, some background information and a radio interview (attached) that might be helpful. Please let me know if you have questions. Thanks – Liz

Quote: "Cleaning up Superfund sites and other contaminated land is vital to protecting human health and the environment. The previous administration not only didn't make this a priority – but took years and years just to make decisions about cleaning up these sites. The delays that have plagued individual cleanups aren't helping anyone, and proceeding with business as usual is not an option. Cleaning up these areas – many of which are in neighborhoods where people live, work and play – can make a tangible improvement in the lives of Americans. We believe that with better leadership, improved coordination with affected communities and others, and greater management efficiencies, we can make real progress."

Additional Background (not for attribution):
EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use. We have recently made two big announcements on our Superfunds program, including a new Task Force[epa.gov], and a new directive[epa.gov] reserving the power to select remedies estimated to cost $50 million or more with the Administrator, and instructing EPA Regions to work more closely with the Administrator's Office throughout the remedy development process.

The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false. Applicable regulations require us to select remedies that will be protective to human health and the environment based on the anticipated future use of the site and other criteria. That isn't changing as a part of this initiative. Unlike the previous administration that failed to prioritize the Superfund program, Administrator Pruitt is providing real leadership that will lead to better results at Superfund sites across the country.

It's very clear this was not a top-priority, or priority in general, from the previous administration because of the little progress made in eight years. The two common metrics are the number of sites that were deleted from the National Priority List or sites where construction of the remedy has been completed. According to this site https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date[epa.gov], it looks like EPA deleted 60 sites since 2009. Also, according to this site https://www.epa.gov/superfund/superfund-remedial-performance-measures#cc_anchor[epa.gov], EPA has completed construction at about 125 sites since 2009.

In today's Politico Energy, Gina McCarthy recognized that Superfund sites weren't a priority. Her quote makes it sound like this is some old program that no one cares about anymore – but the truth is that a LOT of people care. The people of West Lake care. The people of E. Chicago care. And, Americans deserve better leadership on this program:

> *"Is EPA supposed to respond and say, 'We're really busy cleaning up Superfund sites from the '60s. We really can't address the problems that you're facing today?'"* **McCarthy added**.
> https://www.politicopro.com/energy/story/2017/06/pruitts-predecessors-pan-epa-originalism-philosophy-157849[go.politicoemail.com]

With regard to the Budget:
The proposed budget for EPA is a 31 percent cut, the proposed cut to the Superfund program is 30 percent; or a $330 million reduction. As the Administrator has said many

times, money is not the issue with this program. We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups. It is also worth noting that we believe there is significant amount of money being wasted in administrative costs in this program (ranging from 28 to 55 percent depending on the region, for prior years, for indirect costs that are loaded as a percentage of direct clean-up costs, such as: administrative matters, personnel matters, guidance development, office utility and supply costs), and we are in the process of trying to identify and reduce these inefficiencies through our Task Force. Of course, some of the oversight costs are probably necessary, but we also know there is a lot of inefficiencies and waste – so that is what we are trying to identify and flush out.

Details on numbers: 1,336 sites on National Priorities List. a site was removed on 5/16 lowering the total by 1.

NPL sites correlated to Presidential Administrations:
1984-538 sites
1988-797 sites (+259 Reagan)
1992-1183 sites (+386 George HW Bush)
1996-1211 sites
2000-1232 sites (+49 Clinton)
2004-1239 sites
2008-1257 sites (+25 George W Bush)
2012-1313 sites
2016-1337 sites (+80 Obama)

Specific examples:
USS Lead Superfund Site[epa.gov] - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. One of Pruitt's first trips was to visit the East Chicago Superfund site because he wanted to see and hear first-hand from the people who've been counting on us to help them. He has pledged improved coordination, communication and cleanup of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and EPA announced the creation of a community involvement coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

West Lake Landfill Superfund Site[epa.gov] – Bridgeton, Missouri: This site has been on the National Priorities List (NPL) for 28 years. Administrator Pruitt has committed to a solution within a few months. While this is not finished even once a decision is made, it shows action to solve a problem that no one else has addressed in almost two decades. While we are still working through a solution, we are committed to getting this matter resolved.

The Anaconda Copper Mine[cumulis.epa.gov] – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

Liz Bowman

U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

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NPL sites correlated to Presidential Administrations:
1984-538 sites
1988-797 sites (+259 Reagan)
1992-1183 sites (+386 George HW Bush)
1996-1211 sites
2000-1232 sites (+49 Clinton)
2004-1239 sites
2008-1257 sites (+25 George W Bush)
2012-1313 sites
2016-1337 sites (+80 Obama)

Specific examples:
USS Lead Superfund Site[epa.gov] - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. One of Pruitt's first trips was to visit the East Chicago Superfund site because he wanted to see and hear first-hand from the people who've been counting on us to help them. He has pledged improved coordination, communication and cleanup

of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and EPA announced the creation of a community involvement coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

West Lake Landfill Superfund Site[epa.gov] – Bridgeton, Missouri: This site has been on the National Priorities List (NPL) for 28 years. Administrator Pruitt has committed to a solution within a few months. While this is not finished even once a decision is made, it shows action to solve a problem that no one else has addressed in almost two decades. While we are still working through a solution, we are committed to getting this matter resolved.

The Anaconda Copper Mine[cumulis.epa.gov] – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Sean Moran [smoran@breitbart.com]
Sent: 5/22/2017 9:14:46 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Hey Sean and Matt -

Hi Liz- that makes perfect sense. Just wanted to make sure I source this information correctly. No particular quotes in mind for citing but I will let you know.

Just wanted to confirm is the embargo until 9PM tonight, or 11am tomorrow?

Sean

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, May 22, 2017 5:13 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Sean Moran <smoran@breitbart.com>
Subject: RE: Hey Sean and Matt -

Hi Sean – Our budget staff was providing all the information on background, so please only use it as facts, not for citation. If there is something specific you want to quote, can you let me know and I will give you the ok to quote me for it? Otherwise, I am providing a general quote for attribution below:

"Streamlining and reorganizing is good government and important to maximizing taxpayer dollars. The president's proposed budget supports EPA's highest priorities, while reducing redundancies and inefficiencies."

From: Wilcox, Jahan
Sent: Monday, May 22, 2017 4:59 PM
To: Sean Moran <smoran@breitbart.com>; Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Hey Sean and Matt -

Copying Liz

From: Sean Moran [mailto:smoran@breitbart.com]
Sent: Monday, May 22, 2017 4:55 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Hey Sean and Matt -

Hey Jahan, thanks for organizing. Couple of quick questions:

1. Can I cite this info as "EPA staffers" or "EPA officials"
2. Just wanted to confirm is this info embargoed until 9PM today?

Sean

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, May 22, 2017 1:15 PM
To: Sean Moran <smoran@breitbart.com>; mboyle@breitbart.com
Cc: 'Matthew Boyle' <matthewboyle2@gmail.com>
Subject: RE: Hey Sean and Matt -

What is the best number to call you guys at?

From: Sean Moran [mailto:smoran@breitbart.com]
Sent: Monday, May 22, 2017 1:12 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; mboyle@breitbart.com
Cc: 'Matthew Boyle' <matthewboyle2@gmail.com>
Subject: RE: Hey Sean and Matt -

Yeah that sounds great, do you think you can make it too, Matt?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, May 22, 2017 1:02 PM
To: Sean Moran <smoran@breitbart.com>; mboyle@breitbart.com
Subject: RE: Hey Sean and Matt -

Can you do it from 3:15 – 3:30 PM.

From: Wilcox, Jahan
Sent: Monday, May 22, 2017 12:55 PM
To: 'Sean Moran ' <smoran@breitbart.com>; 'mboyle@breitbart.com' <mboyle@breitbart.com>
Subject: Hey Sean and Matt -

Would Breitbart be interested in a background briefing regarding the President's Budget and how it pertains to EPA today at 4:00 PM? When the budget comes out tomorrow, you can use the information shared in this briefing but you will not be able to quote anyone. Let me know if 4:00 – 4:15 PM works for you and what the best number is.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 Personal Privacy (PP)
Work Email: wilcox.jahan@epa.gov

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 5/22/2017 7:54:09 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Jones, Enesta [Jones.Enesta@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]
Subject: LIZ: OPEN INQUIRIES FOR REVIEW 5/22

Reporter has returned for a quick fact check after talking to Region 5. OK?

Arkansas Democrat-Gazette, DEADLINE: 5/22

Follow-up: Thanks for this. So just to clarify, Arkansas is one of only two states without a plan?

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

Begin forwarded message:

> **From:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> **Date:** May 16, 2017 at 10:27:33 AM EDT
> **To:** "Jones, Enesta" <Jones.Enesta@epa.gov>
> **Cc:** "Valentine, Julia" <Valentine.Julia@epa.gov>, "Lynn, Tricia" <lynn.tricia@epa.gov>
> **Subject: RE: OPEN INQUIRIES FOR REVIEW 5/15 (evening)**
>
> Awesome, thank you.
>
> ---
>
> **From:** Jones, Enesta
> **Sent:** Tuesday, May 16, 2017 8:48 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Jones, Enesta <Jones.Enesta@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
> **Subject:** LIZ: OPEN INQUIRIES FOR REVIEW 5/15 (evening)
>
> **How's this revision?**

Arkansas Democrat-Gazette, DEADLINE: 5/15 (Enesta Jones for Tricia Lynn)

Background: Region 6 referred the reporter to HQ. Antidegradation implementation methods are a plan or a set of procedures that are created and utilized by a state, tribe, or territory to implement their antidegradation policy. The reporter is asking which states have antidegradation implementation methods, what the plans consist of, and conversations EPA has had with Arkansas and with states in general about implementation methods. Arkansas currently does not have a plan. Information included here is publically available (see links). Reporter is Emily Walkenhorst, Arkansas Democrat-Gazette, (ewalkenhorst@arkansasonline.com)

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: I'm wondering if I can speak with someone at the EPA about how many states have anti-degradation implementation plans and what they typically consist of. I know Arkansas doesn't have one, so I'm also curious as to what the EPA's conversations with Arkansas have been about that and what hurdles many states seem to face, from EPA's perspective, in developing implementation plans.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Bowman, Liz
Sent: Monday, May 15, 2017 6:26 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hull, George <Hull.George@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: RE: OPEN INQUIRIES FOR REVIEW 5/15 (evening)

Please see below.

From: Valentine, Julia
Sent: Monday, May 15, 2017 5:00 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Freire, JP <Freire.JP@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Hull, George <Hull.George@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: OPEN INQUIRIES FOR REVIEW 5/15 (evening)

Six requests awaiting review below, one newly added since 3:30 PM, in green, and one update:
- <!--[if !supportLists]--><!--[endif]-->ProPublica DEADLINE ASAP (Christie St Clair)
- <!--[if !supportLists]--><!--[endif]-->Arkansas Democrat-Gazette DEADLINE: 5/15 (Tricia Lynn)
- <!--[if !supportLists]--><!--[endif]-->Michigan Public Radio, DEADLINE: 5/15 (Tricia Lynn for Enesta Jones)**UPDATED Response**
- <!--[if !supportLists]--><!--[endif]-->CNN, DEADLINE: 5/21 (Christie St Clair)
- Overdrive, DEADLINE: 5/16 (soft) (Christie St. Clair)

ProPublica, DEADLINE: ASAP (Christie St Clair) GTG

Background: Open Burn/Open Detonation is a practice conducted at military bases, during which personnel destroy ammunition and other explosives by either burning or detonating them out in the open. Reporter still wants this information, and has been asking for it. Reporter: Abrahm Lustgarten, Reporter, Abrahm.Lustgarten@propublica.org.

Suggested response: Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: You've referred me to the RCRAinfo database, which I have used extensively to research this process. The database results show there are seven OBOD sites in the United States. I believe that number is extremely low. Can you confirm to me that this does reflect the accurate count of RCRA permitted OBOD sites in the United States? Or can you confirm that the number of sites is not known by the EPA? (Or explain otherwise?).

Can you tell me which offices and which staff provided the responses that you offer below? Not for attribution, but to help me understand which offices have expertise and whether the appropriate ones were engaged?

How is the open burn and detonation of munitions and energetics in the United States different from the burn pits in Iraq and Afghanistan? For this point in particular, through my research and reading of sample permits and case studies, I am not understanding a difference. So I hope for an EPA response for my story on this, as well any technical explanation of the emissions, burned constituents, distance to public, etc that I might have previously failed to understand.

Finally – the RCRA IDs I asked about – do those have matches with companies in the EPA's database? If not, can the EPA provide an explanation of what it means that an entity is transporting and disposing of waste, and is only identifying itself to state officials (in LA) using an EPA license which cannot be located or identified?

Arkansas Democrat-Gazette, DEADLINE: 5/15 (Tricia Lynn)

Background: Region 6 referred the reporter to HQ. Antidegradation implementation methods are a plan or a set of procedures that are created and utilized by a state, tribe, or territory to implement their antidegradation policy. The reporter is asking which states have antidegradation implementation methods, what the plans consist of, and conversations EPA has had with Arkansas and with states in general about implementation methods. Arkansas currently does not have a plan. Information included here is publically available (see links). Reporter is Emily Walkenhorst, Arkansas Democrat-Gazette, (ewalkenhorst@arkansasonline.com)

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: I'm wondering if I can speak with someone at the EPA about how many states have anti-degradation implementation plans and what they typically consist of. I know Arkansas doesn't have one, so I'm also curious as to what the EPA's conversations with Arkansas have been about that and what hurdles many states seem to face, from EPA's perspective, in developing implementation plans.

Michigan Public Radio, DEADLINE: 5/15 (Tricia Lynn for Enesta Jones) ***UPDATED***

Background: The reporter is trying to track down information on the lead and copper rule as it relates to Tier 1 sites. She is reading and hearing from different water operators and state regulators that the EPA recently clarified that homes with lead goosenecks or lead pigtails should be considered Tier 1 sites and wants to know if this is true. Our clarifying response will help her write a short story for Tuesday's *The Environment Report*. Reporter is Lindsey Smith, Michigan Public Radio, lmsmi@umich.edu

Below is a revised response Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Again, reporter is pinging. I believe we're just past her deadline now.

Revised Suggested Response: GTG

Ex. 5 Deliberative Process (DP)

Inquiry: I'm trying to track down the EPA source of something. I'm reading and hearing from different water operators and state regulators that the EPA recently (seems to go back to early 2016?) clarified that homes with lead goosenecks or lead pigtails should be considered Tier 1 sites.
Is that true? And if so, when did that happen? I thought I read it in one of Peter Grevatt's memos but now I'm reading back through and I don't see it. Can you help? I'm on a sort of tight deadline. I'm hearing it's a memo from May 2016, if that's helpful at all. I'm still searching online, but nothing yet. Let me know either way please.

CNN, DEADLINE: 5/21 (Christie St Clair)

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: What concerns are there about HFCs?
What actions have been taken to phase down HFCs? (i.e., SNAP, Kigali Agreement) What is the timeline?
Are alternative refrigerants available?
What are the main ones for commercial and institutional HVAC equipment?
Is equipment that uses the alternatives available now?
Is the industry expecting any disruptions?
Are there tradeoffs with the new refrigerants?

Overdrive, DEADLINE: 5/16 (soft) (Christie St. Clair)

Background: Reporter: James Jaillet, Jjaillet@randallreilly.com

Response Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: I see that EPA has been granted a 90-day stay on a lawsuit brought by the Truck and Trailer Manufacturers Association relative to Phase 2 emissions standards for tractor-trailers.

A line in the EPA's motion for the stay – "It is possible that after reviewing the request, the agencies could decide to conduct further rulemaking or undertake other actions that could obviate the need for judicial resolution of some or all the issues raised by Trailer Petitioner" – makes it sound as if the EPA will reconsider Phase 2 standards relative to trailers.

Can EPA comment on that? Also, is there a chance the rule as a whole will be reevaluated? Either an extended timeline or something else?

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 5/15/2017 7:18:41 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Konkus, John [konkus.john@epa.gov]; Freire, JP [Freire.JP@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Hull, George [Hull.George@epa.gov]; StClair, Christie [StClair.Christie@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Subject: OPEN INQUIRIES FOR REVIEW 5/15 (afternoon)

Sending a little earlier than usual…

Five requests awaiting review below:
- ProPublica DEADLINE ASAP (Christie St Clair)
- Arkansas Democrat-Gazette DEADLINE: 5/15 (Tricia Lynn)
- Michigan Public Radio, DEADLINE: 5/15 (Tricia Lynn for Enesta Jones)
- CNN, DEADLINE: 5/21 (Christie St Clair)

ProPublica, DEADLINE: ASAP (Christie St Clair)

Background: Open Burn/Open Detonation is a practice conducted at military bases, during which personnel destroy ammunition and other explosives by either burning or detonating them out in the open. Reporter still wants this information, and has been asking for it. Reporter: Abrahm Lustgarten, Reporter, Abrahm.Lustgarten@propublica.org.

Suggested response: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: You've referred me to the RCRAinfo database, which I have used extensively to research this process. The database results show there are seven OBOD sites in the United States. I believe that number is extremely low. Can you confirm to me that this does reflect the accurate count of RCRA permitted OBOD sites in the United States? Or can you confirm that the number of sites is not known by the EPA? (Or explain otherwise?).

Can you tell me which offices and which staff provided the responses that you offer below? Not for attribution, but to help me understand which offices have expertise and whether the appropriate ones were engaged?

How is the open burn and detonation of munitions and energetics in the United States different from the burn pits in Iraq and Afghanistan? For this point in particular, through my research and reading of sample permits and case studies, I am not understanding a difference. So I hope for an EPA response for my story on this, as well any technical explanation of the emissions, burned constituents, distance to public, etc that I might have previously failed to understand.

Finally – the RCRA IDs I asked about – do those have matches with companies in the EPA's database? If not, can the EPA provide an explanation of what it means that an entity is transporting and disposing of waste, and is only identifying itself to state officials (in LA) using an EPA license which cannot be located or identified?

Arkansas Democrat-Gazette, DEADLINE: 5/15 (Tricia Lynn)

Background: Region 6 referred the reporter to HQ. Antidegradation implementation methods are a plan or a set of procedures that are created and utilized by a state, tribe, or territory to implement their antidegradation policy. The reporter is asking which states have antidegradation implementation methods, what the plans consist of, and conversations EPA has had with Arkansas and with states in general about implementation methods. Arkansas currently does not have a plan. Information included here is publically available (see links). Reporter is Emily Walkenhorst, Arkansas Democrat-Gazette, (ewalkenhorst@arkansasonline.com)

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: I'm wondering if I can speak with someone at the EPA about how many states have anti-degradation implementation plans and what they typically consist of. I know Arkansas doesn't have one, so I'm also curious as to what the EPA's conversations with Arkansas have been about that and what hurdles many states seem to face, from EPA's perspective, in developing implementation plans.

Michigan Public Radio, DEADLINE: 5/15 (Tricia Lynn for Enesta Jones)

Background: The reporter is trying to track down information on the lead and copper rule as it relates to Tier 1 sites. She is reading and hearing from different water operators and state regulators that the EPA recently clarified that homes with lead goosenecks or lead pigtails should be considered Tier 1 sites and wants to know if this is true. Our clarifying response will help her write a short story for Tuesday's *The Environment Report*. Reporter is Lindsey Smith, Michigan Public Radio, lmsmi@umich.edu

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: I'm trying to track down the EPA source of something. I'm reading and hearing from different water operators and state regulators that the EPA recently (seems to go back to early 2016?) clarified that homes with lead goosenecks or lead pigtails should be considered Tier 1 sites.
Is that true? And if so, when did that happen? I thought I read it in one of Peter Grevatt's memos but now I'm reading back through and I don't see it. Can you help? I'm on a sort of tight deadline. I'm hearing it's a memo from May 2016, if that's helpful at all. I'm still searching online, but nothing yet.
Let me know either way please.

CNN, DEADLINE: 5/21 (Christie St Clair)

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry: What concerns are there about HFCs?

What actions have been taken to phase down HFCs? (i.e., SNAP, Kigali Agreement) What is the timeline?
Are alternative refrigerants available?
What are the main ones for commercial and institutional HVAC equipment?
Is equipment that uses the alternatives available now?
Is the industry expecting any disruptions?
Are there tradeoffs with the new refrigerants?

Message

From: Chris Bentley [Ex. 6 Personal Privacy (PP)]
Sent: 5/4/2017 9:31:45 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: Architect magazine media inquiry

Thanks for the reply, Liz.

The budget outline and a subsequent budget memo indicated EnergyStar would be zeroed out. Is that the case in this latest spending deal?

On Thu, May 4, 2017 at 3:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

Hi Chris -- EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment. While many in Washington insist on greater spending, EPA is focused on greater value and results. The EPA will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water. Thank you – Liz

From: Chris Bentley [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Wednesday, May 3, 2017 5:12 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Architect magazine media inquiry

Hello again,

I'm re-upping this question from March 30, as well as reaching out for comment from EPA officials and staff about the spending bill passed this week, which largely avoids the deep cuts originally included in the President's budget outline.

- Are you relieved that those cuts were largely avoided?
- How will you advocate to maintain this level of spending between now and September, when the temporary spending bill expires?
- Are there programs still being cut, and how will you will end them?

On Thu, Mar 30, 2017 at 7:15 PM, Chris Bentley <Ex. 6 Personal Privacy (PP)> wrote:

Hi Robert,

Another question for you: Since the President's executive order on Tuesday rescinded Executive Order 13653 of November 1, 2013 (Preparing the United States for the Impacts of Climate Change), will EPA stop planning for long-term effects of climate change? What exactly will that recission change about your work helping communities prepare for and adapt to extreme weather?

Thanks,

Chris

On Thu, Mar 9, 2017 at 10:23 AM, Chris Bentley <Ex. 6 Personal Privacy (PP)> wrote:

Thanks, Robert. I appreciate the quick reply.

On Thu, Mar 9, 2017 at 10:13 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning Chris,

For attribution to Julia Valentine, an EPA spokesperson, please:

We are not commenting at this early stage in the process.

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Chris Bentley [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, March 09, 2017 10:10 AM
To: Press <Press@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Architect magazine media inquiry: EnergyStar & President Trump

Hello again,

Now that Sec. Pruitt is confirmed, I'm wondering if you can comment. Specifically, I'm gathering reactions to word that the EPA might slash its budget, including programs like EnergyStar. Can you confirm or comment?

Would love to talk to someone at EPA about this

On Thu, Feb 9, 2017 at 3:05 PM, Chris Bentley < Ex. 6 Personal Privacy (PP) wrote:

Understood, and thanks for the reply. Appreciate being added to your lists. I'll be in touch.

On Thu, Feb 9, 2017 at 1:30 PM, Press <Press@epa.gov> wrote:

Hi Chris,

EPA does not have a confirmed Administrator and we cannot speculate on future plans for the agency.

We will add you to our media lists.

Thanks

Office of Public Affairs

US EPA Headquarters

Washington, DC

From: Chris Bentley [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, February 09, 2017 12:24 PM
To: Press <Press@epa.gov>
Cc: vanessa.jones@epa.gov
Subject: Architect magazine media inquiry: EnergyStar & President Trump

Hello,

I'm following up on Vanessa Jones' voicemail.

I'm writing to tell you and your colleagues about a new column I'm writing for Architect. I'll be covering the new administration's impact on sustainable design, resilience, planning and the intersection of climate and the built environment.

Right now I'm reaching out to some potential sources just to ask what you and your colleagues are preparing for when it comes to President Trump's administration. **I'd like to speak with someone at EPA about the future of the EnergyStar program** over the next four years. My deadline is 3/3, but I'd like to connect with someone before then, if possible.

Feel free to share my inquiry with anyone you think might be helpful, and tell them they can give me an email or call (518-366-5732) anytime.

Please add me to any media lists you have and share my contact info with anyone who'd like to talk about federal policy on sustainable design and the built environment.

Thank you very much,

Chris Bentley
518-366-5732
cabentley.com
@cementley

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518-366-5732
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@cementley

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Chris Bentley
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cabentley.com
@cementley

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 4/4/2017 8:35:58 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: 2017-04-04 Ag Community Praises Recent EPA Action esb.docx

So good.

Sent from my iPhone

On Apr 4, 2017, at 4:34 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

That is a good point – Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Please see attached.

From: Graham, Amy
Sent: Tuesday, April 4, 2017 4:20 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: RE: 2017-04-04 Ag Community Praises Recent EPA Action esb.docx

Made two small edits and double checked the links Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)?

From: Bowman, Liz
Sent: Tuesday, April 4, 2017 3:49 PM
To: Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: 2017-04-04 Ag Community Praises Recent EPA Action esb.docx

Can one more person review this and provide any edits? Then we can send the final to JP for approval. I adjusted so that the format for attribution is consistent, but could use help double checking links. Thank you – Liz

<2017-04-04 Ag Community Praises Recent EPA Action esb ajg.docx>

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 4/4/2017 8:10:32 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
CC: Konkus, John [konkus.john@epa.gov]
Subject: RE: 2017-04-04 Ag Community Praises Recent EPA Action esb.docx

Looking now

From: Bowman, Liz
Sent: Tuesday, April 4, 2017 3:49 PM
To: Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: 2017-04-04 Ag Community Praises Recent EPA Action esb.docx

Can one more person review this and provide any edits? Then we can send the final to JP for approval. I adjusted so that the format for attribution is consistent, but could use help double checking links. Thank you – Liz

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/19/2017 12:12:29 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Topic: EPA/Washington State Special Local Need Fertilizer/Pesticides for Cannabis Approvals

Gladly done and good morning to you.

From: Bowman, Liz
Sent: Wednesday, April 19, 2017 8:09 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Topic: EPA/Washington State Special Local Need Fertilizer/Pesticides for Cannabis Approvals

Great, thanks!

From: Daguillard, Robert
Sent: Wednesday, April 19, 2017 7:51 AM
To: Ex. 6 Personal Privacy (PP)
Cc: zack.shrigley@cannabizjournal.com
Subject: Topic: EPA/Washington State Special Local Need Fertilizer/Pesticides for Cannabis Approvals

Dear Mr. Heldreth, for attribution to "an EPA spokesperson," please:

1. What is EPA's view on hemp and cannabis as agricultural industry?

EPA is responsible for regulating pesticides. If you have questions about agriculture, you may wish to consult the US Department of Agriculture.

2. Did OPP receive WSDA's attached letters on April 4, 2017?

Yes, we have received the letters from WSDA electronically.

3. What is EPA's timing on the review/approval process?

Under §24(c) of FIFRA, states may register an additional use of a federally registered pesticide product, or a new end use product to meet special local needs. EPA reviews these registrations, and may within 90 days, disapprove the state registration. If EPA does not object within 90 days, the registration remains a federal registration. https://www.epa.gov/pesticide-registration/guidance-fifra-24c-registrations

Additional information on this issue can be found online at: https://www.epa.gov/pesticide-registration/pesticide-use-marijuana and https://www.epa.gov/sites/production/files/2016-01/documents/epa_letter_to_cda_5-19-15_slns_for_marijuana.pdf.

4. Have other states submitted similar SLN letters to EPA? Which states?

On April 4, 2017, Vermont and Washington each issued four 24(c) registrations for use on cannabis. The Nevada Department of Agriculture also issued four 24(c) registrations for use on cannabis on April 5, 2017.

Warm regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/14/2017 3:17:38 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Clarifying certain cuts sought in the President's budget & status of EPA's proposed fee rule to implement the Lautenberg Chemical Safety Act [WARNING: DKIM validation failed]

Gladly done.

From: Bowman, Liz
Sent: Friday, April 14, 2017 11:17 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Clarifying certain cuts sought in the President's budget & status of EPA's proposed fee rule to implement the Lautenberg Chemical Safety Act [WARNING: DKIM validation failed]

Thanks, Robert!

From: Daguillard, Robert
Sent: Friday, April 14, 2017 11:16 AM
To: prizzuto@bna.com
Subject: RE: Clarifying certain cuts sought in the President's budget & status of EPA's proposed fee rule to implement the Lautenberg Chemical Safety Act [WARNING: DKIM validation failed]

Dear Pat, with apologies for the delay, and for attribution to "an EPA spokesperson," please.

Regarding TSCA:
EPA plans to publish the fees rule in line to meet the schedules determined by Congress through the Lautenberg Chemical Safety Act.

Regarding budget:
EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment. While many in Washington insist on greater spending, EPA is focused on greater value and results. The EPA will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water.

Thanks, R.

From: prizzuto@bna.com [mailto:prizzuto@bna.com]
Sent: Wednesday, April 05, 2017 9:42 AM
To: Press <Press@epa.gov>
Subject: Clarifying certain cuts sought in the President's budget & status of EPA's proposed fee rule to implement the Lautenberg Chemical Safety Act [WARNING: DKIM validation failed]

Deadline 2 p.m. today

1) *What is the status of the proposed fee rule the EPA needs to issue to secure industry fees to help it implement the Lautenberg Chemical Safety Act? When is it expected to be proposed and/or sent to the OMB for review?*

David Bloom's March 21 memo on the President's FY2018 Budget mentioned several cuts and I need to clarify the scope of one. Deadline 2 p.m. today

2) *The President's budget would cut OA/EPM/Children and Other Sensitive Populations: Agency Coordination by $2,391 K and 14.9 FTE.*

Would the agency's children's office within the administrator's office be eliminated?
Would the Children's Health Protection Advisory Committee be eliminated?
What functions would remain?

Pat

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

Direct: (703) 341-3741
Fax: (703) 341-1678
email: prizzuto@bna.com

Please consider the environment before printing this email.

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 5/8/2017 10:51:19 PM
To: Minoli, Kevin [Minoli.Kevin@epa.gov]
CC: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: Re: FOR APPROVAL: Statement for AP (will call in 3 minutes)

Thank you for all of your help.

Sent from my iPhone

On May 8, 2017, at 6:16 PM, Minoli, Kevin <Minoli.Kevin@epa.gov> wrote:

> That is great. I'm also the Designated Agency Ethics Official, if it helps to add that to my title.
>
> And you are not being dense… together we get to the right place!
>
> **Kevin S. Minoli**
> **Acting General Counsel**
> **Office of General Counsel**
> **US Environmental Protection Agency**
> **Main Office Line: 202-564-8040**
>
> ---
>
> **From:** Bowman, Liz
> **Sent:** Monday, May 08, 2017 6:14 PM
> **To:** Minoli, Kevin <Minoli.Kevin@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
> **Subject:** RE: FOR APPROVAL: Statement for AP (will call in 3 minutes)
>
> Hahah that is good to know! Sorry for being dense about it – we are going to use the following:
>
> **Ex. 5 Deliberative Process (DP)/attorney client**
>
> **Ex. 5 Deliberative Process (DP)/attorney client**
>
> ---
>
> **From:** Minoli, Kevin
> **Sent:** Monday, May 8, 2017 6:12 PM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
> **Subject:** RE: FOR APPROVAL: Statement for AP (will call in 3 minutes)
>
> By the way, believe it or not, I actually did [try and] explain this to my mother on Sunday….
>
> **Kevin S. Minoli**
> **Acting General Counsel**

Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040

From: Bowman, Liz
Sent: Monday, May 08, 2017 6:11 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: FOR APPROVAL: Statement for AP (will call in 3 minutes)

Okay that is great, thank you! That works ☺

From: Minoli, Kevin
Sent: Monday, May 8, 2017 6:11 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: FOR APPROVAL: Statement for AP (will call in 3 minutes)

Hi Liz- Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) How about the slight adjustments below?

Ex. 5 Deliberative Process (DP)/attorney client

Kevin S. Minoli
Acting General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040

From: Bowman, Liz
Sent: Monday, May 08, 2017 6:06 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: FOR APPROVAL: Statement for AP (will call in 3 minutes)

Hey Kevin – Thanks for sending us this for attribution. The problem is that AP is trying to explain this in plain language to the average reader; therefore, can we let him say that Ex. 5 Deliberative Process (DP)/attorney client

Ex. 5 Deliberative Process (DP)/attorney client

Ex. 5 Deliberative Process (DP)/attorney client The "rule" is – would your mom/grandmom understand what we are trying to say?

Ex. 5 Deliberative Process (DP)/attorney client

From: Minoli, Kevin
Sent: Monday, May 8, 2017 5:56 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: FOR APPROVAL: Statement for AP (will call in 3 minutes)

Hi Jahan- Here is something that could be attributed to me as the Designated Agency Ethics Official or Liz:

Ex. 5 Deliberative Process (DP)/attorney client

Will that work?

Kevin

Kevin S. Minoli
Acting General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040

From: Wilcox, Jahan
Sent: Monday, May 08, 2017 5:25 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: FOR APPROVAL: Statement for AP (will call in 3 minutes)

Just tried to call you. My cell is Ex. 6 Personal Privacy (PP)

From: Wilcox, Jahan
Sent: Monday, May 8, 2017 5:21 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FOR APPROVAL: Statement for AP (will call in 3 minutes)

Kevin –

Liz and I have been working with the AP regarding a story on recusal. If this line accurate and is it alright to attribute it Liz/agency: **Ex. 5 Deliberative Process (DP)/attorney client**

Ex. 5 Deliberative Process (DP)/attorney client

Jahan Wilcox
EPA

Strategic Communications Advisor
Work Cell: Ex. 6 Personal Privacy (PP)
Work Email: wilcox.jahan@epa.gov

Message

From: Camille von Kaenel [cvonkaenel@eenews.net]
Sent: 3/28/2018 8:08:14 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
Subject: RE: Pruitt in California

No worries, thanks for being in touch. Keep me in the loop re: the decision rollout. Cheers!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, March 28, 2018 4:00 PM
To: Camille von Kaenel <cvonkaenel@eenews.net>
Subject: RE: Pruitt in California

Ha, seems you know more than I do! Sorry I wasn't much help

From: Camille von Kaenel [mailto:cvonkaenel@eenews.net]
Sent: Wednesday, March 28, 2018 3:57 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Pruitt in California

Got it thanks -- Stanley from CARB just clarified that Wehrum was there yesterday and met with Nichols. Glad I got all that sorted out!

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, March 28, 2018 3:56 PM
To: Camille von Kaenel <cvonkaenel@eenews.net>
Subject: RE: Pruitt in California

On background only (not for attribution): I know they have met in the past, I think yesterday was a call.

From: Camille von Kaenel [mailto:cvonkaenel@eenews.net]
Sent: Wednesday, March 28, 2018 3:49 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Pruitt in California

Got it, thanks for explaining! To be clear, Wehrum met with Mary in California today?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, March 28, 2018 3:40 PM
To: Camille von Kaenel <cvonkaenel@eenews.net>
Subject: RE: Pruitt in California

Hi Camille – Thanks for forwarding me this; I don't always see them if they are sent to press@epa.

Please don't attribute this to me directly, but you are correct. However, Bill Wehrum, the AA for OAR, who is responsible for the program met with Mary. And he has been in ongoing discussions with CARB.

Thank you -- Liz

From: Camille von Kaenel [mailto:cvonkaenel@eenews.net]
Sent: Wednesday, March 28, 2018 2:21 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Pruitt in California

Hi Liz, just wanted to make sure you saw this. Thanks!
Camille

From: Camille von Kaenel
Sent: Wednesday, March 28, 2018 2:20 PM
To: Press <Press@epa.gov>
Subject: Pruitt in California

Hello everyone!

I'm following up re: your press release about the administrator wrapping up a California visit. CARB told me there was no meeting between Pruitt and Mary Nichols. Did EPA request a meeting? Why was there no meeting, particularly ahead of the mid-term determination on vehicle GHG rules expected soon? Are Pruitt and Nichols talking about it?

My deadline is 5:15 pm. Thanks for the help!

Camille

Camille von Kaenel
E&E News transportation reporter
cvonkaenel@eenews.net
202-446-0424 (office)
Ex. 6 Personal Privacy (PP) (mobile)
@cvonka

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/29/2017 9:09:46 PM
To: Iulia Gheorghiu [igheorghiu@morningconsult.com]; Press [Press@epa.gov]
Subject: RE: Seeking response to comment on Admin Pruitt and the RFS

Iulia, for attribution to "an EPA spokesperson," please:

Under the rulemaking process, the proposed rule went through public comment. The resulting draft final rule went through interagency review. Stakeholders can file petitions for reconsideration with the Agency or petitions for review with the court of appeals.

The final rule is not subject to the president's approval following finalization and publication in the Federal Register.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Wednesday, November 29, 2017 11:02 AM
To: Press <Press@epa.gov>
Subject: Seeking response to comment on Admin Pruitt and the RFS

Hello,

I wanted to give the EPA an opportunity to respond to a statement from Brooke Coleman, Executive Director of the Advanced Biofuel Business Council. He said that through the July proposal for the Renewable Fuel Standard, Administrator Pruitt had hit pause on the RFS and the renewable fuel industry, unlike the campaign promises made by President Trump.

I know that you might disagree on that point so I wanted to give you an opportunity to respond.

My deadline is ASAP - I can push it to noon. Sorry for the last minute heads-up. I just completed my interview with Mr. Coleman.

Thank you,

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu
MORNING CONSULT
Brands | Washington | Intelligence
Energy | Finance | Health | Tech

Message

From: Katie Pyzyk [katie@wordsboss.com]
Sent: 11/20/2017 11:14:40 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Katie: Your questions on opioids in wastewater

Thank you very much for the response, Robert. Have a very happy Thanksgiving.

On Mon, Nov 20, 2017 at 5:43 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Katie, for attribution to "an EPA spokesperson," please:

What does tracking opioids (or other drugs) in wastewater accomplish What can be done with the data that is gathered?
-What is the accuracy of tracking drugs in wastewater?

Monitoring sewage for drugs (including illicit drugs and drugs of abuse) serves as the most direct means known for revealing which drugs are being collectively used by a community. It is also possible to calculate the average per capita usage, in order to compare usage rates across cities or countries.

This concept is referred to under a number of terms, including "wastewater epidemiology", "sewage epidemiology", or FEUDS (Forensic Epidemiology Using Drugs in Sewage). The science and history of this monitoring approach have been thoroughly discussed in a peer-reviewed journal article authored by an EPA scientist, who originated the concept in 2001:

Daughton CG "Illicit Drugs: Contaminants in the Environment and Utility in Forensic Epidemiology," Reviews of Environmental Contamination and Toxicology, 2011, 210:59-110; available: http://dx.doi.org/10.1007/978-1-4419-7615-4_3

Nearly all of the world's research in this area (which was first applied in the field in 2005) has been conducted in Europe and Australia. Two of the only scientists in the US who have completed studies (and who are still active) are Caleb Banta-Green and Daniel Burgard:

http://sph.washington.edu/faculty/fac_bio.asp?url_ID=Banta-Green_Caleb
https://www.pugetsound.edu/faculty-pages/dburgard

Advances in analytical chemistry over the last few decades enable the detection of very low concentrations of many chemicals in environmental media. A number of studies have reported low concentrations of pharmaceuticals in wastewater, ambient water, and fish tissues. Comparison of those drug concentrations with doses required to produce minimally detectable therapeutic effects or known toxicity (including DNA damage) suggests very low risks to human health, even when assuming direct consumption of large amounts of wastewater. Risks to aquatic life are harder to discount. Fish (for instance) "breathe" water as well as drinking it, thereby exposing themselves to far more water per day (on a body-size adjusted basis) than humans are. In addition, dose response to pharmaceuticals has not been directly measured in the vast majority of aquatic species that might be exposed, so we have to extrapolate from the few species that have been tested to all the rest. Taking these issues into account still suggests risks from most pharmaceuticals are low, but the margins of safety for aquatic life exposed to about a dozen drugs appear small compared to remaining uncertainties. This suggests the need for additional investigation to better determine the environmental distribution and eco-toxicology of this subset of drugs.

Regards, R.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Nov 20, 2017, at 2:45 PM, Katie Pyzyk <katie@wordsboss.com> wrote:

> Hi Robert,
>
> Thanks for reaching out. My story is due on Wednesday so I would need the information before then. If you can get it to me by Tuesday evening that would work. If you can't provide full responses then please feel free to just answer one or two of the questions you feel would be most pertinent to the topic of tracking opioids in wastewater. Thanks very much for your assistance.
>
> Kind regards,
> Katie Pyzyk
>
> On Mon, Nov 20, 2017 at 2:37 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> Katie, my colleague Tricia forwarded me your inquiry, which I've asked our research and development program to respond to. I don't know we'll get you a response before the end of today. Can you push your deadline until later this week – say, Wednesday?
>
> Thanks, R.
>
> Robert Daguillard
>
> Office of Media Relations
>
> U.S. Environmental Protection Agency
>
> Washington, DC
>
> +1 (202) 564-6618 (O)
>
> Ex. 6 Personal Privacy (PP) (M)

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 11/13/2017 2:32:49 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]
Subject: RE: Follow up: mosquitos

Sounds good thanks.

From: Jones, Enesta
Sent: Monday, November 13, 2017 9:31 AM
To: Press <Press@epa.gov>
Subject: FW: Follow up: mosquitos

The program **Ex. 5 Deliberative Process (DP)**

From: Julia Boccagno [mailto:jboccagno@sbgtv.com]
Sent: Thursday, November 09, 2017 6:27 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Follow up: mosquitos

Hi Robert,

Thanks so much for this. But I was wondering if it's possible to arrange an on-camera interview with someone who can say this since I'm producing a video on it?

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Thursday, November 9, 2017 at 5:57 PM
To: Julia Boccagno <jboccagno@sbgtv.com>
Cc: Press <Press@epa.gov>
Subject: Re: Follow up: mosquitos

Julia, for attribution to "an EPA spokesperson," please:

1.) **Why now? Why has the ZAP strain method just been approved?**

MosquitoMate, the ZAP Males® registrant, first requested an experimental use permit (EUP) to test the *Wolbachia* technology in 2013. Since that time MosquitoMate has continued testing *Wolbachia* under a number of EPA-issued EUPs in select locations across the U.S. More information about these field trials can be found onwww.regulations.gov under docket number EPA-HQ-OPP-2013-0254.

In early 2016, EPA received a registration application for the ZAP Males® as a microbial bio-pesticide. The data gathered during the preceding EUPs were used to inform the registration decision.

2.) **Why were certain states selected for trials? Is this where mosquito-related issues are rampant?**

The registrant, in this case, MosquitoMate, decides where they would like to conduct their testing and includes those areas in their applications for EUPs. More information about these field trials can be found on www.regulations.gov under docket number EPA-HQ-OPP-2013-0254.

3.) **Who will monitor the release? And what does that process look like?**

According to the label, ZAP Males® are for use only by MosquitoMate, Inc., those under direct contract with the company, government officials responsible for public health or vector control, or those certified to perform the applications. State lead pesticide agencies monitor for compliance with label requirements.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Nov 8, 2017, at 12:02 PM, Julia Boccagno <jboccagno@sbgtv.com> wrote:

Hi Robert,

I'm not on a firm deadline, but sooner rather than later is always preferred.

Yes, I've already reached out to Mosquito Mate, and they're interested in talking to me for the piece as well. Since the EPA is the institution that approved it, I believe it's equally vital to include the government's perspective as well.

Does this help?

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Wednesday, November 8, 2017 at 11:55 AM
To: Julia Boccagno <jboccagno@sbgtv.com>
Subject: RE: Follow up: mosquitos

Thanks, Julia. Are you on a firm deadline? When are you hoping to produce your piece (video/audio)?

Also, how will information from EPA fit into your larger story? Other voices you're hoping to include?

Thanks, R.

From: Julia Boccagno [mailto:jboccagno@sbgtv.com]
Sent: Wednesday, November 08, 2017 11:50 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Follow up: mosquitos

Hi Robert,

Thanks for this. Still wondering if it's possible to arrange a quick on-camera interview, since we're primarily a video-centric news organization. I'd love to talk with someone from this department about the following:

1.) Why now? Why has the ZAP strain method just been approved?
2.) Why were certain states selected for trials? Is this where mosquito-related issues are rampant?
3.) Who will monitor the release? And what does that process look like?

Please let me know if you're able to assist,

Julia

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Wednesday, November 8, 2017 at 11:24 AM
To: Julia Boccagno <jboccagno@sbgtv.com>
Subject: RE: Follow up: mosquitos

Hey Julia,

I hope the following helps. Thanks, R.

EPA Pesticide Program Updates

From EPA's Office of Pesticide Programs

www.epa.gov/pesticides

November 7, 2017

In This Update:

EPA Registers the Wolbachia ZAP Strain in Live Male Asian Tiger Mosquitoes

On November 3, 2017, EPA registered a new mosquito biopesticide – ZAP Males® - that can reduce local populations of the type of mosquito (*Aedes albopictus*, or Asian Tiger Mosquitoes) that can spread numerous diseases of significant human health concern, including the Zika virus.

ZAP Males® are live male mosquitoes that are infected with the ZAP strain, a particular strain of the *Wolbachia* bacterium. Infected males mate with females, which then produce offspring that do not survive. (Male mosquitoes do not bite people.) With continued releases of the ZAP Males®, local *Aedes albopictus* populations decrease. *Wolbachia* are naturally occurring bacteria commonly found in most insect species.

This time-limited registration allows MosquitoMate, Inc. to sell the *Wolbachia*-infected male mosquitoes for five years in the District of Columbia and the following states: California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Massachusetts, Maine, Maryland, Missouri, New Hampshire, New Jersey, Nevada, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and West Virginia. Before the ZAP Males® can be used in each of those jurisdictions, it must be registered in the state or district.

When the five-year time limit ends, the registration will expire unless the registrant requests further action from EPA.

EPA's risk assessments, along with the pesticide labeling, EPA's response to public comments on the Notice of Receipt, and the proposed registration decision, can be found on www.regulations.gov under docket number EPA-HQ-OPP-2016-0205.

EPA distributes its Pesticide Program Updates to external stakeholders and citizens who have expressed an interest in the agency's pesticide program activities and decisions. This update service is part of EPA's continuing effort to improve public access to federal pesticide information.

For general questions about pesticides and pesticide poisoning prevention, contact the National Pesticide Information Center (NPIC), by email at npic@ace.orst.edu or, by visiting http://npic.orst.edu.

For information about ongoing activities in the Office of Pesticide Programs, visit our homepage at: https://www.epa.gov/pesticides.

You can unsubscribe or update your subscriptions or e-mail address at any time on your Subscriber Preferences Page. All you will need is your e-mail address. If you have any questions or problems, please e-mail subscriberhelp.govdelivery.com for assistance.

This service is provided to you at no charge by the U.S. Environmental Protection Agency.

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This email was sent to Daguillard.Robert@epa.gov using GovDelivery Communications Cloud on behalf of: U.S. EPA Office of Chemical Safety and Pollution Prevention · 707 17th St, Suite 4000 · Denver, CO 80202 · 1-800-439-1420

GOVDELIVERY

From: Julia Boccagno [mailto:jboccagno@sbgtv.com]
Sent: Wednesday, November 08, 2017 11:21 AM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Follow up: mosquitos

Hi Robert,

It was a pleasure talking to you.

I'm following up on our conversation earlier to obtain more information about the EPA's recent approval of a bacterium to kill wild mosquitos. Would you be able to pass along that information, and I can re-evaluate from there.

Separately, I cover a lot of environmental stories here at Circa, and I was wondering if there's a press distribution list you would be able to add me to.

Many thanks,
Julia
—
Julia Boccagno | Multimedia journalist
571.457.6089.
@juliaboccagno

<image001.png>

<image001.png>

To: Jones, Enesta[Jones.Enesta@epa.gov]
Cc: Press[Press@epa.gov]
From: Abboud, Michael[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: Thur 11/16/2017 11:23:40 PM (UTC)
Subject: Re: For Review: Environmental Health Perspectives (Wendee Nicole) re: wristbands (Deadline: 11/16)

Good to send.

Sent from my iPhone

On Nov 16, 2017, at 6:16 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Reporter has more follow-up on the deployment of the wristbands.

Suggested Response:

Where have they been deployed? Any after Hurricane Harvey?

Ex. 5 Deliberative Process (DP)

On Nov 16, 2017, at 1:26 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Good to send.

From: Daguillard, Robert
Sent: Thursday, November 16, 2017 1:18 PM
To: Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Environmental Health Perspectives (Wendee Nicole) - press inquiry/2nd time - DDL 11/17

ADDENDUM: **Ex. 5 Deliberative Process (DP)**

From: Daguillard, Robert
Sent: Thursday, November 16, 2017 12:14 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Environmental Health Perspectives (Wendee Nicole) - press inquiry/2nd time - DDL 11/17

FOLLOW-UP RESPONSE

Ex. 5 Deliberative Process (DP)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, November 14, 2017 5:15 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: [SPAM-Sender] Re: press inquiry/2nd time

Excellent thank you!

Can you tell me the names of scientists who are involved in that new ENTACT study with the wristbands? Have any been deployed yet?

On Nov 14, 2017, at 3:56 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Wendee,

For attribution to "an EPA spokesperson," please:

Chemical risk is a function of both hazard inherent to a chemical and exposure (the amount of a chemical that you get exposed to). Collecting data on exposure is traditionally a challenge, requiring bulky monitoring devices or analysis of biological samples such as blood and urine. Silicone wristbands present an opportunity for an inconspicuous, non-invasive means of measuring chemical exposure. However, additional research is needed to directly relate what is measured in silicone wristbands to human exposure.

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Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, November 09, 2017 11:19 AM

To: R6Press <R6Press@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Cc: StClair, Christie <StClair.Christie@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: press inquiry/2nd time
Importance: High

Dear EPA Press Office,

I emailed Region 6 previously and did not get a reply. I am a freelance writer assigned to write a feature for Environmental Health Perspectives (ehponline.com) about environmental contaminants after Hurricane Harvey in the Houston area, and would like to ask some questions about the San Jacinto River Pits and other Superfund sites in the region.

I am also reporting on the use of silicone wristbands to measure chemical exposures, and two possibly good sources for me to interview (or receive answers from) would be John Wambaugh or Kristin Isaacs with the EPA's Office of Research & Development, as they were quoted in a previous article for C&E News on this topic.

My deadline is Nov 15.

I had previously sent the following 2 questions about the Record of Decision as I was not clear on how that worked:

is the Oct 11 Record of Decision FINAL as I also saw there a 60-day comment period? That was supposed to be ended with a Oct 20 public hearing – is there minutes or aa report from that meeting? Can the companies (PRPs) sue to reverse this decision or is it set in stone?

I ccd a couple of contacts from the Press page that May be able to help – environmental justice, hazardous waste, and R&D.

Kind regards,
Wendee Nicole – Ex. 6 Personal Privacy (PP)

Wendee Nicole, M.S. www.wendeenicole.com
* Freelance Writer * Photographer *
Founder & Director, REDEMPTION SONG FOUNDATION UGANDA
http://www.redemptionsongfoundation.org

Online writing class starts 12/13: http://www.wendeenicole.com/nature.htm

Message

From: Sam Abuelsamid [Sam.Abuelsamid@navigant.com]
Sent: 11/16/2017 8:51:33 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: FW: Domestics vs Import for CAFE

Thanks for the information. If I have any additional questions after I look at the linked documents I'll get back to you

Sam

SAM ABUELSAMID | Senior Analyst
Navigant Research | Detroit
+1.734.649.1001 | sam.abuelsamid@navigant.com
www.navigantresearch.com

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Thursday, November 16, 2017 12:46:40 PM
To: Sam Abuelsamid
Cc: Press
Subject: FW: Domestics vs Import for CAFE

EXTERNAL EMAIL: Do not open attachments/click links if source is unknown.
Sam, for attribution to EPA or to "an agency spokesperson," please:

I'm trying to find information on how domestic vs import is determined for classifying car fleets for CAFÉ purposes and I have a few questions.

Are cars still split into domestic and import fleets for CAFÉ calculation purposes?
Yes. This is required by law for passenger automobiles. See 49 U.S.C. 32904.

And are trucks all lumped together?
Yes, CAFE values are calculated separately for light-duty trucks. Note that heavy-duty vehicles (trucks) are also required to meet fleet average fuel economy (fuel consumption) standards.

Where can I find a list of which vehicles are classed as domestic or import?
EPA currently doesn't provide a list of domestic or import passenger vehicles on the web. If Navigant Research staff have questions about the classification of a few vehicles for a specific model year (prior to the 2017 model year), we can look them up.

My understanding is that a vehicle must have 75% US/Canada content to classed as domestic. Is this correct or is it NAFTA-region content for domestic?
Please see my explanation above. See 49 U.S.C. 32904. EPA's implementing regulations are in 40 CFR 600.511-08, Determination of domestic production

Who determines a vehicles domestic/import classification? Do OEMs self-certify or does EPA/NHTSA do this?
Automobile manufacturers are required to provide a list of their domestic and import passenger cars (and the import content of each carline) in their final CAFE model year report which is submitted to EPA. Occasionally, EPA has questions about the classification of some vehicles and will request more information/documentation from the manufacturer.

What parts are included in the domestic import calculation?

Please see explanation above. EPA has issued several guidance letters outlining how manufacturers should determine the import content of various automobile parts, components and assemblies.

I saw one reference that stated only parts listed in the 1992 AALA are included which would pre-date large batteries so they might not be included. Is this true?

EPA regulations do not provide lists of parts to be included in the determination of domestic/import classification

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Sam Abuelsamid [mailto:Sam.Abuelsamid@navigant.com]
Sent: Friday, November 10, 2017 1:20 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Domestics vs Import for CAFE
Importance: Low

Hello Robert

I'm trying to find information on how domestic vs import is determined for classifying car fleets for CAFÉ purposes and I have a few questions.

- Are cars still split into domestic and import fleets for CAFÉ calculation purposes? And are trucks all lumped together?
- Where can I find a list of which vehicles are classed as domestic or import?
- My understanding is that a vehicle must have 75% US/Canada content to classed as domestic. Is this correct or is it NAFTA-region content for domestic?
- Who determines a vehicles domestic/import classification? Do OEMs self-certify or does EPA/NHTSA do this?
- What parts are included in the domestic import calculation?
- I saw one reference that stated only parts listed in the 1992 AALA are included which would pre-date large batteries so they might not be included. Is this true?

Thanks for your assistance
Sam

SAM ABUELSAMID | Senior Analyst
Energy | Navigant Research | Detroit
+1.312.583.5729 Direct | Ex. 6 Personal Privacy (PP) Mobile | sam.abuelsamid@navigant.com
www.navigantresearch.com

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Ecofys Investments B.V., Registered in the Netherlands, No. 24464589, Registered office: Kanaalweg 15G, 3526 KL, Utrecht

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 11/16/2017 6:26:45 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Environmental Health Perspectives (Wendee Nicole) - press inquiry/2nd time - DDL 11/17

Good to send.

From: Daguillard, Robert
Sent: Thursday, November 16, 2017 1:18 PM
To: Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Environmental Health Perspectives (Wendee Nicole) - press inquiry/2nd time - DDL 11/17

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FOLLOW-UP RESPONSE

Ex. 5 Deliberative Process (DP)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, November 14, 2017 5:15 PM
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Cc: Press <Press@epa.gov>
Subject: Re: [SPAM-Sender] Re: press inquiry/2nd time

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Hullo Wendee,

For attribution to "an EPA spokesperson," please:

Chemical risk is a function of both hazard inherent to a chemical and exposure (the amount of a chemical that you get exposed to). Collecting data on exposure is traditionally a challenge, requiring bulky monitoring devices or analysis of biological samples such as blood and urine. Silicone wristbands present an opportunity for an inconspicuous, non-invasive means of measuring chemical exposure. However, additional research is needed to directly relate what is measured in silicone wristbands to human exposure.

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Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Thursday, November 09, 2017 11:19 AM
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Cc: StClair, Christie <StClair.Christie@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: press inquiry/2nd time
Importance: High

Dear EPA Press Office,

I emailed Region 6 previously and did not get a reply. I am a freelance writer assigned to write a feature for Environmental Health Perspectives (ehponline.com) about environmental contaminants after Hurricane Harvey in the Houston area, and would like to ask some questions about the San Jacinto River Pits and other Superfund sites in the region.

I am also reporting on the use of silicone wristbands to measure chemical exposures, and two possibly good sources for me to interview (or receive answers from) would be John Wambaugh or Kristin Isaacs with the EPA's Office of Research & Development, as they were quoted in a previous article for C&E News on this topic.

My deadline is Nov 15.

I had previously sent the following 2 questions about the Record of Decision as I was not clear on how that worked:

is the Oct 11 Record of Decision FINAL as I also saw there a 60-day comment period? That was supposed to be ended with a Oct 20 public hearing – is there minutes or aa report from that meeting? Can the companies (PRPs) sue to reverse this decision or is it set in stone?

I ccd a couple of contacts from the Press page that May be able to help – environmental justice, hazardous waste, and R&D.

Kind regards,
Wendee Nicole – Ex. 6 Personal Privacy (PP)

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http://www.redemptionsongfoundation.org

Online writing class starts 12/13: http://www.wendeenicole.com/nature.htm

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 11/15/2017 9:17:47 PM
To: Press [Press@epa.gov]
Subject: For Review: Beltway News (Samuel Northrop) re: GHG emissions (Deadline: 11/15)

Michael, he requires a name for attribution. Yours ok? Also, Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)

Background: Beltway News reporter is asking how GHG emissions are measured. Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Samuel Northrop, Ex. 6 Personal Privacy (PP)

Suggested Response:

Ex. 5 Deliberative Process (DP)

From: Samuel Northrop [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, November 15, 2017 11:01 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Emissions Inquiry for EPA

Also, if you could please include your full name and title so I can cite you accordingly it would be much appreciated.

Thanks

On Wednesday, November 15, 2017, Samuel Northrop < Ex. 6 Personal Privacy (PP) > wrote:

> Beltway news. And most likely later tonight.
>
> On Wednesday, November 15, 2017, Jones, Enesta <Jones.Enesta@epa.gov> wrote:
>
> > On it. Where will the story appear and when?
> >
> > On Nov 15, 2017, at 10:39 AM, Samuel Northrop < Ex. 6 Personal Privacy (PP) > wrote:

How does the EPA measure emissions, specifically greenhouse gas emissions.

What is the main recommendation of the EPA to reduce greenhouse gas emissions going forward?

Hard deadline is 3:30 this afternoon.

Thank you.

On Wednesday, November 15, 2017, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> Hi Samuel, please send me your specific questions and hard deadline.

Message

From: Echo Huang Yinyin [echo@qz.com]
Sent: 11/9/2017 3:51:16 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Media(Quartz)inquiry on releasing "killer" mosquitos to fight diseases

Thanks, will let my editor know.

On Thu, Nov 9, 2017 at 11:48 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Echo, a quick follow-up to our response from yesterday, for attribution to "an EPA spokesperson," please:

Incoming: What are the volumes that you predict to be released per week in each state?

Response: The number of ZAP Males® released in a given area depends on how many wild male Asian tiger mosquitoes are present in that area. The numbers will vary by region and by mosquito season. Applicators must monitor the area for wild Asian tiger mosquitoes and then apply, at minimum, 10 times the number of ZAP Males® to the number of wild males present. EPA cannot predict the number of ZAP Males® that will be released per week in each state.

Incoming: When is the releasing work going to begin? Or has it already begun?

Response: As is the case for all pesticides that are registered by EPA, Mosquito Mate's ZAP Males® must first be registered by each state lead agency before they can be used in the area.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Echo Huang Yinyin [mailto:echo@qz.com]
Sent: Tuesday, November 07, 2017 8:50 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Media(Quartz)inquiry on releasing "killer" mosquitos to fight diseases

Hi, Robert,

Hope this email finds you well.

This is Echo from Quartz(qz.com), a New York-based news outlet founded in 2012. I am reporting from Hong Kong.

I am writing for queries of EPA's plan to release insects in 20 states and Washington D.C with MosquitoMate, reported by Nature this week.

I would like to ask the EPA :

1. If you can confirm the plan?

2. What are the 20 states exactly?

3. What are the volumes that you predict to be released per week in each state?

4. When is the releasing work going to begin? Or has it already begun?

Looking forward to hearing from you.

Best,

Echo

--

Echo Huang, Hong Kong Reporter

Quartz | @echohuangy | m + Ex. 6 Personal Privacy (PP)

--
Echo Huang, Hong Kong Reporter
Quartz | @echohuangy | m + Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/14/2017 10:31:49 PM
To: Press [Press@epa.gov]
Subject: FW: [SPAM-Sender] Re: press inquiry/2nd time

Discussing with ORD.

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Tuesday, November 14, 2017 5:15 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: [SPAM-Sender] Re: press inquiry/2nd time

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Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Thursday, November 09, 2017 12:24 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: [SPAM-Sender] Re: press inquiry/2nd time

I have an assigned feature for environmental health perspective. I put the link in the original email. It's a publication of the NIEHS. It's due November 21 but I need all my information by the 15th to be able to write it in time.

Do you know about the silicone wristbands? Are you asking me to explain them or you were asking me something else? Basically they're being used by scientist all over the place to study personal chemical exposures. EPAs John Wambaugh was quoted in an article for chemical and engineering news and that's why I thought he would be a good one to get a quote from.

The other part is just to get some details about the cleanup of the San Jacinto River pits. I'm taking it that's a different department than yours?

Would you be willing to forward my email to the general press office since the region six people aren't getting back to me? I'm having a bunch of computer problems at the moment so that would be greatly appreciated!

Wendee

WendeeNicole.com
Director, RedemptionSongFoundation.org

Sent from my iPhone - excuse brevity & typos

On Nov 9, 2017, at 11:05 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Wendee,

Someone will get back to you on the Harvey question. Can you tell me more about the silicone wristband part? Who are you hoping to write for?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Wendee Nicole [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Thursday, November 09, 2017 11:19 AM
To: R6Press <R6Press@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Cc: StClair, Christie <StClair.Christie@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>

Subject: press inquiry/2nd time
Importance: High

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Kind regards,
Wendee Nicole – Ex. 6 Personal Privacy (PP)

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Founder & Director, REDEMPTION SONG FOUNDATION UGANDA
http://www.redemptionsongfoundation.org

Online writing class starts 12/13: http://www.wendeenicole.com/nature.htm

Message

From: Sarah Mock [sarah@rfdtv.com]
Sent: 11/14/2017 8:00:37 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Dicamba Updates?

You're a hero Robert! Thanks for your help.

Get Outlook for iOS

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, November 14, 2017 2:45:08 PM
To: Sarah Mock
Cc: Press
Subject: RE: Dicamba Updates?

Looks like we'll beat it. For attribution to "an EPA spokesperson," please:

We continue to listen to input from stakeholders and will closely monitor the success of the current changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season. The registrations will automatically expire two years from when they were originally issued, unless EPA determines before that date that off-site incidents are not occurring at unacceptable frequencies or levels.

With advice from state and industry experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision next year in time for growers to make informed seed purchase decisions for the next planting season.

For more information, all the materials from the recent Pesticides Program Dialogue Committee (PPDC) meeting, including the session on dicamba - are posted here: https://www.epa.gov/pesticide-advisory-committees-and-regulatory-partners/pesticide-program-dialogue-committee-meeting-5

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Sarah Mock [mailto:sarah@rfdtv.com]
Sent: Tuesday, November 14, 2017 1:42 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Dicamba Updates?

No worries, my deadline is 6pm.

Sarah Mock
Washington Bureau Chief, RFD-TV News
m. Ex. 6 Personal Privacy (PP)
o. 202-554-0514

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, November 14, 2017 1:14:17 PM
To: Sarah Mock
Subject: RE: Dicamba Updates?

Hey Sarah,

Can't promise we do, but I'll check. What's your deadline?

From: Sarah Mock [mailto:sarah@rfdtv.com]
Sent: Tuesday, November 14, 2017 12:10 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Dicamba Updates?

Hi Robert-

We're doing some followup reporting on Dicamba after the restricted use announcement. Any updated statement from the EPA on understanding the Dicamba drift issue and what the EPA's strategy to address it might be going forward?

Thanks,
Sarah

Sarah Mock
Washington Bureau Chief, RFD-TV News
m. Ex. 6 Personal Privacy (PP)
o. 202-554-0514

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/9/2017 1:56:56 PM
To: Emily.Flitter@thomsonreuters.com; Press [Press@epa.gov]
Subject: RE: Two dicamba questions -deadline 5pm

Emily, for attribution, as usual, to "an EPA spokesperson." Dreadfully sorry it took so long:

Incoming: I'm writing a story about Monsanto's decision to sell dicamba-tolerant cotton and soybean seeds before the EPA approved the label for XtendiMax with Vapor Grip. The USDA has told me EPA and USDA are in talks to figure out how to coordinate seed and pesticide approvals in the future so there's never another GMO seed for sale without a corresponding pesticide. Do you want to comment on that? I'm including USDA's comment in the story—simply that these discussions are happening. Would love to know if you have anything to add.

Response: USDA allows the use of GE crops, and EPA registers the use of pesticides on those crops.EPA and USDA continue to work on the coordination of the seed trait deregulation and pesticide use approvals in an attempt to prevent pesticide misuse on genetically modified herbicide-tolerant crops.

Incoming: Second, can you tell me the total number of acres of dicamba damaged crops there were in 2016 and also how many acres were damaged in 2017, please? The numbers shouldn't be hard for to find—the EPA put out an advisory in August 2016 saying 42,000 acres were damaged in Missouri and there was damage reported in 9 other states. If you have the total acreage from that time, that would be great. And this year's total was something you announced last week—so I'd just like to source it to EPA, if you please.

Response: 2017- Based on information collected by Dr. Kevin Bradley of the University of Missouri quantifying crop damage complaints reported to state departments of agriculture, as of October 15, 2017 there are over 2,700 formal dicamba-related incidents, estimating a total of over 3.6 million acres of soybeans. These are the best estimates available to EPA, but they are not EPA estimates.

2016 – Equivalent numbers are not available for 2016. Moreover, dicamba use on dicamba-tolerant soybean and cotton was not registered for the 2016 season.

Incoming: Do you have a state-by-state breakout for 2016 and 2017 of the damage reports, please?

Response: No, EPA does not have those figures, except for those presented to us by experts in the field such as Dr. Kevin Bradley of the University of Missouri. More information on the University of Missouri's data can be found at https://ipm.missouri.edu/IPCM/2017/10/final_report_dicamba_injured_soybean/

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, November 07, 2017 10:01 AM
To: Press <Press@epa.gov>
Subject: Two dicamba questions -deadline 5pm

Hi,

I'm writing a story about Monsanto's decision to sell dicamba-tolerant cotton and soybean seeds before the EPA approved the label for XtendiMax with Vapor Grip. The USDA has told me EPA and USDA are in talks to figure out how to coordinate seed and pesticide approvals in the future so there's never another GMO seed for sale without a corresponding pesticide. Do you want to comment on that? I'm including USDA's comment in the story—simply that these discussions are happening. Would love to know if you have anything to add.

Second, can you tell me the total number of acres of dicamba damaged crops there were in **2016** and also how many acres were damaged in **2017**, please? The numbers shouldn't be hard for to find—the EPA put out an advisory in August 2016 saying 42,000 acres were damaged in Missouri and there was damage reported in 9 other states. If you have the total acreage from that time, that would be great. And this year's total was something you announced last week—so I'd just like to source it to EPA, if you please.

Thanks very much for your help and best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 11/8/2017 4:04:29 PM
To: StClair, Christie [StClair.Christie@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Scripps, re: MNA (DDL ASAP)

Good to send.

From: StClair, Christie
Sent: Wednesday, November 8, 2017 10:36 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Scripps, re: MNA (DDL ASAP)

Background: This is a follow up request from a team of Scripps reporters looking at monitored natural attenuation (MNA) at DoD sites. The reporter very much wants a backgrounder; Ex. 5 Deliberative Process (DP) Also, site-specific questions such as this are Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) . The response has been approved by Paul Leonard, Acting Office Director. Reporter: Angela Hill, Scripps, angela.hill@scripps.com

Proposed response:

Ex. 5 Deliberative Process (DP)

From: Hill, Angela [mailto:angela.hill@scripps.com]
Sent: Wednesday, November 01, 2017 1:49 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: Re: Scripps News Request//Groundwater and MNA

Hi Christie,
Again, thank you for the information you have provided so far. There is no doubt it is helpful towards getting us part of the way there! Interestingly, reviewing the info you've provided has raised some new questions. I continue to write in the spirit of working with the EPA in good faith with the purpose of making sure we're understanding the information so that we can accurately report it.

When reviewing and analyzing data, it's our standard practice to engage with the federal agency, just to fact-check what data fields are available, and importantly, what they stand for—and what they do not. In doing so, and as I've done, our standard operating procedure is to tell agencies we **are not looking to quote anyone for attribution**. This is to ensure a safe conversation where we can simply understand the data. And so I'm appreciative of your willingness to continue to engage!

While I continue to wonder if it might be most efficient for me to hop on the line with you, and a subject matter expert, I also want to respect everyone's time. So, I've taken the time to write out a number of questions/ discrepancies I seem to be seeing in the data from one part of what EPA makes available, and the data from the other links you've sent along. It's not my intention to overwhelm you with these questions – again, I just want to make sure I'm clear on the information.

I'm providing several specific examples with hopes that you'll see we're truly spending the time on our end doing homework. We always seek to be responsible in how we engage with agencies like the EPA and hope they would provide us the guidance to help us get the most accurate information to the public. Again, this is NOT for quoting. We just want to understand how the data sets play and merge with each other, how they don't, and where certain information is best stored. If we need quotes from EPA on the record, I promise, we'll come back to you at a later time.

While I'd propose a conversation scheduled for a limited amount of time would be the best and fastest way to help move us forward from here (that way, your SMEs would not have to take time to write out answers to everything here), I'll defer to you on the best way to handle.

A bit more detail: I reviewed the links you sent in your last email. I've copied below a few examples of sites where MNA is indicated at an Operable Unit, based on what you've sent me. However, for these and other sites where MNA is indicated, as you'll see it doesn't appear to identify the actual contaminant(s) for which MNA is being used on. I've provided links to the "cleanup activities operable units page" for the examples below. Because sites, and operable units can have multiple contaminants, and even multiple technical solutions, based on what you've sent so far, it's not clear what solutions are applied to which specific contaminants. In some cases, there are four or five solutions listed—and more than a dozen contaminants. It leaves one wondering—do all five solutions gets applied to all 12 contaminants at an operable unit? Or- does MNA apply to only 1 or 2 of the contaminants, while the other four listed solutions apply to other specific contaminants?

I'd appreciate your help in identifying a data table/data source where it identifies which contaminants MNA is being used for. It would be helpful to have this information for each of the sites in the database that indicates MNA. Again, these sites listed below are just examples and we're hoping to use them to spur conversation that can lead us toward a better understanding of which specific technical solutions are applied to which specific contaminants *within* an operable unit:

CAMP LEJEUNE MILITARY RES. (USNAVY)
ONSLOW COUNTY, NC
Operable Units: 07, 11, 17, 22
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0403185
Question: For the operable units where MNA is used, for which contaminant(s) is it being used for?

NEWPORT NAVAL EDUCATION & TRAINING CENTER
NEWPORT, RI
Operable Units: 07
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0101431
Question: For the operable unit where MNA is used, for which contaminant(s) is it being used for?

HANFORD 300-AREA (USDOE)
BENTON COUNTY, WA
Operable Units: 02
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=1001111
Question: For the operable units where MNA is used, for which contaminant(s) is it being used for?

Lastly, using the 2014 Data of the Federal Facility NPL Remedial Decisions you directed me to, I've made the following observations and appreciate your assistance in answering the questions noted below:

2014 DATA

Federal Facility NPL Remedial Decisions: RODs, ROD Amendments and ESDs per Fiscal Year (FY 1983 – 2014)

I clicked on 2014

And sorted by California and Groundwater

https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

Identified **MOFFETT FIELD NAVAL AIR STATION, MOFFETT FIELD, CA**

The column "Media" indicated Groundwater

The column "Remedies" includes the following:
Bioremediation (anaerobic, insitu), Bioremediation (bioaugmentation, insitu), ESD/Amd - ICs - Implement or Change, ESD/Amd - Remedy Component Removal, Institutional Controls,Monitored Natural Attenuation

When I click on Moffett Naval Air > Cleanup Activities > Operable Units
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0902734

Under the column "Cleanup Technologies Selected in the Decision Document," MNA is not listed for any of the operable units.

QUESTIONS:

Why is MNA listed in the Remedies column here:
https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

But not here:
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0902734

Federal Facility NPL Remedial Decisions: RODs, ROD Amendments and ESDs per Fiscal Year (FY 1983 – 2014)

I clicked on 2014

I sorted by Pennsylvania and Groundwater

https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

Identified **LETTERKENNY ARMY DEPOT, PA**

The column "Media" indicated Groundwater

The column "Remedies" includes the following:
Institutional Controls, Monitored Natural Attenuation

When I click on Letterkenny Army Depot > Cleanup Activities > Operable Units
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0302458

Under the column "Cleanup Technologies Selected in the Decision Document," MNA is not listed for any of the operable units.

QUESTIONS:

Why is MNA listed in the Remedies column here:
https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

But not here?:
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0302458

Federal Facility NPL Remedial Decisions: RODs, ROD Amendments and ESDs per Fiscal Year (FY 1983 – 2014)

I clicked on 2014

Sorted by Rhode Island and Groundwater

https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

Identified **DAVISVILLE NAVAL CONSTRUCTION BATTALION CENTER, RI**

The column "Media" indicated Groundwater

The column "Remedies" includes the following:
Institutional Controls, Monitored Natural Attenuation

When I click on Davisville Naval Construction Battalion Center > Cleanup Activities > Operable Units
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0101430

Under the column "Cleanup Technologies Selected in the Decision Document," Monitored Natural Attenuation (MNA) is not listed for any of the operable units.

QUESTIONS:

Why is MNA listed in the Remedies column here:
https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

But not here?:
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0101430

Federal Facility NPL Remedial Decisions: RODs, ROD Amendments and ESDs per Fiscal Year (FY 1983 – 2014)

I clicked on 2014

Sorted by Virginia and Groundwater

https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

Identified **MARINE CORPS COMBAT DEVELOPMENT COMMAND, VA**
The column "Media" indicated Groundwater
The column "Remedies" includes the following:
Institutional Controls, Monitored Natural Attenuation

When I click on Marine Corps Combat Development Command > Cleanup Activities > Operable Units
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0302840

Under the column "Cleanup Technologies Selected in the Decision Document," Monitored Natural Attenuation (MNA) is not listed for any of the operable units.

QUESTIONS:

Why is MNA listed in the Remedies column here:
https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

But not here?:
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=0302840

Federal Facility NPL Remedial Decisions: RODs, ROD Amendments and ESDs per Fiscal Year (FY 1983 – 2014)

I clicked on 2014

Sorted by Washington and Groundwater

https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

Identified **HANFORD 100 - AREA (USDOE), WA**
The column "Media" indicated Groundwater
The column "Remedies" includes the following:
Institutional Controls, Monitored Natural Attenuation

When I click on Hanford 100-Area (USDOE) > Cleanup Activities > Operable Units
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=1001114

Under the column "Cleanup Technologies Selected in the Decision Document," Monitored Natural Attenuation (MNA) is not listed for any of the operable units.

QUESTIONS:

Why is MNA listed in the Remedies column here:
https://ofmpub.epa.gov/apex/ffcc/f?p=FFCC:38:::::P38_YEAR:2014

But not here?:
https://cumulis.epa.gov/supercpad/SiteProfiles/index.cfm?fuseaction=second.ous&id=1001114

Thank you for your assistance. It would be helpful to receive a response to my inquiries by **Friday, November 3, 2017** with my preference being an opportunity to speak with someone.

Regards,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

From: Hill, Angela
Sent: Thursday, October 26, 2017 1:41:02 PM
To: StClair, Christie
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Christie,
I'm not looking for anything from you at this time. However, as I mentioned, I'll likely circle back to you once I've finished reviewing the information you provided.

Thank you,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

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From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Thursday, October 26, 2017 11:31 AM
To: Hill, Angela <angela.hill@scripps.com>
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Angela, we have nothing further to add at this time.

Christie

From: Hill, Angela [mailto:angela.hill@scripps.com]
Sent: Thursday, October 26, 2017 10:00 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: Re: Scripps News Request//Groundwater and MNA

Good morning Christie, Thanks for the additional information — it's helpful.

As a point of clarification, at this time we are simply looking to understand the data sets. We are not looking for attributions or to quote anyone.

I've spent some time reviewing the data and will continue to do so today. While I'm open to submitting follow-up questions in writing, given the nuances of the data, potential complexities and our deadline, I believe it would be beneficial to us and I suspect more efficient for you and your team to have a brief conversation at some point if we find we have outstanding questions versus back and forth emails that could take days before reaching a consensus of understanding. And that conversation could be on background. Again, our foremost priority at this juncture is obtaining clarity on the data/information.

I'm working away from the office today but hope to complete review of the information sometime tomorrow.

I greatly appreciate your assistance in moving this process along.

Regards,

~Angela

Sent from my iPhone

On Oct 25, 2017, at 2:57 PM, StClair, Christie <StClair.Christie@epa.gov> wrote:

> Angela, please attribute to an agency spokesperson.
>
> We would direct you to information already available on our website.
>
> Below are specific instructions for accessing the information.
>
> - The information is available on our FedFacts Dashboard which can be found at the following link: https://ofmpub.epa.gov/apex/ffcc/f?p=111:1[ofmpub.epa.gov]::::::
> - Once you navigate to the link, scroll to the bottom chart titled, "Federal Facility NPL Remedial Decisions: RODs, ROD Amendments and ESDs per Fiscal Year".
> - Once you navigate to the chart, please click the FY that you are interested in. This will drill down to the details of that particular FY.
> - From there you will be able to search and sort by Site, Region or even Media, such as groundwater. You can also type in specific criteria you are interested in searching such as 'Monitored Natural Attenuation.'
> - Once you have the information you need filtered, you can click the "Actions" button and then click "download" to export the dataset.
>
> Regarding the codes you asked about - The OU and Action Code ID demonstrate to the user that the Remedy displayed has more than 1 component or media and is part of the same overall remedy. If you come back with additional questions after reviewing the information on our website, we would be happy to respond in writing.
>
> Thanks,
> Christie
>
> ---
>
> **From:** Hill, Angela [mailto:angela.hill@scripps.com]
> **Sent:** Wednesday, October 25, 2017 10:31 AM
> **To:** StClair, Christie <StClair.Christie@epa.gov>
> **Subject:** Re: Scripps News Request//Groundwater and MNA
>
> Good morning Christie, Thanks for following up with your colleagues. Your earlier response seemed to imply they would be available this week since they were out last week. Nonetheless, it's been a week

since my initial request. I'd hope we could briefly speak with someone involved with developing the dataset or be redirected to another team who could assist — or at the minimum get an idea of how long it might be before we could speak with someone.

I have a deadline of this Friday.

Again, I'm not trying to be a pest but simply looking for the agency's explanation/guidance of these public data sets.

I appreciate your assistance and hope your colleagues will be available to speak soon.

Best,
~Angela

Sent from my iPhone

On Oct 25, 2017, at 8:32 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

> Angela, I said that they MIGHT. I've not yet heard back from the experts about their availability. I'll ping them again.
>
> Christie
>
> On Oct 24, 2017, at 5:16 PM, Hill, Angela <angela.hill@scripps.com> wrote:
>
> > Christie,
> > I appreciate the update. Last week you indicated your colleagues would be able to speak this week. Can you give me a sense of what might be causing the delay and when this week they might be available?
> >
> > Thanks,
> > Angela M. Hill
> > National Investigative Producer
> > Scripps News Washington Bureau
> > 202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill
> >
> > **From:** StClair, Christie [mailto:StClair.Christie@epa.gov]
> > **Sent:** Tuesday, October 24, 2017 4:58 PM
> > **To:** Hill, Angela <angela.hill@scripps.com>
> > **Subject:** RE: Scripps News Request//Groundwater and MNA
> >
> > Angela, I'm sorry but I don't have anything to share yet.
> >
> > **From:** Hill, Angela [mailto:angela.hill@scripps.com]
> > **Sent:** Tuesday, October 24, 2017 4:56 PM
> > **To:** StClair, Christie <StClair.Christie@epa.gov>
> > **Subject:** RE: Scripps News Request//Groundwater and MNA

Hi Christie,
Just checking in to see where things stand.
I don't mean to be a bother but understanding the data fields is key and we're on a bit of a tight timeline.
I'm out of the office most of the day tomorrow with intermittent access to email after 10 am. However, if one of your colleagues is available, my co-reporting colleague could also take the call.

Thanks,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

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From: Hill, Angela
Sent: Tuesday, October 24, 2017 11:11 AM
To: 'StClair, Christie' <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Christie, I'm so sorry for mixing up your name -- please accept my apology.
Thanks – I appreciate your assistance.

Regards,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

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From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Tuesday, October 24, 2017 11:07 AM
To: Hill, Angela <angela.hill@scripps.com>
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Angela – my name is Christie, actually, but the last name gets a lot of folks confused.

I'm actually checking in on this as we speak. I'll let you know as soon as I hear something.

From: Hill, Angela [mailto:angela.hill@scripps.com]
Sent: Tuesday, October 24, 2017 11:05 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Claire,
Touching base – is someone available to speak with us today about the Superfund Data Report and Remedy Decision documents we discussed last week?

https://www.epa.gov/superfund/superfund-data-and-reports[epa.gov]

IC/EC IN REMEDY DECISION DOCUMENTS, DATA AS OF SEPTEMBER 30, 2013 (XLS)[semspub.epa.gov](1 pp, 2.4 MB, About PDF)[epa.gov]

LIST 10 - CONTAMINANTS AT CERCLIS SITES (WITH .XLS ATTACHED)[semspub.epa.gov](4610 pp, 25.8 MB, About PDF)[epa.gov]

Thanks,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

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From: Hill, Angela
Sent: Thursday, October 19, 2017 3:39 PM
To: 'StClair, Christie' <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

I appreciate your help -- understanding the data is key to us moving forward on the story.

Regards,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

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From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Thursday, October 19, 2017 2:54 PM
To: Hill, Angela <angela.hill@scripps.com>
Subject: Re: Scripps News Request//Groundwater and MNA

I'll let them know but can't promise anything.

On Oct 19, 2017, at 2:47 PM, Hill, Angela <angela.hill@scripps.com> wrote:

> Christie, Thanks for the update. I'd appreciate your help in scheduling a call with them on Monday or Tuesday of next week if at all possible.
>
> Thanks,
> Angela M. Hill
> National Investigative Producer

Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Thursday, October 19, 2017 1:22 PM
To: Hill, Angela <angela.hill@scripps.com>
Subject: RE: Scripps News Request//Groundwater and MNA

Angela, the two people who could help are on leave this week, so I don't think we can do much to help until next week.

From: Hill, Angela [mailto:angela.hill@scripps.com]
Sent: Thursday, October 19, 2017 1:03 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Christie,
Touching base – any chance we'll be able to speak with one of your colleagues today? I'm out of the office tomorrow so was hoping we could have a brief chat today.

Thanks,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

From: Hill, Angela
Sent: Wednesday, October 18, 2017 5:14 PM
To: 'StClair, Christie' <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Christie,
Perhaps one of your colleagues who deals in the technical can have a brief chat with us sometime tomorrow. It's a bit much to elaborate in writing. We're trying to get clarification on what some of the codes in the "Remedy Decision Documents…" spreadsheet and "Contaminants at CERCLIS sites" pdf mean and how they may compliment one another.

In the spreadsheet, it's unclear how they OU_ID codes relate to the column marked "RMedia_Desc; when

"natural attenuation" is noted, it's not clear what contaminants are present; and I'd also like guidance on what "ACT_ACTL_CMPLTN_DATE" and ACT_CURR_PLN_CMPLTN_DATE" mean.

These are a few examples of the items we'd like clarification on – which is why it may be more expedient to chat. I'm sure we can keep it brief. And it might also inform my initial request to you. The data in the spreadsheet in my last email is from 2013 and per my request we'd want the most recent data points.

Again, I appreciate your assistance.

Thanks,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

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From: StClair, Christie [mailto:StClair.Christie@epa.gov]
Sent: Wednesday, October 18, 2017 4:44 PM
To: Hill, Angela <angela.hill@scripps.com>
Subject: RE: Scripps News Request//Groundwater and MNA

Angela, I'm not a technical expert. Can you elaborate in writing, and I'll pass it along?

From: Hill, Angela [mailto:angela.hill@scripps.com]
Sent: Wednesday, October 18, 2017 4:15 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Christie,
We did a bit more digging on the EPA site and came across the information below that might be helpful to my request.

Do you have a few minutes now to chat with me and my colleague? I want to make sure we understand the data; it may lead to an adjustment to my initial request.

https://www.epa.gov/superfund/superfund-data-and-reports[epa.gov]

IC/EC IN REMEDY DECISION DOCUMENTS, DATA AS OF SEPTEMBER 30, 2013 (XLS)[semspub.epa.gov](1 pp, 2.4 MB, About PDF)[epa.gov]

LIST 10 - CONTAMINANTS AT CERCLIS SITES (WITH .XLS ATTACHED)[semspub.epa.gov](4610 pp, 25.8 MB, About PDF)[epa.gov]

Thanks,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o| Ex. 6 Personal Privacy (PP) | @AngelaMHill

From: Hill, Angela
Sent: Wednesday, October 18, 2017 1:08 PM
To: 'StClair.Christie@epa.gov' <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Hi Christie,
Thanks for the quick response – nice chatting with you. Per our conversation, these are the fields I'm requesting for MNA remedies:

? State
? Site Name
? EPA region
? Operable Unit
? EPA ID
? Document Type
? Decision Document Date
? Groundwater Remedies (in the event it's MNA in addition to something else)
? Status on NPL (active, completed, removed, etc.)

Many thanks!

Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o| Ex. 6 Personal Privacy (PP) c | @AngelaMHill

From: Hill, Angela
Sent: Wednesday, October 18, 2017 12:57 PM
To: 'StClair.Christie@epa.gov' <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Superfund Decision Documents.

https://19january2017snapshot.epa.gov/superfund/search-superfund-decision-documents_.html[19january2017snapshot.epa.gov]

From: Hill, Angela
Sent: Wednesday, October 18, 2017 12:52 PM
To: 'StClair.Christie@epa.gov' <StClair.Christie@epa.gov>
Subject: RE: Scripps News Request//Groundwater and MNA

Christie -- Apologies for the mis-identifying you as "Christine."

From: Hill, Angela
Sent: Wednesday, October 18, 2017 12:50 PM
To: 'StClair.Christie@epa.gov' <StClair.Christie@epa.gov>
Subject: Scripps News Request//Groundwater and MNA

Hi Christine,
I hope this note finds you well. I'm researching groundwater contamination and Superfund sites listed on the National Priorities List. Your colleague Enesta Jones suggested I contact you.

I'd like to speak with you about obtaining an excel spreadsheet list of all current Department of Defense military bases where Monitored Natural Attenuation (MNA) was designated the remedy of choice for Groundwater Remedies Selected in Decision Documents. (An example of what I'm requesting is noted in this Superfund Remedy Report 15th edition -- as noted in Appendix G beginning on page 154 https://www.epa.gov/sites/production/files/2017-09/documents/100000349.pdf[epa.gov]).

I'd appreciate a return call to further discuss my request.

Many thanks,
Angela M. Hill
National Investigative Producer
Scripps News Washington Bureau
202.408.2728 o | Ex. 6 Personal Privacy (PP) c | @AngelaMHill

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/8/2017 2:59:18 PM
To: Thomas.Polansek@thomsonreuters.com; Press [Press@epa.gov]
Subject: RE: Reuters question on Monsanto product NemaStrike

Tom, for attribution to "an EPA spokesperson," please:

1. **Monsanto says the product was approved by the EPA and that the company is now receiving reports that the chemical causes rashes in customers. Can you please tell me whether the EPA tested this product to see whether it caused skin irritation?**

The Agency is aware of these alleged incidents involving the product NemaStrike and they are currently being investigated.

Yes, the product has been tested. Under FIFRA, the applicant for registration is required to submit the required data to support registration, which includes skin irritation. For more information on data submissions required for a registration application, see https://www.epa.gov/pesticide-registration/registration-requirements-and-guidance.

Guideline studies for new active ingredients include tests for Dermal Sensitization and Primary Skin Irritation. The Dermal Sensitization study for NemaStrike indicated that the product is not a sensitizer, while the Primary Skin Irritation supported Toxicity Category IV, the least toxic category for skin irritation. Personal Protective Equipment is required for use, but no additional First Aid statements are required to address skin irritation.

2. **Monsanto has also faced complaints about a separate product, its dicamba-based herbicide called XtendiMax, which farmers say has moved away from where it was sprayed and caused damage to vulnerable crops. That product was approved by the EPA too. Can the EPA please explain why problems have emerged with two Monsanto products that were approved by the agency?**

Note: Dicamba products are manufactured by BASF and DuPont as well as Monsanto.

In response to problems with off-target damage to nearby plants in 2017 from dicamba, the agency took action to further minimize the potential for herbicide drift to damage neighboring crops from the use of dicamba formulations to control weeds in genetically modified cotton and soybeans. For more, read the press release:
https://www.epa.gov/newsreleases/epa-and-states-collective-efforts-lead-regulatory-action-dicamba and information on the web:
https://www.epa.gov/ingredients-used-pesticide-products/registration-dicamba-use-genetically-engineered-crops

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Wednesday, November 01, 2017 7:30 PM
To: Press <Press@epa.gov>
Subject: Reuters question on Monsanto product NemaStrike

Hello, My name is Tom Polansek and I am a reporter for Reuters News in Chicago. I am emailing after hours to see whether the EPA can please provide a comment on this announcement by Monsanto concerning its product, NemaStrike:
http://www.acceleronsas.com/NemaStrikeTechnology/Pages/2018-Commercialization-Pause.aspx
Monsanto says the product was approved by the EPA and that the company is now receiving reports that the chemical causes rashes in customers. Can you please tell me whether the EPA tested this product to see whether it caused skin irritation?
Monsanto has also faced complaints about a separate product, its dicamba-based herbicide called XtendiMax, which farmers say has moved away from where it was sprayed and caused damage to vulnerable crops. That product was approved by the EPA too. Can the EPA please explain why problems have emerged with two Monsanto products that were approved by the agency?
Please respond as soon as you can. Many thanks!
Tom

Tom Polansek
Reporter

Thomson Reuters

Phone: 312-408-8556
Mobile: Ex. 6 Personal Privacy (PP)

thomas.polansek@thomsonreuters.com

Tweet me: @tpolansek

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/27/2017 9:13:08 PM
To: Alex Ruppenthal [aruppenthal@wttw.com]; Press [Press@epa.gov]
CC: Bahadori, Tina [Bahadori.Tina@epa.gov]; Cote, Ila [Cote.Ila@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]
Subject: RE: Manganese risk assessment / WTTW "Chicago Tonight" story

Alex, for attribution to "an EPA spokesperson," please:

EPA's IRIS Program develops human health assessments that evaluate potential health effects that may result from exposure to environmental contaminants. IRIS assessments are not regulations but they provide a critical part of the scientific foundation for decision-making to protect public health across EPA under an array of environmental laws. The IRIS Program included manganese among 15 chemicals identified in its 2015 multi-year agenda as being the highest priority for assessment to meet Agency needs (more background information is available at https://www.epa.gov/iris/iris-agenda).

As a priority chemical for assessment, the IRIS Program has been informally surveying the available literature on manganese toxicity. IRIS staff have initiated efforts to define the scope of the assessment, and are working in collaboration with EPA program and regional offices to ensure that the assessment is appropriately scaled to meet the decision-making needs of EPA.

Announcements on the availability of materials related to the development of an IRIS assessment for manganese will be made on the IRIS website (www.epa.gov/iris), and t
through the Federal Register.

Cheers, R.

From: Alex Ruppenthal [mailto:aruppenthal@wttw.com]
Sent: Tuesday, November 21, 2017 1:10 PM
To: Press <Press@epa.gov>
Cc: Bahadori, Tina <Bahadori.Tina@epa.gov>; Cote, Ila <Cote.Ila@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Manganese risk assessment / WTTW "Chicago Tonight" story

Dear EPA Press Office:

Hello, my name is Alex Ruppenthal, and I'm an environmental reporter with the website of "Chicago Tonight" at WTTW, the PBS member station in Chicago.

I'm working on a story for our website about the EPA's reevaluation of its risk assessment for manganese, following a new study by University of Cincinnati professor Dr. Erin Haynes. The study, published in the journal NeuroToxicology in September, found that children with higher levels of manganese in their bodies also had lower IQ scores.

It is my understanding that Ms. Ila Cote of EPA's National Center for Environmental Assessment is evaluating the agency's current risk assessment levels for manganese to determine whether they are adequate for protecting public health.

I would therefore like to request an interview with Ms. Cote, in addition to any other subject matter experts relevant to this topic.

Could you please help me connect with Ms. Cote for a phone interview? My deadline is next Wednesday, Nov. 29.

Please feel free to call me at 773-509-5623, my number at WTTW, if you have any questions about my inquiry.

Thank you in advance for your help, and I look forward to hearing from you.

Best regards,
Alex Ruppenthal

Alex Ruppenthal | Digital Reporter, *Chicago Tonight*
wttw
5400 N St Louis Ave | Chicago IL 60625
t: 773.509.5623
e: aruppenthal@wttw.com

Facebook | Twitter

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/27/2017 3:48:36 PM
To: jpowers@frii.com; Press [Press@epa.gov]
Subject: RE: Interview with Jim Woolford

Judith, on behalf of my colleague Enesta Jones, who is out today, and for attribution to "an EPA spokesperson," please:

1. Your Power Point slide "Major Themes" mentions "Recognize the limitations of modeling predictions from sediment and contaminant transport models." I believe under this topic you mentioned that EPA would no longer depend on numeric models for predicting sediment movement. What are the limitations of numeric modeling that you have observed, including examples?

EPA Response: At contaminated sediment sites, EPA and responsible parties will likely continue to use models as lines of evidence to support decisions. A greater discussion is presented in recommendation 7 of OLEM Directive 9200.1-130, "Remediating Contaminated Sediment Sites - Clarification of Several Key Remedial Investigation/Feasibility Study and Risk Management Recommendations," available at https://semspub.epa.gov/work/HQ/196834.pdf

2. Do you have a similar opinion of the accuracy of using dyes to track sediments?

EPA Response: Sediments with fluorescent properties (dyes) have been used to evaluate and predict sediment movement at contaminated sediment sites. Similar to models, these approaches will likely continue to be used as lines of evidence to support decisions at sites.

3. Will you expand on your next point: "Emphasize early actions followed by monitoring in an adaptive management framework (worst first, monitor, adapt)." I could use an example of how this would be carried out.

EPA Response: This point is expanded upon in the aforementioned directive, particularly recommendations 1 and 8.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

-----Original Message-----
From: jpowers@frii.com [mailto:jpowers@frii.com]
Sent: Wednesday, November 15, 2017 4:10 PM
To: Press <Press@epa.gov>
Subject: Interview with Jim Woolford

Hello,
I am a reporter writing for International Dredging Review. I am reporting on the CERCLA+ MTCA+SEDIMENTS conference held in Portland, Oregon in September of this year.

I heard from an attendee that Mr. Woolford indicated that EPA would no longer be using numeric modeling as a primary predictor of sediment movement. I would like to talk to him about this and about his presentation as a whole. Can you give put me in touch with him this week or next? My deadline is November 27 to complete and submit my article.

Thank you for your help.

Best regards,
Judith Powers
Freelance Writer
International Dredging Review
The Waterways Journal
ENR
970-237-4353
jpowers@frii.com

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 11/3/2017 9:35:41 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: For Review: CBS 11 News Dallas (Brian New) re: glyphosate (Deadline: Now)

Good to send.

Sent from my iPhone

On Nov 3, 2017, at 5:23 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Background: Ex. 5 Deliberative Process (DP) Brian New, banew@cbs.com

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Sorokin, Nicholas
Sent: Friday, November 03, 2017 5:04 PM
To: Press <Press@epa.gov>
Subject: FW: CBS 11 News Dallas - glyphosate

Brian New left us a voicemail at 4:47 PM this afternoon in reference to this exchange.

He is working on a piece about glyphosate, set to air tonight, and is wondering if the risk assessment and review is slated to continue at the same pace Robert previously mentioned in September.

From: Daguillard, Robert
Sent: Tuesday, September 12, 2017 4:35 PM

To: New, Brian A <banew@cbs.com>; Press <Press@epa.gov>
Subject: RE: CBS 11 News Dallas - glyphosate

Brian, with apologies for the later reply – and for attribution to "an EPA spokesperson," please.

EPA is not a party to the lawsuit. The Agency does not comment on personnel matters nor active litigation.

The Agency did not ignore the concerns about the safety of glyphosate expressed by Marion Copley and others. EPA considers all points of view in reaching our determinations and we evaluate information from all kinds of sources – pesticide companies, other governments, academia, and the published scientific literature and use science as a basis for decision-making. EPA has reviewed over 200 studies on a range of scientific topics including epidemiology, animal cancer studies, and genotoxicity and finds that at current US exposure levels that glyphosate is not a carcinogen. This is consistent with the conclusions of a range of entities including the European Food Safety Authority, the FAO/WHO, Japan, Canada, New Zealand, Australia, and Germany.

EPA is currently re-evaluating the safety of glyphosate through our registration review program. This re-evaluation process occurs every 15 years and is mandated by federal law. We sought external peer review of our draft assessment, which included an opportunity for the public to weigh in as well. We will consider all of those comments as we finalize our assessment, which we will also be issuing for public comment.

We are currently scheduled to complete the draft risk assessments by the end of the year. After consideration of the public comments on the draft risk assessments, EPA will determine whether any risk management is needed. We intend to complete our evaluation, consistent with the statutory deadline for registration review, ensuring that the best science is considered in making our regulatory decision.

Regards, R.

From: New, Brian A [mailto:banew@cbs.com]
Sent: Wednesday, September 06, 2017 1:55 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: CBS 11 News Dallas - glyphosate

Robert,

Thanks for your help with answering these questions about glyphosate. My deadline is by the end of business tomorrow – Thursday.

- <!--[if !supportLists]--><!--[endif]-->What is the current classification of glyphosate in terms of it being a carcinogen?

- <!--[if !supportLists]--><!--[endif]-->When will the current reviewing process for glyphosate be completed?

- <!--[if !supportLists]--><!--[endif]-->There have been accusation in lawsuits stating Monsanto has "friends" with the EPA. One of the accusations references the EPA ignoring the concerns about the safety of glyphosate raised by former EPA scientist Marion Copley. Is this true? How were Ms. Copley's concerns handled by the EPA?

Thanks,

Brian New

Brian New
KTVT-TV DALLAS-FORT WORTH
Investigative Reporter
C Ex. 6 Personal Privacy (PP)
banew@cbs.com
Twitter @BrianNewCBS
CBSDFW.com

Message

From: Lu, Jennifer [jlu1@bloombergenvironment.com]
Sent: 11/24/2017 2:57:18 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: fenceline monitoring

Thank you for the info and for working the rest of my questions.

One more for you, which is what will the public database look like? I see a version in this slide, but understand this isn't finalized as the EPA is looking at stakeholder input: https://www.epa.gov/sites/production/files/2016-06/documents/industry_webinar_june_2016_0.pdf

Petroleum Refinery Fenceline Monitoring Stakeholder Engagement

www.epa.gov

Petroleum Refinery Fenceline Monitoring Stakeholder Engagement Webinar for Industry June 21, 2016

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Friday, November 24, 2017 9:16:53 AM
To: Lu, Jennifer
Cc: Press
Subject: Re: fenceline monitoring

Jennifer, for attribution to an "EPA spokesperson," please. We are also working on your other questions.

> To the best of our knowledge, refiners are on track to comply with the fenceline monitoring program by the January 30, 2018 compliance deadline. We have been contacted by numerous refiners and consultants inquiring about various aspects of this rule as they have started to implement its requirements. They have asked a variety of questions, including questions on monitor placement, analytical procedures, and recordkeeping and reporting requirements. We are aware of a number of third party consultants and laboratories that are offering support in all aspects of this program, but do not know how many refiners will opt to use these services as opposed to implementing the program in-house.
>
> Specific Questions
> 1) Whether states need to update their title 5 permits specifically to include information regarding fenceline monitoring for benzene, and if so, by when?
>
> The fenceline monitoring requirements are considered "applicable requirements," that are incorporated in facility title V permits.
>
> 2) Whether it's state or federal regulators who must approve the permits that include fenceline monitoring for benzene, and if so, by when?
>
> -

There is no approval requirement for the fenceline monitoring program as part of a Title V permit. However, if a refiner opts to request an alternative test method or a site-specific monitoring plan, they must seek approval from EPA.

3) What is the timeline for corrective action if a facility reports a rolling annual average that exceeds 9 ug/m3? As I understand it, facilities have 45 days to report an exceedance. Once they do, they have another 45 days to take corrective action. That's between 6 and 7 two-week reporting periods from which the exceedance first occurred. How does a facility show they've taken corrective action? Does that action have to be reflected in the rolling annual average 6-7 reporting periods from when the exceedance first occured? If the problem isn't fixed (as reflected in the data), what happens next and how long can this process go?

You are correct that the rule allows up to 45 days after each sampling period to determine whether the rolling annual average has been exceeded (this includes the time for sending the sampling tube to a laboratory and getting the analysis results).

If refiner has exceeded the rolling annual average, it then has 45 days to conduct a root cause analysis and implement initial corrective action. Facilities must document the corrective action.

Then, if the next sampling period following completion of the corrective action shows that difference between the high and low concentrations measured at the fenceline during the two-week sampling period is over 9 micrograms per cubic meter, the problem is deemed to not be fixed, and the refiner must develop a corrective action plan that describes the actions taken to date, additional measures the refiner plans to take to reduce fenceline concentrations below the action level, and that includes a schedule for completion of these activities.

These plans would then be submitted to the government agency that has been delegated authority to implement the rule (this is often the state), which would work with the refiners to address remaining issues as soon as possible.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Nov 22, 2017, at 3:11 PM, Lu, Jennifer <jlu1@bloombergenvironment.com> wrote:

Hi Robert,

One more question. The EPA chose passive sorbent tube monitoring, partially because it's easier to use and because most refineries already own equipment like gas chromatography with FID. However, I noticed it was included in the in-hous cost analysis ($22,680). Does that mean that while some refineries will have to buy this piece of equipment, the estimated in-house cost could be $22,680 less than the estimated total capital investment in cases where refineries already own this machine?

And does the same apply for the desorption system?

Thanks and happy Thanksgiving,
Jennifer

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Wednesday, November 22, 2017 12:42:26 PM
To: Lu, Jennifer
Subject: RE: fenceline monitoring

Thanks. Let me see what we can do. Happy Thanksgiving if you and I don't talk beforehand.

From: Lu, Jennifer [mailto:jlu1@bloombergenvironment.com]
Sent: Wednesday, November 22, 2017 12:26 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: fenceline monitoring

Yes, Friday is my deadline (apologies, I know it's Thanksgiving week.)

In addition to the general questions I had for David Gray (I'm trying to figure out where refineries are at meeting this deadline, how they're going about it (in-house or through a third-party contractor) and what imput/questions they have from/for federal and state regulators overseeing the process.), I'm also trying to understand:

1) Whether states need to update their title 5 permits specifically to include information regarding fenceline monitoring for benzene, and if so, by when?

2) Whether it's state or federal regulators who must approve the permits that include fenceline monitoring for benzene, and if so, by when?

3) What is the timeline for corrective action if a facility reports a rolling annual average that exceeds 9 ug/m3? As I understand it, facilities have 45 days to report an exceedance. Once they do, they have another 45 days to take corrective action. That's between 6 and 7 two-week reporting periods from which the exceedance first occurred. How does a facility show they've taken corrective action? Does that action have to be reflected in the rolling annual average 6-7 reporting periods from when the exceedance first occured? If the problem isn't fixed (as reflected in the data), what happens next and how long can this process go?

I realize the last question has many parts, but I want to make sure I understand how the process works.

Thanks,
Jennifer Lu

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Wednesday, November 22, 2017 11:58 AM
To: Lu, Jennifer
Subject: FW: fenceline monitoring

Good morning Jennifer,

David Gray, in our Dallas office, forwarded us your questions, which we think are better handled here at HQ.

I take it Friday is your deadline?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Lu, Jennifer [mailto:jlu1@bloombergenvironment.com]
Sent: Wednesday, November 22, 2017 8:53 AM
To: Gray, David <gray.david@epa.gov>
Subject: re: fenceline monitoring

Hi David,

Like Anne Rolfes said, I'm doing a story on fenceline monitoring for benzene ahead of the Jan 30, 2018 requirement for installing passive sorbent tube monitors on the fenceline to collect data at two week intervals.

I'm trying to figure out where refineries are at meeting this deadline, how they're going about it (in-house or through a third-party contractor) and what imput/questions they have from/for federal and state regulators overseeing the process.

Would you be able to help me figure out these questions some time today. My number is Ex. 6 Personal Privacy (PP) Ex. 6 Personal Privacy (PP) and I'll also be in the office on Friday.

Thanks,
Jennifer Lu

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/22/2017 5:56:29 PM
To: Camille von Kaenel [cvonkaenel@eenews.net]; Press [Press@epa.gov]
Subject: RE: Glider kits

Camille, for attribution to "an EPA spokesperson," please:

EPA has not conducted a new analysis of the impacts of the proposed repeal of the emission requirements for gliders.

EPA has recently tested two glider vehicles in order to better understand the emissions performance of glider vehicles.

Regards and Happy Thanksgiving, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Camille von Kaenel [mailto:cvonkaenel@eenews.net]
Sent: Monday, November 20, 2017 11:15 AM
To: Press <Press@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Glider kits

Hello,

I'm writing about glider kits and I'm wondering if you can help me out with the story.

- Is there a reason why EPA staff's analysis on the public health impacts and the economic impacts of the repeal of the emissions requirement for glider kits was not included in the proposal?
- Is there a reason there was no draft regulatory impact analysis submitted with the FR notice on the repeal?
- Is EPA staff conducting tests on glider kits?

Let me know by noon if possible!

Many thanks,

Camille

Camille von Kaenel
E&E News transportation reporter
cvonkaenel@eenews.net
202-446-0424 (office)
Ex. 6 Personal Privacy (PP) (mobile)
@cvonka

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Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

To: Daguillard, Robert[Daguillard.Robert@epa.gov]; Press[Press@epa.gov]
From: Hewitt, James[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: Wed 11/22/2017 5:37:55 PM (UTC)
Subject: RE: Louisiana Weekly Inquiry on ozone

Good to go.

-----Original Message-----
From: Daguillard, Robert
Sent: Wednesday, November 22, 2017 12:37 PM
To: Hewitt, James <hewitt.james@epa.gov>; Press <Press@epa.gov>
Subject: RE: Louisiana Weekly Inquiry on ozone

Thanks, BTW, the response from R6 (David Gray)

For both New Orleans and state-wide.

OK to send?

-----Original Message-----
From: Hewitt, James
Sent: Wednesday, November 22, 2017 12:32 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: Louisiana Weekly Inquiry on ozone

You can attribute to Liz. Thank you.

-----Original Message-----
From: Daguillard, Robert
Sent: Wednesday, November 22, 2017 12:31 PM
To: Hewitt, James <hewitt.james@epa.gov>; Press <Press@epa.gov>
Subject: RE: Louisiana Weekly Inquiry on ozone

I do indeed, sorry I didn't notify the press box.

BTW, are you, or Liz, OK, for attribution to either of you, as this reporter is requesting?

-----Original Message-----
From: Hewitt, James
Sent: Wednesday, November 22, 2017 12:25 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: Louisiana Weekly Inquiry on ozone

Sorry if I missed, but does anyone have this?

-----Original Message-----
From: Susan Buchanan [mailto: **Ex. 6 Personal Privacy (PP)**
Sent: Wednesday, November 22, 2017 9:43 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: RE: Louisiana Weekly Inquiry on ozone

Mr. Daguillard and EPA press office,

Thank you for the information from Enesta Jones last night.
Two questions here, please: "Declining due in part to precursor (VOCs and NOx) emissions going down (over what period, and in Louisiana as a whole or in certain parts of the state?)"

Also, we can't attribute to an anonymous spokesperson. We need a name, or at the very least an office and location at EPA.
I appreciate your help.

Regards, Susan, Ex. 6 Personal Privacy (PP)

On Tue, 11/21/17, Susan Buchanan <Ex. 6 Personal Privacy (PP)> wrote:

Subject: RE: Inquiry on ozone
To: "EnestaJones" <Jones.Enesta@epa.gov>
Cc: "Press" <Press@epa.gov>
Date: Tuesday, November 21, 2017, 8:30 PM

Enesta,

Thank you so much for this information
Two questions here, please: "Declining due in part to precursor (VOCs and NOx) emissions going down (over what period, and in Louisiana as a whole or certain parts of the state?)"

Also, we can't attribute to an anonymous spokesperson. We need a name, or at the very least an office and location at EPA.
I appreciate all your help,
Enesta.

Thanks again, Susan, Ex. 6 Personal Privacy (PP)
.

On Tue, 11/21/17, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Subject: RE: Inquiry on Ozone
To: "Susan Buchanan" <Ex. 6 Personal Privacy (PP)>
Cc: "Press" <Press@epa.gov>
Date: Tuesday, November 21, 2017, 7:19 PM

Hi Susan, our responses are attributable to an EPA spokesperson:

Is ozone smog increasing or declining in Louisiana or greater New Orleans, and why?

EPA Response: Declining due in part to precursor (VOCs and NOx) emissions going down.

Is exposure to oil-and-gas pollution among African Americans in Louisiana increasing or declining?

EPA Response: We don't have information on exposure to oil and gas emissions.

-----Original Message-----

From: Susan Buchanan [mailto: Ex. 6 Personal Privacy (PP)

Sent: Tuesday, November 21, 2017 10:53 AM

To: Jones, Enesta <Jones.Enesta@epa.gov>

Subject: Re: Inquiry on Ozone

Hi Enesta,

Thank you so much for your phone call and email today. I appreciate your help on my pollution story.
My deadline is tonight, Tuesday, Nov. 21.

Thanks again, Susan, Ex. 6 Personal Privacy (PP)

On Tue, 11/21/17, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Subject: Inquiry on Ozone
To: Ex. 6 Personal Privacy (PP)
<Ex. 6 Personal Privacy (PP)>
Cc: "Jones, Enesta" <Jones.Enesta@epa.gov>
Date: Tuesday, November 21, 2017, 7:35 AM

Hi Susan, per my voicemail, I am reaching out re: your inquiry on ozone and oil/gas.

After I left my voicemail, David Gray shared your email.

Please let me know your hard deadline.

Thanks,
Enesta

Message

From: Dawson, Chester [chester.dawson@wsj.com]
Sent: 10/30/2017 9:11:35 PM
To: StClair, Christie [StClair.Christie@epa.gov]
CC: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: Re: WSJ query on CAFE standards

OK, many thanks for that additional context. It definitely helps us visualize the process--especially the example for the 50 sq. ft. vehicle increase. Makes me wish I'd taken a calculus course!

On Mon, Oct 30, 2017 at 4:27 PM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Okay, let's see if this does the trick.

Please continue to attribute to an agency spokesperson.

For all vehicle footprints (or vehicle sizes), the GHG standards or targets get progressively lower each year.

OEMs are not assigned targets or footprint based standards by EPA. EPA sets the emissions targets for each footprint size of vehicle. OEMs make their own choices about the size of vehicles (aka footprint) to offer for sale and the footprint of those vehicles determines the target emissions for each type of vehicle sold. Whether an OEM is meeting the overall standard is a function of the number of vehicles sold of each model, and whether each model's emissions are above or below the emissions target for that size of vehicle.

To give a fictional simplified example, say in 2016 CARMAKER X sold 1 compact car that emits 10 grams of CO2/mi and the target standard is 15 grams of CO2/mi. This car is beating the target standard (and generating compliance credits) by 5 grams of CO2/mi.

CARMAKER X also sold 1 car SUV that emits 30 grams of CO2/mi while the standard for that size of a "car SUV" was 25 grams of CO2/mi. This car is not meeting the target footprint standard and is generating a compliance deficit of 5 g of CO2/mi.

Taken together CARMAKER X is exactly meeting the standard for 2016 without generating credits or deficits.

Credits can be carried forward for 5 years and used towards meeting future standards.

A carmaker can carry forward a deficit for up to 3 years before they are considered out of compliance with the overall standard.

More information:

The footprint targets are in the regulations (well, the formulae to calculate them are), and those tell you, for example, that the targets for a 50 square foot footprint car increase in stringency from 286.5 to 159.8 from 2012 to 2025. These numbers are known for each model year. But we can't know the standard for a manufacturer until we know how many of each footprint are sold, thus it is impossible to answer your question without the ability to predict the future.

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Monday, October 30, 2017 3:33 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: Re: WSJ query on CAFE standards

Hi Christie:

Thanks for getting back to me on that. Not to belabor the issue, but I'm trying to understand how the EPA keep the ball moving forward. I understand that each OEM determines which vehicles it will sell and that's the basis of the footprint. But in order to improve incrementally over time, the EPA must be raising the target a bit each year, right?

So I'd like to know what those targets by OEM are for 2017, 2018 and beyond. I've heard the vehicle footprint targets increase by an average of 3% per year--is that accurate and if so, how did the EPA come up with that figure?

Thanks,

Chester

On Mon, Oct 30, 2017 at 2:06 PM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Chester,

Please attribute to an agency spokesperson.

The formulae to calculate the footprint targets are in the regulations. So the footprint-based GHG emissions standards or targets are known out to MY 2025. Although, as you know, the Agency is currently reconsidering the standards for MY 2021-2025.

Background

EPA set emissions targets for each footprint size of vehicle. OEMs make their own choices about the size of vehicles (aka footprint) to offer for sale and the footprint of those vehicles determines the target emissions for each type of vehicle sold. Whether an OEM is meeting the overall standard is a function of the number of vehicles sold of each model, and whether each model's emissions are above or below the emissions target for that size of vehicle.

Thanks,

Christie

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Monday, October 30, 2017 11:24 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: WSJ query on CAFE standards

Hi Robert:

Thanks very much for the detailed response to my queries.

I am still digesting your answers, but I do have one immediate follow-up to question No. 7, which is:

Are the footprint-based standards (or targets) assigned to OEMs by the EPA available for current and future years (i.e., beyond MY 2015)? Obviously, the actual compliance value is backward-looking, but I'd like to know that the OEMs are trying to achieve going forward.

Best regards,

Chester

On Fri, Oct 27, 2017 at 6:43 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Chester,

For attribution to "an EPA spokesperson," please.

1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg?

We have not revised that calculation.

EPA uses car/truck share projections from the Energy Information Administration. The 50.8 mpg projection for MY 2025 was based on a projected 52% car/48% truck share from EIA's Annual Energy Outlook 2015. Based on data from our 2016 Fuel Economy Trends report, the split for MY 2015 was 57% cars/43% trucks. EIA and EPA classify small, 2-wheel drive, crossover vehicles as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers?

The standards are "footprint based" meaning that the manufacturers have to meet standards that are specific to the size (or footprint) of the cars or light trucks that they actually sell to consumers in a given year. As a result, all vehicle sizes and types have to improve over time to meet the standards. Also see answer to #3 below.

3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles?

We would point you to our Fuel Economy Trends report from last year here: https://www.epa.gov/fuel-economy-trends/trends-report

Highlight #4 provides information about trends regarding footprints of cars and trucks and shows that average footprint across the U.S. light-duty fleet has remained relatively stable over the past several years. Overall, between MY 2008 and MY 2015 the overall industry footprint for light duty vehicles increased by about 1%. A 1% increase in footprint would lead to a roughly 1% lower standard – equivalent to 2 grams of CO2/mi increase in emission or roughly 0.5 mpg decrease in fuel economy.

4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles?

EPA is not aware of data that supports the thesis that the standards are incentivizing car companies to reduce passenger car sedans (and car SUVs which must meet the same standards) to vehicles classified as light trucks.

Table 3.3 of our 2015 Fuel Economy Trends reportshows that the relative share of small 2-wheel drive SUVs (which must meet the car GHG standards), relative to small 4-wheel drive SUVs (which meet the truck GHG standards) has remained relatively stable over the 2000-2015 timeframe.

As noted abover: EIA and EPA classify small, 2-wheel drive, crossover SUVs as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards?

Longstanding EPA and DOT/NHTSA regulations define truck utility to be 4-wheel drive vehicles with certain off-road design features.

6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"?

We do not yet have a publication date for this report.

7.) What are the federal government's actual footprint targets by OEM (not in aggregate), and how close is each OEM to meeting its assigned federal footprint target, according to the latest annual data available? Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the gap between actual footprints and assigned targets.

We assume that you are interested in the footprint-based GHG emissions targets by OEMs as there are no "assigned footprint targets" for OEMs. OEMs have complete flexibility to design and produce their vehicles, with whatever footprints they choose, and then EPA uses the footprints to determine what the OEM GHG standards are based on the footprint-GHG emissions curves. Again, the philosophy underlying the program is that manufacturers choose the types of vehicles that are produced, while the EPA GHG standards require that all vehicles, regardless of footprint/size, must improve over time.

EPA publishes detailed GHG performance and compliance information each year in our Manufacturer Performance Report. The latest report addresses model years 2012 through 2015. Here is the link:

https://www.epa.gov/regulations-emissions-vehicles-and-engines/greenhouse-gas-ghg-emission-standards-light-duty-vehicles

Table 3-35 on page 64 summarizes, for each manufacturer, its actual performance/compliance value in MY 2015 and compares it to its footprint-based standard (or target) for MY 2015. This data is also summarized in Highlight 2 on page iv of the Executive Summary. DOT/NHTSA follows this same process to determine the CAFÉ standards for each OEM.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Oct 26, 2017, at 1:16 PM, Dawson, Chester <chester.dawson@wsj.com> wrote:

Hi again Christie and Robert:

Not to confuse things, but I have **a question that supersedes all of my others**, and I'd appreciate an answer or link to wherever this information can be found publicly, namely:

What are the federal government's actual footprint targets by OEM (not in aggregate), and how close is each OEM to meeting its assigned federal footprint target, according to the latest annual data available?

Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the gap between actual footprints and assigned targets.

Thanks & regards,

Chester

On Thu, Oct 26, 2017 at 10:39 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Chester,

I'm looking into this for you now. I'm out of the office tomorrow, so I'm cc'ing my wonderful colleague Robert to help if this carries into tomorrow.

Christie

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Wednesday, October 25, 2017 5:03 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: WSJ query on CAFE standards

Hi Christie:

Could you please provide a comment on the following questions, or ask one of your technical experts do to so?

1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg?

2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers?

3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles?

4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles?

5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards?

6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"?

I would appreciate an answer to some or all of the queries by Friday, if possible.

Thanks & regards,

Chester Dawson
Senior Reporter
Detroit Bureau
The Wall Street Journal
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Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 11/3/2017 9:04:35 PM
To: Sorokin, Nicholas [sorokin.nicholas@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: CBS 11 News Dallas - glyphosate

Thanks — I'll reach out.

On Nov 3, 2017, at 5:04 PM, Sorokin, Nicholas <sorokin.nicholas@epa.gov> wrote:

Brian New left us a voicemail at 4:47 PM this afternoon in reference to this exchange.

He is working on a piece about glyphosate, set to air tonight, and is wondering if the risk assessment and review is slated to continue at the same pace Robert previously mentioned in September.

From: Daguillard, Robert
Sent: Tuesday, September 12, 2017 4:35 PM
To: New, Brian A <banew@cbs.com>; Press <Press@epa.gov>
Subject: RE: CBS 11 News Dallas - glyphosate

Brian, with apologies for the later reply – and for attribution to "an EPA spokesperson," please.

EPA is not a party to the lawsuit. The Agency does not comment on personnel matters nor active litigation.

The Agency did not ignore the concerns about the safety of glyphosate expressed by Marion Copley and others. EPA considers all points of view in reaching our determinations and we evaluate information from all kinds of sources – pesticide companies, other governments, academia, and the published scientific literature and use science as a basis for decision-making. EPA has reviewed over 200 studies on a range of scientific topics including epidemiology, animal cancer studies, and genotoxicity and finds that at current US exposure levels that glyphosate is not a carcinogen. This is consistent with the conclusions of a range of entities including the European Food Safety Authority, the FAO/WHO, Japan, Canada, New Zealand, Australia, and Germany.

EPA is currently re-evaluating the safety of glyphosate through our registration review program. This re-evaluation process occurs every 15 years and is mandated by federal law. We sought external peer review of our draft assessment, which included an opportunity for the public to weigh in as well. We will consider all of those comments as we finalize our assessment, which we will also be issuing for public comment.

We are currently scheduled to complete the draft risk assessments by the end of the year. After consideration of the public comments on the draft risk assessments, EPA will determine whether any risk management is needed. We intend to complete our evaluation, consistent with the statutory deadline for registration review, ensuring that the best science is considered in making our regulatory decision.

Regards, R.

From: New, Brian A [mailto:banew@cbs.com]
Sent: Wednesday, September 06, 2017 1:55 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: CBS 11 News Dallas - glyphosate

Robert,

Thanks for your help with answering these questions about glyphosate. My deadline is by the end of business tomorrow – Thursday.

- <!--[if !supportLists]--><!--[endif]-->What is the current classification of glyphosate in terms of it being a carcinogen?

- <!--[if !supportLists]--><!--[endif]-->When will the current reviewing process for glyphosate be completed?

- <!--[if !supportLists]--><!--[endif]-->There have been accusation in lawsuits stating Monsanto has "friends" with the EPA. One of the accusations references the EPA ignoring the concerns about the safety of glyphosate raised by former EPA scientist Marion Copley. Is this true? How were Ms. Copley's concerns handled by the EPA?

Thanks,
Brian New

<image001.png>

Brian New
KTVT-TV DALLAS-FORT WORTH
Investigative Reporter
C Ex. 6 Personal Privacy (PP)
banew@cbs.com
Twitter @BrianNewCBS
CBSDFW.com

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 11/3/2017 8:26:25 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]
Subject: RE: For Review: BNA (Sam Pearson) re: staff numbers/transfers in OPPT (Deadline: 11/3)

Good to send.

From: Jones, Enesta
Sent: Friday, November 3, 2017 10:13 AM
To: Press <Press@epa.gov>
Subject: For Review: BNA (Sam Pearson) re: staff numbers/transfers in OPPT (Deadline: 11/3)

Background: BNA reporter is asking about staff numbers and transfers to Toxic Chemicals Program for TSCA evaluation purposes. Response input from OCSPP. Sam Pearson, spearson@bna.com

Suggested Response:

Incoming: We really were wondering how many FTEs were at OPPT before the new TSCA law vs now; and if there are employees transferred there from the pesticides office, and if so, how many?

Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming: You mentioned that there are employees detailed there for work on the first 10 chemicals being evaluated under TSCA, but how many of them are there, and how many were from the pesticides office?

Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Hi Robert,
Thanks again for your help – I checked and I think there actually was a little more we were hoping to figure out...

For example, we really were wondering how many FTEs were at OPPT before the new TSCA law vs now; and if there are employees transferred there from the pesticides office, and if so, how many?

You mentioned that there are employees detailed there for work on the first 10 chemicals being evaluated under TSCA, but how many of them are there, and how many were from the pesticides office?

Again the story already went out but we're certainly still interested in how all of this is coming together so I think it would be useful to be able to learn how this is working out.

Thanks so much,

: : : : : : : : : : : : : : : : :

Sam Pearson
Reporter

Bloomberg BNA

Direct 703.341.3881
Cell Ex. 6 Personal Privacy (PP)
spearson@bna.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, October 26, 2017 1:58 PM
To: Pearson, Sam <spearson@bna.com>
Subject: RE: Press Inquiry about Toxics / TSCA

Thanks, Sam.

Regards, R.

From: Pearson, Sam [mailto:spearson@bna.com]
Sent: Thursday, October 26, 2017 1:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: Press Inquiry about Toxics / TSCA

Thanks Robert – the story we were doing on this ran yesterday unfortunately but I will pass this along to my colleagues in case we're able to mention the status of these employees in anything upcoming that relates to this issue

---

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, October 26, 2017 1:38 PM
To: Pearson, Sam <spearson@bna.com>; Press <Press@epa.gov>
Subject: RE: Press Inquiry about Toxics / TSCA

Sam, for attribution to "an EPA spokersperson," please:

OCSPP has increased the number of FTE's to support Toxic Substances Control Act (TSCA), amended by the 2016 Lautenberg Chemical Safety Act, through voluntary detail positions. Detailees are working on the review of the 10 TSCA chemicals mentioned as well as other TSCA work. It is common practice for EPA to utilize voluntary details to accomplish program work.

From: Pearson, Sam [mailto:spearson@bna.com]
Sent: Friday, October 20, 2017 3:58 PM
To: Press <Press@epa.gov>
Subject: FW: Press Inquiry about Toxics / TSCA

From: Pearson, Sam
Sent: Friday, October 20, 2017 3:15 PM
To: 'daguillard.robert@epa.gov' <daguillard.robert@epa.gov>
Subject: Press Inquiry about Toxics / TSCA

Hi Robert,

I heard that EPA has transferred staff from the pesticides office to the chemicals office in order to get more done with the TSCA chemicals being reviewed.
Is that the case? Can you tell me anything more about why the EPA made this decision, and how this is helping EPA process the 10 TSCA chemicals currently under review more effectively? What kind of work specifically are these extra staff doing and why is that important for the reviews?

Thanks,

Sam Pearson
Reporter

Bloomberg BNA

Direct 703.341.3881
Cell Ex. 6 Personal Privacy (PP)
spearson@bna.com

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 11/6/2017 6:07:36 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]
Subject: RE: For Review: CQ Rollcall (Jackie Toth) RE: WOTUS follow-up. (11/6, 1pm)

Yes.

From: Lynn, Tricia
Sent: Monday, November 6, 2017 12:21 PM
To: Press <Press@epa.gov>
Subject: For Review: CQ Rollcall (Jackie Toth) RE: WOTUS follow-up. (11/6, 1pm)

Background:
Reporter wants to confirm her understanding of the information we just sent her. (Jackie Toth (jackietoth@cqrollcall.com) of CQ Rollcall.)

Suggested Response:
Ex. 5 Deliberative Process (DP)

From: Jackie Toth [mailto:jackietoth@cqrollcall.com]
Sent: Monday, November 06, 2017 12:02 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Re: Press re: WOTUS at OMB

Thanks much, Tricia. Am I interpreting the proposal correctly that it is amending the original 2015 rule's effective date as a means of providing certainty to stakeholders? Let me know if that is not correct .

- Jackie

Jackie Toth
CQ Legal
Energy, Environment Reporter-Analyst
O: 202-650-6518
C: Ex. 6 Personal Privacy (PP)
@JackieTothDC

On 6 November 2017 at 11:57, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

> Jackie—
>
> For attribution to "an EPA spokesperson:"
>
> The proposal is currently undergoing interagency review. After that review is complete and the proposal is signed, EPA will make it available for review and public comment.

The proposal undergoing interagency review is separate from the two-step process the agencies propose to take to replace the 2015 rule. The comment period for the Step 1 rule closed in September and the agency is currently working to review the comments received from the public. The agency is also in the process of holding listening sessions with states, tribes and stakeholders as we work to develop a proposed step 2 rule that would revise the definition of "waters of the United States." The agency is working expeditiously on both actions.

Best,

Tricia

From: Jackie Toth [mailto:jackietoth@cqrollcall.com]
Sent: Monday, November 06, 2017 10:28 AM
To: Press <Press@epa.gov>
Subject: Press re: WOTUS at OMB

Hi all,

What would the WOTUS effective date amendment now at OMB do? To which date is it being changed? Are there any other proposed changes to the rescission/replacement being made in this proposal?

Deadline is 1pm.

Thanks,

Jackie

Jackie Toth

CQ Legal

Energy, Environment Reporter-Analyst

O: 202-650-6518

C: Ex. 6 Personal Privacy (PP)

@JackieTothDC

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Message

From: Thomas.Polansek@thomsonreuters.com [Thomas.Polansek@thomsonreuters.com]
Sent: 10/27/2017 3:18:55 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Reuters follow-up on dicamba assistance

Thanks Robert!

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, October 27, 2017 10:11 AM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: RE: Reuters follow-up on dicamba assistance

Hey Tom,

Usual attribution, please – and we're still working on the last couple of questions we sent yesterday.

Cheers, R.

Incoming: My story about dicamba investigations is going into its final round of editing. Also, my story is going to reference the 2-year registration given to dicamba herbicide products. Can you please explain why the EPA said the registrations will expire unless the agency determines that offsite incidents are not occurring at unacceptable frequencies or levels? What justifies an unacceptable frequency or level or offsite incidents?

Response:
The original (2016) registration of the dicamba products designed to be used on crops genetically engineered to tolerate dicamba would, for the first time allow the herbicide to be applied ("over the top") to growing crops. Because it would be applied at a time when other crops would be vulnerable, extraordinary precautions were required to avoid off-site incidents, and we wanted to be able to step in if it wasn't working. EPA set the registrations to automatically expire in 2 years to allow EPA to change the registration, if necessary.

What would be an unacceptable frequency or levels of offsite incidents?

Along with state experts and university crop scientists, EPA will evaluate any reports of damage and will use a weight-of-evidence approach to evaluate a number of factors that might cause damage to neighboring crops and other sensitive plants.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 26, 2017 12:35 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Reuters follow-up on dicamba assistance

Thanks for your email Robert. I will use this information for my description of the EPA grants.

I am hoping to publish my story tomorrow on states investigating dicamba complaints. Do you think you can please answer these last questions for me by noon on Friday?

From Wednesday: Can you please explain why the EPA said the registrations for dicamba herbicides will expire in 2018 unless the agency determines that offsite incidents are not occurring at unacceptable frequencies or levels? What justifies an unacceptable frequency or level of offsite incidents?
New: When will the EPA do the review to decide whether to renew the dicamba herbicide registrations? When will the EPA decide whether to renew the registrations? On what does the extension of the registrations depend?

I just left you a voicemail to check in. It would be great if you can please give me a quick call at 312-408-8556.
Thanks!
Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, October 25, 2017 1:38 PM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: RE: Reuters follow-up on dicamba assistance

Tom, for attribution, as usual, to "an EPA spokesperson," please. We're working on the questions you sent earlier today.

Cheers, R.

Incoming: Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA?

Response: It is not an accurate statement that States are doing work on behalf of EPA through our grants. Under certain circumstances that are defined by the statute, FIFRA conveys primary enforcement responsibility (primacy) for use violations to the states. Where a state has primacy, use investigations are generally conducted under state law.

FIFRA also authorizes EPA to enter into cooperative agreements with states to further cooperation on the enforcement of pesticide law, amongst other things. EPA provides funding to states to investigate allegations of pesticide misuse and funding for programmatic activities such as decision implementation. More information can be found in the FIFRA Cooperative Agreement Guidance.

More information: Each state has a lead agency (often the state department of agriculture) with primary responsibility for investigating and enforcing incidents involving the use of pesticides in the state. For more information about enforcement in a state, contact the state lead agency.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 19, 2017 3:01 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Reuters follow-up on dicamba assistance

Tomorrow morn is ok. I am finishing a draft of my story but it won't be published today. Thanks Robert.
Tom

Sent from my iPhone

On Oct 19, 2017, at 1:59 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Tom, a quick follow-up. How firm is your deadline? Asking as we may have a couple of different offices working on a response.

Is it OK to get back to you tomorrow, if it comes to that?

From: Daguillard, Robert
Sent: Thursday, October 19, 2017 1:53 PM
To: 'Thomas.Polansek@thomsonreuters.com' <Thomas.Polansek@thomsonreuters.com>
Subject: RE: Reuters follow-up on dicamba assistance

Got it. Let me talk to the appropriate folks and get back to you.

Cheers, R.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 19, 2017 1:49 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Reuters follow-up on dicamba assistance

Thanks Robert. Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA. ?
I do not need to quote you on this. I'm just looking for confirmation that I understand the system correctly.

On the record, can you please tell me whether the EPA doing any of its own investigations into dicamba use? Or is that work only being done by the states?
Please get back to me by the end of the day today if possible. Thanks!
Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 17, 2017 5:06 PM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: Re: Reuters follow-up on dicamba assistance

Tom, for attribution to "an EPA spokesperson," please:

Q1: I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. **Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?**

A1: EPA provided laboratory assistance to Missouri to help analyze dicamba samples from the 2016 season. We have offered additional laboratory assistance to all states to help with sample analysis for 2017 dicamba incidents, as indicated in the documents you have provided. At this time, Minnesota and

Illinois have submitted their samples for analysis, and we have asked the Regions to coordinate additional requests.

Q2: On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. **Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?**

EPA again was in a position to offer Missouri laboratory assistance during this past summer, but the state has so far not requested the support. EPA has offered laboratory assistance to 35 affected states, including Missouri. The agency has set aside resources needed to analyze up to 1,500 samples of dicamba. If needed, EPA can consider expanding this number.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Oct 16, 2017, at 3:57 PM, "Thomas.Polansek@thomsonreuters.com" <Thomas.Polansek@thomsonreuters.com> wrote:

> Hi Robert and Ernesta, Hope you're well. I am following up with a few questions about the EPA offering help to states with investigations into dicamba moving off target. I previously asked you whether the EPA had offered help to states handle investigations into dicamba. You said the EPA was "coordinating with states as they work to address these issues."
> I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?
> On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?
> Please get back to me by the end of the day on Tuesday. I am working to make sure that my story is accurate.
> Thank you, Tom
>
> Tom Polansek
> Reporter
>
> Thomson Reuters
>
> Phone: 312-408-8556
> Mobile: Ex. 6 Personal Privacy (PP)
>
> thomas.polansek@thomsonreuters.com

Tweet me: @tpolansek

<procedures_analytical-support_dicamba-090717.pdf>

<addendum-to-the-guidance-for-requesting-analytical-suport-on-dicamba-091517.pdf>

Message

From: Haddon, Heather [heather.haddon@wsj.com]
Sent: 10/26/2017 9:17:58 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Subject: Press Inquiry about Food Waste

Great, thanks.

On Thu, Oct 26, 2017 at 3:11 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Heather, for attribution to "an EPA spokesperson," please:

Food Maven participated in the Midwest Food Recovery Summit in Des Moines, IA in early September (https://iwrc.uni.edu/foodrecoverysummit/speakers/bultema) in the Thursday, 9/7 panel session, Tools and Resources to Promote Recovery and Donation Efforts.

EPA supports a variety of efforts and strategies that reduce the amount of wholesome, nutritious food going to landfills. See our Food Recovery Hierarchy (https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy).

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

++

From: Haddon, Heather [mailto:heather.haddon@wsj.com]
Sent: Thursday, October 26, 2017 2:08 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: Press Inquiry about Food Waste

Hello,

I'm the food retail reporter for the Journal, and am working on a story about a Colorado company that has built a marketplace to sell food waste to restaurants and food service companies. It's called Food Maven. My understanding is that the EPA had the CEO of the company, Patrick Bultema, speak at a recent conference. Looking to confirm and get some detail if so, or if the agency supports this effort more generally. Any response by tomorrow would be most appreciated. I'm at my desk if it would help to discuss.

Thanks,

Heather

--

~~~
~~~

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 10/25/2017 6:29:04 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Reuters (Tom Polansek) dicamba assistance - DDL 10/25

Good to send.

From: Daguillard, Robert
Sent: Wednesday, October 25, 2017 2:22 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Reuters (Tom Polansek) dicamba assistance - DDL 10/25

BACKGROUND

The program is working on a couple of additional questions that came in today (10/25) – Thomas Polansek – Reuters – thomas.polansek@thomsonreuters.com

RESPONSE

Incoming: Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA?

Response: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

From: Daguillard, Robert
Sent: Thursday, October 19, 2017 1:53 PM
To: Press <Press@epa.gov>
Subject: FW: Reuters follow-up on dicamba assistance

Got this.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 19, 2017 1:49 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Reuters follow-up on dicamba assistance

Thanks Robert. Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA. ?
I do not need to quote you on this. I'm just looking for confirmation that I understand the system correctly.

On the record, can you please tell me whether the EPA doing any of its own investigations into dicamba use? Or is that work only being done by the states?
Please get back to me by the end of the day today if possible. Thanks!
Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 17, 2017 5:06 PM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: Re: Reuters follow-up on dicamba assistance

Tom, for attribution to "an EPA spokesperson," please:

Q1: I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. **Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?**

A1: EPA provided laboratory assistance to Missouri to help analyze dicamba samples from the 2016 season. We have offered additional laboratory assistance to all states to help with sample analysis for 2017 dicamba incidents, as indicated in the documents you have provided. At this time, Minnesota and Illinois have submitted their samples for analysis, and we have asked the Regions to coordinate additional requests.

Q2: On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. **Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?**

EPA again was in a position to offer Missouri laboratory assistance during this past summer, but the state has so far not requested the support. EPA has offered laboratory assistance to 35 affected states, including Missouri. The agency has set aside resources needed to analyze up to 1,500 samples of dicamba. If needed, EPA can consider expanding this number.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Oct 16, 2017, at 3:57 PM, "Thomas.Polansek@thomsonreuters.com" <Thomas.Polansek@thomsonreuters.com> wrote:

Hi Robert and Ernesta, Hope you're well. I am following up with a few questions about the EPA offering help to states with investigations into dicamba moving off target. I previously asked you whether the EPA had offered help to states handle investigations into dicamba. You said the EPA was "coordinating with states as they work to address these issues."

I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?

On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?

Please get back to me by the end of the day on Tuesday. I am working to make sure that my story is accurate.

Thank you, Tom

Tom Polansek
Reporter

Thomson Reuters

Phone: 312-408-8556
Mobile: Ex. 6 Personal Privacy (PP)

thomas.polansek@thomsonreuters.com

Tweet me: @tpolansek

<procedures_analytical-support_dicamba-090717.pdf>

<addendum-to-the-guidance-for-requesting-analytical-suport-on-dicamba-091517.pdf>

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 10/25/2017 3:33:15 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: AP (Matt Brown) - Follow-up questions on asbestos and TSCA evaluations process - DDL ASAP

Sorry missed this earlier. This is good to send.

From: Daguillard, Robert
Sent: Wednesday, October 25, 2017 8:33 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: AP (Matt Brown) - Follow-up questions on asbestos and TSCA evaluations process - DDL ASAP

BACKGROUND

Follow-up questions. 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

Follow-up Questions:
Inquiry 1: We're seeking a more direct answer to this question: Will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these legacy chemicals?

Response: Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Inquiry 2: Please explain this: EPA "may consider background exposures from legacy use....to evaluate the risk of exposures resulting from non-legacy uses"
I read that to say the agency may (or may not) consider if background exposures from legacy uses contribute to any risks resulting from exposure within the chlor-alkali industry. In other words, EPA wouldn't consider exposure from legacy

uses but would consider exposure from legacy+current uses. Is that correct? Also, when will that be decided ("EPA may consider")?

Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Daguillard, Robert
Sent: Monday, October 23, 2017 12:41 PM
To: Press <Press@epa.gov>
Subject: Fwd: AP story on TSCA

On it

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

Begin forwarded message:

> **From:** "Brown, Matthew" <MBrown@ap.org>
> **Date:** October 23, 2017 at 12:36:32 PM EDT
> **To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject: RE: AP story on TSCA**
>
> Thanks for these, Robert.
>
> A follow up to response number 4:
> "As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or on-going). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses."
> --We're seeking a more direct answer to this question: Will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these legacy chemicals?
>
> --Please explain this: EPA "may consider background exposures from legacy use....to evaluate the risk of exposures resulting from non-legacy uses"
> I read that to say the agency may (or may not) consider if background exposures from legacy uses contribute to any risks resulting from exposure within the chlor-alkali industry. In other words, EPA wouldn't consider exposure from legacy uses but would consider exposure from legacy+current uses. Is that correct? Also, when will that be decided ("EPA *may* consider")?
>
> We need a response by close of business.
>
> Thanks much-
> Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, October 23, 2017 10:09 AM
To: Brown, Matthew <MBrown@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: AP story on TSCA

Matt, for attribution, as usual, to "an EPA spokesperson," please:

Question 1: why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?

Response 1: Amendments to the Toxic Substances Control Act (TSCA) required, by December 2016, that EPA select the first 10 chemicals to undergo risk evaluations from the 2014 Update to the TSCA Work Plan. If the risk evaluation shows that a chemical substance presents an unreasonable risk, the EPA is required to regulate the chemical substance to the extent necessary so that it no longer presents such risk.

Question 2: what are "legacy" uses of chemicals?

Response 2: EPA refers to uses that do not reflect ongoing or prospective manufacturing, processing, or distribution, as "legacy uses."

Question 3: why did the EPA decide to exclude legacy uses from its review?

Response 3: EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a rule finalized on June 22, 2017: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic.

Question 4: firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

Response 4:

As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or on-going). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.

It is therefore true that, for asbestos, EPA did not include legacy uses in its TSCA scoping document.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, October 16, 2017 6:08 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Hi Robert:
Here are the basic questions for which we'd like to get on-camera responses (some are repeats from our prior questions that you have already answered).

--why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?
--what are "legacy" uses of chemicals?
--why did the EPA decide to exclude legacy uses from its review?
--firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

Thanks for the help. Call right away if any of these need clarification.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Brown, Matthew
Sent: Thursday, October 12, 2017 4:47 PM
To: 'Daguillard, Robert' <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Thanks, Robert. Appreciate the help.
Was out today working on that story, the video component I've talked about. We're talking to firefighters, and as you may know their union is pushing EPA to include legacy chemicals in its review.

Would be great to get an on on-camera response to some of the concerns they've raised, particularly that the agency's determination leaves firefighters subject to continued exposures without an adequate evaluation of the risks of those exposures.

If that's not possible, we can make note in the piece but we would hope to get at least a statement addressing the issue. Anytime tomorrow on a statement would work or let me know about video so we can nail down arrangements at earliest chance.
(One of the video elements still being worked on by a colleague so story deadline has been getting pushed back.)

Please let me know.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile- Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, October 12, 2017 12:31 PM
To: Brown, Matthew <MBrown@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: AP story on TSCA

Matt, for attribution to "an EPA spokesperson," please:

1. Does the determination on legacy uses apply across all 10 chemicals?

Yes, it applies to all 10 chemicals. EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a procedural rule finalized on June 22, 2017. See pages 15-18 of the prepublication copy available on EPA's website here: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic. Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

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?

No, because if production is ongoing, the use is not legacy.

As stated above: Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Tuesday, October 10, 2017 2:54 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Fair enough. Talk to you then.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile- Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 10, 2017 12:54 PM
To: Brown, Matthew <MBrown@ap.org>
Subject: RE: AP story on TSCA

Thanks, Matt. Close of business might be ambitious, to be honest (keep in mind yesterday was a federal holiday).

Could we touch base tomorrow AM (your time or mine)? If nothing else, I expect I'd have a better idea of where things stand.

Cheers, R.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Tuesday, October 10, 2017 2:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Thanks Robert. We're hoping to get answers as soon as possible, close of business today if possible, but deadline for on-camera intvw more flexible.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 10, 2017 12:47 PM
To: Brown, Matthew <MBrown@ap.org>
Subject: RE: AP story on TSCA

Matt, I'm now back in the office and will follow up for you. What's your firm deadline, please?

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Tuesday, October 10, 2017 2:39 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP story on TSCA

Hi Enesta-Following up on our request for some more information on TSCA reviews. Please let me know.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

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
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Billings, MT 59107
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Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 11/7/2017 9:14:15 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Mother Jones (Tom Philpott) - dicamba registrations - DDL 11/7

Good to send.

From: Daguillard, Robert
Sent: Tuesday, November 7, 2017 3:59 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Mother Jones (Tom Philpott) - dicamba registrations - DDL 11/7

BACKGROUND

Follow-up question from Mother Jones reporter – Tom Philpott – Mother Jones – tphilpott@motherjones.com

RESPONSE

Ex. 5 Deliberative Process (DP)

From: Tom Philpott [mailto:tphilpott@motherjones.com]
Sent: Tuesday, November 07, 2017 8:27 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: interview request: dicamba registrations

Thanks, Robert!
Can you tell me if EPA has registered any other over-the-top dicamba formulations besides Monsanto's Vaporgrip and BASF's Engenia?

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Monday, November 6, 2017 at 5:12 PM
To: Tom Philpott <tphilpott@motherjones.com>
Cc: Press <Press@epa.gov>
Subject: RE: interview request: dicamba registrations

Tom, for attribution to "an EPA spokesperson," please:

We continue to listen to input from stakeholders and will closely monitor the success of the current changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season. The registrations will automatically expire on November 9, 2018, unless EPA determines before that date that off-site incidents are not occurring at unacceptable frequencies or levels.

With advice from state and industry experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision next year in time for growers to make informed seed purchase decisions for the next planting season.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]
Sent: Monday, November 06, 2017 4:21 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: interview request: dicamba registrations

Hi Robert,
Thanks for getting back. I'm on a tight deadline, because I'm updating a piece just before it's going to print, for the next issue of Mother Jones. I'd love to get commentary ASAP.
Thanks,
Tom

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Monday, November 6, 2017 at 3:19 PM
To: Tom Philpott <tphilpott@motherjones.com>
Subject: FW: interview request: dicamba registrations

Good afternoon Tom,

My colleague Reuben Baris forwarded me your inquiry. What's your deadline and when are you hoping to publish your story, please?

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]
Sent: Monday, November 06, 2017 4:07 PM
To: Baris, Reuben <Baris.Reuben@epa.gov>
Subject: interview request: dicamba registrations

Dear Mr. Reuben,
I'd love to get some direction from you on the EPA registrations for so-called low-volatility dicamba formulations from Monsanto and BASF. Specifically, what criteria EPA will be using to decide whether to maintain the registrations after next year. Any time to talk this afternoon or tomorrow?
Thanks,
Tom
Tom Philpott

Food and agriculture correspondent, Mother Jones

Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/2/2017 8:33:58 PM
To: Doug Obey [doug.obey@iwpnews.com]; Press [Press@epa.gov]
Subject: RE: query re light duty vehicle greenhouse gas/fuel economy rules

Doug, for attribution to "an EPA spokesperson," please:

From March 2017 -- https://www.gpo.gov/fdsys/pkg/FR-2017-03-22/pdf/2017-05316.pdf

"EPA intends to make a new Final Determination . . . no later than April 1, 2018."

From: Doug Obey [mailto:doug.obey@iwpnews.com]
Sent: Thursday, November 02, 2017 2:47 PM
To: Press <Press@epa.gov>
Subject: query re light duty vehicle greenhouse gas/fuel economy rules

Greetings.

Wanted to run something by you folks on the light duty vehicle GHG/fuel economy rules. Specifically this newly released schedule from the Department of Transportation showing that NHTSA is on track to get a draft of its rule to the Secretary for review by the middle of this month (see number 63), and a full proposal by end of March.

https://www.transportation.gov/sites/dot.gov/files/docs/regulations/288106/october-2017-rulemaking-report.docx

How is this consistent with the pledge to coordinate EPA/NHTSA work on the regulations?

Thanks.

--
Doug Obey
Senior Editor
Inside EPA -- Climate
703-416-8575

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 11/7/2017 1:34:51 PM
To: Press [Press@epa.gov]
Subject: FW: interview request: dicamba registrations

Checking with the program.

From: Tom Philpott [mailto:tphilpott@motherjones.com]
Sent: Tuesday, November 07, 2017 8:27 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: interview request: dicamba registrations

Thanks, Robert!
Can you tell me if EPA has registered any other over-the-top dicamba formulations besides Monsanto's Vaporgrip and BASF's Engenia?

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Monday, November 6, 2017 at 5:12 PM
To: Tom Philpott <tphilpott@motherjones.com>
Cc: Press <Press@epa.gov>
Subject: RE: interview request: dicamba registrations

Tom, for attribution to "an EPA spokesperson," please:

We continue to listen to input from stakeholders and will closely monitor the success of the current changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season. The registrations will automatically expire on November 9, 2018, unless EPA determines before that date that off-site incidents are not occurring at unacceptable frequencies or levels.

With advice from state and industry experts and university crop scientists, we will use a weight-of-evidence approach to evaluate whether the new restrictions are successfully preventing damage to neighboring crops and other sensitive plants. Our goal is to make a decision next year in time for growers to make informed seed purchase decisions for the next planting season.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]
Sent: Monday, November 06, 2017 4:21 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: interview request: dicamba registrations

Hi Robert,
Thanks for getting back. I'm on a tight deadline, because I'm updating a piece just before it's going to print, for the next issue of Mother Jones. I'd love to get commentary ASAP.
Thanks,
Tom

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Monday, November 6, 2017 at 3:19 PM
To: Tom Philpott <tphilpott@motherjones.com>
Subject: FW: interview request: dicamba registrations

Good afternoon Tom,

My colleague Reuben Baris forwarded me your inquiry. What's your deadline and when are you hoping to publish your story, please?

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Tom Philpott [mailto:tphilpott@motherjones.com]
Sent: Monday, November 06, 2017 4:07 PM
To: Baris, Reuben <Baris.Reuben@epa.gov>
Subject: interview request: dicamba registrations

Dear Mr. Reuben,
I'd love to get some direction from you on the EPA registrations for so-called low-volatility dicamba formulations from Monsanto and BASF. Specifically, what criteria EPA will be using to decide whether to maintain the registrations after next year. Any time to talk this afternoon or tomorrow?
Thanks,
Tom
Tom Philpott

Food and agriculture correspondent, Mother Jones

Ex. 6 Personal Privacy (PP)

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 10/19/2017 6:31:29 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: WUSA9 NEWS INQUIRY (Rhea Titus) - PET SPOT ON PRODUCTS - DDL ASAP

Good to send.

From: Daguillard, Robert
Sent: Thursday, October 19, 2017 12:46 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: WUSA9 NEWS INQUIRY (Rhea Titus) - PET SPOT ON PRODUCTS - DDL ASAP

BACKGROUND

The reporter has a follow-up question on adverse effects of pet flea and tick products Rhea Titus - WUSA-TV 9 - rtitus@wusa9.com

RESPONSE:

Ex. 5 Deliberative Process (DP)

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

Begin forwarded message:

> **From:** "Titus, Rhea" <RTitus@wusa9.com>
> **Date:** October 16, 2017 at 3:18:54 PM EDT
> **To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>
> **Subject: RE: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS**
>
> Hi Robert, thanks for getting back to me with the statement, can you confirm that some Sergeant's flea products can cause tremors as a side effect if improper dosage is taken or should it not be used on kitten but only cats?

Thanks

RHEA TITUS
WUSA9 News Researcher

A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 2001
rtitus@wusa9.com | **P.** 202.895.5507 |

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 10, 2017 9:21 AM
To: Titus, Rhea <RTitus@wusa9.com>
Cc: Press <Press@epa.gov>
Subject: RE: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS

External Email – Be Suspicious of Attachments, Links and Requests for Login Information

Rhea, for attribution to "an EPA spokesperson," please:

RESPONSE

1. Number of incidents, ideally involving all brands and products, at a minimum involving Sergeant's; and
2. A list of products taken off the markets, ideally by all companies and brands involved, at a minimum by Sergeant's.

#1:

In 2016, there were 20,942 incidents involving Spot-On, the majority of which were minor effects such as skin and eye irritation that do not require veterinary care. Although our goal would be to have no incidents whatsoever, it is very important to put these numbers in context.

- There are 176 pesticide products registered, a mix of dog and cat products, with hundreds of millions of doses of spot on products sold each year.
- EPA changed product labels to make them clearer and to reduce the misuse, and the number of pet incidents has decreased by half since 2008 and continues to decline each year.
- As mentioned above, the majority of reported incidents include only effects such as skin and eye irritation that do not require veterinary care.

#2:

EPA did not remove products from the market. Registrants voluntarily remove (or cancel) their products for a variety of reasons and EPA does not maintain a list of those products. You can use the NPRO portal to EPA's Pesticide Product Information System to look up the regulatory status (i.e., active or canceled) of any registered pesticide at: http://npic.orst.edu/NPRO/

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Monday, October 09, 2017 7:13 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: WUSA9 NEWS INQUIRY: PET SPOT ON PRODUCTS
Importance: High

Hi Robert, this is Rhea at WUSA9 News in DC. Do you have an update on my the question I asked or an ETA of when you'll have an answer? I did ask a few weeks ago now and I really need an answer ASAP for the story we are working on.

Let me know if you need me to email you the two questions .

Thanks

RHEA TITUS
WUSA9 News Researcher

A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 2001
rtitus@wusa9.com | **P**. 202.895.5507 |

To: StClair, Christie[StClair.Christie@epa.gov]; Press[Press@epa.gov]
From: Abboud, Michael[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: Thur 10/19/2017 6:26:16 PM (UTC)
Subject: RE: FOR REVIEW: Waste360, re: WasteWise

Yes good to send.

From: StClair, Christie
Sent: Thursday, October 19, 2017 12:20 PM
To: Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Waste360, re: WasteWise

OK to send?

From: StClair, Christie
Sent: Wednesday, October 18, 2017 12:40 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Waste360, re: WasteWise

Background: The Deputy Division Director of the Resource Conservation and Sustainability Division approved this response. Please note the reporter has specifically asked for a name and title for attribution. Deadline is tomorrow, 10/19. Reporter: Arlene Karidis, Waste360, Ex. 6 Personal Privacy (PP)

Proposed response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Arlene Karidis [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, October 10, 2017 2:06 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: Timely Media Request WasteWise Program

Hi Christie,

I'm writing for Waste360 on EPA's WasteWise program. Can you please provide me with answers to the questions (BELOW) by **Thursday, Oct 19**, including name and title of person I am to quote?

Thanks.
Arlene

QUESTIONS
When I went to one EPA line about WasteWise, there was a note that said the content was not being maintained and to click on the EPA logo for more information. Clicking on the EPA logo did not provide up to date info on WasteWise. So can you confirm if the info at this link is current? https://www.epa.gov/sites/production/files/2016-03/documents/10_steps_rev.pdf

If the above link is dated, can you direct me to current info that provides steps or tips to implement a successful WasteWise program?

What organizations/businesses/entities are utilizing WasteWise?

How many organizations/entities use WasteWise? And what types of organizations are they mainly?

Is WasteWise a free program?

How has WasteWise made a difference from EPA's stand?
How are you tracking this difference and or outcomes, assuming you are?

If you don't have data to indicate WasteWise benefits/outcomes, what difference are you hoping WasteWise will make? I am looking for an insightful quote in response to this question. Please provide name and title of person I am to quote

There was information here https://www.epa.gov/sites/production/files/2016-03/documents/10_steps_rev.pdf about the SMM data management system that was not clear to me. With that said:

How does the SMM data management system work?
Is it a specific software app? How do you access it? In other words, do you download it and, if so, from what website? Is it something you access from a portal once you register for the WasteWise program?

I read about other tools for WasteWise partners, such as a Volume-to-Weight Conversion Factor document that provides standard conversions for various materials. How do you access this document?
What other tools and resource can you access once you sign up for WasteWise? And again, how do you access them?

Thank you.

Arlene

Arlene Karidis
Freelance Reporter
301-829-5584 (home office)
Ex. 6 Personal Privacy (PP) (cell)
Ex. 6 Personal Privacy (PP)

Message

From: Catherine Clabby [Ex. 6 Personal Privacy (PP)]
Sent: 10/18/2017 7:08:14 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Any word yet on Chemours' investigation

Thank you Enesta

Catherine Clabby I Journalist
919.423.6163 @cathyclabby

On Oct 17, 2017, at 12:20 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Catherine, attributable to an agency spokesperson:

No new information at this time.

On Oct 17, 2017, at 9:40 AM, Catherine Clabby < Ex. 6 Personal Privacy (PP) > wrote:

Hi Ernesta. Is there any news yet regarding the Chemours investigation we've corresponded about before? Is it finished? Likely to be finished soon?

If done, what are the results?

My deadline is Wednesday this week.

Best wishes,
Cathy Clabby

On Sep 7, 2017, at 7:18 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Catherine, for attribution to an EPA spokesperson:

The investigation is still ongoing. It's EPA policy not to discuss ongoing investigations.

From: Catherine Clabby [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Thursday, September 07, 2017 3:17 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Checking in for update re: Chemours PFAS compounds released in Cape Fear River

Thank you!

Tomorrow is my deadline. Sunday really but I hope you do not work in weekends!

Cathy

On Sep 7, 2017, at 3:14 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> Hi Catherine, I'll look into this. What's your deadline?
>
> On Sep 7, 2017, at 3:13 PM, Catherine Clabby
> < **Ex. 6 Personal Privacy (PP)** > wrote:
>
> Hello Enesta.
>
> You helped me earlier this summer regarding getting information about EPA's investigation regarding Chemours Co's compliance with a 2009 order EPA issued under the TSCA regarding the production of GenX. (Please see email thread below.) Thank you again for that!
>
> I'm checking in to learn about the status of that investigation you described.
>
> At what stage is the probe now?
>
> Has EPA found evidence that Chemours did not comply with the order.
>
> Does EPA expect to take any regulatory action against Chemours or DuPont on this matter?
>
> I'm happy to talk by phone if that is best.
>
> Best wishes,
> Cathy Clabby
> *NC Health News*
>
> I'm just back from a summer trip. In case it is of use to you, here is our most recent story on the issues of GenX and wider PFAS and PFOA contamination in North Carolina.
>
> https://www.northcarolinahealthnews.org/2017/08/17/genx-pollution-what-happened-when/
>
> _____
> Catherine Clabby I Journalist
> 919.423.6163 @cathyclabby

On Jul 12, 2017, at 3:21 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Catherine,

Please attribute our response below to an EPA spokesperson:

EPA has initiated an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also reviewing the additional toxicity data submitted by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the request of the North Carolina Department of Environmental Quality (NCDEQ), scientists in EPA's Office of Research and Development are conducting an independent laboratory analysis of four rounds of water samples being collected by NCDEQ at 13 locations in the Cape Fear River in June and July.

Under the terms of the Consent Order, for operations in the United States, DuPont (Chemours) is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Further, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and processers, that can also achieve this percentage of efficiency or destruction.

From: Catherine Clabby
[mailto: **Ex. 6 Personal Privacy (PP)**
Sent: Tuesday, July 11, 2017 9:27 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Marraccini, Davina <Marraccini.Davina@epa.gov>

Subject: Reporter's query about GenX issue in Cape Fear

Hi Larry and Davina. I'm a reporter at *NC Health News*. Jamie Krietzer at NC DEQ said you would be the right pios at EPA to contact regarding questions regarding the ongoing inquiry to the discovery of PFOA replacement chemicals in the Cape Fear River downstream of the Chemours' Faetteville Works.

For a story I'm filing on Wednesday, here are my questions:

What is the scope of EPA's investigation into the discovery of the compounds in the Cape Fear?

If the EPA determines that Chemours plant did not comply with 2009 consent order with EPA that strictly limited release of PFOA replacement chemicals from its GenX operation in Fayetteville, what range of penalties could EPA impose on the company?

Chemours officials have told NC officials that the compounds did not come from its GenX operations. Instead they came from another site at Fayetteville Works, possibly starting back in the 1980s. Does that appear to be plausible?

Given the limits of release imposed by the consent order, did Chemours have any legal standing to release the PFOA replacements from anywhere at Fayetteville Works in the river?

How long as EPA been aware that that PFOA replacements were being released from the industrial property?

I'm happy to speak by phone if that is best for you.

Thank you in advance for your help.

Best wishes,
Cathy Clabby

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 10/30/2017 8:18:46 PM
To: StClair, Christie [StClair.Christie@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: WSJ, re: CAFE standards

Good to send.

From: StClair, Christie
Sent: Monday, October 30, 2017 3:45 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: WSJ, re: CAFE standards

Background: Ex. 5 Deliberative Process (DP) Reporter: Chester Dawson, WSJ, chester.dawson@wsj.com

Proposed response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Monday, October 30, 2017 3:33 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: Re: WSJ query on CAFE standards

Hi Christie:

Thanks for getting back to me on that. Not to belabor the issue, but I'm trying to understand how the EPA keep the ball moving forward. I understand that each OEM determines which vehicles it will sell and that's the basis of the footprint. But in order to improve incrementally over time, the EPA must be raising the target a bit each year, right?

So I'd like to know what those targets by OEM are for 2017, 2018 and beyond. I've heard the vehicle footprint targets increase by an average of 3% per year--is that accurate and if so, how did the EPA come up with that figure?

Thanks,
Chester

On Mon, Oct 30, 2017 at 2:06 PM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Chester,

Please attribute to an agency spokesperson.

The formulae to calculate the footprint targets are in the regulations. So the footprint-based GHG emissions standards or targets are known out to MY 2025. Although, as you know, the Agency is currently reconsidering the standards for MY 2021-2025.

Background

EPA set emissions targets for each footprint size of vehicle. OEMs make their own choices about the size of vehicles (aka footprint) to offer for sale and the footprint of those vehicles determines the target emissions for each type of vehicle sold. Whether an OEM is meeting the overall standard is a function of the number of vehicles sold of each model, and whether each model's emissions are above or below the emissions target for that size of vehicle.

Thanks,

Christie

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Monday, October 30, 2017 11:24 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: WSJ query on CAFE standards

Hi Robert:

Thanks very much for the detailed response to my queries.

I am still digesting your answers, but I do have one immediate follow-up to question No. 7, which is:

Are the footprint-based standards (or targets) assigned to OEMs by the EPA available for current and future years (i.e., beyond MY 2015)? Obviously, the actual compliance value is backward-looking, but I'd like to know that the OEMs are trying to achieve going forward.

Best regards,

Chester

On Fri, Oct 27, 2017 at 6:43 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Chester,

For attribution to "an EPA spokesperson," please.

1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg?

We have not revised that calculation.

EPA uses car/truck share projections from the Energy Information Administration. The 50.8 mpg projection for MY 2025 was based on a projected 52% car/48% truck share from EIA's Annual Energy Outlook 2015. Based on data from our 2016 Fuel Economy Trends report, the split for MY 2015 was 57% cars/43% trucks. EIA and EPA classify small, 2-wheel drive, crossover vehicles as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers?

The standards are "footprint based" meaning that the manufacturers have to meet standards that are specific to the size (or footprint) of the cars or light trucks that they actually sell to consumers in a given year. As a result, all vehicle sizes and types have to improve over time to meet the standards. Also see answer to #3 below.

3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles?

We would point you to our Fuel Economy Trends report from last year here: https://www.epa.gov/fuel-economy-trends/trends-report

Highlight #4 provides information about trends regarding footprints of cars and trucks and shows that average footprint across the U.S. light-duty fleet has remained relatively stable over the past several years. Overall, between MY 2008 and MY 2015 the overall industry footprint for light duty vehicles increased by about 1%. A 1% increase in footprint would lead to a roughly 1% lower standard – equivalent to 2 grams of CO2/mi increase in emission or roughly 0.5 mpg decrease in fuel economy.

4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles?

EPA is not aware of data that supports the thesis that the standards are incentivizing car companies to reduce passenger car sedans (and car SUVs which must meet the same standards) to vehicles classified as light trucks.

Table 3.3 of our 2015 Fuel Economy Trends reportshows that the relative share of small 2-wheel drive SUVs (which must meet the car GHG standards), relative to small 4-wheel drive SUVs (which meet the truck GHG standards) has remained relatively stable over the 2000-2015 timeframe.

As noted abover: EIA and EPA classify small, 2-wheel drive, crossover SUVs as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards?

Longstanding EPA and DOT/NHTSA regulations define truck utility to be 4-wheel drive vehicles with certain off-road design features.

6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"?

We do not yet have a publication date for this report.

7.) What are the federal government's actual footprint targets by OEM (not in aggregate), and how close is each OEM to meeting its assigned federal footprint target, according to the latest annual data available? Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the gap between actual footprints and assigned targets.

We assume that you are interested in the footprint-based GHG emissions targets by OEMs as there are no "assigned footprint targets" for OEMs. OEMs have complete flexibility to design and produce their vehicles, with whatever footprints they choose, and then EPA uses the footprints to determine what the OEM GHG standards are based on the footprint-GHG emissions curves. Again, the philosophy underlying the program is

that manufacturers choose the types of vehicles that are produced, while the EPA GHG standards require that all vehicles, regardless of footprint/size, must improve over time.

EPA publishes detailed GHG performance and compliance information each year in our Manufacturer Performance Report. The latest report addresses model years 2012 through 2015. Here is the link:

https://www.epa.gov/regulations-emissions-vehicles-and-engines/greenhouse-gas-ghg-emission-standards-light-duty-vehicles

Table 3-35 on page 64 summarizes, for each manufacturer, its actual performance/compliance value in MY 2015 and compares it to its footprint-based standard (or target) for MY 2015. This data is also summarized in Highlight 2 on page iv of the Executive Summary. DOT/NHTSA follows this same process to determine the CAFÉ standards for each OEM.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Oct 26, 2017, at 1:16 PM, Dawson, Chester <chester.dawson@wsj.com> wrote:

> Hi again Christie and Robert:
>
> Not to confuse things, but I have **a question that supersedes all of my others**, and I'd appreciate an answer or link to wherever this information can be found publicly, namely:
>
> What are the federal government's actual footprint targets by OEM (not in aggregate), and how close is each OEM to meeting its assigned federal footprint target, according to the latest annual data available?

Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the gap between actual footprints and assigned targets.

Thanks & regards,

Chester

On Thu, Oct 26, 2017 at 10:39 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Chester,

I'm looking into this for you now. I'm out of the office tomorrow, so I'm cc'ing my wonderful colleague Robert to help if this carries into tomorrow.

Christie

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Wednesday, October 25, 2017 5:03 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: WSJ query on CAFE standards

Hi Christie:

Could you please provide a comment on the following questions, or ask one of your technical experts do to so?

1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg?

2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers?

3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles?

4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles?

5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards?

6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"?

I would appreciate an answer to some or all of the queries by Friday, if possible.

Thanks & regards,

Chester Dawson
Senior Reporter
Detroit Bureau
The Wall Street Journal
(313) 463-5091
chester.dawson@wsj.com
@DecodeTheFirm

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--

Chester Dawson
Senior Reporter
Detroit Bureau
The Wall Street Journal
(313) 463-5091
chester.dawson@wsj.com
@DecodeTheFirm

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 10/16/2017 12:31:07 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: FOR APPROVAL - INTERVIEW REQUEST: Red River Farm Network - Dicamba - Monday AM

Waiting for talking points to review thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(mobile)**

From: Abboud, Michael
Sent: Monday, October 16, 2017 8:30 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: FOR APPROVAL - INTERVIEW REQUEST: Red River Farm Network - Dicamba - Monday AM

If Nancy Beck gives the ok, this is good to go.

Sent from my iPhone

On Oct 13, 2017, at 4:20 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Carah Hart, a reporter for the Red River Farm Network, wants to do a quick interview about today's dicamba announcement. Ex. 5 Deliberative Process (DP)
> Ex. 5 Deliberative Process (DP)
>
> Questions follow:
>
> -How did the EPA arrive at these changes?
> -What does this mean for state registration?
> -Who is now liable if we continue to experience drift, even at the new restrictions?
>
> ---
>
> **From:** Carah [mailto:carah@rrfn.com]
> **Sent:** Friday, October 13, 2017 3:13 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Re: EPA and States' Collective Efforts Lead to Regulatory Action on Dicamba
>
> If you can answer or maybe forward to someone who can:
>
> -How did the EPA arrive at these changes?
> -What does this mean for state registration?
> -Who is now liable if we continue to experience drift, even at the new restrictions?
>
> Thank you-

Carah

Sent from my iPhone

On Oct 13, 2017, at 12:55 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Carah, here's what we sent earlier today. Also, were you suggesting an on-camera interview? Because I'm not the person to give you comments for attribution. Can you use this – and send me some specific questions for our pesticides program?
>
> Thanks, R.

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

EPA and States' Collective Efforts Lead to Regulatory Action on Dicamba

WASHINGTON (OCTOBER 13, 2017) – EPA has reached an agreement with Monsanto, BASF and DuPont on measures to further minimize the potential for drift to damage neighboring crops from the use of dicamba formulations used to control weeds in genetically modified cotton and soybeans. New requirements for the use of dicamba "over the top" (application to growing plants) will allow farmers to make informed choices for seed purchases for the 2018 growing season.

"Today's actions are the result of intensive, collaborative efforts, working side by side with the states and university scientists from across the nation who have first-hand knowledge of the problem and workable solutions," said **EPA Administrator Scott Pruitt**. "Our collective efforts with our state partners ensure we are relying on the best, on-the-ground, information."

In a series of discussions, EPA worked cooperatively with states, land-grant universities, and the pesticide manufacturers to examine the underlying causes of recent crop damage in the farm belt and southeast. EPA carefully reviewed the available information and developed tangible changes to be implemented during the 2018 growing season. This is an example of cooperative federalism that leads to workable national-level solutions.

Manufacturers have voluntarily agreed to label changes that impose additional requirements for "over the top" use of these products next year including:

- Classifying products as "restricted use," permitting only certified applicators with special training, and those under their supervision, to apply them; dicamba-specific training for all certified applicators to reinforce proper use;

- Requiring farmers to maintain specific records regarding the use of these products to improve compliance with label restrictions;

- Limiting applications to when maximum wind speeds are below 10 mph (from 15 mph) to reduce potential spray drift;

- Reducing the times during the day when applications can occur;

- Including tank clean-out language to prevent cross contamination; and

- Enhancing susceptible crop language and record keeping with sensitive crop registries to increase awareness of risk to especially sensitive crops nearby.

Manufacturers have agreed to a process to get the revised labels into the hands of farmers in time for the 2018 use season. EPA will monitor the success of these changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season. When EPA registered these products, it set the registrations to expire in 2 years to allow EPA to change the registration, if necessary.

For more information: https://www.epa.gov/ingredients-used-pesticide-products/registration-dicamba-use-genetically-engineered-crops

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

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 10/3/2017 4:46:06 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOLLOW-UP - FOR REVIEW: Automotive News (Christiaan Hetzner); Nitrogen Dioxide Standard - DDL 10/3

Good to send.

From: Daguillard, Robert
Sent: Tuesday, October 3, 2017 12:22 PM
To: Press <Press@epa.gov>
Subject: FOLLOW-UP - FOR REVIEW: Automotive News (Christiaan Hetzner); Nitrogen Dioxide Standard - DDL 10/3

BACKGROUND

Respnose to the reporter's follow-up, sent shortly after he received the original answer. Christiaan Hetzner – Automotive News – christiaan.hetzner@gmail.com

RESPONSE

Ex. 5 Deliberative Process (DP)

From: Christiaan Hetzner [mailto: **Ex. 6 Personal Privacy (PP)**
Sent: Tuesday, October 03, 2017 10:30 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Press Inquiry about diesels, outdoor air quality limits and German carmakers

Many many thanks, Robert!

there doesnt seem to be an annual figure in other words. And the 100 ppb - there wouldnt happen to be a metric equivalent in micrograms per cubic meter of volume?

Best
C

Sent from my iPad

On 3. Oct 2017, at 16:13, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Christiaan, for attribution to "an EPA spokesperson," please:

In 2010, EPA established a 1-hour national ambient air quality standard for NO2 at a level of 100 ppb. This level defines the maximum allowable concentration anywhere in an area. The agency also set a new "form" for the standard. The form is the air quality statistic used to determine if an area meets the standard. The form for the 1-hour NO2 standard is the 3-year average of the 98th percentile of the annual distribution of daily maximum 1-hour average concentrations.

In addition to state and federal efforts to attain the NO2 NAAQS directly, EPA has developed other programs to reduce emissions of NOx (including NO2) in order to reduce acid deposition, formation of ground-level ozone and fine particulate matter. These programs include, a number of emissions standards for transportation sources, the Acid Rain Program, NOx Budget Trading Program, the Clean Air Interstate Rule and Cross State Air Pollution Rule. These programs are significantly reducing power sector NOx emissions (including NO2) to help states attain the ozone and PM2.5 NAAQS. For example, since 1997, power plants affected by these programs, along with other regional and state NO_x emission control programs, have cut ozone season NOx emissions by over 75 percent.

The current U.S. standard for ground-level ozone is 0.070 parts per million (ppm), or 70 ppb.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Christiaan Hetzner [mailto: Ex. 6 Personal Privacy (PP)
Sent: Monday, October 02, 2017 12:12 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Press Inquiry about diesels, outdoor air quality limits and German carmakers

My apologies, should have given an indication about that. Would ideally have an answer by the close of business your time, since it's for a piece i plan to send to my editor tomorrow morning German time. Whether he uses it then or on Wednesday for example, is something over which i have no control.

The EU's limits are derived from a WHO recommendation - 200 micrograms per cubic meter max on any one hour, and an annual average that may not exceed 40.

Not looking for a statement, just checking whether Wissmann is playing fast and loose with the facts when he says the EPA has a higher threshold of 100 (for the annual basis)

best
Christiaan

On Oct 2, 2017, at 6:05 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

I'll take this.

From: Christiaan Hetzner [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Monday, October 02, 2017 11:43 AM
To: Press <Press@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Press Inquiry about diesels, outdoor air quality limits and German carmakers

Dear EPA press team,

I am a reporter covering the German auto industry for Automotive News (below a page from our latest issue), and was hoping you might be able to help me with a claim from the German automotive industry association VDA.

VDA President Matthias Wissmann, who also represents the global industry as OICA head, said the EPA limit for nitrogen dioxide concentrations was 100 micrograms per cubic meter of *ambient* air on an average annual basis. He loosely recommended the EU switch to the more lenient U.S. standards.

Can you confirm for me whether that is true, since in the EU the level is only 40 and hence dozens of cities are failing to meet them given the large numbers of diesels on our roads. Many thanks!

Sincerely,
Christiaan Hetzner

Mobile: Ex. 6 Personal Privacy (PP)

<image001.png>

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 10/13/2017 8:40:27 PM
To: Evan Lambert [Evan.Lambert@FOXTV.COM]; Press [Press@epa.gov]
CC: jmartyak@cpsc.gov
Subject: RE: Turf fields safety debate

Sir, for attribution to "an EPA spokesperson," please:

We recognize that communities, parents and state and local officials are concerned about tire crumb used in synthetic turf fields. While this Federal research effort won't provide all the answers about whether synthetic turf fields are safe, it represents the first time that such a large study is being conducted across the U.S. The study will provide a better understanding of potential exposures that athletes and others may experience and will help answer some of the key questions that have been raised.

To help address these concerns, on February 12, 2016, the U.S. Environmental Protection Agency (EPA), the Centers for Disease Control and Prevention/Agency for Toxic Substances and Disease Registry (ATSDR), and the Consumer Product Safety Commission (CPSC) launched a multi-agency Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields and Playgrounds to study key environmental and human health questions.

The study has four parts:

- Literature Review/Gap Analysis (EPA and CDC/ATSDR)
- Tire Crumb Characterization (EPA and CDC/ATSDR)
- Exposure Characterization Study (EPA and CDC/ATSDR)
- Playground Study (Consumer Product Safety Commission

For the tire crumb characterization part of the study, tire crumb samples were gathered from tire crumb manufacturing/recycling plants and from indoor and outdoor fields across the country. Samples were gathered from nine tire crumb manufacturing/recycling plants and 40 fields. Researchers are currently evaluating the samples to characterize the chemical make-up of tire crumbs.

On August 2, 2017, the Office of Management and Budget (OMB) approved the Information Collection Request for the continuation of the Tire Crumb Exposure Characterization Study. With the OMB approval, the exposure characterization is now underway. EPA and CDC/ATSDR are currently visiting a small number of fields to collect exposure information to better characterize people's exposure to tire crumbs. Activity information from field users who elect to participate in the study is being gathered.

On December 30, 2016, the agencies released a status report describing the progress of the research to date. The status report includes the final peer-reviewed Literature Review/Gaps Analysis report and describes the progress to date on other research activities that are part of the effort including: Characterization of the chemicals found in tire crumb; Characterization of the exposure scenarios for those who use turf fields containing tire crumb; Study to better understand how children use playgrounds containing tire crumb and; Outreach to key stakeholders. The status report does not include research findings.

Communities, parents, state and local officials are encouraged to explore the federal agencies' websites (CPSC and EPA) to review the research results available to-date on the use of recycled tire rubber in playgrounds and synthetic turf fields. In addition, concerned individuals can check their state's public health agency websites to determine if there are state-specific recommendations. EPA compiled a list of information from state government websites, which can be found here.

A peer-reviewed report summarizing study results will be published as soon as possible after the exposure characterization part of the study concludes.

More info is available here: www.epa.gov/tirecrumb

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Evan Lambert [mailto:Evan.Lambert@FOXTV.COM]
Sent: Friday, October 13, 2017 2:07 PM
To: Press <Press@epa.gov>
Cc: jmartyak@cpsc.gov
Subject: Turf fields safety debate

Hello,

My name is Evan Lambert and I'm a reporter at FOX 5 here in Washington.

Been covering a local debate here in D.C. over turf fields maintained and operated by the District government.

I understand that there is a national concern over the safety of these artificial surfaces and the components that go into them and that both the EPA and CPSC are conducting reviews of these materials.

Can you confirm that review is happening? Do you have a timeline on when a report may be issued from either agency? In the meantime, does either government agency have a statement on the safety of such surfaces which I understand are not currently subject to government health or safety regulations?

Thank you,

Evan

Evan Lambert
Reporter
WTTG/fox5dc.com
202-997-6365
@EvanLambertTV

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 10/13/2017 7:30:11 PM
To: Press [Press@epa.gov]
Subject: FW: EPA and States' Collective Efforts Lead to Regulatory Action on Dicamba

Checking with the program whether they're interested in a radio interview on dicamba. The outlet is the Red River Farm Network.

From: Carah [mailto:carah@rrfn.com]
Sent: Friday, October 13, 2017 3:13 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: EPA and States' Collective Efforts Lead to Regulatory Action on Dicamba

If you can answer or maybe forward to someone who can:

-How did the EPA arrive at these changes?
-What does this mean for state registration?
-Who is now liable if we continue to experience drift, even at the new restrictions?

Thank you-
Carah

Sent from my iPhone

On Oct 13, 2017, at 12:55 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Carah, here's what we sent earlier today. Also, were you suggesting an on-camera interview? Because I'm not the person to give you comments for attribution. Can you use this – and send me some specific questions for our pesticides program?
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> Thanks, R.

U.S. ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

WWW.EPA.GOV/NEWSROOM

CONTACT: press@epa.gov

EPA and States' Collective Efforts Lead to Regulatory Action on Dicamba

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Manufacturers have agreed to a process to get the revised labels into the hands of farmers in time for the 2018 use season. EPA will monitor the success of these changes to help inform our decision whether to allow the continued "over the top" use of dicamba beyond the 2018 growing season. When EPA registered these products, it set the registrations to expire in 2 years to allow EPA to change the registration, if necessary.

For more information: https://www.epa.gov/ingredients-used-pesticide-products/registration-dicamba-use-genetically-engineered-crops

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

To: Press[Press@epa.gov]
From: Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]
Sent: Tue 10/31/2017 9:10:40 PM (UTC)
Subject: FW: [News] Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

FYI.

From: Corbin Hiar [mailto:chiar@eenews.net]
Sent: Tuesday, October 31, 2017 4:27 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: [News] Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

Thanks!

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 31, 2017 4:26 PM
To: Corbin Hiar <chiar@eenews.net>
Subject: RE: [News] Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

Hey Corbin,

For attribution to the agency, please: We don't normally comment on pending litigation.

Cheers, R.

From: Corbin Hiar [mailto:chiar@eenews.net]
Sent: Tuesday, October 31, 2017 3:09 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: [News] Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

Heads up: I have you down for a "did not comment" at this point. If EPA, like some other agencies, has a policy of not responding to litigation, please let me know and I'll be happy to note that.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 31, 2017 2:32 PM
To: Corbin Hiar <chiar@eenews.net>
Subject: RE: [News] Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

Hey Corbin,

Thanks for reaching out. Let me check for you.

From: Corbin Hiar [mailto:chiar@eenews.net]
Sent: Tuesday, October 31, 2017 2:27 PM
To: Press <Press@epa.gov>
Subject: FW: [News] Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

FYI – In case EPA wants to comment, I'm writing about this for PM.

From: Daveon Coleman [mailto:dcoleman@earthjustice.org]
Sent: Tuesday, October 31, 2017 2:05 PM
To: Corbin Hiar <chiar@eenews.net>
Subject: [News] Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

For Immediate Release:
October 31, 2017

Contact:
Patti Goldman | Earthjustice | 206.343.7340 x1032 | pgoldman@earthjustice.org
Vanessa Gueringer | A Community Voice | 504.941.2852 or 800.239.7379 | vgueringer@acommunityvoice.com
Cindy Carr | Sierra Club | 202.495.3034 | cindy.carr@sierraclub.org

Lawsuit Demands U.S. Restrictions on Formaldehyde in Wood Products

Groups claim EPA's extension oversteps the agency's authority and is illegal

SAN FRANCISCO, Calif. — Today, the New Orleans-based group A Community Voice and the Sierra Club, represented by Earthjustice, filed a lawsuit to require the U.S. Environmental Protection Agency (EPA) to stick to a firm and final deadline for compliance with the Formaldehyde Emissions Standards for wood products made, imported and sold in the United States.

The unlawfully-postponed standards limit the amount of hazardous formaldehyde gas that can be released from various types of wood products, including materials often used in emergency housing and inexpensive furniture.

Congress passed in 2009—and President Barack Obama signed in 2010—a law requiring the EPA to issue a final rule by 2013, limiting formaldehyde emissions from certain wood products, but EPA missed the deadline. Although EPA finally published the formaldehyde standards in December 2016, with compliance required one year later, the Trump administration recently extended the compliance deadlines by one additional year.

Today's lawsuit was filed in U.S. District Court in San Francisco. It charges that the EPA's extension oversteps the agency's authority and is illegal.

Formaldehyde is used to bind plywood, particleboard and other wood products used in a wide array of consumer products, such as paneling, flooring, cabinets, furniture and recreational vehicles (RVs). It is a carcinogen that also causes or exacerbates respiratory ailments, and was blamed for numerous illnesses among Gulf Coast residents housed in travel trailers and mobile homes supplied by the Federal Emergency Management Agency (FEMA) after Hurricanes Katrina and Rita in 2005.

"It is outrageous that people recovering from this year's hurricanes might have to deal with the same health issues in their emergency housing that the EPA has known about—and was supposed to address—years ago," **said Earthjustice attorney Patti Goldman**. "It is long past time to put an end to cheap, imported wood products that needlessly make people sick."

Members of Louisiana's A Community Voice have witnessed these health problems firsthand.

"Formaldehyde is so dangerous for our health that A Community Voice is fighting to have it regulated more, not less," **said Debra Campbell, A Community Voice secretary-treasurer**. "We believe that many of us have had harms to our health due to living in FEMA trailers after Hurricane Katrina, including my own mother's suffering from COPD. We need more regulation of toxins, not less. Thankfully, Earthjustice is on the case."

The Sierra Club has been involved with this issue for a decade, in dialogue with such groups as the Composite Panel Association and the nonprofit National Center for Healthy Housing to make California's tough, state formaldehyde standards the federal requirement.

"It is completely unacceptable that the EPA is attempting to delay this lifesaving, commonsense rule that will protect families' health and safety and create jobs here at home," **said Leslie Fields, director of the Sierra Club's Environmental Justice and Community Partnerships Program**. "The very last thing people who are recovering from natural disasters should have to worry about is whether their housing is making them sick."

It is critical that the EPA no longer be allowed to drag its feet and continue to allow the use of dangerous wood products that harm people's health.

Formaldehyde: A Toxic Timeline

2005: Gulf Coast residents displaced by Hurricanes Katrina and Rita begin reporting serious health problems linked to high formaldehyde emissions in travel trailers provided for emergency housing by FEMA.

2006: Indoor air quality tests by the Sierra Club of 31 of these dwellings in Mississippi and Louisiana find excessive formaldehyde levels in 96 percent of them.

2007: FEMA works with the Centers for Disease Control, which finds unsafe levels of formaldehyde in one-third of the FEMA trailers tested. FEMA adopts "Interim Direction on Use of Temporary Housing Units," requiring that people who complain about formaldehyde-related problems be given other housing options rather than a replacement trailer.

2008: California adopts limits on formaldehyde emissions from wood products, to be phased in over the next several years.

2009: A report by the U.S. Office of the Inspector General details the problems getting FEMA to do its own tests and mitigate the complaints. Among the conclusions: "It is clear that the lack of a definitive, consistent, and well-promulgated FEMA policy resulted in some cases of problem trailers not being handled consistently."

2010: Congress passes the Formaldehyde Emission Standards for Composite Wood Products Act of 2010, requiring the EPA to adopt California's formaldehyde emission standards for wood products. Congress directs EPA to require compliance with these standards in 2013, along with provisions for testing, labeling and enforcement.

2016: In July, the EPA signs—and in December, it publishes—the new rule. The rule's effective date is Feb. 10, 2017, with compliance required for most wood products by December 12, 2017.

2017: The EPA delays the rule's effective date until May 22, 2017. In late September, EPA extends the compliance deadline for a full year, so that compliance will not be required until December 12, 2018.

Read the release online

Read the legal document

Earthjustice, the nation's premier nonprofit environmental law organization,
wields the power of law and the strength of partnership to protect people's health,
to preserve magnificent places and wildlife, to advance clean energy,
and to combat climate change.
Because the earth needs a good lawyer.

Daveon Coleman
Press Secretary
Earthjustice
1625 Massachusetts Ave., NW, Suite 702
Washington, DC 20036
T: 202-667-4500x5222
F: 202-667-2356
earthjustice.org

If you would rather not receive future communications from Earthjustice, let us know by clicking here.
Earthjustice, . ., ., . . United States

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 9/25/2017 2:13:19 PM
To: Press [Press@epa.gov]
Subject: Re: Dicamba

I'll check with the program

Sent from my iPhone

On Sep 25, 2017, at 10:07 AM, Hakim, Danny <hakim@nytimes.com> wrote:

> Hello -- I'd like to get the latest on the EPA's position on dicamba. It's been reported that the agency won't ban the use of dicamba tolerant seeds and the new formulation for next year. Could someone walk me through what the agency's position is? Could there be any season restriction? Thanks
>
> On Fri, Sep 8, 2017 at 3:55 PM, StClair, Christie <StClair.Christie@epa.gov> wrote:
>
> > Hi Hakim,
> >
> > Please attribute to an agency spokesperson.
> >
> > As stated previously, the underlying causes of the various damage incidents are not yet clear. This is still an ongoing investigation and we cannot speculate on what the underlying causes of damage may be or what regulatory steps may or may not be taken.
> >
> > Thanks,
> >
> > Christie
> >
> > **From:** Hakim, Danny [mailto:hakim@nytimes.com]
> > **Sent:** Friday, September 08, 2017 1:29 PM
> > **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> > **Cc:** Press <Press@epa.gov>
> > **Subject:** Re: Dicamba
> >
> > Robert -- Just circling back. What data does the agency have regarding particle drift vs volatility? I assume you all must have something you're working off of. Thanks

On Wed, Sep 6, 2017 at 5:30 PM, Hakim, Danny <hakim@nytimes.com> wrote:

Okay, thanks. Is there any data on dicamba being a particle drift issue vs volatility? Thanks

On Wed, Sep 6, 2017 at 4:41 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Danny, for attribution to "an EPA spokesperson," please:

We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change.

Thanks, R.

From: Hakim, Danny [mailto:hakim@nytimes.com]
Sent: Tuesday, September 05, 2017 11:07 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Dicamba

Great, thanks. Just want to understand the EPA's current posture on the drift issue, if you have any data on whether this is a problem of particle drift vs volatility -- any breakdown of the proportions -- and check the Reuters report that you are considering imposing restrictions on when it can be sprayed. Not publishing tomorrow but trying to file a draft in the next couple days. Best, Danny

On Tue, Sep 5, 2017 at 10:38 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Danny,

Why don't you and I connect first thing in the morning? What's your inquiry about and when are you hoping to publish?

Regards, R.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Sep 5, 2017, at 6:21 PM, Hakim, Danny <hakim@nytimes.com> wrote:

---------- Forwarded message ----------
From: **Hakim, Danny** <hakim@nytimes.com>
Date: Tue, Sep 5, 2017 at 3:56 PM
Subject: Dicamba
To: konkus.john@epa.gov, grantham.nancy@epa.gov

Hi -- I'm doing some reporting on dicamba for the New York Times. Who is the point of contact at EPA on it? Thanks much

--

Danny Hakim

Reporter

The New York Times

Office: 212-556-7320

Cell: Ex. 6 Personal Privacy (PP)

hakim@nytimes.com

twitter: @dannyhakim

Signal/WhatsApp via cell

--

Danny Hakim

Reporter

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twitter: @dannyhakim
Signal/WhatsApp via cell

Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 10/30/2017 6:06:40 PM
To: Dawson, Chester [chester.dawson@wsj.com]; Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: WSJ query on CAFE standards

Hi Chester,

Please attribute to an agency spokesperson.

The formulae to calculate the footprint targets are in the regulations. So the footprint-based GHG emissions standards or targets are known out to MY 2025. Although, as you know, the Agency is currently reconsidering the standards for MY 2021-2025.

Background
EPA set emissions targets for each footprint size of vehicle. OEMs make their own choices about the size of vehicles (aka footprint) to offer for sale and the footprint of those vehicles determines the target emissions for each type of vehicle sold. Whether an OEM is meeting the overall standard is a function of the number of vehicles sold of each model, and whether each model's emissions are above or below the emissions target for that size of vehicle.

Thanks,
Christie

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Monday, October 30, 2017 11:24 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: WSJ query on CAFE standards

Hi Robert:

Thanks very much for the detailed response to my queries.

I am still digesting your answers, but I do have one immediate follow-up to question No. 7, which is:

Are the footprint-based standards (or targets) assigned to OEMs by the EPA available for current and future years (i.e., beyond MY 2015)? Obviously, the actual compliance value is backward-looking, but I'd like to know that the OEMs are trying to achieve going forward.

Best regards,
Chester

On Fri, Oct 27, 2017 at 6:43 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Hullo Chester,
>
> For attribution to "an EPA spokesperson," please.
>
> **1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg?**
>
> We have not revised that calculation.

EPA uses car/truck share projections from the Energy Information Administration. The 50.8 mpg projection for MY 2025 was based on a projected 52% car/48% truck share from EIA's Annual Energy Outlook 2015. Based on data from our 2016 Fuel Economy Trends report, the split for MY 2015 was 57% cars/43% trucks. EIA and EPA classify small, 2-wheel drive, crossover vehicles as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers?

The standards are "footprint based" meaning that the manufacturers have to meet standards that are specific to the size (or footprint) of the cars or light trucks that they actually sell to consumers in a given year. As a result, all vehicle sizes and types have to improve over time to meet the standards. Also see answer to #3 below.

3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles?

We would point you to our Fuel Economy Trends report from last year here: https://www.epa.gov/fuel-economy-trends/trends-report

Highlight #4 provides information about trends regarding footprints of cars and trucks and shows that average footprint across the U.S. light-duty fleet has remained relatively stable over the past several years. Overall, between MY 2008 and MY 2015 the overall industry footprint for light duty vehicles increased by about 1%. A 1% increase in footprint would lead to a roughly 1% lower standard – equivalent to 2 grams of CO2/mi increase in emission or roughly 0.5 mpg decrease in fuel economy.

4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles?

EPA is not aware of data that supports the thesis that the standards are incentivizing car companies to reduce passenger car sedans (and car SUVs which must meet the same standards) to vehicles classified as light trucks.

Table 3.3 of our 2015 Fuel Economy Trends reportshows that the relative share of small 2-wheel drive SUVs (which must meet the car GHG standards), relative to small 4-wheel drive SUVs (which meet the truck GHG standards) has remained relatively stable over the 2000-2015 timeframe.

As noted abover: EIA and EPA classify small, 2-wheel drive, crossover SUVs as cars, since they are required to meet car standards for both GHG and fuel economy. That is why the car shares reported by EIA and EPA are higher than reported by most trade publications, which typically count all crossovers as trucks.

5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards?

Longstanding EPA and DOT/NHTSA regulations define truck utility to be 4-wheel drive vehicles with certain off-road design features.

6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"?

We do not yet have a publication date for this report.

7.) What are the federal government's actual footprint targets by OEM (not in aggregate), and how close is each OEM to meeting its assigned federal footprint target, according to the latest annual data available? Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the gap between actual footprints and assigned targets.

We assume that you are interested in the footprint-based GHG emissions targets by OEMs as there are no "assigned footprint targets" for OEMs. OEMs have complete flexibility to design and produce their vehicles, with whatever footprints they choose, and then EPA uses the footprints to determine what the OEM GHG standards are based on the footprint-GHG emissions curves. Again, the philosophy underlying the program is that manufacturers choose the types of vehicles that are produced, while the EPA GHG standards require that all vehicles, regardless of footprint/size, must improve over time.

EPA publishes detailed GHG performance and compliance information each year in our Manufacturer Performance Report. The latest report addresses model years 2012 through 2015. Here is the link:

https://www.epa.gov/regulations-emissions-vehicles-and-engines/greenhouse-gas-ghg-emission-standards-light-duty-vehicles

Table 3-35 on page 64 summarizes, for each manufacturer, its actual performance/compliance value in MY 2015 and compares it to its footprint-based standard (or target) for MY 2015. This data is also summarized in Highlight 2 on page iv of the Executive Summary. DOT/NHTSA follows this same process to determine the CAFÉ standards for each OEM.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Oct 26, 2017, at 1:16 PM, Dawson, Chester <chester.dawson@wsj.com> wrote:

> Hi again Christie and Robert:
>
> Not to confuse things, but I have **a question that supersedes all of my others**, and I'd appreciate an answer or link to wherever this information can be found publicly, namely:
>
> What are the federal government's actual footprint targets by OEM (not in aggregate), and how close is each OEM to meeting its assigned federal footprint target, according to the latest annual data available?
>
> Note: I am NOT looking for OEM footprints, which I know are listed on page 48 table 4.6 of the EPA's latest report on light vehicle fuel economy trends. Rather, I want to know the gap between actual footprints and assigned targets.
>
> Thanks & regards,
> Chester

On Thu, Oct 26, 2017 at 10:39 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Chester,

I'm looking into this for you now. I'm out of the office tomorrow, so I'm cc'ing my wonderful colleague Robert to help if this carries into tomorrow.

Christie

From: Dawson, Chester [mailto:chester.dawson@wsj.com]
Sent: Wednesday, October 25, 2017 5:03 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: WSJ query on CAFE standards

Hi Christie:

Could you please provide a comment on the following questions, or ask one of your technical experts do to so?

1.) Based on current sales of light trucks relative to sedans, will the EPA/NHTSA need to further adjust the average fuel economy/GHG standards estimate for 2025 below 50.8 mpg?

2.) Does the EPA believe the current "footprint"-based system for determined fuel economy standards has achieved the results intended by policymakers?

3.) Does the EPA have a comment on automakers move to "edge out" vehicle widths and wheelbases in order to increase their footprint and thereby lower their compliance hurdles?

4.) Does the EPA believe that higher average fuel economy standards for passenger car sedans provides an incentive for automakers to abandon or reduce production of passenger car sedans in favor of vehicles classified as light trucks, including 4-wheel drive "crossover" vehicles?

5.) Why are sedan-based 4-wheel drive unibody-frame crossovers classified as light trucks for the purpose of fuel economy/emissions standards?

6.) What is the publication date of the next EPA report on "Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends"?

I would appreciate an answer to some or all of the queries by Friday, if possible.

Thanks & regards,

Chester Dawson
Senior Reporter
Detroit Bureau
The Wall Street Journal
(313) 463-5091
chester.dawson@wsj.com
@DecodeTheFirm

--

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--

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Message

From: Saiyid, Amena [ASaiyid@bna.com]
Sent: 9/22/2017 7:35:29 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite

thanks

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Friday, September 22, 2017 3:35 PM
To: Saiyid, Amena <ASaiyid@bna.com>
Cc: Press <Press@epa.gov>
Subject: RE: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite

Hi Amena, I am sending this on Tricia Lynn's behalf. Attributable to an EPA spokesperson: This comment and all comments received during these webinars are informing the thinking of the Army and EPA as we work to develop a proposed rule for public comment.

From: Saiyid, Amena [mailto:ASaiyid@bna.com]
Sent: Thursday, September 21, 2017 1:09 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite

Thank you, but how do you plan to handle this request in light of the wotus rule rewrite?

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Sent: Thursday, September 21, 2017 1:07 PM
To: Saiyid, Amena <ASaiyid@bna.com>
Subject: RE: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite

Hi Amena—

For attribution to "an EPA spokesperson,"

Many people inquire about the jurisdictional status of waters each year.

On July 6, 2010, the U.S. Environmental Protection Agency concluded that the mainstem of the Los Angeles River is jurisdictional as a "Traditional Navigable Water" from its origins at the confluence of Arroyo Calabasas and Bell Creek to San Pedro Bay at the Pacific Ocean, a distance of approximately 51 miles.
Here is a link to the letter announcing that determination, archived by Region 9:
https://archive.epa.gov/region9/mediacenter/web/pdf/laspecialcaseletterandevaluation.pdf

Best,

Tricia

From: Saiyid, Amena [mailto:ASaiyid@bna.com]
Sent: Thursday, September 21, 2017 10:38 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Garman, Douglas M CIV USARMY CEHQ (US) <Doug.M.Garman@usace.army.mil>; Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite

Good Morning Enesta, Tricia, and Doug,
I listened to the comments at the EPA-corps listening session on the upcoming wotus rule rewrite, and two comments made by Southern California city officials perked my attention.
Eric Wolf, senior management analyst for the San Gabriel Valley Council of Governments and Councilmember Diana Mahmud, of Southern Pasadena, asked whether the paved portions of the LA river, which is most of the river, be excluded from the category of waters of the U.S. in the upcoming rewrite because it only flows when it rains and falls under the exclusion suggested by Justice Scalia in Rapanos.
I am wondering whether you all have received such a request before and whether its's unusual and how you plan to handle it.
I have to file my story by 3 pm today and would appreciate a response.
Thank you,
Amena

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Amena H. Saiyid
Water Pollution Reporter
Bloomberg BNA
Direct 703.341.3695
Mobile Ex. 6 Personal Privacy (PP)
asaiyid@bna.com
twitter: amenasaiyid

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 10/6/2017 5:43:59 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]
Subject: RE: For Review: France 2 (Matthieu Fauroux) RE: Follow-Up - 1990 LaFarge Fine (10/6/17)

Thanks Tricia, good to send.

From: Lynn, Tricia
Sent: Friday, October 6, 2017 1:05 PM
To: Press <Press@epa.gov>
Subject: For Review: France 2 (Matthieu Fauroux) RE: Follow-Up - 1990 LaFarge Fine (10/6/17)

Background:
This is follow-up to a response sent earlier today regarding the LeFarge 1993 Alabama case.

Suggested Response:

Ex. 5 Deliberative Process (DP)

From: Fauroux Matthieu [mailto:matthieu.fauroux@francetv.fr]
Sent: Friday, October 06, 2017 12:13 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: French TV / Fact checking on EPA fine

Hello Tricia,

Sure not a problem, thank you.
Could you please send me whatever public document is available on that case ?

Best,
Matthieu

De : Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Envoyé : vendredi 6 octobre 2017 18:08
À : Fauroux Matthieu <matthieu.fauroux@francetv.fr>
Objet : RE: French TV / Fact checking on EPA fine

Matthieu—

If attributing, for attribution to "an EPA spokesperson:"

We have a record of a LaFarge case from 1993 in Alabama with a penalty of $594,000. We cannot confirm whether this is the same case referenced in the Washington Post article, however.

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA
Office: 202.564.2615

From: Fauroux Matthieu [mailto:matthieu.fauroux@francetv.fr]
Sent: Monday, September 25, 2017 11:45 AM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>; Press <Press@epa.gov>
Subject: French TV / Fact checking on EPA fine

Dear Ms. Harris-Young,

My name is Matthieu Fauroux, I am a reporter for the French public TV network "France 2".

I am working on a 52 minutes documentary on the Lafarge company and I would like to double-check an information published by the Washington Post on the EPA, back in 2007, which made the news again during the last American presidential election.
According to the WP, on 1990, Lafarge was fined by the EPA to pay a 1.8 M dollar fine, which was later reduced to a 600 K. According to the newspaper, this would be related to its activities in Alabama.

http://www.washingtonpost.com/wp-dyn/content/article/2007/12/08/AR2007120801551.html

Could you please confirm, or deny these allegations ?
Who could I reach at the EPA to learn more about this topic ?

I thank you very much for your help.

Kind regards,
Matthieu Fauroux

Ex. 6 Personal Privacy (PP)

Click here to report this email as spam.

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 9/22/2017 7:33:11 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: For Review: BNA (Amena Saiyid) RE: LA River and WOTUS - Follow-Up (9/21, 2:30 PM)

Good to send.

Sent from my iPhone

On Sep 22, 2017, at 3:32 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> OK to send?
>
> **From:** Lynn, Tricia
> **Sent:** Thursday, September 21, 2017 1:53 PM
> **To:** Press <Press@epa.gov>
> **Subject:** For Review: BNA (Amena Saiyid) RE: LA River and WOTUS - Follow-Up (9/21, 2:30 PM)
>
> **Background:**
> Reporter is following up on her inquiry earlier today. She specifically wants to know how we'll handle the request to exclude the LA River in the WOTUS rewrite. Reporter is Amena Saiyid (ASaiyid@bna.com) of BNA.
>
> **Suggested Response:**
> **Ex. 5 Deliberative Process (DP)**
>
> **From:** Saiyid, Amena [mailto:ASaiyid@bna.com]
> **Sent:** Thursday, September 21, 2017 1:09 PM
> **To:** Lynn, Tricia <lynn.tricia@epa.gov>
> **Subject:** RE: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite
>
> Thank you, but how do you plan to handle this request in light of the wotus rule rewrite?
>
> **From:** Lynn, Tricia [mailto:lynn.tricia@epa.gov]
> **Sent:** Thursday, September 21, 2017 1:07 PM
> **To:** Saiyid, Amena <ASaiyid@bna.com>
> **Subject:** RE: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite
>
> Hi Amena—
>
> For attribution to "an EPA spokesperson,"
>
> Many people inquire about the jurisdictional status of waters each year.

On July 6, 2010, the U.S. Environmental Protection Agency concluded that the mainstem of the Los Angeles River is jurisdictional as a "Traditional Navigable Water" from its origins at the confluence of Arroyo Calabasas and Bell Creek to San Pedro Bay at the Pacific Ocean, a distance of approximately 51 miles.
Here is a link to the letter announcing that determination, archived by Region 9:
https://archive.epa.gov/region9/mediacenter/web/pdf/laspecialcaseletterandevaluation.pdf

Best,

Tricia

From: Saiyid, Amena [mailto:ASaiyid@bna.com]
Sent: Thursday, September 21, 2017 10:38 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Garman, Douglas M CIV USARMY CEHQ (US) <Doug.M.Garman@usace.army.mil>; Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Reaction to comment made by Southern California officials regarding exclusion of LA river in upcoming wotus rule rewrite

Good Morning Enesta, Tricia, and Doug,
I listened to the comments at the EPA-corps listening session on the upcoming wotus rule rewrite, and two comments made by Southern California city officials perked my attention.
Eric Wolf, senior management analyst for the San Gabriel Valley Council of Governments and Councilmember Diana Mahmud, of Southern Pasadena, asked whether the paved portions of the LA river, which is most of the river, be excluded from the category of waters of the U.S. in the upcoming rewrite because it only flows when it rains and falls under the exclusion suggested by Justice Scalia in Rapanos.
I am wondering whether you all have received such a request before and whether its's unusual and how you plan to handle it.
I have to file my story by 3 pm today and would appreciate a response.
Thank you,
Amena

Amena H. Saiyid
Water Pollution Reporter
Bloomberg BNA
Direct 703.341.3695
Mobile Ex. 6 Personal Privacy (PP)
asaiyid@bna.com
twitter: amenasaiyid

To: Elliott Blackburn[elliott.blackburn@argusmedia.com]; Press[Press@epa.gov]
From: Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]
Sent: Fri 10/27/2017 7:57:14 PM (UTC)
Subject: RE: RFS questions

Good afternoon Elliott,

With apologies for the late reply and for attribution to "an EPA spokesperson," please:

We will review the letter and respond through the appropriate channels.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]
Sent: Monday, October 23, 2017 11:41 AM
To: Press <Press@epa.gov>
Subject: RFS questions

Good morning,

If approved, how would an economic hardship request from Pennsylvania governor Tom Wolf on Renewable Fuel Standard obligations affect requirements for the remaining obligated refiners and importers? Would other companies need to make up the difference to meet the RVO? How, if at all, does the statute address this issue?

Has the administration given any instruction to EPA regarding Mr. Wolf's request for relief sent to President Trump?

Thank you,

Elliott

Elliott Blackburn
Downstream Reporter

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Direct: +1 713 429 6350
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Argus Media Limited has moved offices. Please note our new address below.

Argus Media Limited, Lacon House, 84 Theobald's Road, London WC1X 8NL Registered in England and Wales, Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 10/27/2017 7:51:52 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: FOR REVIEW: Reuters (Tom Polansek) Part 2 of 2 - dicamba assistance - DDL 10/27

Good to send.

Sent from my iPhone

On Oct 27, 2017, at 2:45 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

BACKGROUND

Part II of the response to Reuters' latest dicamba inquiry. This one covers the timing of any possible changes to the agency's dicamba registration .Tom Polansek – Reuters – thomas.polansek@thomsonreuters.com

RESPONSE

Ex. 5 Deliberative Process (DP)

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 26, 2017 12:35 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Reuters follow-up on dicamba assistance

Thanks for your email Robert. I will use this information for my description of the EPA grants.
I am hoping to publish my story tomorrow on states investigating dicamba complaints. Do you think you can please answer these last questions for me by noon on Friday?

From Wednesday: Can you please explain why the EPA said the registrations for dicamba herbicides will expire in 2018 unless the agency determines that offsite incidents are not occurring at unacceptable frequencies or levels? What justifies an unacceptable frequency or level of offsite incidents?

New: When will the EPA do the review to decide whether to renew the dicamba herbicide registrations? When will the EPA decide whether to renew the registrations? On what does the extension of the registrations depend?

I just left you a voicemail to check in. It would be great if you can please give me a quick call at 312-408-8556.
Thanks!
Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, October 25, 2017 1:38 PM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: RE: Reuters follow-up on dicamba assistance

Tom, for attribution, as usual, to "an EPA spokesperson," please. We're working on the questions you sent earlier today.

Cheers, R.

Incoming: Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA?

Response: It is not an accurate statement that States are doing work on behalf of EPA through our grants. Under certain circumstances that are defined by the statute, FIFRA conveys primary enforcement responsibility (primacy) for use violations to the states. Where a state has primacy, use investigations are generally conducted under state law.

FIFRA also authorizes EPA to enter into cooperative agreements with states to further cooperation on the enforcement of pesticide law, amongst other things. EPA provides funding to states to investigate allegations of pesticide misuse and funding for programmatic activities such as decision implementation. More information can be found in the FIFRA Cooperative Agreement Guidance.

More information: Each state has a lead agency (often the state department of agriculture) with primary responsibility for investigating and enforcing incidents involving the use of pesticides in the state. For more information about enforcement in a state, contact the state lead agency.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 19, 2017 3:01 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Reuters follow-up on dicamba assistance

Tomorrow morn is ok. I am finishing a draft of my story but it won't be published today. Thanks Robert.
Tom

Sent from my iPhone

On Oct 19, 2017, at 1:59 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Tom, a quick follow-up. How firm is your deadline? Asking as we may have a couple of different offices working on a response.

Is it OK to get back to you tomorrow, if it comes to that?

From: Daguillard, Robert
Sent: Thursday, October 19, 2017 1:53 PM
To: 'Thomas.Polansek@thomsonreuters.com' <Thomas.Polansek@thomsonreuters.com>
Subject: RE: Reuters follow-up on dicamba assistance

Got it. Let me talk to the appropriate folks and get back to you.

Cheers, R.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 19, 2017 1:49 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Reuters follow-up on dicamba assistance

Thanks Robert. Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA. ?
I do not need to quote you on this. I'm just looking for confirmation that I understand the system correctly.

On the record, can you please tell me whether the EPA doing any of its own investigations into dicamba use? Or is that work only being done by the states?
Please get back to me by the end of the day today if possible. Thanks!
Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 17, 2017 5:06 PM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: Re: Reuters follow-up on dicamba assistance

Tom, for attribution to "an EPA spokesperson," please:

Q1: I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. **Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?**

A1: EPA provided laboratory assistance to Missouri to help analyze dicamba samples from the 2016 season. We have offered additional laboratory assistance to all states to

help with sample analysis for 2017 dicamba incidents, as indicated in the documents you have provided. At this time, Minnesota and Illinois have submitted their samples for analysis, and we have asked the Regions to coordinate additional requests.

Q2: On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. **Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?**

EPA again was in a position to offer Missouri laboratory assistance during this past summer, but the state has so far not requested the support. EPA has offered laboratory assistance to 35 affected states, including Missouri. The agency has set aside resources needed to analyze up to 1,500 samples of dicamba. If needed, EPA can consider expanding this number.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Oct 16, 2017, at 3:57 PM, "Thomas.Polansek@thomsonreuters.com" <Thomas.Polansek@thomsonreuters.com> wrote:

> Hi Robert and Ernesta, Hope you're well. I am following up with a few questions about the EPA offering help to states with investigations into dicamba moving off target. I previously asked you whether the EPA had offered help to states handle investigations into dicamba. You said the EPA was "coordinating with states as they work to address these issues."
> I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?
> On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?
> Please get back to me by the end of the day on Tuesday. I am working to make sure that my story is accurate.
> Thank you, Tom
>
> Tom Polansek
> Reporter

Thomson Reuters

Phone: 312-408-8556
Mobile: Ex. 6 Personal Privacy (PP)

thomas.polansek@thomsonreuters.com

Tweet me: @tpolansek

<procedures_analytical-support_dicamba-090717.pdf>

<addendum-to-the-guidance-for-requesting-analytical-suport-on-dicamba-091517.pdf>

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 9/29/2017 6:44:56 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]
Subject: RE: For Review: Inframation (Eugene Gilligan) re: follow-up on WIFIA projects (Deadline: 9/29)

Good to send.

From: Jones, Enesta
Sent: Friday, September 29, 2017 2:39 PM
To: Press <Press@epa.gov>
Subject: For Review: Inframation (Eugene Gilligan) re: follow-up on WIFIA projects (Deadline: 9/29)

Background: Inframation reporter has returned, asking for clarification on whether California WIFIA projects have received funding as allegedly said by an EPA staffer at a conference. Ex. 5 Deliberative Process (DP) Response input from OW. Eugene Gilligan, Eugene.Gilligan@acuris.com

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Eugene Gilligan [mailto:Eugene.Gilligan@acuris.com]
Sent: Thursday, September 28, 2017 5:20 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: WIFIA projects

Hi, Tricia:

The confusion is arising from a speech given by Jordan Dorfman, senior attorney advisor to EPA, who said at a Bond Buyer conference that three California projects would receive $700 million in WIFIA funding.

Again, any way we can clear up the discrepancy?

Thanks very much.

Gene

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Sent: Thursday, September 28, 2017 2:59 PM

To: Eugene Gilligan <Eugene.Gilligan@acuris.com>
Subject: RE: WIFIA projects

Gene—

If attributing, for attribution to "an EPA spokesperson:"

Again, no loan funding has been received by any WIFIA project. No final decisions have been made as to whether individual projects will or will not receive loans, including any of the four in California.

Best,

Tricia

From: Eugene Gilligan [mailto:Eugene.Gilligan@acuris.com]
Sent: Thursday, September 28, 2017 1:42 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: WIFIA projects

Hi, Tricia:

Just checking on something one of our sources told us. The source said that 3 projects in California had received WIFIA funding, for a total of $700 million. That would seem to eliminate the last project, the San Francisco Southeast Water Pollution Control project in San Francisco.

Can you provide any guidance on this?

Thank you,

Gene

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Sent: Thursday, September 28, 2017 11:51 AM
To: Eugene Gilligan <Eugene.Gilligan@acuris.com>
Subject: RE: WIFIA projects

Hi Gene—

Please see below for EPA's response to your inquiry. If attributing, please attribute to "an EPA spokesperson:"

Best,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

The WIFIA program is inviting 12 entities with projects in nine states to apply for more than $2 billion in Water Infrastructure Finance and Innovation Act (WIFIA) loans. (See https://www.epa.gov/wifia/wifia-fy-2017-letters-interest-

and-selected-projects#selectedprojects.) Among them, the WIFIA program invited 4 entities with projects in California to apply for loans. (See below)

EPA has not yet closed any of the 12 loans. After an invitee applies for WIFIA credit assistance, the WIFIA program conducts a detailed financial and engineering review in order to develop the terms and conditions for the project. Once a mutually agreeable term sheet is developed, the Administrator approves the loan and executes the term sheet. Based on the term sheet, the WIFIA program finalizes the terms of credit assistance. At closing, the Administrator and the borrower execute the credit agreement, which is the binding legal document that allows the borrower to receive WIFIA funds.

California Projects Invited to Apply for WIFIA credit assistance:

Project Name	**Borrower**	**Requested Loan Amount**
Groundwater Replenishment System Final Expansion	Orange County Water District (California)	$124 million
Pure Water San Diego	City of San Diego (California)	$492 million
Water Reclamation Facility Project	City of Morro Bay (California) (Small Community)	$82 million
Southeast Water Pollution Control Plant Biosolids Digester	San Francisco Public Utilities Commission (California)	$625 million

Facilities Project		

California

? Groundwater Replenishment System Final Expansion (Orange County, California) (PDF)(1 pg, 178 K)

? Pure Water San Diego (San Diego, California) (PDF)(1 pg, 178 K)

? Southeast Water Pollution Control Plant Biosolids Digester Facilities Project (San Francisco, California) (PDF)(1 pg, 230 K)

? Water Reclamation Project (Morro Bay, California) (PDF)(1 pg, 619 K)

From: Eugene Gilligan [mailto:Eugene.Gilligan@acuris.com]
Sent: Wednesday, September 27, 2017 4:21 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: WIFIA projects

Hi, Tricia:

Sorry to get back so late to you. I am wondering if you can provide the names of the water projects that received WIFIA funding in California. I understand that there are three of them.

Thanks, I don't know if it's possible, but if I can get an answer to this today, that would be great.

Thanks very much.

Gene

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Sent: Wednesday, September 27, 2017 8:16 AM
To: Eugene Gilligan <Eugene.Gilligan@acuris.com>
Subject: RE: WIFIA projects

Hi Gene—

I see that you wrote to Enesta looking for an answer last night. Do you still want a response? If so, what's your hard deadline?

Thanks!

--Tricia

From: Jones, Enesta
Sent: Wednesday, September 27, 2017 7:33 AM
To: Eugene Gilligan <Eugene.Gilligan@acuris.com>
Cc: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Re: WIFIA projects

Hi Eugene,

Tricia Lynn, copied here, will be in touch.

On Sep 26, 2017, at 5:02 PM, Eugene Gilligan <Eugene.Gilligan@acuris.com> wrote:

Hi, Enesta:

I hope you are well. I am checking to see if you might be able to provide any information on the projects that were granted WIFIA funding. I understand that all of the projects are located in California.

Thanks, if it would be possible to get this information today, that would be great.

Best,

Gene

Eugene Gilligan

Senior Reporter

Inframation-An Acuris company

D: 646-412-5321 M: Ex. 6 Personal Privacy (PP)

Inframationgroup.com

This email was sent by a company owned by Mergermarket Ltd, registered office at 10 Queen Street Place, London, EC4R 1BE.
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Registered in England and Wales with company number 3879547

Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 10/10/2017 4:03:30 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

Michael, the reporter is requesting a specific name for attribution. OK to give her yours?

From: Abboud, Michael
Sent: Tuesday, October 10, 2017 11:10 AM
To: StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

Good to send.

From: StClair, Christie
Sent: Tuesday, October 10, 2017 11:04 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

Background: The reporter is covering portable emission measurement systems (PEMS), an on-road tool the agency uses to in addition to in-lab testing to be sure manufacturers' fuel economy claims are accurate. Reporter had hoped to file the story yesterday, so looking for a response quickly if possible. Reporter: Kami Buchholz, SAE's Automotive Engineering, mailto:kamibuchholz@me.com

Draft response:

Ex. 5 Deliberative Process (DP)

-----Original Message-----
From: Kami Buchholz [mailto Ex. 6 Personal Privacy (PP)
Sent: Wednesday, October 04, 2017 2:09 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Media

Hi Julia,

I'm working on an article about portable emissions measurement systems (PEMS). As such, please have the appropriate EPA representative answer the following questions:

1) How does the EPA presently use PEMS for on-road light-duty passenger vehicle testing (surveillance monitoring, something else)? Please answer in 1-2 sentences.

2) Does the EPA anticipate that PEMS could be used for light-duty passenger vehicle certification (in tandem with lab testing) as Europe started doing in Sept. 2017? Please answer in 1-2 sentences.

I'd appreciate responses via return email by end of day, Thursday, Oct. 5. Be sure to include the name and job title of the person who provides the responses.

Many thanks for your time.

Kind regards,

Kami Buchholz
Detroit Editor
Automotive Engineering
an SAE publication
Ex. 6 Personal Privacy (PP)

To: Adam Lidgett[adam.lidgett@law360.com]; Press@usdoj.gov[Press@usdoj.gov]; Press[Press@epa.gov]
From: Daguillard, Robert[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BBE9682B940C4F2C90732E4D37355DD4-DAGUILLARD,]
Sent: Thur 9/21/2017 8:30:30 PM (UTC)
Subject: RE: Law360 Press Request

Good afternoon Adam,

For attribution, if needed, to "an EPA spokesperson:"

We'll be referring you to the U.S. Department of Justice for comment.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Adam Lidgett [mailto:adam.lidgett@law360.com]
Sent: Thursday, September 21, 2017 4:00 PM
To: Press@usdoj.gov; Press <Press@epa.gov>
Subject: Law360 Press Request

Hello,

My name is Adam Lidgett and I'm a reporter with Law360. I'm doing a story on the U.S. EPA today asking a D.C. federal judge to dismiss a lawsuit from groups including Clean Water Action, Environmental Integrity Project, Sierra Club and Waterkeeper Alliance Inc. challenging the postponement of toxicity limits for power plant wastewater. I was looking to see if you had a comment on that beyond the filing. I'm on deadline for about 5:30 p.m. EST today so if someone could get back to me by then that would be great. I can be reached here or at Ex. 6 Personal Privacy (PP) thanks

Message

From: Dan MacGuill [dan.macguill@teamsnopes.com]
Sent: 9/21/2017 3:06:53 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled

Hi Robert,

This is excellent - thanks very much.

All the best,

Dan

On Thu, Sep 21, 2017 at 10:53 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Dan, for attribution to "an EPA spokersperson," or to the agency, please:

1) **Is Naled a neurotoxin?**

Naled belongs to the organophosphate class of insecticides, which can be neurotoxic as they act by inhibiting cholinesterase, an enzyme in the nervous system of both mammals and insects. However, cholinesterase inhibition occurs at much higher doses than people would experience through the labeled use of the product.

Naled has been registered since 1959 for use in the United States. It is used primarily for controlling adult mosquitoes but is also used on food and feed crops and in greenhouses. For mosquito control, naled is most commonly applied aerially as an ultra-low volume (ULV) spray. More information on naled can be found atwww.epa.gov/mosquitocontrol/naled-mosquito-control.

2) **If so, what specific damage can it cause?**

When applied according to label instructions, EPA does not expect the use of naled for public health mosquito control to raise a human health concern. People are unlikely to breathe in amounts large enough or touch anything with enough insecticide on it to harm them. With greater exposure, cholinesterase inhibition in humans can overstimulate the nervous system causing nausea, dizziness, confusion, and at very high exposures (e.g., accidents or major spills), respiratory paralysis and death.

3) **What sort of risk of neurotoxicity does Naled pose to the general public? i.e. Are its neurotoxic effects limited to those who handle the chemical or work in close proximity to it, or is there a significant possibility of neurotoxic effects among the general public, in an area where aerial mosquito spraying takes place?**

EPA has estimated the exposure and risk to both adults and children posed by ultra-low volume aerial and ground application of naled. Because of the very small amount of active ingredient released per acre of ground, exposures were below an amount that might pose a health concern. These estimates assumed several spraying events over a period of weeks, and also assumed that a toddler would consume some soil and grass in addition to skin and inhalation exposure.

Because naled is applied at ultra-low volumes, low rates and does not persist in the environment, when applied according to label instructions, EPA does not expect the use of naled for public health mosquito control to raise a human health concern. People are unlikely to breathe in amounts large enough or touch anything with enough insecticide on it to harm them.

Agricultural workers handling and applying naled have to take extra precautions to ensure they do not expose themselves to high levels of naled. EPA has required a number of measures such as requiring closed mixing/loading systems and enclosed cabs for ground application or enclosed cockpits for aerial application in agriculture.

From: Dan MacGuill [mailto:dan.macguill@teamsnopes.com]
Sent: Wednesday, September 20, 2017 3:22 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled

Hi Robert,

Yes - tomorrow would be fine.

Thanks for checking in.

Dan

On Wed, Sep 20, 2017 at 2:13 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Dan,

OK if we get back to you tomorrow?

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Dan MacGuill [mailto:dan.macguill@teamsnopes.com]
Sent: Tuesday, September 19, 2017 12:25 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled

Hi Robert,

I would hope to publish the story by tomorrow afternoon - as soon as I've had an opportunity to evaluate expert input and integrate that into the article.

Thanks again,

Dan

On Tue, Sep 19, 2017 at 12:23 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Dan,

Let me check. When are you looking to publish your story?

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Dan MacGuill [mailto:dan.macguill@teamsnopes.com]
Sent: Tuesday, September 19, 2017 12:16 PM
Subject: Media Enquiry: Request for expert opinion re: neurotoxicity of the organophosphate insecticide Naled

Hi there,

This is Dan Mac Guill from the fact-checking web site Snopes.com.

I'm examining claims about the neurotoxicity of the insecticide Naled, and I was hoping you might be able to give me an expert assessment.

I would be happy to discuss this by phone, but it might be helpful if I provide a few specific questions. Please feel free to respond in writing.

- Is Naled a neurotoxin?
- If so, what specific damage can it cause?
- What sort of risk of neurotoxicity does Naled pose to the general public? i.e
Are its neurotoxic effects limited to those who handle the chemical or work in close proximity to it, or is there a significant possibility of neurotoxic effects among the general public, in an area where aerial mosquito spraying takes place?

I would be very grateful if you could respond by **1pm EST time on Wednesday 20 September.**

Thanks very much for your time and consideration.

Best Wishes,

Dan

--

Dan Mac Guill
Writer, Snopes

267-326-8008
dan.macguill@teamsnopes.com
@danmacg

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Writer, Snopes

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dan.macguill@teamsnopes.com
@danmacg

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 9/20/2017 7:55:11 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: Dicamba

okay

From: Daguillard, Robert
Sent: Wednesday, September 20, 2017 2:40 PM
To: Press <Press@epa.gov>
Subject: FW: Dicamba

OK for him to quote Amy?

From: Stewart Yerton [mailto:syerton@civilbeat.com]
Sent: Wednesday, September 20, 2017 2:30 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Dicamba

Hi Robert,

Thank you for this. I see it's pretty vague. I have spoken to someone on conference calls with EPA staff discussing dicamba, and he said it seems EPA is considering all options. Can you confirm that?

I'm sorry. But I am not allowed to use a quote and attribute it to simply "a spokesman." Our policy is to name spokesmen by name. I learned this the hard way after doing exactly what you're proposing; I was reprimanded at the time and during my performance review. So I have to quote you by name.

Is it possible to interview someone who knows the subject?

Aloha,

Stewart

On Wed, Sep 20, 2017 at 8:20 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Dear Stewart, for attribution to "an EPA spokesperson," please:
>
> "We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change."
>
> Cheers, R.
>
> Robert Daguillard
>
> Office of Media Relations
>
> U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

From: Stewart Yerton [mailto:syerton@civilbeat.com]
Sent: Wednesday, September 20, 2017 2:13 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Dicamba

Hi Robert,

Thank you for being so responsive. Please send along the most recent official statement EPA has on dicamba. I anticipate it will be enough but will let you know if I need more.

Aloha,

Stewart

--

Stewart Yerton

Senior Business Reporter

(808) 352-5768

--
Stewart Yerton
Senior Business Reporter
(808) 352-5768

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/19/2017 4:00:08 PM
To: Press [Press@epa.gov]
Subject: FW: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

FYI and for tracking.

From: Daguillard, Robert
Sent: Tuesday, September 19, 2017 12:00 PM
To: 'Titus, Rhea' <RTitus@wusa9.com>
Subject: RE: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

Rhea, again for attribution to an agency spokesperson, please:

Suppliers of registered pet products routinely make decisions about what products they want to continue to distribute in the marketplace.

For instance, Sergeant's Pet Care Products, Inc. and Wellmark International voluntarily cancelled the registration for their pet products containing propoxur and those products have now been taken off the market. Propoxur is allowed in non-pet products. This decision was reached as a result of discussions about how to reduce children's exposure to propoxur in pet collars. For more information: https://www.epa.gov/pets/meetings-registrants-pet-spot-products

---

From: Daguillard, Robert
Sent: Tuesday, September 19, 2017 8:41 AM
To: 'Titus, Rhea' <RTitus@wusa9.com>
Subject: RE: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

Morning Rhea,

Still waiting for word from the program.

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Monday, September 18, 2017 7:39 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

Hey Robert, do you have an ETA on when I can expect to hear back from you about this?

Thanks

RHEA TITUS
WUSA9 News Researcher

A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 2001
rtitus@wusa9.com | **P**. 202.895.5507 |

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, September 18, 2017 3:28 PM
To: Titus, Rhea <RTitus@wusa9.com>
Subject: RE: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

External Email – Be Suspicious of Attachments, Links and Requests for Login Information

Hi Rhea,

Bear with me for a bit. We'll get back to you.

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Monday, September 18, 2017 3:20 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)
Importance: High

> Hi Robert, thanks for getting back to me, your previous email to my co-worker Eliana, you stated, "Some active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them. "
>
> So are you saying now that NO active ingredients used in flea and tick products have been taken off the market?
>
> Thanks

RHEA TITUS
WUSA9 News Researcher

A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 2001
rtitus@wusa9.com | **P**. 202.895.5507 |

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, September 15, 2017 5:29 PM
To: Titus, Rhea <RTitus@wusa9.com>
Cc: Press <Press@epa.gov>
Subject: Re: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)

External Email – Be Suspicious of Attachments, Links and Requests for Login Information

Thanks guys. That response has now gone to the reporter.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Sep 15, 2017, at 4:32 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Rhea, here's the info on active ingredients, for attribution to "an EPA spokesperson," please:

"No active ingredient used in flea and tick products has been taken off the market because of adverse effects in pets treated with it. As we previously stated, registrants were required to change their product labels to clarify several statements related to use on cats and dogs based on incident data reviewed by the agency.

In 2015, EPA and Sergeant's Pet Care Products, Inc. and Wellmark International have agreed to stop producing pet collars containing the pesticide propoxur. This decision was reached as a result of discussions about how to reduce children's exposure to propoxur in pet collars. For more information: https://www.epa.gov/pets/meetings-registrants-pet-spot-products "

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Titus, Rhea [mailto:RTitus@wusa9.com]
Sent: Thursday, September 14, 2017 6:22 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: WUSA9 NEWS: SERGEANT'S FLEA CONTROL FOLLOW UP (URGENT)
Importance: High

Hi Robert my name is Rhea, I work at WUSA9 News in DC. My co-worker Eliana Block sent me the statement you sent her last week regarding Segeant's Flea Control. In your response to her, you responded saying this:

1) **Have there been any investigations into Sergeant's flea products?**
   Yes, EPA has done a thorough review of incident data related to pet spot-on products**, and** EPA continues to monitor incident data not only for Sergeant's products but for all manufacturers to ensure the continued safety of the pet spot-on products. EPA wants to ensure that these products continue to provide effective flea and tick control while minimizing any adverse effects on pets. Some active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them.

   We recognize that some pets may be more sensitive than others to these products. Following a period of unusually high numbers of incident reports involving pet spot-on products, EPA took

action in 2010 and has seen a significant decrease in the number of pet incidents since then. Registrants were required to change their product labels to clarify several statements related to use on cats and dogs. The statements, which apply to dogs as well as cats, include:

- Expanding the number of weight ranges and providing appropriate pictures of the weight ranges;
- Repeating the word "dog" or "cat," as appropriate, throughout the instructions on the packaging,
- Having species, age, and weight ranges clearly labeled on all packaging; and
- Including specific cat warnings on all dog products.

Can you please tell me the list of what specific active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them.

Also do you have a report of what number of pets have had adverse reactions to the products with active ingredients?

Thanks, we are working on a deadline and need those two answers ASAP, thanks!

RHEA TITUS
WUSA9 News Researcher
<image003.jpg>
<image004.jpg>| 4100 Wisconsin Ave NW, Washington, DC 2001
rtitus@wusa9.com | **P**. 202.895.5507 |

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 6/9/2017 8:40:59 PM
To: Jackie Toth [JackieToth@cqrollcall.com]; Press [Press@epa.gov]
Subject: RE: CPP Review

Hi Jackie – Here is a statement for attribution to an EPA spokesperson:

"In accordance with the directives contained in the President's Energy Independence Executive Order signed in late March, Administrator Pruitt issued a notice indicating the agency's intent to review and, if appropriate, to propose to revise or rescind certain rules issued by the previous Administration, including the Clean Power Plan. EPA has now submitted to OMB a proposal arising from its review of the Clean Power Plan, pursuant to the Executive Order."

From: Jackie Toth [mailto:JackieToth@cqrollcall.com]
Sent: Friday, June 9, 2017 2:35 PM
To: Press <Press@epa.gov>
Subject: FW: CPP Review

Just following up on this. Thanks all.

From: Jackie Toth
Sent: Friday, June 09, 2017 10:21 AM
To: 'press@epa.gov'
Subject: CPP Review

Hi all,

Happy Friday (we've made it).

Are there any specifics you can share about what the proposed rule OIRA has received to review the Clean Power Plan contains?

Our deadline is 2pm EST today.

Thanks as always,
Jackie

Jackie Toth
Energy & Environment Reporter
CQ Roll Call – CQ Legal
O: 202-650-6518
C: Ex. 6 Personal Privacy (PP)
JackieToth@cqrollcall.com

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: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 6/9/2017 5:41:23 PM
To: David.Shepardson@thomsonreuters.com; Press [Press@epa.gov]
Subject: RE: AG Shapiro and 12 Attorneys General Vow Legal Action to Protect Vehicle Emission Standards

David, with apologies for the late response – and for attribution to "an EPA spokesperson," please: The agency is reviewing the letter.

Regards, R.

From: David.Shepardson@thomsonreuters.com [mailto:David.Shepardson@thomsonreuters.com]
Sent: Friday, June 09, 2017 11:13 AM
To: Press <Press@epa.gov>
Subject: FW: AG Shapiro and 12 Attorneys General Vow Legal Action to Protect Vehicle Emission Standards

Do you want to respond to this letter?

Not sure who is best person to send this to

David Shepardson
Correspondent
Reuters

Phone: +1 202 898 8324
Mobile: [Ex. 6 Personal Privacy (PP)]
david.shepardson@thomsonreuters.com
www.reuters.com
twitter.com/davidshepardson

1333 H Street NW
Suite 700 Washington, DC 20005

www.twitter.com/davidshepardson

From: Office of Attorney General [mailto:press@attorneygeneral.gov]
Sent: Friday, June 09, 2017 10:39 AM
To: Shepardson, David (Reuters News)
Subject: AG Shapiro and 12 Attorneys General Vow Legal Action to Protect Vehicle Emission Standards

Attorney General Josh Shapiro and 12 Attorneys General Vow Legal Action to Protect Vehicle Emission Standards

PA Department of Environmental Protection Joins Attorney General Shapiro in Opposing Rollback of EPA Rules that Protect Climate by Limiting Carbon Pollution and other Harmful Pollutants

FOR IMMEDIATE RELEASE — June 9, 2017
CONTACT: Joe Grace: 717-574-9095, jgrace@attorneygeneral.gov

HARRISBURG -- Attorney General Josh Shapiro today announced a coalition of Attorneys General and the Pennsylvania Department of Environmental Protection intends to take legal action if the U.S. Environmental Protection Agency rolls back important federal vehicle emission rules to limit the carbon pollutants and other gases emitted by hundreds of millions of cars across the country.

In a letter to U.S. Environmental Protection Agency Administrator Scott Pruitt, Attorney General Shapiro, his colleague attorneys general and DEP Secretary Patrick McDonnell made the case for keeping the EPA vehicle emission standards in place, and concluded if EPA weakens or delays them: “We intend to vigorously pursue appropriate legal remedies to block such action.”

"Pennsylvanians have a constitutional right to clear air and pure water, and I’ll take legal action as needed to protect that right,” Attorney General Shapiro said. “Maintaining the current vehicle emission standards is critical to our efforts to combat global climate change. Those efforts are even more important in the wake of President Trump's decision to withdraw from an international accord to protect the climate."

“In addition to being important protections for public health and the environment, emissions standards are important consumer protections – rolling back these limits will cost Pennsylvanians money every time they go to the gas station,” Governor Tom Wolf said. “This is a step in the wrong direction for the federal government and Pennsylvania consumers.”

Cars and light trucks emit 20 percent of the greenhouse gas emissions (mostly carbon dioxide) in the United States, the Attorneys General and DEP Secretary wrote in their letter to EPA Administrator Pruitt, adding: “These vehicles emit well over a trillion tons in greenhouse gases each year from their tailpipes, emissions which are contributing to raising the carbon dioxide in the atmosphere to levels already producing increasingly intense climate-change impacts.”

The letter to Pruitt details how the EPA, prior to the Trump Administration, partnered with the auto industry and other stakeholders to set stringent standards for greenhouse gas emissions from cars and light trucks for the 2017-2025 model years. That collaborative process produced 2012 emission rules that substantially cut carbon pollution by the equivalent of the annual emissions of 422 million cars on the road. These 2012 standards also limit nitrogen oxide and other smog-forming emissions that trigger asthma attacks. By improving the fuel economy of cars and light trucks, the standards reduce United States’ dependence on foreign oil.

EPA Administrator Pruitt upended that process last month when he suggested in writing to California authorities that the EPA had “circumvented” required legal and scientific steps in evaluating the emission standards and was moving too quickly to implement its own rules.

The attorneys general and DEP secretary vowed in their letter to Pruitt that if EPA "acts to weaken or delay the current standards," the coalition will "vigorously" pursue legal remedies to block that action.

Earlier this week, Attorney General Shapiro announced he was helping to lead a national coalition of governors, mayors and business leaders that pledged their commitment to the principles of the Paris Climate Agreement – after President Trump said the United States plans to withdraw from the accord.

"Our actions are about standing up for the rule of law, and protecting the constitutional right of every Pennsylvanian to clear air and pure water," Attorney General Shapiro said. "We'll fight every day to uphold those rights for Pennsylvania residents."

Attorney General Shapiro has made environmental protection a cornerstone of his leadership of the Office of Attorney General. In his first 100 days, Attorney General Shapiro has hired Steve Santarsiero as Chief Deputy for Environmental Protection, settled a multi-state lawsuit against Volkswagen over emissions violations, and directed all divisions in the Office of Attorney General to prioritize environmental issues in the course of their work.

"Whether it's suing an international company for emission violations or standing up to the President and his administration on actions they're taking on climate change and vehicle emissions, I'm committed to protecting Pennsylvania's natural resources," Attorney General Shapiro said.

In addition to Attorney General Shapiro and DEP Secretary McDonnell, the letter to EPA Administrator Pruitt was signed by:

Eric Schneiderman, New York Attorney General
George Jepsen, Connecticut Attorney General
Matthew Denn, Delaware Attorney General
Karl A. Racine, District of Columbia Attorney General
Tom Miller, Iowa Attorney General
Janet T. Mills, Maine Attorney General
Brian E. Frosh, Maryland Attorney General
Maura Healey, Massachusetts Attorney General
Ellen F. Rosenblum, Oregon Attorney General
Peter F. Kilmartin, Rhode Island Attorney General
T.J. Donavan, Vermont Attorney General
Bob Ferguson, Washington State Attorney General

###

If you would rather not receive future communications from the Office of Attorney General, let us know by clicking here.
the Office of Attorney General, 16th Floor, Strawberry Square, Harrisburg, PA 17102 United States

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 6/9/2017 2:39:09 PM
To: John Crowe [jack@dailycallernewsfoundation.org]; Press [Press@epa.gov]
Subject: RE: Request for comment

Hullo again Jack,

For attribution to "an EPA spokesperson," please: EPA is reviewing the letter.

Warm regards, R.

From: John Crowe [mailto:jack@dailycallernewsfoundation.org]
Sent: Friday, June 09, 2017 9:53 AM
To: Press <Press@epa.gov>
Subject: Request for comment

I am a reporter for the Daily Caller News Foundation and I am writing a story on yesterday's letter to Scott Pruitt, signed by more than a dozen state attorneys general, in which they threatened to use legal action to block any attempt by the EPA to relax vehicle emissions standards. I would like to get a comment from someone at the EPA so please let me know if there is someone who will be able to speak with me. I'm hoping to get the story out this morning so a quick response would be appreciated.

Thanks

--
Jack Crowe
Reporter
17th Street NW, Suite 900
Washington DC 20036
jack@dailycallernewsfoundation.org
@JackrCrowe
9143562458

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 6/8/2017 8:19:09 PM
To: Ariel Wittenberg [awittenberg@eenews.net]; Press [Press@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]
Subject: RE: Chesapeake Bay funding -- E&E News

Hi Ariel – Here is a comment for attribution to "an EPA spokesperson."

Administrator Pruitt understands the importance of the Chesapeake Bay and will continue engaging in meaningful dialogue about how shared environmental goals in this region can best be achieved.

From: Ariel Wittenberg [mailto:awittenberg@eenews.net]
Sent: Thursday, June 8, 2017 2:52 PM
To: Press <Press@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: RE: Chesapeake Bay funding -- E&E News

Hi everyone,

Just wanted to check back in on this as I am running up against my deadline.

Ariel

From: Ariel Wittenberg
Sent: Thursday, June 08, 2017 2:11 PM
To: Press <Press@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Chesapeake Bay funding -- E&E News

Hi All,

Hope you're doing well. Just wanted to get a comment from EPA on the Chesapeake Bay Council's signing a resolution for continued federal funding of the Chesapeake Bay Program in response to the president's budget. I also wanted to get a comment about the conversation Gov. Hogan said he had with Administrator Pruitt urging for federal funding to be maintained. Unfortunately, I'm on a tight 3 p.m. deadline for this.

Thanks!

Ariel

Ariel Wittenberg
E&E News reporter
awittenberg@eenews.net
202-737-4557
@arielwittenberg

E&E NEWS
122 C Street NW 7th Floor Washington, DC 20001
www.eenews.net | @EENewsUpdates
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM, E&ETV

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 6/8/2017 7:03:53 PM
To: Stecker, Tiffany [tstecker@bna.com]; Press [Press@epa.gov]
Subject: RE: IG investigation on glyphosate

Tiffany, for attribution to "an EPA spokesperson," please, but the agency doesn't comment on ongoing investigations.

Regards, R.

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Thursday, June 08, 2017 1:11 PM
To: Press <Press@epa.gov>
Subject: IG investigation on glyphosate

Hello all,

Could the agency please comment on the letter from EPA Inspector General Elkins to Rep. Ted Lieu indicating that the IG would begin to look into the glyphosate registration review process? Are you confident that the IG will uncover no wrongdoing or violations?

Deadline is 2 pm.

Thanks,

Tiffany

Tiffany Stecker
Environment Reporter
Bloomberg BNA

Direct 703.341.3720
Cell Ex. 6 Personal Privacy (PP)
(please note that my cell number has changed)
tstecker@bna.com

To: Daguillard, Robert[Daguillard.Robert@epa.gov]
Cc: Press[Press@epa.gov]
From: Christopher Flavelle (BLOOMBERG/ WASHINGTO)[cflavelle@bloomberg.net]
Sent: Tue 6/6/2017 3:58:06 PM (UTC)
Subject: RE: Following up

Great, thanks

Sent from Bloomberg Professional for iPhone

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

----- Original Message -----
From: Robert Daguillard <Daguillard.Robert@epa.gov>
To: CHRISTOPHER FLAVELLE
CC: Press@epa.gov
At: 06-Jun-2017 11:42:53

Chris, for attribution to "an EPA spokesperson," please:

The $8.5M level listed on page 12 of the *Budget in Brief* refers to the funding requested in the FY 2018 President's Budget proposal to support the GHG Reporting Registry. The $13.58M level referenced later in the document is the request for the entire program project, which includes more than the registry. A more detailed description is available in the *Congressional Justification* on pp. 123-125: https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf

---

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) [mailto:cflavelle@bloomberg.net]
Sent: Tuesday, June 06, 2017 9:47 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Following up

I don't know -- once it gets to the editors the timeline is hard to predict.

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

From: Daguillard.Robert@epa.gov At: 06/06/17 09:32:41

To: Christopher Flavelle (BLOOMBERG/ WASHINGTO)
Cc: Press@epa.gov
Subject: RE: Following up

Hullo Chris. Yes, we're on it.

What's the very latest we can get back to you in case we don't make the noon deadline. Any way you can update your story, for instance?

Regards, R.

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) [mailto:cflavelle@bloomberg.net]
Sent: Tuesday, June 06, 2017 9:21 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Following up

Wanted to make sure you got this. I'm filing at noon.

Sent from Bloomberg Professional for iPhone

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

----- Original Message -----
From: CHRISTOPHER FLAVELLE
To: Daguillard.Robert@epa.gov
CC: Jones.Enesta@epa.gov, Press@epa.gov
At: 05-Jun-2017 21:57:21

> Thanks Robert. Which figure is correct -- $8.5 million or $13.6 million?
>
> ---
>
> Sent from Bloomberg Professional for iPhone
>
> Christopher Flavelle
> Climate policy reporter, Bloomberg News
> cflavelle@bloomberg.net | @cflav
> Direct line: 202-807-2202
> Signal: Ex. 6 Personal Privacy (PP)
> 1101 New York Avenue NW
> Washington, DC, 20005
>
> ----- Original Message -----
> From: Robert Daguillard <Daguillard.Robert@epa.gov>
> To: CHRISTOPHER FLAVELLE
> CC: Jones.Enesta@epa.gov, Press@epa.gov
> At: 05-Jun-2017 21:46:44
>
> > Chris, for attribution to "an EPA spokesperson," please:

EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment. While many in Washington insist on greater spending, EPA is focused on greater value and results. The EPA will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water.

Robert Daguillard

U.S Environmental Protection Agency

Office of Media Relations

Washington D.C.

+ 1 (202) 564-6618 (o)

Ex. 6 Personal Privacy (PP) (m)

On Jun 5, 2017, at 7:21 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) <cflavelle@bloomberg.net> wrote:

Following up on this.

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO)
At: 06/05/17 14:53:23

To: Jones.Enesta@epa.gov
Cc: Press@epa.gov
Subject: Fwd:Re: Media request -- annual greenhouse gas Inventory

Thanks Enesta. End of the day would be great.

Sent from Bloomberg Professional for iPhone

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

----- Original Message -----
From: Enesta Jones <Jones.Enesta@epa.gov>
To: CHRISTOPHER FLAVELLE
CC: Press@epa.gov
At: 05-Jun-2017 14:51:52

Hi Chris,

What's your firm deadline?

Robert Daguillard will help you today since Tricia Lynn is out.

Enesta Jones

U.S. EPA

Office of Media Relations

Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jun 5, 2017, at 2:38 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) <cflavelle@bloomberg.net> wrote:

> I'm working on a piece about changes to GHG emissions monitoring programs, and I wondered if somebody there could answer the following:
>
> -What level of funding does the FY18 budget request propose for the Greenhouse Gas Reporting program? Page 12 of the budget document says FY18 funding would be $8.5 million, but page 67 of the same document says $13.58 million. Which of those figures is correct?
>
> -Using the data on page 67 alone, it seems funding for this program would be reduced 86 percent. Democratic staffers on the House Science Committee said they're concerned the U.S. will no

longer be able to meet its UNFCCC commitments with that level of cuts. Does somebody in your office want to respond to that?

Best,

Chris

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 6/6/2017 3:41:20 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: AMY/JAHAN: Media request -- annual greenhouse gas Inventory

This is good for release

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(mobile)**

From: Wilcox, Jahan
Sent: Tuesday, June 06, 2017 10:30 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: AMY/JAHAN: Media request -- annual greenhouse gas Inventory

Ok if Nancy is ok.

From: Daguillard, Robert
Sent: Tuesday, June 6, 2017 10:26 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Press <Press@epa.gov>
Subject: RE: AMY/JAHAN: Media request -- annual greenhouse gas Inventory

Please advise if OK to send.

RESPONSE: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Regards, R.

From: Wilcox, Jahan
Sent: Tuesday, June 06, 2017 7:49 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: AMY/JAHAN: Media request -- annual greenhouse gas Inventory

Yes, please.

From: Daguillard, Robert
Sent: Tuesday, June 6, 2017 7:47 AM
To: Press <Press@epa.gov>
Subject: AMY/JAHAN: Media request -- annual greenhouse gas Inventory

Should we check with the program?

From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) [mailto:cflavelle@bloomberg.net]
Sent: Monday, June 05, 2017 9:57 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: Re: Media request -- annual greenhouse gas Inventory

Thanks Robert. Which figure is correct -- $8.5 million or $13.6 million?

Sent from Bloomberg Professional for iPhone

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

----- Original Message -----
From: Robert Daguillard <Daguillard.Robert@epa.gov>
To: CHRISTOPHER FLAVELLE
CC: Jones.Enesta@epa.gov, Press@epa.gov
At: 05-Jun-2017 21:46:44

Chris, for attribution to "an EPA spokesperson," please:

EPA is evaluating different approaches to implementing the President's budget that would allow us to effectively serve the taxpayers and protect the environment. While many in Washington insist on greater spending, EPA is focused on greater value and results. The EPA will partner with the states to ensure a thoughtful approach is used to maximize every dollar to protect our air, land, and water.

Robert Daguillard
U.S Environmental Protection Agency
Office of Media Relations
Washington D.C.
+ 1 (202) 564-6618 (o)
Ex. 6 Personal Privacy (PP) (m)

On Jun 5, 2017, at 7:21 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) <cflavelle@bloomberg.net> wrote:

> Following up on this.
>
> From: Christopher Flavelle (BLOOMBERG/ WASHINGTO) At: 06/05/17 14:53:23

To: Jones.Enesta@epa.gov
Cc: Press@epa.gov
Subject: Fwd:Re: Media request -- annual greenhouse gas Inventory

Thanks Enesta. End of the day would be great.

Sent from Bloomberg Professional for iPhone

Christopher Flavelle
Climate policy reporter, Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

----- Original Message -----
From: Enesta Jones <Jones.Enesta@epa.gov>
To: CHRISTOPHER FLAVELLE
CC: Press@epa.gov
At: 05-Jun-2017 14:51:52

Hi Chris,

What's your firm deadline?

Robert Daguillard will help you today since Tricia Lynn is out.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jun 5, 2017, at 2:38 PM, Christopher Flavelle (BLOOMBERG/ WASHINGTO) <cflavelle@bloomberg.net> wrote:

> I'm working on a piece about changes to GHG emissions monitoring programs, and I wondered

if somebody there could answer the following:

-What level of funding does the FY18 budget request propose for the Greenhouse Gas Reporting program? Page 12 of the budget document says FY18 funding would be $8.5 million, but page 67 of the same document says $13.58 million. Which of those figures is correct?

-Using the data on page 67 alone, it seems funding for this program would be reduced 86 percent. Democratic staffers on the House Science Committee said they're concerned the U.S. will no longer be able to meet its UNFCCC commitments with that level of cuts. Does somebody in your office want to respond to that?

Best,

Chris

Christopher Flavelle
Climate policy reporter,
Bloomberg News
cflavelle@bloomberg.net | @cflav
Direct line: 202-807-2202
Signal: Ex. 6 Personal Privacy (PP)
1101 New York Avenue NW
Washington, DC, 20005

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 6/5/2017 5:04:47 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: AMY/JAHAN: FOR REVIEW: Response to Rich Blaustein of Science Magazine on phytoremediation - DEADLINE 5/26

Ok to attribute to Steve Rock

From: Daguillard, Robert
Sent: Monday, June 5, 2017 12:57 PM
To: Graham, Amy <graham.amy@epa.gov>; Press <Press@epa.gov>
Subject: RE: AMY/JAHAN: FOR REVIEW: Response to Rich Blaustein of Science Magazine on phytoremediation - DEADLINE 5/26

Follow-up. The reporter, who's thanked us for the response, is asking for a name for attribution. OK to use yours, or Steve Rock's (the ORD scientist)? Or no reply?

Thanks, R.

From: Graham, Amy
Sent: Thursday, June 01, 2017 10:52 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: AMY/JAHAN: FOR REVIEW: Response to Rich Blaustein of Science Magazine on phytoremediation - DEADLINE 5/26

Correct

From: Daguillard, Robert
Sent: Thursday, June 1, 2017 10:51 AM
To: Graham, Amy <graham.amy@epa.gov>; Press <Press@epa.gov>
Subject: RE: AMY/JAHAN: FOR REVIEW: Response to Rich Blaustein of Science Magazine on phytoremediation - DEADLINE 5/26

Thanks. Ex. 5 Deliberative Process (DP)

From: Graham, Amy
Sent: Thursday, June 01, 2017 10:50 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: AMY/JAHAN: FOR REVIEW: Response to Rich Blaustein of Science Magazine on phytoremediation - DEADLINE 5/26

I'm fine with providing this information on background.

From: Daguillard, Robert
Sent: Thursday, June 1, 2017 10:42 AM
To: Press <Press@epa.gov>
Subject: AMY/JAHAN: FOR REVIEW: Response to Rich Blaustein of Science Magazine on phytoremediation - DEADLINE 5/26

BACKGROUND

The reporter wants to interview ORD scientist Steve Rock about phytoremediation, the direct use of living green plants for remediation of contaminants in soils, sludges, sediments, surface water and groundwater. Steve is an environmental engineer in ORD's National Risk Management Research Laboratory in Cincinnati, OH. Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) Richard Blaustein, Bioscience Magazine, Ex. 6 Personal Privacy (PP)

RESPONSE

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Richard Blaustein [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Sunday, May 14, 2017 5:46 PM
To: Rock, Steve <Rock.Steven@epa.gov>
Cc: Richard Blaustein < Ex. 6 Personal Privacy (PP) >
Subject: Request for interview for Bioscience article on lead and sunflowers

Dear Mr. Rock,

I am a science and environmental journalist and I have made freelance contributions to Bioscience magazine since 2006.
I am currently working on a 750-word BioBrief article on lead and sunflower phytoremediation. In addition to including the reflections of experts' who are critical of the raising of hopes of the Sunflower response, I am also including a few paragraphs on what works for phytoremediation of lead.

I have Dr. Rufus Cheney as an interviewee and he suggested I contact you.
I hope you might be available for a 20-25 minute interview this week of May 15 or next week, beginning May 22.

1. the fundamentals for phytoextraction for a metal
2. why it does not work for lead ?
3. why sunflowers don't work for lead? (the physics and chemistry)
4. any concerns about expectations for sunflowers? any positives for sunflowers ?
5. What works for lead? phytoremediation. Any particular thoughts on urban gardens ?
6. What might biologists and other scientists expect to be developing in the future for phytoremediation of toxics? Any exciting fronts?
7. Where might we look at successful lead remediation done by EPA or an municipality?

If you are unavailable I hope you might recommend another phytoremediation-lead expert whom I might interview.

As background about my writing, BioBriefs are 750-word BioScience contributions and an example is my 2014 BioBrief on reproducibility at
https://oup.silverchair-cdn.com/oup/backfile/Content_public/Journal/bioscience/64/4/10.1093/biosci/biu017/2/biu017.pdf?Expires=1494890165&Signature=KIlTahUgU2I3eW1W4MbHxY~Y6WjIgDcOjaN5SwxKmC95tVkeKgGZKXklvK5RyJdg~6BZCgPiYYJUDhe8xaeUEc5h94g~05WWjAJ-IPQJ5vcGjPXWRJ2Hyr~ub~xQRIdRBOFucL8dX6XnmTnltNJ0E9N~ctpi8Vb9WJxCnEoYMDQpoY9Ljiq3j1I7caHoxEpzz8YrlmtVIenINxIsKIepnWXEeaIN3oezlOZt5yYt013yqX3aQtobsd0LD5c2~QTUpv52uazQkSHjMjV1Bb6TeDMW5j

daRKPM7AOyT82XPdnCeKdY-sNpiakIBvRu2IlrnHSXGmgMdpVq7rF~jjSDoA__&Key-Pair-Id=APKAIUCZBIA4LVPAVW3Q

Another example of my journalism is my 2013 feature on the new genetics of maize posted at https://oup.silverchair-cdn.com/oup/backfile/Content_public/Journal/bioscience/63/6/10.1525/bio.2013.63.6.4/2/63-6-421.pdf?Expires=1494891508&Signature=Jh9oiO7KD8nnXHYp~nBgeEL2rDHnDgegqHbcuv7Pwn3kWcF5Uv8Uk9TxTSPfu4yEODybhO4mFLEr9q7IWkj3AnWWfQeRhpwtsOI33txHGVmTolEsTzW~BxM7Y8G4ZTAYT-so-ryjkfUzm5ZjQASL5ZEyEVUf8sopQISRnYfJ-PelLdaR1OwZjh44ksZaaxKWVqNpkwTpL~dBmaoFDG9UQ5FASgLolC9do6QclA8M4FmwMEwcS9wZr8JQoct1pufZpahExsS72OU~IcN9p9u0u6bPrUZ6ZsSToQzgp8lWzP~7uD3FEiK6bwlszlaHLU-vzYAMSlBtlDwe59VkG2VjtA__&Key-Pair-Id=APKAIUCZBIA4LVPAVW3Q

Thank you very much for your time and attention.
I hope we might be in touch this week about this BioBrief on lead phytoremediation with a look at sunflowers.

Best,
Rich
Richard Blaustein, Freelance Science and Environmental Journalist
Washington, DC
Tel. 202-277-9063

Message

From: Grandoni, Dino [Dino.Grandoni@washpost.com]
Sent: 6/5/2017 12:44:56 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Question from Washington Post about 50,000 coal job claim

Nevermind, I see that you're quoting BLS

From: Grandoni, Dino
Sent: Monday, June 5, 2017 8:42:02 AM
To: Bowman, Liz
Cc: Press
Subject: Re: Question from Washington Post about 50,000 coal job claim

Thanks, Liz. Is what you put in quotes for attribution?

From: Bowman, Liz <Bowman.Liz@epa.gov>
Sent: Monday, June 5, 2017 6:18:08 AM
To: Grandoni, Dino
Cc: Press
Subject: Re: Question from Washington Post about 50,000 coal job claim

Hi Dino,

For background (not for attribution), he mean to say "mining" and the number is from BLS.

Administrator Pruitt was referring to mining jobs, which includes coal, and estimating about 50,000 from the statistic below on the June 2, 2017 jobs report, which explains that employment in mining has risen 47,000 jobs since last October. Thanks – Liz

"Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gain in support activities for mining."

https://www.bls.gov/news.release/pdf/empsit.pdf[bls.gov]

Sent from my iPhone

On Jun 5, 2017, at 12:07 AM, Grandoni, Dino <Dino.Grandoni@washpost.com> wrote:

> Hi all,
>
> Hope you're well. This is Dino Grandoni with The Washington Post. I had a question about a comment Administrator Pruitt made on Meet the Press on Sunday.
>
> He said: "Since the fourth quarter of last year to most recently, [the United States] added almost 50,000 jobs in the coal sector. In the month of May alone, almost 7,000 jobs."
>
> But the Environmental Defense Fund looked at Bureau of Labor Statistics data that shows there is a total of 51,000 coal mining jobs in the U.S.

http://www.huffingtonpost.com/entry/scott-pruitts-big-coal-lie_us_59343cc5e4b0649fff211a35?ncid=engmodushpmg00000004[huffingtonpost.com] [huffingtonpost.com]https://twitter.com/Save_EPA/status/871424058704973824[twitter.com]

Can you explain the discrepancy? If not BLS, do you know where the administrator is getting his data?

Thanks a bunch,
Dino

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 6/2/2017 7:30:24 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]
Subject: RE: AMY/JAHAN - FOR REVIEW - Response to BNA RE: BEACH Act Grants - DEADLINE: 6/2/17

Tricia,

Approved for release with small edit noted below.

Thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(mobile)**

From: Lynn, Tricia
Sent: Friday, June 02, 2017 2:29 PM
To: Press <Press@epa.gov>
Subject: AMY/JAHAN - FOR REVIEW - Response to BNA RE: BEACH Act Grants - DEADLINE: 6/2/17

Background:
Reporter is interested in knowing the future of funding for BEACH Act grants. His interest is that Erie and Ottawa counties along Lake Erie carry out beach testing every summer, using EPA funds that come to them via the Ohio state health department. He was told that they are fully funded for this year, but that next year is up to Congress and the Trump administration. Reporter Tom Jackson (Ex. 6 Personal Privacy (PP) is with the Sandusky Register.

Suggested Response:

Ex. 5 Deliberative Process (DP)

From: Tom Jackson [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, June 01, 2017 11:12 AM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Re: budget inquiry

Hi Tricia,

I'm told that the budget proposal from the administration for 2018 eliminates beach bacteria testing funding under the Beach Act:

https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf

I was pointed to page 456 in the above document, "Beach Protection."

My story will be written today, and my interest in this is that Erie and Ottawa counties along Lake Erie carry out beach testing every summer, using EPA funds that come to us via the Ohio state health department. I'm told that we are fully funded for this year, but that next year is up to Congress and the Trump administration.

I'm appreciate anything you care to share with me. Thank you for your help.

Tom

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 5/17/2017 2:56:47 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Correct

From: Daguillard, Robert
Sent: Wednesday, May 17, 2017 10:43 AM
To: Press <Press@epa.gov>
Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Amy and others, I assume **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) Please confirm.

From: Rizzuto, Denise Pat [mailto:prizzuto@bna.com]
Sent: Wednesday, May 17, 2017 10:38 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Thank you; can you tell me how many staff? And are they temporary or have they been transferred, sent (whatever the right verb is) permanently to the new chemicals program or OPPT generally?

Pat

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

Direct: (703) 341-3741
Fax: (703) 341-1678
email: prizzuto@bna.com
Please consider the environment before printing this email.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, May 17, 2017 10:28 AM
To: Rizzuto, Denise Pat <prizzuto@bna.com>
Cc: Press <Press@epa.gov>
Subject: FW: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Pat, for attribution to "an EPA spokesperson," please:

Yes, EPA is making progress in evaluating new chemicals under the new law. EPA has revised and streamlined its process, brought in new staff to help in the reviews, and is making progress in reducing the backlog of chemicals in the pipeline for review.

We are taking a look at our website with a goal to be more transparent to the public on the status of our reviews and to allow submitters to determine the disposition of their cases as quickly as possible.

We are working toward making sure our website reflects the progress we are making.
As mentioned above, on this page https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices, the public can search for the status of notices reviewed under section 5 of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and those reviewed under TSCA prior to June 22, 2016, the date of enactment.

From: Rizzuto, Denise Pat [mailto:prizzuto@bna.com]
Sent: Tuesday, May 16, 2017 10:09 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Robert, I'm seeing there's a "good news" story for EPA. The more I explore EPA's various new chemical websites today, the more I realize that the agency has posted a lot more information. I intend to write a short story today about more info. being available. It would be good for my readers and for EPA to let its voice be heard about what it's done. For today's story and, separately, for the special report.

Pat

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

Direct: (703) 341-3741
Fax: (703) 341-1678
email: prizzuto@bna.com

Please consider the environment before printing this email.

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 5/17/2017 2:48:40 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Robert, from Liz yesterday: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Julia P. Valentine
Office of Media Relations
202.564.2663
Sent from USEPA iPhone

On May 17, 2017, at 10:42 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Amy and others, I assume Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) Please confirm.

From: Rizzuto, Denise Pat [mailto:prizzuto@bna.com]
Sent: Wednesday, May 17, 2017 10:38 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Thank you; can you tell me how many staff? And are they temporary or have they been transferred, sent (whatever the right verb is) permanently to the new chemicals program or OPPT generally?

Pat

>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

Direct: (703) 341-3741
Fax: (703) 341-1678
email: prizzuto@bna.com
Please consider the environment before printing this email.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, May 17, 2017 10:28 AM
To: Rizzuto, Denise Pat <prizzuto@bna.com>
Cc: Press <Press@epa.gov>
Subject: FW: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Pat, for attribution to "an EPA spokesperson," please:

Yes, EPA is making progress in evaluating new chemicals under the new law. EPA has revised and streamlined its process, brought in new staff to help in the reviews, and is making progress in reducing the backlog of chemicals in the pipeline for review.

We are taking a look at our website with a goal to be more transparent to the public on the status of our reviews and to allow submitters to determine the disposition of their cases as quickly as possible.

We are working toward making sure our website reflects the progress we are making.
As mentioned above, on this page https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/status-pre-manufacture-notices, the public can search for the status of notices reviewed under section 5 of TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, and those reviewed under TSCA prior to June 22, 2016, the date of enactment.

From: Rizzuto, Denise Pat [mailto:prizzuto@bna.com]
Sent: Tuesday, May 16, 2017 10:09 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Is EPA no longer posting all new chemical determinations? Deadline 3 p.m. today

Robert, I'm seeing there's a "good news" story for EPA. The more I explore EPA's various new chemical websites today, the more I realize that the agency has posted a lot more information. I intend to write a short story today about more info. being available. It would be good for my readers and for EPA to let its voice be heard about what it's done. For today's story and, separately, for the special report.

Pat

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

Direct: (703) 341-3741
Fax: (703) 341-1678
email: prizzuto@bna.com

Please consider the environment before printing this email.

Message

From: Wilcox, Jahan [wilcox.jahan@epa.gov]
Sent: 6/2/2017 6:30:32 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: AMY/JAHAN - FOR REVIEW - Response to BNA RE: BEACH Act Grants - DEADLINE: 6/2/17

If Nancy approves then ok.

From: Lynn, Tricia
Sent: Friday, June 2, 2017 2:29 PM
To: Press <Press@epa.gov>
Subject: AMY/JAHAN - FOR REVIEW - Response to BNA RE: BEACH Act Grants - DEADLINE: 6/2/17

Background:
Reporter is interested in knowing the future of funding for BEACH Act grants. His interest is that Erie and Ottawa counties along Lake Erie carry out beach testing every summer, using EPA funds that come to them via the Ohio state health department. He was told that they are fully funded for this year, but that next year is up to Congress and the Trump administration. Reporter Tom Jackson Ex. 6 Personal Privacy (PP) is with the Sandusky Register.

Suggested Response:

Ex. 5 Deliberative Process (DP)

From: Tom Jackson [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, June 01, 2017 11:12 AM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Re: budget inquiry

Hi Tricia,

I'm told that the budget proposal from the administration for 2018 eliminates beach bacteria testing funding under the Beach Act:

https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf

I was pointed to page 456 in the above document, "Beach Protection."

My story will be written today, and my interest in this is that Erie and Ottawa counties along Lake Erie carry out beach testing every summer, using EPA funds that come to us via the Ohio state health department. I'm told that we are fully funded for this year, but that next year is up to Congress and the Trump administration.

I'm appreciate anything you care to share with me. Thank you for your help.

Tom

Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 5/26/2017 2:51:34 PM
To: Pearson, Sam [spearson@bna.com]; Press [Press@epa.gov]
Subject: RE: EPA docket on RMP rule

Sam,

For attribution to an agency spokesperson, please.

Yes, the Federal Register staff is processing these comments, and they should post in the docket soon.

Christie

Christie St. Clair
Office of Public Affairs

Environmental Protection Agency
Washington, DC
o: 202-564-2880
m: Ex. 6 Personal Privacy (PP)

From: Pearson, Sam [mailto:spearson@bna.com]
Sent: Wednesday, May 24, 2017 12:31 PM
To: Press <Press@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Subject: EPA docket on RMP rule

Hi,
I noticed the public comment period closed on May 19 for EPA's proposal to delay implementation of the RMP rule until 2019 to create time to craft a new rule.
It looks like in the docket https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=postedDate&po=0&dct=PS&D=EPA-HQ-OEM-2015-0725 the only public comments that are really posted are simply the copies of public comments that were delivered at the public meeting in April.
Did EPA receive additional written comments on why the rule should be delayed? Do you know when these materials will be posted?

Thank you,

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Sam Pearson
Reporter

Bloomberg BNA

Direct 703.341.3881
Cell Ex. 6 Personal Privacy (PP)
spearson@bna.com

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 5/24/2017 10:34:30 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: AMY/LIZ: Worker Protection Standard petition granted -- Need clarification

OK

From: Daguillard, Robert
Sent: Wednesday, May 24, 2017 9:55 AM
To: Press <Press@epa.gov>
Subject: AMY/LIZ: Worker Protection Standard petition granted -- Need clarification

Answer from OCSPP and OCFO: Ex. 5 Deliberative Process (DP)

Please confirm it's OK to send.

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Wednesday, May 24, 2017 8:47 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: Re: Worker Protection Standard petition granted -- Need clarification

Thanks Robert. Just for my clarification, the EPA budget CJ (pg. 246) states that the petition was granted in April 2017. Is that an error?

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Wednesday, May 24, 2017 8:42 AM
To: Stecker, Tiffany; Press
Subject: RE: Worker Protection Standard petition granted -- Need clarification

Good morning Tiffany,

For attribution to "an EPA spokesperson," please:

On May 11, 2017, EPA granted the petition received from the National Association of State Departments of Agriculture (NASDA) to extend the implementation of the revised provisions of the Agricultural Worker Protection Standard. We will soon begin the regulatory process to formally extend the compliance date for all revised provisions of the WPS. We will thereafter make a final decision on this matter after considering any comments received.

Regards, R.

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Tuesday, May 23, 2017 3:54 PM
To: Press <Press@epa.gov>
Subject: Worker Protection Standard petition granted -- Need clarification

Hello,

The FY18 budget's congressional justification states that EPA granted the NASDA petition to extend the implementation of the Worker Protection Standard in April 2017 https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf (pg. 246)

However, this letter appears to grant the petition and it is dated May 11. It also does not include the Jan. 2, 2019 date that is in the budget CJ.

Could you please confirm when the petition was granted, and whether Jan. 2, 2019 is the proposed extension of the implementation date? Deadline is 5:30 pm.

Thanks,

Tiffany

Tiffany Stecker
Environment Reporter
Bloomberg BNA

Direct 703.341.3720
Cell Ex. 6 Personal Privacy (PP)
(please note that my cell number has changed)
tstecker@bna.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/24/2017 1:46:19 PM
To: Stecker, Tiffany [tstecker@bna.com]; Press [Press@epa.gov]
Subject: RE: Increase in Pesticide FTEs

Hullo again, Tiffany,

For attribution to the agency, please, if needed:

"The Environmental Programs Management (EPM) FTE were cut in the budget by 50.5 FTE. The FIFRA account paid for with fees were increased by 50.5 FTE. Basically it is shifting the cost of 50.5 FTE from appropriated dollars (EPM) now to be paid for by fees (FIFRA). In other words, more of the fees will now go toward payroll."

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Tuesday, May 23, 2017 1:45 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Press <Press@epa.gov>
Subject: Increase in Pesticide FTEs

Thank you Liz.

I have another question regarding the FTE numbers in the congressional justification (pg 4; or pg 10 in the PDF) https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-congressional-justification.pdf

See the line for "FIFRA" it looks like the budget has set aside 50 additional employees for pesticide registration work under the Federal Insecticide, Fungicide and Rodenticide Act, despite cutting funding for pesticide licensing by about 18 percent.

Is this correct?

Many thanks,

Tiffany

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, May 23, 2017 1:09 PM
To: Stecker, Tiffany <tstecker@bna.com>; Press <Press@epa.gov>
Subject: RE: FY18 Budget

Hi Tiffany – EPA's budget statement can be found here: https://www.epa.gov/newsreleases/epa-budget-returns-focus-core-statutory-mission

---

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Tuesday, May 23, 2017 11:25 AM
To: Press <Press@epa.gov>
Subject: FY18 Budget

Hello,

Is EPA holding a press call on the budget? Thanks.

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Tiffany Stecker
Environment Reporter
Bloomberg BNA

Direct 703.341.3720
Cell Ex. 6 Personal Privacy (PP)
(please note that my cell number has changed)
tstecker@bna.com

Message

From: Ivory, Danielle [danielle.ivory@nytimes.com]
Sent: 5/16/2017 8:46:30 PM
To: Bowman, Liz [Bowman.Liz@epa.gov]
CC: Press [Press@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]
Subject: Re: Regulatory Reform recommendations

I see. Will they ever be posted? Why are they considered deliberative?

Thanks,

Danielle

On Tue, May 16, 2017 at 4:35 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Danielle – As explained in my earlier email, these are deliberative documents, so they wouldn't be posted on this site.
>
> **From:** Ivory, Danielle [mailto:danielle.ivory@nytimes.com]
> **Sent:** Tuesday, May 16, 2017 10:48 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Cc:** Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
> **Subject:** Re: Regulatory Reform recommendations
>
> Hi Liz, I'm not seeing these recommendations on regulations.gov. Could you please send them directly or send a link?
>
> I'll plan on filing a FOIA request later today if I don't hear from you. Thanks!
>
> Danielle
>
> On Mon, May 15, 2017 at 7:39 PM, <danielle.ivory@nytimes.com> wrote:
>
> > Thanks, Liz, and no problem. What is the next deadline for the regulatory reform task force at EPA?
> >
> > Are the recommendations online at regulations.gov? If so, would you mind sending me a link?

Thanks again!

Danielle

Sent from my iPhone

On May 15, 2017, at 7:32 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Danielle -- Sorry, I mixed up your request. On background (not for attribution): Today was the goal for the program offices to submit feedback, in response to Regulatory Reform memo from the Administrator. We will review the information as its received and evaluate with it accordingly. It's a deliberative process with the different offices. Thank you – Liz
>
> ---
>
> **From:** Bowman, Liz
> **Sent:** Monday, May 15, 2017 6:55 PM
> **To:** Ivory, Danielle <danielle.ivory@nytimes.com>; Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
> **Subject:** RE: Regulatory Reform recommendations
>
> Hi Danielle – The Regulatory Reform recommendations are available on the public docket and can be found on regulations.gov.
>
> Thank you – Liz
>
> **From:** Ivory, Danielle [mailto:danielle.ivory@nytimes.com]
> **Sent:** Monday, May 15, 2017 12:45 PM
> **To:** Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
> **Subject:** Fwd: Regulatory Reform recommendations
>
> Hello, I received a bounce-back from Enesta's account. Could someone else help me with this request?
>
> Thanks,
>
> danielle

---------- Forwarded message ----------
From: **Ivory, Danielle** <danielle.ivory@nytimes.com>
Date: Mon, May 15, 2017 at 12:39 PM
Subject: Regulatory Reform recommendations
To: "Jones, Enesta" <Jones.Enesta@epa.gov>

Hi Enesta,

Recommendations to the Regulatory Reform Task Force by the Offices of Air and Radiation, Land and Emergency Management, Chemical Safety and Pollution Prevention, Water, Environmental Information, Congressional and Intergovernmental Relations and Small and Disadvantaged Business Utilization are due today, May 15. Would it be possible to send me copies of those recommendations?

If I will need to file a FOIA for this, that is fine -- just let me know. I'll assume if I don't hear from you by the end of the day today that I should file a FOIA.

Many thanks,

Danielle

--

Danielle Ivory
The New York Times
Office: 212-556-1596
Cell: Ex. 6 Personal Privacy (PP)
Fax: 646-349-2536
PGP Key: 4F0C8AF6FB9B5DBE
Signal encrypted chat: Ex. 6 Personal Privacy (PP)

--

Danielle Ivory
The New York Times
Office: 212-556-1596
Cell: Ex. 6 Personal Privacy (PP)
Fax: 646-349-2536
PGP Key: 4F0C8AF6FB9B5DBE
Signal encrypted chat: Ex. 6 Personal Privacy (PP)

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Danielle Ivory
The New York Times
Office: 212-556-1596
Cell: Ex. 6 Personal Privacy (PP)
Fax: 646-349-2536
PGP Key: 4F0C8AF6FB9B5DBE
Signal encrypted chat: Ex. 6 Personal Privacy (PP)

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Danielle Ivory
The New York Times
Office: 212-556-1596
Cell: Ex. 6 Personal Privacy (PP)
Fax: 646-349-2536
PGP Key: 4F0C8AF6FB9B5DBE
Signal encrypted chat: Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/22/2017 7:19:32 PM
To: Jean Chemnick [jchemnick@eenews.net]; Press [Press@epa.gov]
Subject: RE: U.S.-China green ports event next week

Jean, with apologies for the delay – and for attribution to "an EPA spokesperson," please:

"This week, three US EPA staff and six invited experts will be traveling to Tianjin, China to co-host the 3rd U.S.-China Green Ports and Vessels Initiative (GPVI) Workshop from May 23-24. This U.S.-China collaboration was formally initiated at the June 2015 Strategic and Economic Dialogue, which established the Green Ports and Vessels Initiative (GPVI). The objective of this workshop is to build capacity and share experience, best practices, tools, and technologies to assess and reduce emissions of air pollutants from ports and vessels and achieve improved air quality and human health benefits. Jane Nishida is not a part of the delegation."

Very best, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Jean Chemnick [mailto:jchemnick@eenews.net]
Sent: Thursday, May 18, 2017 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: U.S.-China green ports event next week

6ish. Thank you!

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, May 18, 2017 12:45 PM
To: Jean Chemnick <jchemnick@eenews.net>; Press <Press@epa.gov>
Subject: RE: U.S.-China green ports event next week

Good afternoon Jean,

A quick word to acknowledge receipt. What's your deadline, please?

Thanks, R.

From: Jean Chemnick [mailto:jchemnick@eenews.net]
Sent: Thursday, May 18, 2017 12:39 PM
To: Press <Press@epa.gov>
Subject: U.S.-China green ports event next week

Hello. I'm writing for tomorrow about the green ports meeting in Beijing next week, which Jane Nishida will attend from the U.S. Can you give me a sense of how large the U.S. delegation will be? And what is the objective? Is this building toward a possible U.S.-China agreement, or is it just an exercise in transparency?

Jean Chemnick
Reporter
E&E News international beat
202-446-0429

To: Press[Press@epa.gov]
From: StClair, Christie[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=06618C5ED0E744A3BFE8443360018C26-STCLAIR, CH]
Sent: Mon 5/15/2017 7:17:59 PM (UTC)
Subject: RE: FOR REVIEW: Response to ProPublica RE: Open Burn/Open Detonation (Deadline ASAP)

FYI - Open Burn/Open Detonation is a practice conducted at military bases, during which personnel destroy ammunition and other explosives by either burning or detonating them out in the open.

From: StClair, Christie
Sent: Monday, May 15, 2017 12:39 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Response to ProPublica RE: Open Burn/Open Detonation (Deadline ASAP)

Background: Reporter still wants this information, and has been asking for it. Reporter: Abrahm Lustgarten, Reporter, Abrahm.Lustgarten@propublica.org.

Suggested response:

Ex. 5 Deliberative Process (DP)

From: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Date: March 10, 2017 at 5:39:01 PM EST
To: "StClair, Christie" <StClair.Christie@epa.gov>
Cc: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Subject: Re: Press Inquiry about Hazardous Waste

Hi Christie,

Thank you for the response, though I'm disappointed to be referred to the FOIA process for most of these questions after more than a month. I'll pursue that now.

A couple of follow ups I hope you can help with:

You've referred me to the RCRAinfo database, which I have used extensively to research this process. The database results show there are seven OBOD sites in the United States. I believe that number is extremely low. Can you confirm to me that this does reflect the accurate count of RCRA permitted OBOD sites in the United States? Or can you confirm that the number of sites is not known by the EPA? (Or explain otherwise?).

Can you tell me which offices and which staff provided the responses that you offer below? Not for attribution, but to help me understand which offices have expertise and whether the appropriate ones were engaged?

How is the open burn and detonation of munitions and energetics in the United States different from the burn pits in Iraq and Afghanistan? For this point in particular, through my research and reading of sample permits and case studies, I am not

understanding a difference. So I hope for an EPA response for my story on this, as well any technical explanation of the emissions, burned constituents, distance to public, etc that I might have previously failed to understand.

Finally – the RCRA IDs I asked about – do those have matches with companies in the EPA's database? If not, can the EPA provide an explanation of what it means that an entity is transporting and disposing of waste, and is only identifying itself to state officials (in LA) using an EPA license which cannot be located or identified?

Thank you,
Abrahm Lustgarten

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 5/12/2017 7:58:43 PM
To: Freire, JP [Freire.JP@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: FOR REVIEW: comment to respond to question on resignations

Thanks, we'll use that to respond.

From: Freire, JP
Sent: Friday, May 12, 2017 3:57 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: FOR REVIEW: comment to respond to question on resignations

Attributable to an epa spokesman

J.P. Freire
Environmental Protection Agency
Associate Administrator for Public Affairs
Mobile: Ex. 6 Personal Privacy (PP)

On May 12, 2017, at 3:56 PM, Freire, JP <Freire.JP@epa.gov> wrote:

This has been approved by Sam.

Ex. 5 Deliberative Process (DP)

J.P. Freire
Environmental Protection Agency
Associate Administrator for Public Affairs
Mobile: Ex. 6 Personal Privacy (PP)

On May 12, 2017, at 3:36 PM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Two requests for comment: from New Repub and The Hill.

Suggested response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Emily Atkin [mailto:eatkin@tnr.com]
Sent: Friday, May 12, 2017 1:48 PM
To: Press <Press@epa.gov>
Subject: Question on resignations

Hello,

Wanted to see if EPA had a response to this letter of resignation sent by Carlos Martin and Peter Meyer in protest of EPA not renewing the appointments of BOSC members.
https://twitter.com/carlosonhousing/status/863014824367841281

The letter said the two believe "our collective knowledge is not valued" by the EPA, and that the agency is "watering down" credible science. Is that a credible accusation?

How long will it take for EPA to fill the positions left by Martin, Meyer, and other BOSC members?

Best,

--
Emily Atkin
Staff Writer, *New Republic*
m: Ex. 6 Personal Privacy (PP)
@emorwee

"Find the evidence,
that lets everyone see,
how the world works."

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/10/2017 8:02:22 PM
To: Paul Basken [paul.basken@chronicle.com]; Freire, JP [Freire.JP@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: advisory boards

Noted. Thanks.

From: Paul Basken [mailto:paul.basken@chronicle.com]
Sent: Wednesday, May 10, 2017 3:59 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Freire, JP <Freire.JP@epa.gov>
Subject: Re: advisory boards

Thanks, Robert... We have a piece ready to run today for tomorrow... If you need beyond today to help with any of this, I could appeal to the editors for a delay, but I think they are pretty well committed to finishing it tonight... Thanks, Paul

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From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Wednesday, May 10, 2017 3:53 PM
To: Paul Basken; Freire, JP
Cc: Press
Subject: RE: advisory boards

Paul, what's your deadline, please?

Thanks, R.

From: Paul Basken [mailto:paul.basken@chronicle.com]
Sent: Wednesday, May 10, 2017 3:52 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Freire, JP <Freire.JP@epa.gov>
Subject: Re: advisory boards

Hi again, Robert... I realize you might not be able to answer these questions immediately, but would you be willing please to at least signal fairly soon whether this is something you might attempt to do so, or whether we should not wait on that possibility.

Also your initial statement did not actually confirm how many members of the Board of Scientific Counselors had in fact been removed from service, and as there seems to be no unanimity on that question in the published reports I've seen, could you briefly confirm the number of affected board members?

Thanks, Paul (202-466-1044)

From: Paul Basken
Sent: Wednesday, May 10, 2017 2:07 PM
To: Daguillard, Robert; Freire, JP
Subject: Re: advisory boards

Thanks, Robert... That helps, though I had wanted to ask whether the EPA believes there should be any specific allocation, on either the Board of Scientific Counselors or the Science Advisory Board, for maximum or minimum percentages of folks from various sectors, such as academia, NGOs or industry.

Also, does the administration support the legislation pending in Congress -- either the HONEST Act or the EPA Science Advisory Board (SAB) Reform Act -- that would affect the EPA's approach to scientific review.

And finally, does the EPA have any reaction to the findings described at https://www.nytimes.com/2017/03/14/business/monsanto-roundup-safety-lawsuit.html concerning an apparent attempt to influence an EPA scientific review?

Thanks, Paul (202-466-1044)

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Wednesday, May 10, 2017 1:56 PM
To: Paul Basken; Freire, JP
Cc: Press
Subject: RE: advisory boards

Good afternoon Paul,

For attribution to JP, as EPA spokesman, please:

"Advisory panels like BOSC play a critical role reviewing the agency's work. EPA received hundreds of nominations to serve on the board, and we want to ensure fair consideration of all the nominees – including those nominated who may have previously served on the panel – and carry out a competitive nomination process."

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Paul Basken [mailto:paul.basken@chronicle.com]
Sent: Wednesday, May 10, 2017 1:50 PM
To: Freire, JP <Freire.JP@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: advisory boards

Hi JP... Trying again... If you don't have any response on the matter, would it be possible please to write back and say so?
Thanks, Paul (202-466-1044)

From: Paul Basken
Sent: Tuesday, May 9, 2017 1:42 PM
To: freire.john@epa.gov
Subject: Re: advisory boards

Hi JP... I'm trying again on this... Can you provide any help with it? Thanks, Paul (202-466-1044)

From: Paul Basken
Sent: Monday, May 8, 2017 3:21 PM
To: freire.john@epa.gov
Subject: advisory boards

Dear JP,
I'm a reporter with the Chronicle of Higher Education, and I'm writing to seek your help with the matter of the EPA scientific advisory boards that are being discussed in various items of news coverage in the past day or two.
The articles seem to be suggesting that the EPA is dismissing academic members of at least one EPA advisory board, though the articles seem unclear on some of the key facts. We're hoping you can clarify what exactly is happening, what boards it involves, how many members are being affected, and what is the policy objective involved in these actions.
I can be reached by email or phone at 202-466-1044, and I'd be happy to hear from you at your convenience or set up a time for me to call that would fit your schedule.
Thanks, Paul Basken

Paul Basken
The Chronicle of Higher Education
1255 Twenty-Third Street NW, 7th Floor
Washington, DC 20037
202-466-1044 direct
Ex. 6 Personal Privacy (PP) mobile
paul.basken@chronicle.com

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http://www.sciencemag.org/news/2017/05/epa-fires-members-science-advisory-board

Science
May. 6, 2017
EPA fires members of science advisory board
By Scott Waldmann, E&E News

The U.S. Environmental Protection Agency (EPA) fired members of a scientific advisory board yesterday.

The agency quietly forced out some members of the Board of Scientific Counselors just weeks after leaders told them their tenure would be renewed, said Robert Richardson, an ecological economist at Michigan State University and one of those dismissed.

The board is tasked with reviewing the work of EPA scientists and provides feedback that can be a powerful voice in shaping the agency's future research. The cuts "just came out of nowhere," Richardson said.

"The role that science has played in the agency in the past, this step is a significant step in a different direction," he said today. "Anecdotally, based on what we know about the administrator, I think it will be science that will appear to be friendlier to industry, the fossil fuel industry, the chemical industry, and I think it will be science that marginalizes climate change science."

EPA did not immediately respond to a request for comment.

There are two main science advisory boards at EPA, both of which can hold significant sway over policy and regulation. The Trump administration has proposed a major weakening of both.

Earlier this year, the White House proposed slashing funding for the Science Advisory Board by 84 percent. Such a cut would essentially cripple the work of the 47-member board of outside scholars.

House Republicans have passed legislation to reform the Science Advisory Board, a move critics say is designed to increase the voice of industry in rulemaking. That bill is still awaiting Senate approval.

Richardson said about developments, "This is a significant step toward the erosion of science, and I think that it is happening subtly throughout the agency with this very large proposed budget cut to the Science Advisory Board."

At an April meeting, the Board of Scientific Counselors discussed the importance of climate change research at EPA and "the growing need for information on, and understanding of, climate change and responses to its impacts," according to an agenda. They also talked about the importance of considering climate change as a stressor in areas of non-climate research.

The Trump administration has already sent signals that it does not value some areas of federal research, in particular climate science and work that could lead to further regulation of the fossil fuel and chemical industries.

The board had 18 members, including Richardson, who said he knew of at least one other member fired. Departures could reach a dozen, he said.

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https://www.nytimes.com/2017/05/07/us/politics/epa-dismisses-members-of-major-scientific-review-board.html

The New York Times
MAY 7, 2017

E.P.A. Dismisses Members of Major Scientific Review Board
By CORAL DAVENPORT

WASHINGTON — The Environmental Protection Agency has dismissed at least five members of a major scientific review board, the latest signal of what critics call a campaign by the Trump administration to shrink the agency's regulatory reach by reducing the role of academic research.

A spokesman for the E.P.A. administrator, Scott Pruitt, said he would consider replacing the academic scientists with representatives from industries whose pollution the agency is supposed to regulate, as part of the wide net it plans to cast. "The administrator believes we should have people on this board who understand the impact of regulations on the regulated community," said the spokesman, J.P. Freire.

The dismissals on Friday came about six weeks after the House passed a bill aimed at changing the composition of another E.P.A. scientific review board to include more representation from the corporate world.

President Trump has directed Mr. Pruitt to radically remake the E.P.A., pushing for deep cuts in its budget — including a 40 percent reduction for its main scientific branch — and instructing him to roll back major Obama-era regulations on climate change and clean water protection. In recent weeks, the agency has removed some scientific data on climate change from its websites, and Mr. Pruitt has publicly questioned the established science of human-caused climate change.

In his first outings as E.P.A. administrator, Mr. Pruitt has made a point of visiting coal mines and pledging that his agency will seek to restore that industry, even though many members of both of the E.P.A.'s scientific advisory boards have historically recommended stringent constraints on coal pollution to combat climate change.

Mr. Freire said the agency wanted "to take as inclusive an approach to regulation as possible."

"We want to expand the pool of applicants" for the scientific board, he said, "to as broad a range as possible, to include universities that aren't typically represented and issues that aren't typically represented."

Some who opposed the dismissals denounced them as part of a broader push by the E.P.A. to downgrade science and elevate business interests.

"This is completely part of a multifaceted effort to get science out of the way of a deregulation agenda," said Ken Kimmell, the president of the Union of Concerned Scientists. "What seems to be premature removals of members of this Board of Science Counselors when the board has come out in favor of the E.P.A. strengthening its climate science, plus the severe cuts to research and development — you have to see all these things as interconnected."

The scientists dismissed from the 18-member Board of Scientific Counselors received emails from an agency official informing them that their three-year terms had expired and would not be renewed. That was contrary, the scientists said, to what they had been told by officials at the agency in January, just before Mr. Trump's inauguration.

"Most of us on the council are academic people," said Ponisseril Somasundaran, a chemist at Columbia University who focuses on managing hazardous waste. "I think they want to bring in business and industry people."

Courtney Flint, a professor of natural resource sociology at Utah State University who has served on the board since 2014, said she was surprised by the dismissal.

"I believe this is political," said Dr. Flint, whose research focuses on how communities respond to major disruptions in the environment, such as exposure to toxic pollution, forest fires and climate change. "It's unexpected. It's a red flag."

Another of the dismissed scientists made his grievances public. “Today, I was Trumped,” Robert Richardson, an environmental economist at Michigan State University, wrote on Twitter. “I have had the pleasure of serving on the EPA Board of Scientific Counselors, and my appointment was terminated today.”

The board is charged with reviewing and evaluating the research conducted by the agency’s scientists. Those studies are used by government regulators to draft rules and restrictions on everything from hazardous waste dumped in water to the emissions of carbon dioxide that contribute to climate change.

Members of the board say they have reviewed the E.P.A.’s scientific research on the public health impact of leaking underground fuel tanks, the toxicity of the chemicals used to clean up oil spills, and the effects of the spread of bark beetles caused by a warming climate.

A larger, corresponding panel, the 47-member Science Advisory Board, advises the agency on what areas it should conduct research in and evaluates the scientific integrity of some of its regulations.

Both boards, which until now have been composed almost entirely of academic research scientists, have long been targets of political attacks. Congressional Republicans and industry groups have sought to either change their composition or weaken their influence on the environmental regulatory process.

Representative Lamar Smith, the Texas Republican who is the chairman of the House Committee on Science, Space and Technology, wrote the House-passed bill intended to restock the Science Advisory Board with more members from the business world.

“In recent years, S.A.B. experts have become nothing more than rubber stamps who approve all of the E.P.A.’s regulations,” Mr. Smith said at a House hearing in February. “The E.P.A. routinely stacks this board with friendly scientists who receive millions of dollars in grants from the federal government. The conflict of interest here is clear.”

As a witness, Mr. Smith brought in Kimberly White, senior director of chemical products and technology at the American Chemistry Council, which lobbies for chemical corporations and, like other industry groups, has pushed for more representation on the E.P.A.’s science boards.

“We have also seen situations where peer reviewers have suggested discounting a study solely based on the funding source, without any considerations being given to the quality of the study,” Ms. White said. “Also, E.P.A. staff often comment throughout peer review meetings, essentially participating as peers, while industry experts are typically excluded from the dialogue.”

Several members of the Scientific Advisory Board contacted by The New York Times said that they had not received dismissal notices, but that they were aware their board was a political target.

“I see the dismissal of the scientists from the Board of Scientific Counselors as a test balloon,” said Joseph Arvai, an environmental scientist at the University of Michigan who is on the Scientific Advisory Board. “This is clearly very political, and we should be very concerned if it goes further.”

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/10/2017 5:56:45 PM
To: David Stegon [david.stegon@chemicalwatch.com]; Press [Press@epa.gov]
Subject: RE: BOSC Confirmation

Good afternoon David,

For attribution to J.P. Freire, EPA spokesman, please:

"Advisory panels like BOSC play a critical role reviewing the agency's work. EPA received hundreds of nominations to serve on the board, and we want to ensure fair consideration of all the nominees – including those nominated who may have previously served on the panel – and carry out a competitive nomination process."

Best regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: David Stegon [mailto:david.stegon@chemicalwatch.com]
Sent: Wednesday, May 10, 2017 1:18 PM
To: Press <Press@epa.gov>
Subject: BOSC Confirmation

Hello EPA,

To meet our reporting standards, I wanted to see if you could please confirm for me that nine members of the BOSC did not have their terms renewed. Deadline is 3 p.m. today. Thank you!

Best,
David Stegon
North America Deputy Editor
Chemical Watch
240-234-0214

Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 4/14/2017 5:37:04 PM
To: Press [Press@epa.gov]
Subject: JP/JOHN - FOR REVIEW: Response to NatCom Global on antimicrobials (DEADLINE ASAP)

Background:

The producer works for a firm that creates content to sell to local television stations. This segment will be offered to about 60 local news broadcasts at television stations across the country, including in LA, Portland, Phoenix and Portland. (You can see two samples of their work if you go here: http://www.natcomglobal.com/#broadcast-news and click on "See sample video.") She's looking at the potential dangers of microbials, particularly triclosan. She is asking for an on-camera, but the program prefers to provide the info in writing. Producer info: Charlene Bert, Charlene@natcomglobal.com

Suggested Response:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: charlene@natcomglobal.com [mailto:charlene@natcomglobal.com]
Sent: Wednesday, April 05, 2017 12:01 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: RE: RE: TIME SENSITIVE MEDIA REQUEST

Hi Christie,
I apologize. I let this go for an entire week because we were on deadline with other stories. We decided to take a little more time to get this right.
OK, so...I copied your questions over and adjusted a speck..

I am wondering if triclosan in consumer products, such as plastic goods of all kinds, are on the radar of the EPA now that it has been banned by the FDA when formulated in hand soaps and body washes?

Is Triclosan in consumer products? We asked Microban, and it says it no longer uses Triclosan, yet we are told by researchers that it is still used in consumer products, but labels aren't required. What does the EPA know about Triclosan in consumer products?

Does EPA have any advice for consumers on how they can find out if the chemical, or any antimicrobials, are in their products-- since labeling is not required.

What about other antimicrobials, other than Triclosan? Is the EPA concerned about antimicrobials in consumer products?

What is the EPA's advice to consumers?

If I could get an answer by the end of tomorrow, that would be helpful. Is that possible?

Char

Christie St. Clair
Office of Public Affairs

Environmental Protection Agency
Washington, DC
o: 202-564-2880
m: Ex. 6 Personal Privacy (PP)

To: Daguillard, Robert[Daguillard.Robert@epa.gov]
Cc: Press[Press@epa.gov]; Jones, Enesta[Jones.Enesta@epa.gov]
From: Chris Bentley[Ex. 6 Personal Privacy (PP)
Sent: Thur 3/30/2017 11:15:39 PM (UTC)
Subject: Re: Architect magazine media inquiry: EnergyStar & President Trump

Hi Robert,
Another question for you: Since the President's executive order on Tuesday rescinded Executive Order 13653 of November 1, 2013 (Preparing the United States for the Impacts of Climate Change), will EPA stop planning for long-term effects of climate change? What exactly will that recission change about your work helping communities prepare for and adapt to extreme weather?

Thanks,
Chris

On Thu, Mar 9, 2017 at 10:23 AM, Chris Bentley < Ex. 6 Personal Privacy (PP) > wrote:

Thanks, Robert. I appreciate the quick reply.

On Thu, Mar 9, 2017 at 10:13 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning Chris,

For attribution to Julia Valentine, an EPA spokesperson, please:

We are not commenting at this early stage in the process.

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Chris Bentley [mailto Ex. 6 Personal Privacy (PP)
Sent: Thursday, March 09, 2017 10:10 AM

To: Press <Press@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Architect magazine media inquiry: EnergyStar & President Trump

Hello again,

Now that Sec. Pruitt is confirmed, I'm wondering if you can comment. Specifically, I'm gathering reactions to word that the EPA might slash its budget, including programs like EnergyStar. Can you confirm or comment?

Would love to talk to someone at EPA about this

On Thu, Feb 9, 2017 at 3:05 PM, Chris Bentley <Ex. 6 Personal Privacy (PP)> wrote:

Understood, and thanks for the reply. Appreciate being added to your lists. I'll be in touch.

On Thu, Feb 9, 2017 at 1:30 PM, Press <Press@epa.gov> wrote:

Hi Chris,

EPA does not have a confirmed Administrator and we cannot speculate on future plans for the agency.

We will add you to our media lists.

Thanks

Office of Public Affairs

US EPA Headquarters

Washington, DC

From: Chris Bentley [mailto:Ex. 6 Personal Privacy (PP)
Sent: Thursday, February 09, 2017 12:24 PM
To: Press <Press@epa.gov>
Cc: vanessa.jones@epa.gov
Subject: Architect magazine media inquiry: EnergyStar & President Trump

Hello,

I'm following up on Vanessa Jones' voicemail.

I'm writing to tell you and your colleagues about a new column I'm writing for Architect. I'll be covering the new administration's impact on sustainable design, resilience, planning and the intersection of climate and the built environment.

Right now I'm reaching out to some potential sources just to ask what you and your colleagues are preparing for when it comes to President Trump's administration. **I'd like to speak with someone at EPA about the future of the EnergyStar program** over the next four years. My deadline is 3/3, but I'd like to connect with someone before then, if possible.

Feel free to share my inquiry with anyone you think might be helpful, and tell them they can give me an email or call (518-366-5732) anytime.

Please add me to any media lists you have and share my contact info with anyone who'd like to talk about federal policy on sustainable design and the built environment.

Thank you very much,

Chris Bentley
518-366-5732
cabentley.com
@cementley

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Chris Bentley
518-366-5732
cabentley.com
@cementley

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Chris Bentley
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Chris Bentley
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@cementley

--

Chris Bentley

518-366-5732
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@cementley

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 3/28/2018 2:33:29 AM
To: Leopold, Matt [Leopold.Matt@epa.gov]; Jackson, Ryan [jackson.ryan@epa.gov]; Lyons, Troy [lyons.troy@epa.gov]; Ross, David P [ross.davidp@epa.gov]
Subject: Fwd: Water Gen grant

FYI

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Alex Guillen <aguillen@politico.com>
Date: March 27, 2018 at 10:00:43 PM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Water Gen grant

Hi Liz, I have some follow-up questions (I'm writing a story tomorrow morning but wanted to get these to you as soon as possible, so I understand if there's no response tonight).

Can I please get a copy of the CRADA?

Could you please share a copy of the announcement of the availability last fall? There was a mention on this page but the page where the details were is now empty.

If the CRADA was signed in January, why did EPA announce it two months later?

Can you name the other companies EPA discussed this technology with?

What does a GEN-350 typically cost? It looks like the device EPA is testing is a loaner, but I'm interested to know what it costs so I can better describe it.

Administrator Pruitt's schedule indicates he met on March 29, 2017, with executives from Water-Gen. Was the possibility of a research agreement discussed at that time? Was the idea to research this technology inspired by or connected to that meeting? His schedule also indicates the meeting was arranged by Sheldon Adelson. What is his involvement with the company? Has the administrator taken other meeting's at Adelson's request? Has he met with or communicated with Adelson directly as administrator?

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, March 27, 2018 9:05 PM
To: Alex Guillen <aguillen@politico.com>
Cc: Press <Press@epa.gov>
Subject: Re: Water Gen grant

Hi Alex, we will send you the release ... some additional information on background, not for attribution:

In general, the Federal Technology Transfer Act authorizes the use of a Cooperative Research and Development Agreement (CRADA), which is a collaborative research partnership between an EPA lab or office and one or more external parties, such as universities, companies, governmental organizations, or trade associations.

- A CRADA typically sets forth the framework for the collaboration with the goal of evaluating, assessing, or develop new technology.
- In August 2017, EPA's Office of Research and Development publicly announced that it was seeking to establish a CRADA with up to four non-federal partners for the purpose of investigating the potential use of atmospheric water generators (AWGs) in "expanding the availability of water during shortages, contamination events and other interruptions of service."
- EPA engaged in discussions with a number of companies developing AWGs about participation in this CRADA. [**NOTE**: we discussed this with at least four companies, including Water-Gen].
- In January 2018, EPA signed a CRADA with Water-Gen, a corporation developing AWG technology, to evaluate their GEN-350 system.
- EPA remains open to working with other entities that are interested in participating in this research effort.
- Water-Gen agreed to transfer on a temporary basis one AWG unit to EPA for a period of at least three months for testing. Testing of the AWG technology will take place at EPA's Cincinnati facility.
- The CRADA and Material Transfer Agreement between EPA and Water-Gen did not involve the transfer of any funds to or from EPA.
- The CRADA spells out the rights of the Company and EPA for any technology advancements developed during this cooperative testing process, and the agreement states explicitly that it does not constitute regulatory or scientific approval of the use of any particular product or technology by EPA.

On Mar 27, 2018, at 7:33 PM, Alex Guillen <aguillen@politico.com> wrote:

Hi all,

I saw an Examiner story that EPA has granted money to the company Water-Gen.
https://www.washingtonexaminer.com/policy/energy/scott-pruitt-teams-up-with-israeli-company-on-water-supply

I don't seem to have received a release about it and I don't see any news on EPA's site.
Can you please share any information available?

Thank you,

Alex Guillén
Energy Reporter
POLITICO *Pro*
(o) 703.341.4619 | (c) Ex. 6 Personal Privacy (PP)
aguillen@politico.com | @alexcguillen

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 4/12/2018 8:43:25 PM
To: Lipton, Eric [lipton@nytimes.com]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Any guidance re if the sweep found anything? My understanding is it did not.

On background (not for attribution): that isn't information that we would be privy to

From: Lipton, Eric [mailto:lipton@nytimes.com]
Sent: Thursday, April 12, 2018 4:25 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Any guidance re if the sweep found anything? My understanding is it did not.

Please advise.
Thanks

Eric Lipton
Washington Bureau
202 862 0448 office
Ex. 6 Personal Privacy (PP) mobile
lipton@nytimes.com

On Thu, Apr 12, 2018 at 1:42 PM, Lipton, Eric <lipton@nytimes.com> wrote:

Hi Liz and Jahan.

We are about to post the story we have done re Nino Perrotta and we had a few other items wanted to run by you, raised by my boss.

1) Do you know if the security sweep of Mr. Pruitt's office from last year, from March 2017, see attached, found any evidence of listening devices in Mr. Pruitt's office or other security concerns.

2) Mr. Perrotta has a firm called Sequoia Security Group. I have been told that EPA employees require approval from the agency if they have outside employment like this. Can you confirm that Mr. Perrotta has such approval.

http://sequoiasecuritygroup.com/nino-perrota.html

3) We have been told that Mr. Perrotta flew next to Mr. Pruitt on first class flights, at times, including the trip to Italy. Just repeating that, to make sure you do not dispute this fact. We have this from several folks. More just running this by you again.

Eric Lipton
Washington Bureau

202 862 0448 office
Ex. 6 Personal Privacy (PP) mobile
lipton@nytimes.com

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 4/12/2018 7:53:51 PM
To: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Re:POLICY question -- re RFS small refinery exemption waivers

Hi Jen – Here is our statement on the waivers issue:

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the blending threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." Liz Bowman, EPA spokesperson

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship."
- During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.

From: Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) [mailto:jdlouhy1@bloomberg.net]
Sent: Thursday, April 12, 2018 3:47 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re:POLICY question -- re RFS small refinery exemption waivers

Liz and Jahan, I am sure you are dealing with non-policy matters at the moment. That said, given that this involves RFS and Icahn and may be sensitive, I wanted to flag it for you.

Thanks,

Jen.

From: Jennifer A. Dlouhy (BLOOMBERG/ NEWSROOM:) At: 04/12/18 15:46:08
To: press@epa.gov
Subject: POLICY question -- re RFS small refinery exemption waivers

Good afternoon.

We have reporting indicating that CVR Energy Inc.'s Wynnewood refinery has received a small refinery hardship waiver.

The facility is rated at 70,000 barrels a day, so it falls under the legal threshold in the RFS. But given the scrutiny of these waivers and given Carl Icahn's majority stake in CVR -- as well as his deep interest in the RFS and past role as a special adviser on regulations to President Donald Trump -- there are some who would question this decision.

I know the EPA does not discuss specific waiver recipients and effectively treats that as CBI. But do you wish to provide any context (on background or otherwise) or comment on this at all?

Similarly, do you wish to address the assertion that waivers are flowing much more liberally from EPA after the Sinclair decision?

Thank you,
Jen.

Jennifer A. Dlouhy
jdlouhy1@bloomberg.net / Ex. 6 Personal Privacy (PP)
reporterjen@protonmail.com
Desk: 202.807.2159
Cell/Text/Signal: Ex. 6 Personal Privacy (PP)
Twitter: @jendlouhyhc
Stories: http://bloom.bg/23Crpvk

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 4/4/2018 8:28:22 PM
To: Gunasekara, Mandy [Gunasekara.Mandy@epa.gov]; Woods, Clint [woods.Clint@epa.gov]; Harlow, David [harlow.david@epa.gov]; Wehrum, Bill [Wehrum.Bill@epa.gov]
CC: Dominguez, Alexander [dominguez.alexander@epa.gov]
Subject: RE: RIN exemptions

Thanks!

From: Gunasekara, Mandy
Sent: Wednesday, April 4, 2018 4:01 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Woods, Clint <woods.clint@epa.gov>; Harlow, David <harlow.david@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
Cc: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: RE: RIN exemptions

Roughly 20 for 2016; 25 to 30 for 2017.

Compliance period for 2016 RINS ends on March 31, 2017
Compliance period for 2017 ends March 31, 2018
Compliance period for 2018 (the RVOs we finalized this past November) will end on March 31, 2019.

From: Bowman, Liz
Sent: Wednesday, April 4, 2018 2:16 PM
To: Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Woods, Clint <woods.clint@epa.gov>; Harlow, David <harlow.david@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
Cc: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: FW: RIN exemptions

Sorry, do you know?

From: Osborne, James [mailto:James.Osborne@chron.com]
Sent: Wednesday, April 4, 2018 1:48 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: RIN exemptions

So 25 for 2017, and then 25-30 for 2016?

Double checking because Bill said only "a few" 2017 waivers had been granted so far.

James

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, April 04, 2018 11:22 AM
To: Osborne, James <James.Osborne@chron.com>
Subject: RE: RIN exemptions

Hi James – Let me check on the 2016 exemptions, here is an additional quote/background. These 25 are for calendar year 2017.

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a DOE analysis to inform decisions about refiner exemptions/waivers. These waivers are only considered for refineries that submit applications and that are below the blending threshold," **EPA spokesperson, Liz Bowman**

On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

From: Osborne, James [mailto:James.Osborne@chron.com]
Sent: Wednesday, April 4, 2018 11:01 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: RIN exemptions

Liz,

Will you be able to get me the exact number of 2016 exemptions, which bill said he would provide today.

Also, any chance he could add a little to his quote about why exemptions have increased. Right now all I have is "nothing has changed."

Thanks,

James

On Apr 3, 2018, at 3:42 PM, Osborne, James <James.Osborne@chron.com> wrote:

> How about this afternoon before 6pm? Or tomorrow morning, either before 11am or after 12:30pm?
>
> James
>
> ---
>
> **From:** Bowman, Liz [mailto:Bowman.Liz@epa.gov]
> **Sent:** Tuesday, April 03, 2018 3:36 PM
> **To:** Osborne, James <James.Osborne@chron.com>
> **Subject:** FW: RIN exemptions
>
> HI James – I can schedule a call with you and Bill, our head of air, to walk you through the program. What time works for you?
>
> ---
>
> **From:** Bowman, Liz
> **Sent:** Tuesday, April 3, 2018 10:44 AM
> **To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
> **Subject:** Fwd: RIN exemptions

Can you all help here?

Begin forwarded message:

From: "Osborne, James" <James.Osborne@chron.com>
Date: April 3, 2018 at 10:38:09 AM EDT
To: "Bowman, Liz" <Bowman.Liz@epa.gov>
Subject: RIN exemptions

Liz,

I'm working on a story about the EPA giving exemptions to refineries for RINs.

Do you think someone from EPA would be available to discuss those exemptions? Either on record or background?

Also, I need some documentation for the story. Would you be able to get me the following?

1. A list of refineries given exemptions from RIN requirements since Jan. 2017.
2. Year by year data on exemptions given going back to 2005 (including the number of exempted refineries and the total number of ethanol equivalent gallons (RINs) exempted).
3. EPA Administrator Pruitt's daily appointment calendar since taking office.

Thanks. I'm on deadline for tomorrow lunchtime. If you have any questions please call me on 202-263-6516.

James Osborne
Washington Energy Correspondent
Houston Chronicle/Hearst Newspapers (D.C. Bureau)
1331 H Street NW, 11th Floor
Washington, DC 20005
Tel: 202-263-6516
Twitter: @osborneja

To: Dominguez, Alexander[dominguez.alexander@epa.gov]
From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: Wed 4/4/2018 7:43:24 PM (UTC)
Subject: FW: RIN exemptions

Can you please help me track this down? I really need this information. Thank you!!

From: Osborne, James [mailto:James.Osborne@chron.com]
Sent: Wednesday, April 4, 2018 3:36 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: RIN exemptions

Liz,

Circling back on this. We're getting ready to post the story online, so need to be sure these numbers are right.

James

From: Osborne, James
Sent: Wednesday, April 04, 2018 1:48 PM
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On background (not for attribution): DOE's analysis is developed based on information submitted to EPA, and DOE provides a recommendation with regard to the waiver. While the applications continue to come in, EPA has granted roughly 25 so far. We do not have specifics on overall refining capacity.

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> **To:** Osborne, James <James.Osborne@chron.com>
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> **Sent:** Tuesday, April 3, 2018 10:44 AM
> **To:** Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>; Bodine, Susan <bodine.susan@epa.gov>; Wehrum, Bill <Wehrum.Bill@epa.gov>
> **Subject:** Fwd: RIN exemptions
>
> Can you all help here?
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> Begin forwarded message:
>
> > **From:** "Osborne, James" <James.Osborne@chron.com>
> > **Date:** April 3, 2018 at 10:38:09 AM EDT
> > **To:** "Bowman, Liz" <Bowman.Liz@epa.gov>
> > **Subject: RIN exemptions**
> >
> > Liz,
> >
> > I'm working on a story about the EPA giving exemptions to refineries for RINs.
> >
> > Do you think someone from EPA would be available to discuss those exemptions? Either on record or background?
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> > Also, I need some documentation for the story. Would you be able to get me the following?
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> > Thanks. I'm on deadline for tomorrow lunchtime. If you have any questions please call me on 202-263-6516.
> >
> > James Osborne
> > Washington Energy Correspondent
> > Houston Chronicle/Hearst Newspapers (D.C. Bureau)

1331 H Street NW, 11th Floor
Washington, DC 20005
Tel: 202-263-6516
Twitter: @osborneja

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 1/10/2018 7:54:30 PM
To: Daniell, Kelsi [daniell.kelsi@epa.gov]
Subject: RE: FOR APPROVAL -- For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

Good with me

From: Daniell, Kelsi
Sent: Wednesday, January 10, 2018 2:34 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FOR APPROVAL -- For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

Attributable to an EPA spokesperson:

Ex. 5 Deliberative Process (DP)

From: Jones, Enesta
Sent: Wednesday, January 10, 2018 2:02 PM
To: Press <Press@epa.gov>
Subject: For Review: The Doctors Talk Show (Olivia Hass) re drinking water statement fact check (Deadline: 1/10)

Suggested Response: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

From: "Hass, Olivia" <olivia.hass@cbs.com>
Date: January 10, 2018 at 1:37:21 PM EST
To: "Jones, Enesta" <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Media Inquiry: CBS - The Doctors Talk Show

Hi Enesta,
Thank you for all of these answers. We have written the following statement to be said during our show tomorrow. Is this okay with the EPA?

The Environment Protection Agency says that American tap water is safe, of the highest quality and always reliable. Filtering your tap water would be a matter of personal preference.

Please let me know if this statement is okay for us to use, credited to the EPA.

Thank you!

Olivia Hass
Production Assistant
THE Doctors
P: (323) 956-8545 F: (323) 862-2221
5555 Melrose Ave. Mae West Bldg.
Los Angeles, CA 90038

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Tuesday, January 09, 2018 1:31 PM
To: Hass, Olivia
Cc: Press
Subject: Media Inquiry: CBS - The Doctors Talk Show

Hi Olivia, for attribution to an EPA spokesperson:

1. Is tap water safe to drink?

The United States has one of the safest water supplies in the world. Congress passed the Safe Drinking Water Act (SDWA) in 1974 to protect public health by regulating public drinking water systems. SDWA requires EPA to establish and enforce standards that public drinking water systems must follow. EPA delegates primary enforcement responsibility (also called primacy) for public water systems to states and Indian Tribes if they meet certain requirements. Link: https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-your-drinking-water. Congress passed the Safe Drinking Water Act (SDWA) in 1974 to protect public health, including by regulating public water systems.

Over 151,000 public water systems provide drinking water to most Americans. Customers that are served by a public water system can contact their local water supplier and ask for information on contaminants in their drinking water, and are encouraged to request a copy of their Consumer Confidence Report. This report lists the levels of contaminants that have been detected in the water, including those by EPA, and whether the system meets state and EPA drinking water standards.

About 10 percent of people in the United States rely on water from private wells. Private wells are not regulated under the SDWA. People who use private wells need to take precautions to ensure their drinking water is safe. Learn more about private wells

2. Are there chemicals in tap water? How do they get there? Are they added purposefully? If so what chemicals? Are they safe to drink?

A change in your water's taste, color, or smell is not necessarily a health concern. However, sometimes changes can be a sign of problems. If you notice a change in your water or you want to learn more about where your tap water comes from, call your public water system. The name of your public water system can be found on your water bill. When water quality standards have not been met, your public water system must notify you through the media (television or radio), mail, or other means. Your annual Consumer Confidence Report (CCR) is another way to find out about the water quality in your area. It provides information regarding contaminants, possible health effects, and the water's source. There are three levels of public notification. A Tier 1 notification pertains to the most serious and acute contamination events. Notification must be broadcast by local media within 24 hours. Tier 2 allows for a 30-day notification. Tier 3 provides notification through the annual consumer confidence report. Many public water systems now post their report online. Public water systems are required to provide a copy upon receiving a request. More information for consumers: https://www.epa.gov/ccr

If you are not served by a public water system and have your own well, and you want to test your water, your local health department should be able to assist in explaining any tests that you need for various contaminants. If your local health department is not able to help you can contact a state certified laboratory to perform the test. To find a state certified laboratory in your area call the Safe Drinking Water Hotline at (800) 426-4791.

3. What is the best way to filter tap water?

Filters that have been certified against an ANSI/NSF standard have met the performance requirements in the standard. Third-party certifiers would maintain the data that shows the product meets the standard, not EPA. If people are looking to remove a particular contaminant, EPA does recommend that they look for products that have been independently certified to remove that contaminant.

4. Are purchasable filters, such as BRITA filters, effective in filtering tap water? (link to Q3)

Water delivered to the tap that meets regulatory limits is typically considered protective of public health. However, there are still residual contaminants when the water leaves the drinking water plant, or in some cases, contaminants that enter or are formed in drinking water when water is flowing from the treatment plant to the consumer's tap. Some consumers elect to remove these contaminants with additional filters. Many different types of filters are available to consumers. Determining which type is most effective and appropriate depends on what contaminants the consumer wishes to remove. No filter eliminates all contaminants, so understanding what filters remove and do not remove is important. It is also extremely important to maintain filters consistent with the manufacturer's recommendations to ensure the filter maintains its effectiveness and does not cause more potential contamination of water.

For more information, please see the CDC website: https://www.cdc.gov/healthywater/drinking/home-water-treatment/water-filters/step3.html

You also might find this link useful to evaluate manufacturer claims about effectiveness:
https://www.waterboards.ca.gov/drinking_water/certlic/device/watertreatmentdevices.shtml
http://www.nsf.org/

5. Is "raw water" safe to drink?

Drinking raw water may pose risks for consumers. While untreated spring water and mountain stream water may look pure, it can be contaminated with bacteria, viruses, parasites, and other contaminants. These microbial contaminants can come from "natural" sources such as animals living in the watersheds or erosion from streambanks, among other sources. These organisms, including *Cryptosporidium*, *Giardia*, *Shigella*, and norovirus, among others, can cause consumers to become sick. When water is untreated, there's risk that it will contain these harmful organisms.

You can learn more about the quality of drinking water in your area by reading your Consumer Confidence Report Link: https://www.epa.gov/ccr

6. Would the EPA be willing to provide an official statement regarding the safety of drinking tap water and raw water?

Water delivered to the tap that meets regulatory limits is typically considered protective of public health. EPA cannot ensure that untreated raw water is also protective of public health, as any possible sources of contamination would not be removed by treatment, observed by monitoring, or reported to consumers.

From: "Hass, Olivia" <olivia.hass@cbs.com>
Date: January 8, 2018 at 5:47:37 PM EST
To: Press <Press@epa.gov>
Subject: Media Inquiry: CBS - The Doctors Talk Show

Hello,

My name is Olivia Hass and I am a Production Assistant at The Doctors (thedoctorstv.com) a daytime, medical talk show. For our show this week are a having a discussion surrounding the safety of drinking tap water and the safety of drinking what is called "raw water".
We have some questions surrounding this topic and are hoping the EPA can provide insight. Here are our following questions:

1. Is tap water safe to drink?

2. Are there chemicals in tap water? How do they get there? Are they added purposefully? If so what chemicals? Are they safe to drink?

3. What is the best way to filter tap water?

4. Are purchasable filters (such as, BRITA filters) effective in cleaning tap water?

5. Is "raw water" safe to drink?

6. Would the EPA be willing to provide an official statement regarding the safety of drinking tap water and raw water?

Please let me know if you have any questions. It would be preferable to have these answers by end of day today (5pm PST) Thank you!

Best,

Olivia Hass
Production Assistant
THE Doctors
P: (323) 956-8545 F: (323) 862-2221
5555 Melrose Ave. Mae West Bldg.
Los Angeles, CA 90038

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 2/22/2018 7:07:48 PM
To: Block, Molly [block.molly@epa.gov]; Kelsi Daniell (daniell.kelsi@epa.gov) [daniell.kelsi@epa.gov]
Subject: FW: Letter from Tenn Tech re glider study requested "withhold"

From: Bowman, Liz
Sent: Wednesday, February 21, 2018 3:46 PM
To: 'Lipton, Eric' <lipton@nytimes.com>
Subject: RE: Letter from Tenn Tech re glider study requested "withhold"

Below, please find the following, please use on background, not for attribution by name. Thank you.

1. In the *Federal Register* notice, the only mention of the Tennessee Tech study is to be found in a section entitled "II. Background," and specifically in a subsection entitled "C. Petition for Reconsideration." That is to say, the *Federal Register* notice makes mention of the Tennessee Tech study because, in fact, the study was attached to the petition and the petition itself had cited it. You will find that the entire mention of the Tennessee Tech study in the *Federal Register* notice is comprised of this passage:

standards." *Id.* In support, the petitioners included as an exhibit to their petition a letter from the President of the Tennessee Technological University ("Tennessee Tech"), which described a study recently conducted by Tennessee Tech. This study, according to the petitioners, had "analyz[ed] the NO_X, PM, and carbon monoxide . . . emissions from both remanufactured and OEM engines," and "reached a contrary conclusion" regarding glider vehicle emissions. Petition at 5.

The petitioners maintained that the results of the study "showed that remanufactured engines from model years between 2002 and 2007 performed roughly on par with OEM 'certified' engines," and "in some instances even out-performed the OEM engines." *Id.* The petitioners further claimed that the Tennessee Tech research " 'showed that remanufactured and OEM engines experience parallel decline in emissions efficiency with increased mileage.' " *Id.*, *quoting* Tennessee Tech letter at 2. Based on the Tennessee Tech study, the petitioners asserted that "glider vehicles would emit less than 12% of the total NO_X and PM emissions for all Class 8 heavy duty vehicles . . . not 33% as the Phase 2 Rule suggests." *Id.*, *citing* 81 FR 73943.

2. Notice the words employed here by EPA: the petition "*described* a study . . . ," "This study, *according to* the petitioners . . . ," "The petitioners *maintained* . . .," "The petitioner further *claimed* . . . ." "The petitioners *asserted* . . . ." In other words, **EPA in the *Federal Register* only noted the existence of the study. EPA did not rely upon the study or even quote directly from it, even in the "Background" section. Rather, EPA cited the petitioners' own representations of the study, and that's as far as it went.**

3. The actual basis for the proposed repeal is to be found in a different section of the *Federal Register* entitled – not so surprisingly – "III. Basis for the Proposed Repeal." **This section of the *Federal Register* makes no mention at all of the Tennessee Tech study, or of the petition for reconsideration, or express any agreement with the arguments that petitioners had made in their petition that were based on the study.** This portion of the notice is comprised entirely of statutory/legal analysis.

From: Lipton, Eric [mailto:lipton@nytimes.com]
Sent: Wednesday, February 21, 2018 12:14 PM

To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Letter from Tenn Tech re glider study requested "withhold"

Hello Liz

I wanted to ask if this letter--third one is to Mr. Pruitt--impacts the status of the final action that EPA is considering taking related to the glider matter.

Is EPA going to move ahead with a final decision on this matter, even while this review is underway?

Or will EPA wait until this investigation is complete?

Can you let me know. Considering writing something modest about this letter.

I realize you said in an earlier email that the EPA decision is based on a legal analysis. But the TTU study was prominently cited in the Federal Register notice announcing the proposed action by Mr. Pruitt, which I attached as the fourth attachment. See page 5344 of this attachment.

Eric Lipton
The New York Times
Washington Bureau
202 862 0448 office
Ex. 6 Personal Privacy (PP) mobile
lipton@nytimes.com

To: Daguillard, Robert[Daguillard.Robert@epa.gov]
From: Bowman, Liz[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: Mon 10/23/2017 6:48:12 PM (UTC)
Subject: Re: AP story on TSCA

Thank you :)

Sent from my iPhone

On Oct 23, 2017, at 1:35 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Of course. It's with the program already and Nancy Beck reviews every response.
>
> ---
>
> **From:** Bowman, Liz
> **Sent:** Monday, October 23, 2017 1:40 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Re: AP story on TSCA
>
> Thanks! I am a comms person, not a lobbyist!
>
> Sent from my iPhone
> On Oct 23, 2017, at 11:41 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
>> On it
>>
>> Robert Daguillard
>> U.S. EPA
>> Office of Media Relations
>> Washington D.C.
>> Ex. 6 Personal Privacy (PP) M)
>> 202-564-6618 (O)
>> Begin forwarded message:
>>
>>> **From:** "Brown, Matthew" <MBrown@ap.org>
>>> **Date:** October 23, 2017 at 12:36:32 PM EDT
>>> **To:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>
>>> **Cc:** Press <Press@epa.gov>
>>> **Subject: RE: AP story on TSCA**
>>>
>>> Thanks for these, Robert.
>>>
>>> A follow up to response number 4:
>>> "As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or on-going). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses."
>>> --We're seeking a more direct answer to this question: Will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these legacy chemicals?
>>>
>>> --Please explain this: EPA "may consider background exposures from legacy use....to evaluate the risk of exposures resulting from non-legacy uses"
>>> I read that to say the agency may (or may not) consider if background exposures from legacy uses contribute to any risks resulting from exposure within the chlor-alkali industry. In other words, EPA wouldn't consider exposure from legacy uses but would consider

exposure from legacy+current uses. Is that correct? Also, when will that be decided ("EPA *may* consider")?

We need a response by close of business.

Thanks much-
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, October 23, 2017 10:09 AM
To: Brown, Matthew <MBrown@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: AP story on TSCA

Matt, for attribution, as usual, to "an EPA spokesperson," please:
Question 1: why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?
Response 1: Amendments to the Toxic Substances Control Act (TSCA) required, by December 2016, that EPA select the first 10 chemicals to undergo risk evaluations from the 2014 Update to the TSCA Work Plan. If the risk evaluation shows that a chemical substance presents an unreasonable risk, the EPA is required to regulate the chemical substance to the extent necessary so that it no longer presents such risk.
Question 2: what are "legacy" uses of chemicals?
Response 2: EPA refers to uses that do not reflect ongoing or prospective manufacturing, processing, or distribution, as "legacy uses."
Question 3: why did the EPA decide to exclude legacy uses from its review?
Response 3: EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a rule finalized on June 22, 2017: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic.
Question 4: firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?
Response 4:

As a general matter, EPA will address in its risk evaluations those uses for which it is known, intended, or reasonably foreseen that the chemical is being manufactured, processed, or distributed (i.e., the use is prospective or on-going). However, in a particular risk evaluation, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.

It is therefore true that, for asbestos, EPA did not include legacy uses in its TSCA scoping document.

From: Brown, Matthew [mailto:MBrown@ap.org]

Sent: Monday, October 16, 2017 6:08 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Hi Robert:
Here are the basic questions for which we'd like to get on-camera responses (some are repeats from our prior questions that you have already answered).

--why is EPA evaluating the 10 chemicals under review per TSCA?/what kind of changes to the availability or acceptable uses of these chemicals could result?
--what are "legacy" uses of chemicals?
--why did the EPA decide to exclude legacy uses from its review?
--firefighters, construction unions and others have raised concerns about the exclusion of legacy uses; how is EPA going to fairly evaluate the risk from these chemicals if it excludes legacy uses? In the same vein, will excluding legacy uses perpetuate the risk of exposure among populations that work with or around these chemicals?

Thanks for the help. Call right away if any of these need clarification.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Brown, Matthew
Sent: Thursday, October 12, 2017 4:47 PM
To: 'Daguillard, Robert' <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Thanks, Robert. Appreciate the help.
Was out today working on that story, the video component I've talked about. We're talking to firefighters, and as you may know their union is pushing EPA to include legacy chemicals in its review.

Would be great to get an on on-camera response to some of the concerns they've raised, particularly that the agency's determination leaves firefighters subject to continued exposures without an adequate evaluation of the risks of those exposures.

If that's not possible, we can make note in the piece but we would hope to get at least a statement addressing the issue. Anytime tomorrow on a statement would work or let me know about video so we can nail down arrangements at earliest chance.
(One of the video elements still being worked on by a colleague so story deadline has been getting pushed back.)

Please let me know.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, October 12, 2017 12:31 PM
To: Brown, Matthew <MBrown@ap.org>
Cc: Press <Press@epa.gov>
Subject: RE: AP story on TSCA

Matt, for attribution to "an EPA spokesperson," please:

1. Does the determination on legacy uses apply across all 10 chemicals?

Yes, it applies to all 10 chemicals. EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a procedural rule finalized on June 22, 2017. See pages 15-18 of the prepublication copy available on EPA's website here: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic. Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

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?

No, because if production is ongoing, the use is not legacy.

As stated above: Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going).

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Tuesday, October 10, 2017 2:54 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Fair enough. Talk to you then.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 10, 2017 12:54 PM
To: Brown, Matthew <MBrown@ap.org>
Subject: RE: AP story on TSCA

Thanks, Matt. Close of business might be ambitious, to be honest (keep in mind yesterday was a federal holiday).

Could we touch base tomorrow AM (your time or mine)? If nothing else, I expect I'd have a better idea of where things stand.

Cheers, R.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Tuesday, October 10, 2017 2:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: AP story on TSCA

Thanks Robert. We're hoping to get answers as soon as possible, close of business today if possible, but deadline for on-camera intvw more flexible.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 10, 2017 12:47 PM
To: Brown, Matthew <MBrown@ap.org>
Subject: RE: AP story on TSCA

Matt, I'm now back in the office and will follow up for you. What's your firm deadline, please?

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Tuesday, October 10, 2017 2:39 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: RE: AP story on TSCA

Hi Enesta-Following up on our request for some more information on TSCA reviews. Please let me know.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

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
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Billings, MT 59107
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fax-406 896 8117

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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.

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/24/2017 10:06:24 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

Haha sorry ;) I might have been trying to cheer up myself.

From: Fugh, Justina
Sent: Tuesday, October 24, 2017 5:44 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

Okay! Thanks for the cheerful email, Liz!

From: Bowman, Liz
Sent: Tuesday, October 24, 2017 4:08 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

This is exciting stuff, Justina! Turn that frown upside down!

From: Fugh, Justina
Sent: Tuesday, October 24, 2017 4:07 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

Per Jahan for attribution to me (sigh):

Ex. 5 Deliberative Process (DP)

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: Tuesday, October 24, 2017 3:39 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: [EXTERNAL] RE: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

The answer to this question is: Ex. 5 Deliberative Process (DP)

Can you confirm?

They ask if Dourson's ethics agreement with the Office of Government Ethics and the EPA applies to his current role

---

From: Khimm, Suzy (NBCUniversal) [mailto:Suzy.Khimm@nbcuni.com]
Sent: Tuesday, October 24, 2017 3:35 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: [EXTERNAL] RE: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

Thanks for your email. I actually hadn't seen the new E&E News story — just this letter from Senate Dems that raised similar questions.

Can you describe Dourson's current role, and address the question of whether he is exercising any of the duties of the position that he's nominated for?

From the Senate Democrats' letter:
"This skirting of the Senate's constitutional advice and consent role, write the Senators to Dourson, raises a number of concerns, including possible violation of the Federal Vacancies Reform Act and the applicability of the ethics agreement Dourson signed to his current role… the Senators request Dourson's official title and a description of his appointment. They ask whether he is overseeing EPA employees, and if Administrator Scott Pruitt has delegated any of his authorities to Dourson. They ask if Dourson's ethics agreement with the Office of Government Ethics and the EPA applies to his current role

---
Suzy Khimm
National Reporter
NBC News
Office: (202) 885-4411
Cell: Ex. 6 Personal Privacy (PP)

From: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Date: Tuesday, October 24, 2017 at 3:13 PM
To: Suzy Khimm <suzy.khimm@nbcuni.com>
Cc: "Bowman, Liz" <Bowman.Liz@epa.gov>
Subject: [EXTERNAL] RE: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

The headline and premise of this story is factually inaccurate. There is nothing precedent setting about a nominee becoming an advisor prior to their confirmation. Thank you – Liz

https://www.eenews.net/greenwire/2017/10/24/stories/1060064495

From: Khimm, Suzy (NBCUniversal) [mailto:Suzy.Khimm@nbcuni.com]
Sent: Tuesday, October 24, 2017 2:53 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

Any response to this new letter to Dourson from Dems, questioning whether his current position at the EPA is lawful, beyond your comment from last week about his role?

Thanks, Suzy

Suzy Khimm
National Reporter
NBC News
Office: (202) 885-4411
Cell: Ex. 6 Personal Privacy (PP)

From: "richard_davidson@whitehouse.senate.gov" <richard_davidson@whitehouse.senate.gov>
Date: Tuesday, October 24, 2017 at 2:43 PM
To: "richard_davidson@whitehouse.senate.gov" <richard_davidson@whitehouse.senate.gov>
Subject: [EXTERNAL] RELEASE: Senators Demand Answers from Dourson Ahead of Committee Vote

FOR IMMEDIATE RELEASE
October 24, 2017

Contact:
Rich Davidson (Whitehouse), 202-228-6291
Christine Brennan (Carper), 202 224-8832
Sue Walitsky (Cardin), 202-224-4524
Martina McLennan/Ray Zaccaro (Merkley), 202-224-3753
Kristin Lynch (Booker), 202-224-3224
Giselle Barry (Markey), 202-224-2742
Sean Savett (Duckworth), 202-224-2046

Senators Demand Answers from Dourson Ahead of Committee Vote

Senators ask how yet-to-be-confirmed toxics nominee Dourson can sidestep Senate advice and consent role, start work at EPA

Given Dourson's newfound experience at EPA, Senators call on him to answer questions he dodged during confirmation process

Washington, DC – Today, 10 Senators demanded to know how a still-unconfirmed nominee to run the Environmental Protection Agency's (EPA) toxics office is already at work at the EPA. Last week, the EPA admitted that the nominee, chemical industry consultant Michael Dourson, has been serving as an "adviser to the administrator." The Senate Environment and Public Works Committee has yet to even vote on Dourson; his

nomination for Assistant Administrator of the Office of Chemical Safety and Pollution Prevention is among those the Committee will take up tomorrow. This skirting of the Senate's constitutional advice and consent role, write the Senators to Dourson, raises a number of concerns, including possible violation of the Federal Vacancies Reform Act and the applicability of the ethics agreement Dourson signed to his current role.

Senators Sheldon Whitehouse (D-RI), Tom Carper (D-DE), Ben Cardin (D-MD), Bernie Sanders (I-VT), Jeff Merkley (D-OR), Kirsten Gillibrand (D-NY), Cory Booker (D-NJ), Edward J. Markey (D-MA), Tammy Duckworth (D-IL), and Kamala Harris (D-CA) signed the letter.

Specifically, the Senators request Dourson's official title and a description of his appointment. They ask whether he is overseeing EPA employees, and if Administrator Scott Pruitt has delegated any of his authorities to Dourson. They ask if Dourson's ethics agreement with the Office of Government Ethics and the EPA applies to his current role. They request information on the type of email account he is using, and if he has renewed his commitment to refrain from circumventing the Freedom of Information Act by using personal email or other unofficial mediums of communication. They ask whether he will make his schedule public. And they ask if he has stopped his consulting work for chemical and agriculture corporations as he promised to do if confirmed as head of the EPA toxics office.

However, given that Dourson is at the EPA already, the Senators note he should now have an understanding of the programs he would administer if confirmed. Claiming to be unfamiliar with them, Dourson dodged questions about many of those programs during his confirmation hearing and in written responses to Senators. Of particular concern, Dourson avoided addressing implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, the bipartisan overhaul of the EPA's protections against toxic chemicals. The Senators include examples of Dourson's evasive responses with their letter.

"You declined to answer several questions for the record from members of the Environment and Public Works Committee due to lack of familiarity with various issues or EPA's perspective on them as a nominee," the Senators write. "We are particularly concerned about your incomplete answers to questions about the regulation of pollutants and chemicals, as well as implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, a broadly bipartisan bill that will be within your purview if confirmed. . . . Now that you are 'adviser to the administrator,' we expect that you have familiarized yourself with these issues and can be more forthright in answering the questions we previously asked."

Full text of the Senators' letter is below. A PDF copy is available here.

October 24, 2017

Michael Dourson, Ph.D.
Adviser to the Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW, 1101A
Washington, D.C. 20460

Dear Dr. Dourson:

It has come to our attention that you have recently been appointed to the position of "adviser to the administrator" at the Environmental Protection Agency (EPA) while your nomination to serve as EPA's Assistant Administrator of the Office of Chemical Safety and Pollution Prevention (OCSPP AA) is under

consideration by the Senate. This appointment raises several concerns that we request you address before a Floor vote on your nomination, assuming the Environment and Public Works Committee agrees to advance it.

Your Appointment as Adviser to the Administrator

The Federal Vacancies Reform Act of 1998 provides, with limited exceptions, the "exclusive means for temporarily authorizing an acting official to perform the functions and duties of any office of an Executive agency … for which appointment is required to be made by the President, by and with the advice and consent of the Senate…." 5 U.S.C. § 3347. Further, as the Supreme Court held in *Buckley v. Valeo*, "any appointee exercising significant authority pursuant to the laws of the United States is an 'Officer of the United States,' and must, therefore, be appointed in the manner prescribed" in Article II, Section 2, clause 2 of the Constitution. 424 U.S. 1, 126 (1976). Accordingly, it would be unlawful for you to assume any of the delegated authorities of the OCSPP AA before the Senate confirms your nomination while serving as "adviser to the administrator."

Your appointment creates the appearance, and perhaps the effect, of circumventing the Senate's constitutional advice and consent responsibility for the position to which you have been nominated. Your improper involvement in EPA decisions could provide grounds for subjects of EPA regulations and oversight to challenge the legal validity of those decisions in court.[1] To ensure your appointment is not violating the Federal Vacancies Reform Act of 1998, please respond to the following:

- What is your official job title and type of appointment (e.g., non-career SES, Schedule C, administratively-determined)? Who, if anyone, are you supervising? What is your relationship with the Acting OCSPP AA? If you have a written job description, please provide a copy.

- Has the Administrator formally delegated any duties of the OCSPP AA to you? Which, if any, OCSPP AA duties have you or are you presently performing?

- During your confirmation process, you entered into an ethics agreement that was approved by both EPA and the Office of Government Ethics and presented to the Senate Environment and Public Works Committee. Are you governed by the same ethics agreement in your current position? Please provide a copy of the signed Trump ethics pledge, and copies of any waivers to the pledge or recusal statements.

- You committed to notifying the Committee of all of your EPA email addresses "within seven days of using a new email address, including any aliases or pseudonyms." Please provide all email addresses you have used since starting at EPA and any new ones within seven days of their use.

- You also committed to "conducting all business using official email addresses or other means and to refrain from any mediums that are outside the Freedom of Information Act's reach." Do you commit to do the same pre-confirmation?

- During previous administrations, senior EPA managers' schedules have been available to the public on a daily basis. You also committed to "mak[ing your] calendar available on a timely basis" when asked if you would make your calendars available daily. Given your extensive work with industries regulated by EPA in the past, how do you define "timely," and if you are unwilling to commit to making your schedule available on a daily basis, why? Will you make your schedule available while in your current position? If so, how frequently?

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[1] *See, e.g., National Labor Relations Board v. SW General*, 137 S. Ct. 929 (2017) (vacating an NLRB unfair labor practices complaint because the NLRB general counsel at the time had been appointed in violation of the Federal Vacancies Reform Act).

- In your ethics letter to Kevin Minoli, EPA's designated agency ethics official, you stated upon confirmation you would resign form your positions with the University of Cincinnati, Toxicology Education Foundation, and Dourson, Dourson, and Fowler. Have you resigned from these positions upon accepting your current appointment as adviser to the administrator? If so, please provide copies of the written notification you committed to send Mr. Minoli upon terminating these positions. Have you, as promised in your ethics letter, refrained from "participat[ing] personally or substantially in any particular matter" involving these entities, or those with which you have a personal, financial, or professional interest, including North American Flame Retardant Alliance, Martha C. Dourson, LLC, and CreateSpace Independent Publishing Platform? Please also provide a list of all particular matters from which you have either been recused or for which you have requested waivers in order to continue your participation in.

Frank R. Lautenberg Chemical Safety for the 21st Century Act and Pollutants

You declined to answer several questions for the record from members of the Environment and Public Works Committee due to lack of familiarity with various issues or EPA's perspective on them as a nominee. We are particularly concerned about your incomplete answers to questions about the regulation of pollutants and chemicals, as well as implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, a broadly bipartisan bill that will be within your purview if confirmed. It has been widely reported that Nancy Beck, previously of the American Chemistry Council, has been working behind the scenes to undermine the protections Congress intended in this law.[2] Your prior association with the tobacco industry and your extensive work for the American Chemistry Council and other chemical manufacturers led *The New York Times* to deem you a "scientist for hire"[3] and accordingly raises similar concerns.

Now that you are "adviser to the administrator," we expect that you have familiarized yourself with these issues and can be more forthright in answering the questions we previously asked. For example:

- Of seven questions asked by Senator Carper related to specific chemicals and how EPA should protect people from exposures to chemicals when setting chemical safety standards, you provided only five partial responses. You did not provide all requested information in response to two questions submitted by Senator Carper that were related to funding sources and sponsors of work on specific chemicals that was performed by TERA. You also refused to answer any of Senator Carper's eight questions related to implementation of the Toxic Substances Control Act.

- In response to three questions asked by Senator Whitehouse about EPA's role regulating mercury and mercury compounds under TSCA, you responded that you were unaware of the status of the agency's work. You declined to respond to Senator Whitehouse's question if you agreed with EPA's endangerment finding and instead indicated you are "not familiar with the details of EPA's endangerment finding and would need to do more research on the topic." You also declined to answer a question from Senator Whitehouse regarding how EPA should consider the synergistic effects of chemicals when considering their approval under FIFRA.

- During repeated questioning by Senator Harris regarding your ethical and moral responsibility to recuse yourself from working on potential conflicts of interest, such as regulations pertaining to the chemical compound perchlorate, you repeatedly indicated that you would defer to the guidance of the EPA Ethics

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[2] Annie Snider and Alex Guillen, *EPA staffers, Trump Official Clashed over New Chemical Rules*, POLITICO, June 22, 2017, available online at: http://www.politico.com/story/2017/06/22/trump-epa-energy-chemicals-clash-239875.
[3] *Mr. Trump Outdoes Himself in Picking a Conflicted Regulator*, THE NEW YORK TIMES, Oct. 18, 2017, available online at: https://www.nytimes.com/2017/10/17/opinion/mr-trump-outdoes-himself-in-picking-a-conflicted-regulator.html.

Office. In your responses, you declined to acknowledge that you possess the ability to proactively recuse yourself from such conflicts.

- In response to three questions asked by Senator Cardin about EPA's role regulating trichloroethylene, methylene chloride, and N-Methylpyrrolidone under TSCA, you responded that you were unaware of the status of the agency's work.

We request you provide more complete answers to the attached questions for the record on toxics and pollutants, informed by your current position at EPA. We look forward to your prompt responses as it will help inform how we engage with your nomination.

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Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/20/2017 10:39:40 PM
To: Fred Barnes [fwbarnes@weeklystandard.com]
Subject: Follow-Up

Hi Fred – As a follow-up to your meeting with Administrator Pruitt on Wednesday, I have included the following information, **on background please (not for attribution).**

Frontline PBS "War on EPA": http://www.pbs.org/wgbh/frontline/film/war-on-the-epa/

Washington Free Beacon
PBS Airs Anti-Pruitt Documentary Funded By Environmentalist Group Backer
Documentary paints Republicans as 'climate deniers,' 'extreme'
BY: Elizabeth Harrington
http://freebeacon.com/politics/pbs-airs-anti-pruitt-documentary-funded-environmentalist-group-backer/

A new PBS Frontline documentary that paints Environmental Protection Agency administrator Scott Pruitt as a tool for the fossil fuel industry received major funding from a group that has given hundreds of thousands of dollars to environmentalist activists like the Sierra Club.

The documentary, "War on the EPA," received major support from the Kendeda Fund, an Atlanta-based nonprofit focused on the environment and sustainability.

The documentary features interviews with numerous Obama administration backers, including Gina McCarthy, the former EPA administrator, and Betsy Southerland, a former EPA director making $250,000 who claimed earlier this year she resigned in protest because of the Trump administration's budget. Southerland was eligible for early retirement and told coworkers she was retiring because of family issues.

Recent Article of Note:

THE HOUSTON CHRONICLE, October 20, 2017
EPA Chief: Under Trump, Agency Is Like Never Before
By: Alex Stuckey
http://www.houstonchronicle.com/news/houston-texas/houston/article/EPA-chief-Under-Trump-agency-is-like-never-12292376.php

Environmental Protection Agency Chief Scott Pruitt gave a succinct message to oil and gas industry leaders Thursday night: The Trump administration's agency will be nothing like the last.

President Donald Trump and his cabinet members are "focused on results and that's been the primary focus of my first months at the EPA," Pruitt said. "We're establishing metrics and benchmarks and performance standards in key areas of what we do."

Pruitt spoke Thursday night during the Texas Oil and Gas Association's annual Lone Star Energy Forum in The Woodlands, answering questions for about 30 minutes from the association's president, Todd Staples.

As an example of quick action, he pointed to the San Jacinto Waste Pits. After years of waiting for the area to be cleaned up, Pruitt said, he came in mid-September and promised an answer by Oct. 14. On Oct. 11, the EPA approved a plan to permanently remove tons of toxics from the waste pits.

'Getting back to basics'

Prior to his discussion Thursday night, Pruitt said he met with community members and environmental advocates about the San Jacinto Waste Pits. He said they were thanking him for acting quickly.

"We're getting back to basics, focused on our core mission, focused on results," he said.

Earlier in the day, about a dozen environmental advocates gathered at the old Brady's Landing restaurant to protest Pruitt's appearance at the association's meeting. Pruitt, they said, should take a "toxic tour" of their neighborhoods, rather than speak to oil and gas leaders.

During Thursday's talk, Pruitt talked about working with Trump - whom he called a courageous man of action - as well as his plans to act faster on Superfund site and permitting decisions.

Staples questioned Pruitt about the clean power plan, which Pruitt decided to withdraw earlier this month. Pruitt said he believed the last administration used it to start a war on coal or fossil fuels.

"I don't believe it's the role of the EPA to pick winners and losers," he said. "I don't think it's the role of the EPA to say here's what you should choose ... they should use all forms of electricity ... based upon what? Stability and costs."

Pruitt said the agency is evaluating its options to replace the plan under current law, but cannot do anything Congress has not already authorized it to do.

"Our job is to follow the law, we can't make it up," he said. "That was novel to the last administration, it's fundamental to this administration."

This has caused regulatory and financial uncertainty both in the energy and health care sectors, he said.

"The greatest impact on the low percentage of growth is regulatory uncertainty because you have regulators acting in ways that's untethered to statute," he said.

Partnerships sought

He also noted his agency's commitment to a transparent rule-making process that involves the public and not the courts. Pruitt also spoke about the importance of partnership between all environmental stakeholders, including the energy industry.
...

He noted energy industry leaders care about the water they drink and the air they breathe.

"Are there bad actors out there? Absolutely," he said. "We're going to prosecute bad actors, but we shouldn't start by saying (certain people) don't care about these issues. You do."

Sue and Settle

The Wall Street Journal: Stopping Sue And Settle

Scott Pruitt continues to press reform at the Environmental Protection Agency, this week issuing a directive to curb the collusive Washington game of "sue and settle" lawsuits. This is a victory for democratic consent over legal extortion. For years green activists have used sue and settle to impose policies they can't get through Congress. Their allies in the EPA would invite lawsuits, then settle with the greens by agreeing to implement some or all of their policies in consent decrees. When citizens or business complained, EPA would claim its hands were tied by the settlement. Environmental groups will also no longer be considered the "prevailing party" when litigation does end in settlement. This is an immediate victory for taxpayers, given that green activists have used their prevailing party status to get the EPA to reimburse them for millions of dollars in legal fees. These are useful changes that will improve transparency and lead to more honest policy. They are also a lesson to Congress that it needs to write environmental law with more precision so the next EPA Administrator can't easily revive sue and settle.

- House Majority Leader Kevin McCarthy (CA-23) "Sue and settle is a completely illegitimate way for radical special interests to circumvent the regulatory process and impose new rules. Administrator Pruitt is cleaning up the EPA by ending this insider game that lets the well-connected get special treatment at the expense of everyone else. The EPA should focus on keeping the environment clean, which is why I couldn't support Administrator Pruitt's decision more." (Congressional Western Caucus, 10/16/17)

- U.S. Senator John Barrasso (R-WY), Chairman Of The Senate Committee On Environment And Public Works "EPA Administrator Pruitt's directive will increase transparency so that the agency makes policies that are fair and informed. The Environmental Protection Agency should not make regulations by settling lawsuits behind closed doors. Under the last administration, the EPA advanced its political agenda by abusing its authority and leaving states and Congress in the dark. The public deserves to know how its government is operating." (Senate Environment & Public Works Committee, 10/16/17)

- U.S. Senator Ted Cruz (R-TX) "The announcement from the EPA to end 'sue and settle' practices in the EPA is a major victory for millions of hardworking Texas landowners. For far too long, the EPA has colluded with special interest groups, resolving litigation through consent decrees and settlement agreements behind closed doors. I commend Administrator Pruitt for his leadership on this issue and ending the practice of regulation through litigation. I urge my colleagues in both the House and the Senate to pass the Sunshine for Regulatory Decrees and Settlements Act, to codify this policy into law, providing lasting transparency and accountability to the agency." (Office of Senator Ted Cruz, 10/16/17)

- U.S. Congressman Doug Collins (GA-9) "No government agency should collude with special interest groups to redefine its priorities through covert consent decrees. The EPA's decision to crack down on this practice will give Americans back their right to know about and respond to federal rulemaking, and I applaud Secretary Pruitt for taking this step today. I will continue working to snuff out back-room litigation that unfairly impacts our citizens. The EPA's directive reflects the principles outlined in the Sunshine for Regulatory Decrees and Settlements Act, which would ensure that the sue-and-settle mischief we witnessed during the last administration would never again take hold in a federal agency."(Congressional Western Caucus, 10/16/17)

- U.S. Congressman Jason Smith (MO-8) "It's wrong for Washington to leave the 'sue and settle' loophole open and waste Missourians hard-earned money paying attorney fees for radical environmentalist groups and other radical, left wing organizations. I'm proud that my legislation to fix

this problem was passed by the U.S. House of Representatives and that the EPA is following suit with closing this harmful loophole."(Congressional Western Caucus, 10/16/17)

- U.S. Congressman Blake Farenthold (TX-27) "I agree with Administrator Pruitt's decision designed to end the abusive practice of sue and settle agreements. The process creates an unfair system where special interest groups win, and taxpayers lose. For years, we have warned that abuse of consent decrees circumvents the legislative process. It is time to restore an open process that allows input from the American people."(Congressional Western Caucus, 10/16/17)

- U.S. Congressman Paul Gosar (AZ-4) "EPA Administrator Pruitt and President Trump deserve our sincere thanks for taking bold action to end the fraudulent 'sue and settle' practices within the EPA. For years, extremist special-interest groups have milked taxpayers for millions that they turned around and used to fund anti-business measures that killed jobs. Shamefully, the EPA often colluded with these groups and folded like a cheap suit. It is a breath of fresh air to see an administration with a backbone end this abuse."(Congressional Western Caucus, 10/16/17)

- U.S. Congressman Steve Pearce (NM-2) "For years, the EPA has prioritized special interest groups over the interests of Americans. The sue-and-settle process denies Americans transparency and allows decisions to be made behind closed doors. Ending this practice will allow U.S. citizens to have a say in major agency actions as it should be. It is encouraging to see Secretary Pruitt act on his commitment to hold the agency to a higher standard, cutting government red tape that ensures transparency and accountability for the EPA." (Congressional Western Caucus, 10/16/17)

- U.S. Congressman Bruce Westerman (AR-4) "I commend Administrator Pruitt's decision to end the egregious practice of 'sue and settle.' Through 'sue and settle,' the previous administration effectively removed the voice of the American people in environmental regulatory issues and replaced it with the opinion of special interest groups. I'm glad to see that the EPA will no longer allow themselves to be dictated to by threat of lawsuit." (Congressional Western Caucus, 10/16/17)

- U.S. Congressman Kevin Cramer (ND-AL) "The Obama Administration was a breeding ground for extreme environmental groups suing the federal government only to get behind closed doors and reach a friendly settlement agreement. Not only did these settlements circumvent the transparent rulemaking process and prioritize agency obligations to environmentalists' liking, but it enriched the environmental group lawyers in the process at the expense of the taxpayer. I'm pleased to see the Trump Administrator stomp out this practice mirroring many of the reforms put forward by House Republicans." (Congressional Western Caucus, 10/16/17)

- U.S. Congresswoman Liz Cheney (WY-AL) "I strongly support EPA Administrator Pruitt's directive to end the practice of 'Sue & Settle.' For far too long the Obama-era EPA worked hand-in-hand with far-left environmental organizations to promote their extreme agenda at the expense of hard working men and women in Wyoming. This directive starts a necessary path for the EPA to correct and restore the transparency that was often lacking during the Obama Administration and prevent Wyoming taxpayer dollars from being used to feed an endless cycle of frivolous lawsuits." (Congressional Western Caucus, 10/16/17)

- U.S. Congressman Markwayne Mullin (OK-2) "I support Administrator Pruitt's directive to end the 'sue and settle' practices at the EPA. This practice of settling lawsuits behind closed doors lacks the transparency that the American people deserve and circumvents Congress' role of passing smart and

effective regulations. This directive will hold the EPA accountable and deliver a more transparent regulatory process." (Congressional Western Caucus, 10/16/17)

- U.S. Congressman Greg Gianforte (MT-AL) "I am pleased by Administrator Pruitt's announcement that the EPA will terminate its sue-and-settle practice. The previous administration used sue-and-settle as an end run to do what they could not get done legislatively. I have worked with my colleagues for a legislative fix to prevent environmental special interests from getting paid through sue-and-settle. Administrator Pruitt's decision is a promising first step, and I hope more is done to end this practice." (Congressional Western Caucus, 10/16/17)

TSCA (Toxic Substances Control Act) Backlog:

When Administrator Pruitt was confirmed, over 600 new chemicals were 'stuck' in the EPA review process. The current caseload is back at the baseline and now in line with the typical active workload. Administrator Pruitt committed to being a partner in the regulatory process, and ensuring safety for health and the environment, while also seeking ways to allow new chemicals to enter the market quickly, once EPA is assured that the chemical is not likely to present unreasonable risk for the intended and reasonably foreseen uses. August Administrator Pruitt reported that the backlog is eliminated by the first week of August, 2017.

Enforcement Actions:

Ongoing cases with complaint filed in 2017:

1. Fiat Chrysler: EPA continues to discover that automakers are programming on-board computer systems to circumvent vehicle emission control systems (similar to Volkswagen case discussed below). EPA filed a complaint in May 2017 against FCA alleging eight separate instances of this conduct. The case is ongoing.

2. PDC Energy: EPA filed a complaint in June 2017 along with the State of Colorado against an upstream oil and gas operator. Alleged violations have resulted in significant air pollution in a part of the state that does not meet the National Ambient Air Quality Standard for ozone.

Cases concluded in 2017:

1) Harcros (112r case, multi-facility, multi-state, worker/community protection issues, etc.)
   - https://www.epa.gov/enforcement/reference-news-release-justice-department-and-epa-enter-settlement-harcros-chemicals (press release)
   - https://www.epa.gov/enforcement/harcros-chemicals-inc-clean-air-act-settlement (settlement info page)
2) Volkswagen
   - Civil settlement (two consent decrees were entered in 2017)
     - https://www.epa.gov/enforcement/volkswagen-clean-air-act-civil-settlement
   - Criminal (FY 17):
     - https://www.justice.gov/usao-edmi/pr/volkswagen-ag-sentenced-connection-conspiracy-cheat-us-emissions-tests
     - https://www.justice.gov/opa/pr/volkswagen-ag-pleads-guilty-connection-conspiracy-cheat-us-emissions-tests
     - https://www.justice.gov/opa/pr/volkswagen-engineer-sentenced-his-role-conspiracy-cheat-us-emissions-tests
     - https://www.justice.gov/opa/pr/volkswagen-senior-manager-pleads-guilty-connection-conspiracy-cheat-us-emissions-tests

3) Gen-X: EPA criminal enforcement has secured pleas and criminal sentences for individuals and companies that defrauded EPA and the IRS. This criminal conduct arose out of schemes to generate and sell tens of millions of dollars' worth of fake credits associated with renewable fuels. https://www.justice.gov/opa/pr/new-york-man-pleads-guilty-multi-state-biodiesel-fraud-scheme

Superfund Enforcements:

- RESUSE OF SITE: https://www.epa.gov/newsreleases/us-virginia-agreement-owner-hidden-lane-superfund-siteto-support-cleanup-reuse
- https://www.epa.gov/newsreleases/epa-requires-bnsf-railway-company-begin-work-abandoned-uranium-mines
- https://www.epa.gov/newsreleases/us-epa-settles-parties-cleanup-plan-68th-street-superfund-site-rosedale-maryland

Superfunds:

EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use. We have recently made two big announcements on our Superfunds program, including a new Task Force[epa.gov], and a new directive[epa.gov] reserving the power to select remedies estimated to cost $50 million or more with the Administrator, and instructing EPA Regions to work more closely with the Administrator's Office throughout the remedy development process.

The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false. Applicable regulations require us to select remedies that will be protective to human health and the environment based on the anticipated future use of the site and other criteria. That isn't changing as a part of this initiative. Unlike the previous administration that failed to prioritize the Superfund program, Administrator Pruitt is providing real leadership that will lead to better results at Superfund sites across the country.

It's very clear this was not a top-priority, or priority in general, from the previous administration because of the little progress made in eight years. The two common metrics are the number of sites that were deleted from the National Priority List or sites where construction of the remedy has been completed. According to this site https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date[epa.gov], it looks like EPA deleted 60 sites since 2009. Also, according to this site https://www.epa.gov/superfund/superfund-remedial-performance-measures#cc_anchor[epa.gov], EPA has completed construction at about 125 sites since 2009.

In Politico Energy, Gina McCarthy recognized that Superfund sites weren't a priority. Her quote makes it sound like this is some old program that no one cares about anymore – but the truth is that a LOT of people care. The people of West Lake care. The people of E. Chicago care. And, Americans deserve better leadership on this program:

> *"Is EPA supposed to respond and say, 'We're really busy cleaning up Superfund sites from the '60s. We really can't address the problems that you're facing today?'"* **McCarthy added**.
> https://www.politicopro.com/energy/story/2017/06/pruitts-predecessors-pan-epa-originalism-philosophy-157849[go.politicoemail.com]

With regard to the Budget:

The proposed budget for EPA is a 31 percent cut, the proposed cut to the Superfund program is 30 percent; or a $330 million reduction. As the Administrator has said many times, money is not the issue with this program. We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups. It is also worth noting that we believe there is significant amount of

money being wasted in administrative costs in this program (ranging from 28 to 55 percent depending on the region, for prior years, for indirect costs that are loaded as a percentage of direct clean-up costs, such as: administrative matters, personnel matters, guidance development, office utility and supply costs), and we are in the process of trying to identify and reduce these inefficiencies through our Task Force. Of course, some of the oversight costs are probably necessary, but we also know there is a lot of inefficiencies and waste – so that is what we are trying to identify and flush out.

Details on numbers: 1,336 sites on National Priorities List. a site was removed on 5/16 lowering the total by 1.

NPL sites correlated to Presidential Administrations:
1984-538 sites
1988-797 sites (+259 Reagan)
1992-1183 sites (+386 George HW Bush)
1996-1211 sites
2000-1232 sites (+49 Clinton)
2004-1239 sites
2008-1257 sites (+25 George W Bush)
2012-1313 sites
2016-1337 sites (+80 Obama)

Specific examples:
USS Lead Superfund Site[epa.gov] - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. One of Pruitt's first trips was to visit the East Chicago Superfund site because he wanted to see and hear first-hand from the people who've been counting on us to help them. He has pledged improved coordination, communication and cleanup of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and EPA announced the creation of a community involvement coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

West Lake Landfill Superfund Site[epa.gov] – Bridgeton, Missouri: This site has been on the National Priorities List (NPL) for 28 years. Administrator Pruitt has committed to a solution within a few months. While this is not finished even once a decision is made, it shows action to solve a problem that no one else has addressed in almost two decades. While we are still working through a solution, we are committed to getting this matter resolved.

The Anaconda Copper Mine[cumulis.epa.gov] – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

San Jacinto – Harris County, Texas: After nearly ten years of being on the NPL list, on October 11, 2017, the EPA announced the cleanup plan the potentially responsible parties are taking to address highly toxic dioxin contamination at the site. (https://www.epa.gov/newsreleases/san-jacinto-waste-pits-superfund-site-cleanup-plan-approved).EPA added the San Jacinto Waste Pits site to the National Priorities List of Superfund sites in 2008, after testing revealed contamination from dioxins and furans near the waste pits. The Superfund

site consists of two sets of impoundments, or pits, built in the mid-1960s for disposing solid and liquid pulp and paper mill wastes that are contaminated with polychlorinated dibenzo-p-dioxins (dioxins) and polychlorinated dibenzofurans (furans). In 2011, the impoundments were covered with an armored cap as a temporary way to contain the contaminants.

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/16/2017 6:16:21 PM
To: Eilperin, Juliet [Juliet.Eilperin@washpost.com]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: a few follow up questions, on sue and settle
Attachments: Signed_Memorandum in Support of Consent Decree and Settlement Agreement ....pdf; Signed_Consent Decree and Settlement Agreement Directive.pdf; PresentationCharts-_4Print.pdf

Hi Juliet – **Off the record:** The memo and directive are attached; the press release should have gone out, it may just take a bit for it to be posted…I will double check on that. The chart is from the Chamber, also attached. With regard to the specific examples, I would suggest you reach out to William Kovacs from the U.S. Chamber at 202-463-5457 or Wkovacs@uschamber.com. He is the best person to talk with, in regard to understanding the examples mentioned below. EPA is the only Agency we are aware of issuing this directive at this time…the meeting tomorrow is to discuss this and other issues that Administrator Pruitt is leading from EPA.

Additional Background (not for attribution):

Meese Policy, 1986 (please see page 5 of PDF): *Please note that we reference it in our memorandum in support of the directive.*
Memorandum from Edwin Meese III, Attorney General, to All Assistant Attorneys General and All United States Attorneys, Re: Department Policy Regarding Consent Decrees and Settlement Agreements (Mar. 13, 1986) (hereinafter "Meese Policy"), *available at* http://www.archives.gov/news/samuel-alito/accession-060-89-1/Acc060-89-1-box9-memoAyer-LSWG-1986.pdf.

From Memo/Directive:

1. **EPA will now publish notices of intent to sue within 15 days of receipt.**
   Issue: Prior to 2013, EPA did not maintain a public database with Notices of Intent to sue the Agency. Since 2013, EPA has maintained a webpage that posts NOIs; however, the webpage is not adequately updated to ensure the public and interested parties are made aware of NOIs with sufficient time to seek participation in the subsequent litigation negotiations.
   a. See EPW republicans letter to Gina McCarthy Sept. 2016, which identified several NOIs reported in the press that were not on EPA's webpage

2. **EPA will now publish complaints and petitions for review within 15 days of receipt**
   Issue: Prior to 2013, EPA did not maintain a public database with petitions for review. Since 2013, EPA has maintained a webpage that posts petitions for review; however, the webpage is not adequately updated to ensure the public and interested parties are made aware of such petitions with sufficient time to seek participation in the litigation negotiations.
   a. See EPW Republicans letter to Gina McCarthy Sept. 2016, which found EPA's webpage with CAA petitions for rulemaking was last updated in May 2014

3. **EPA will now reach out to any states or regulated entities that may be affected by a potential settlement or consent decree within 15 days of receiving a complaint or petition for review**
   Issue: EPA under the prior administration did not actively notify or seek input from states and regulated entities that may be potentially impacted by a regulation that is subject to settlement

negotiations. Oftentimes, states were made aware of a settlement agreement or consent decree when the court order became public – i.e., when it was too late to provide public input.

a. See Steam Electric ELG case where the parties moved to enter into the settlement agreement on the same day the petitioners filed their complaint.
b. See ND and other states re: regional haze; utilities re: Utility MACT; utilities re: Steam Electric ELG; Henry Clay and other brick manufacturers for Brick MACT; etc.

4. **EPA will now publish a list of and the details of consent decrees and settlement agreements that govern EPA actions within 30 days, and will post any new consent decrees or settlement agreements within 15 days of entering into such agreements.**
   Issue: EPA does not maintain a public database of settlement agreements or consent decrees the Agency enters into, nor does it maintain a public database of attorney's fees paid by the Agency pursuant to these agreements and decrees. While many settlement agreements and consent decrees would specify the amount of attorney's fees paid, many simply stated attorney's fees would be determined "informally" between the litigants and the agency. Such language has left the public no opportunity to learn of the amount of taxpayer dollars paid in these cases.
   a. See Utility MACT and MACT consent decrees for "informally" determine attorney's fees language
   b. See also Department of Treasury's Judgment Fund database which does not specify the case number or petitioners/payees receiving attorney's fees

5. **EPA expressly forbids the practice of entering into any consent decree or settlement agreement that exceeds the authority of the courts; or attempts to transfer what would otherwise be a discretionary function to a non-discretionary duty.**
   Issue: There are instances in which EPA agreed to take action pursuant to a settlement agreement or consent decree that was otherwise within the agency's discretion. Such agreements were purported to have "prejudged the outcome" of a rulemaking, inconsistent with the APA.
   a. See Lead, Renovation, Repair, and Painting Program consent decree where EPA agreed to issue a rule that removed the opt-out provisions

6. **EPA will seek to exclude the payment of attorney's fees in settlement agreements.**
   Issue: EPA has paid millions in attorney's fees to special interest groups pursuant to settlement agreements and consent decrees. In many cases, tens of thousands of dollars were paid in attorney's fees for simple paperwork in cases that were swiftly settled. There are also cases where fees were paid at inflated rates for big-law NYC or San Francisco attorneys.
   a. See ND regional haze consent decree which was filed in CA federal court paid out more than $22,000 in attorney's fees; Steam Electric ELG consent decree paid out $40,000 in attorney's fees for a non-discretionary duty settlement
   b. Per the Department of Treasury's Judgment Fund, EPA paid out more than $13 million in attorney's fees under the Obama Administration. In the last two years, EPA paid $1.5 million in attorney's fees just for cases that resulted in a settlement agreement or consent decree.

7. **EPA will ensure any future settlement agreement or consent decree provides the agency adequate time for the established rulemaking process, providing for appropriate interagency review and consultation.**
   Issue: EPA has previously agreed to take regulatory action pursuant to a settlement agreement or consent decree in an unrealistic period of time, which oftentimes short circuited important interagency review by OMB or consultations under ESA or SBREFA and left the public with little or no opportunity to provide input. In July 2014, the Government Accountability Office (GAO) found that EPA did not

conduct full economic analyses for two rules due to short consent decree deadlines. Absent robust economy analyses, the public is left without fully understanding the impact of EPA rules.

a. See Utility MACT consent decree entered into on April 15, 2010, included a requirement that EPA issue a proposed rule by March 16, 2011, and issue a final rule a mere eight months later – on November 16, 2011.
b. See Steam Electric ELG consent decree entered into on March 19, 2012, included a requirement that EPA issue a proposed rule just four months later – by July 23, 2012. This unrealistic deadline resulted in at least three subsequent modified consent decrees to extend the deadline.

8. **EPA will provide an unprecedented level of public participation in the settlement process by requiring 30-day public comment on any proposed settlement agreement and any subsequent modifications, and will provide an opportunity for public hearing on a proposed agreement.**
Issue: EPA has provided little to no opportunities for public participation in the settlement process. While the Clean Air Act is the only environmental statute that expressly requires 30-day public comment period for proposed settlement agreements under the CAA, EPA never provided this minimum public opportunity for agreements under other environmental statutes. Even under CAA settlements, EPA had not provided any opportunity for public comment on modified agreements. Moreover, EPA rejected requests from states and regulated entities to host public hearings on proposed agreements.
    a. Note EO 12866 on regulatory development advises federal agencies that meaningful public participation on a proposed regulatory action is no less than a period of 60 days.
    b. See Steam Electric ELG, a case under the Clean Water Act, so no public comment period on the proposed agreement or its three modifications were provided.

From: Eilperin, Juliet [mailto:Juliet.Eilperin@washpost.com]
Sent: Monday, October 16, 2017 1:39 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: a few follow up questions, on sue and settle

Dear Liz and Jahan,
I posted an initial version of my story, but wanted to check a few things:

1. I still haven't gotten a press release or link to the directive, and I didn't see a news release on the EPA website. Am I missing something?
2. Do you have specifics on the ND and other example the administrator mentioned, on boiler MACT? I'm trying to determine how the outcome of those rules were substantively affected, since most of these seem to be about just deadlines.
3. The bar chart you had up is just the one in the US Chamber of Commerce report, right, as shown here? https://www.uschamber.com/report/sue-and-settle-regulating-behind-closed-doors
4. As I understand it, the Meese memo became part of regulatory procedure in 1991, when it was adopted as part of the Code of Regulations. I assume the Administrator wasn't implying otherwise, but wanted to check.
5. Are there any other departments I can identify that are actively exploring doing this? I checked w the WH, but they referred me back to you.
6. I know he has a 2:15 pm meeting with conservatives in the EEOB tomorrow—is that to discuss this policy?

Thanks so much, Juliet

Juliet Eilperin
Senior National Affairs Correspondent

Washington Post
Juliet.eilperin@washpost.com
(O) 202-334-7774
(C) Ex. 6 Personal Privacy (PP)
@eilperin

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 4/30/2018 5:00:44 PM
To: Richard.Valdmanis@thomsonreuters.com
Subject: RE: Reuters: Exclusive: U.S. EPA grants biofuels waiver to billionaire Icahn's oil refinery - sources, 4/30/18

Thank you. The press line is very busy (especially as it's listed on all the anti-Pruitt posters!)...please always call my cell phone at Ex. 6 Personal Privacy (PP) and leave a voicemail if I miss you. I really do try my best to respond to reporters as quickly as I can, but the press line calls don't really ever get to me. I appreciate you updating the story, as I think it's important to note that the criteria used to grant waivers has not changed since previous administrations. The full quote is below. Thank you again – Liz

"The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, objectively determined process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the statutory threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." Liz Bowman, EPA spokesperson

Additional background (not for attribution):

- As requests for waivers are based on CBI, EPA cannot share company-specific information.
- Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
- When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship."
- During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.

From: Richard.Valdmanis@thomsonreuters.com [mailto:Richard.Valdmanis@thomsonreuters.com]
Sent: Monday, April 30, 2018 11:54 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: FW: Reuters: Exclusive: U.S. EPA grants biofuels waiver to billionaire Icahn's oil refinery - sources, 4/30/18

Liz, It wasn't Jarrett, it was me. I emailed you repeatedly and called the EPA media line (no one was picking up and the voicemail box was full!).
Anyway, I see that you sent me an email on Saturday, many thanks for that. My apologies for not seeing it. The story was edited by 11pm Friday. Anyway, we will update the story now. Is there anything further you'd like to add for the update, beyond what you send Saturday?

From: Renshaw, Jarrett (Reuters)
Sent: Monday, April 30, 2018 11:18 AM
To: Valdmanis, Richard J. (Reuters)
Subject: FW: Reuters: Exclusive: U.S. EPA grants biofuels waiver to billionaire Icahn's oil refinery - sources, 4/30/18

FYI

Jarrett Renshaw
National Energy Markets Reporter
Reuters
jarrett.renshaw@thomsonreuters.com
Office: (646) 223-6193
Cell: Ex. 6 Personal Privacy (PP)
Twitter: @jarrettrenshaw
IM: jrenshaw_reuters08

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Monday, April 30, 2018 11:15 AM
To: Renshaw, Jarrett (Reuters)
Subject: FW: Reuters: Exclusive: U.S. EPA grants biofuels waiver to billionaire Icahn's oil refinery - sources, 4/30/18

Repeated requests? I didn't get one voicemail from you, nor do I see any missed emails. That is completely unfair. I also sent you a statement, which you didn't include in here.

From: Hassell, Emily
Sent: Monday, April 30, 2018 11:11 AM
To: AO OPA Individual News Clips <AO_OPA_Ind_News_Clips@epa.gov>
Subject: Reuters: Exclusive: U.S. EPA grants biofuels waiver to billionaire Icahn's oil refinery - sources, 4/30/18

Reuters
https://www.reuters.com/article/us-usa-biofuels-epa-icahn-exclusive/exclusive-u-s-epa-grants-biofuels-waiver-to-billionaire-icahns-oil-refinery-sources-idUSKBN1I10YB?feedType=RSS&feedName=topNews&utm_medium=Social&utm_source=twitter
Exclusive: U.S. EPA grants biofuels waiver to billionaire Icahn's oil refinery - sources
By Jarrett Renshaw and Chris Prentice, 4/30/18, 7:03 AM

NEW YORK (Reuters) - The U.S. Environmental Protection Agency has granted a financial hardship waiver to an oil refinery owned by billionaire Carl Icahn, a former adviser to President Donald Trump, exempting the Oklahoma facility from requirements under a federal biofuels law, according to two industry sources briefed on the matter.

The waiver enables Icahn's CVR Energy Inc to avoid tens of millions of dollars in costs related to the U.S. Renewable Fuel Standard (RFS) program. The regulation is meant to cut air pollution, reduce petroleum imports and support corn farmers by requiring refiners to mix billions of gallons of biofuels into the nation's gasoline and diesel each year.

The Small Refiners Coalition, which represents companies that operate small refining facilities, has defended the EPA's waiver program, saying the EPA is required by law to help small refineries struggling with the RFS and that the exemptions are crucial to their financial well-being.

But the exemption for CVR's Wynnewood, Oklahoma, plant prompted fresh criticism from the powerful corn lobby, which already has accused Trump's EPA of over-using the hardship waiver program in a way that hurts demand for ethanol.

"This one's going to be hard for (Scott) Pruitt to explain," Brooke Coleman, head of the Advanced Biofuels Business Council industry group, said in an email on Friday, referring to the EPA administrator.

CVR spokeswoman Brandee Stephens declined to comment regarding the waiver. EPA spokeswoman Liz Bowman did not respond to repeated requests by telephone and email for comment. Efforts to reach Icahn and his attorney for comment were not successful.

An early supporter of Trump's 2016 presidential run and a key supporter on Wall Street, Icahn had met with Pruitt when Pruitt was being vetted in late 2016 for the EPA administrator job, according to news reports at the time.

Icahn stepped down from his position as special regulatory adviser to the Republican president last August after lawmakers cited potential ethical problems in his dual role as an adviser and an investor.

Currently, Icahn is under investigation by the U.S. Department of Justice for his role in influencing biofuels policy while serving as Trump's adviser. Some U.S. lawmakers have expressed concern that Icahn may have used his presidential access to benefit his investments, a charge Icahn has rejected.

CVR acknowledged the Justice Department probe in an earnings statement on Friday, but noted that "the U.S. Attorney's office has not made any claims or allegations against CVR Refining or Mr. Icahn." The Justice Department did not respond to a request for comment on Friday, and has a policy of not discussing ongoing investigations.

To prove RFS compliance, refiners must earn or purchase tradable blending credits - awarded by the government for each blended gallon of fuel - and hand them in to the EPA yearly.

The EPA has the authority to exempt small refineries of under 75,000 barrels per day from the requirement under the hardship waiver program if they can prove that compliance would cause them "disproportionate financial hardship."

With the exemption, CVR would not have to turn over the credits related to the Wynnewood facility for 2017, according to the two sources, who spoke on condition of anonymity.

The waiver was granted in recent months but the sources did not say precisely when.

The refinery had been denied the exemptions by Democratic former President Barack Obama's administration, federal filings showed.

The Trump administration has fielded a surge of applications from small refiners for the hardship exemptions, driven by a 2017 federal appeals court ruling that the EPA had been using too narrow a definition of "financial hardship" in its waiver assessments under Obama.

The Trump administration has also expressed an eagerness to help refiners cope with the RFS, and hosted a series of meetings at the White House to discuss possible solutions, further encouraging applications.

The EPA has said it granted around two dozen waivers for 2017 but has declined to name the recipients, deeming it confidential business information. Under Obama, the EPA granted about eight waivers annually.

The waivers have the potential to save companies tens of millions of dollars, by allowing them to avoid blending or paying for credits on the open market, and by permitting them to sell any credits they have on hand to others.

CVR this week reported a $23 million profit in the biofuels credit market in the first quarter of 2018 due to what it called a lower RFS obligation, an unusual return for a refiner that has no biofuel blending facilities.

The company also said it expects its cost of complying with the RFS requirements to fall to $80 million for the entirety of 2018 from a previous estimate of $200 million, and from roughly $249 million in 2017.

CEO David Lamp said in a conference call with analysts on Thursday that he would not discuss whether the improved numbers were derived from an EPA waiver.

“CVR Energy has had a long history of keeping RFS compliance strategy confidential,” Lamp said.

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 10/11/2017 5:27:52 PM
To: gregory.wallace@turner.com
CC: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: questions from CNN regarding draft strategic plan

Hi Greg – I want to add an additional point on the states:

The states have sent a very clear message to EPA that there should be a recasting of the partnership with EPA at a lower cost. EPA's strategic plan is a clear indication that we have listened and agree that EPA and the states working together can reduce operating costs through a more efficient division of responsibilities with each performing the functions we are best suited to perform. This will result in equal or greater environmental outcomes by deploying fewer resources on those areas with the highest priority. We have already begun this effort, working closely with the Environmental Council of States and its membership.

This closely mirrors what ECOS has said publicly:

https://www.ecos.org/news-and-updates/cooperative-federalism-2-0/

From: Bowman, Liz
Sent: Tuesday, October 10, 2017 7:18 PM
To: 'gregory.wallace@turner.com' <gregory.wallace@turner.com>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: FW: questions from CNN regarding draft strategic plan

Hi Greg – Responses below. Thanks for the additional time – Liz

---

From: Wallace, Gregory [mailto:gregory.wallace@turner.com]
Sent: Tuesday, October 10, 2017 5:29 PM
To: Press <Press@epa.gov>
Cc: Marsh, Rene <Rene.Marsh@cnn.com>
Subject: questions from CNN regarding draft strategic plan

Good afternoon,

We're working on a story about the agency's draft strategic plan. Our deadline is this afternoon.

To make sure EPA's perspective is properly represented, we have a few questions:

1. Why are there no references to climate change in the plan? We are focused on tangible environmental results for the American people: cleaning up contaminated land, punishing those that break environmental laws to the detriment to human health and the environment – and providing more Americans with access to clean air, land, and water.

2. One of the key goals is a rebalancing of federal and state responsibilities. Given the agency's budget proposal, which cuts or eliminates many grant programs that states currently rely on, how

does the agency expect to work with states on this focus area? Background (not for attribution): It's been over a decade since the president signed a budget passed by Congress.

3. The Federal Register website currently shows no comments have been submitted. I realize it's early, and comments are likely to come as the month goes on. Has the agency received any comments so far on the plan, including through other avenues like the letters sent to Congress? Background (not for attribution): most comments are submitted toward the end of a comment period – that is typical/not unusual

Thank you, Greg

Gregory Wallace
CNN
202-738-3113

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/1/2017 7:48:57 PM
To: Graham, Amy [graham.amy@epa.gov]
Subject: FW: Reporting for Ensia Magazine

Did you approve this going out in your name?

From: Valentine, Julia
Sent: Tuesday, August 1, 2017 1:54 PM
To: Lynne Peeples <lpeeples@post.harvard.edu>
Cc: Graham, Amy <graham.amy@epa.gov>
Subject: RE: Reporting for Ensia Magazine

Hi Lynn – Apologies for the delay, you may attribute to Amy Graham, an EPA spokesperson.

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Tuesday, August 01, 2017 12:49 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Hello again, Julia. Sounds like if you can just get me that name of a specific spokesperson, then we're ok without including specific documents. Please let me know as soon as possible. Appreciate it.

Lynne

On Mon, Jul 31, 2017 at 8:27 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Checking back again. Please do let me know who we can attribute this too, and if there are any documents or citations you could provide for these stats. Thanks so much!

On Mon, Jul 24, 2017 at 9:47 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thank you, Julia. If possible, could you also send me links to sources/citations on those stats?

On Mon, Jul 24, 2017 at 9:46 AM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi, Lynne, sorry about that…hoping to get back to you today!

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Monday, July 24, 2017 12:41 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>

Subject: Re: Reporting for Ensia Magazine

Just tried to call, but wasn't able to leave you a message. Please give me a call at your soonest convenience as my editor needs to wrap this piece up. Thanks! Ex. 6 Personal Privacy (PP)

On Mon, Jul 24, 2017 at 8:13 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Just following up on this attribution. Thanks again!

On Fri, Jul 21, 2017 at 12:10 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Not too late. Who can we attribute this to?

On Fri, Jul 21, 2017 at 12:05 PM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi Lynn, For some reason I missed this email and just saw it now. I would prefer to use another name but wanted to check that it isn't too late.

Thanks.

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Friday, July 21, 2017 2:50 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Hi Julia,

My editor got back to me and just wanted to double-check to see if it would be ok if we attribute (the attributable material) to you, as an agency spokesperson? Thanks!

Lynne

On Mon, Jul 10, 2017 at 10:12 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thank you. Much appreciated!

Lynne

On Fri, Jul 7, 2017 at 8:03 AM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi Lynne,

We apologize for the delay. Thanks for your patience. Christie is out today so I am sending along on her behalf.

Thanks!

Off the record: Three different offices work on vapor intrusion sites: the Brownfield office, the Superfund office, and The Office of Resource Conservation and Recovery (ORCR). Each has a very different approach, as you'll see below from each office's individual response.

For attribution to an agency spokesperson:

Based upon readily available data sources, EPA has identified 91 existing Superfund National Priorities List (NPL) and Superfund Alternative Approach sites where a response action was taken to mitigate unacceptable human health risks associated with vapor intrusion. As a result of revisions to EPA's Hazard Ranking System (EPA's system for evaluating sites for possible inclusion on the NPL) in 2017, EPA expects to evaluate potential new sites for placement on the NPL based on vapor intrusion.

Other contaminated sites are regulated under the Resource Conservation and Recovery Act (RCRA). This universe of sites includes many cleanups that are overseen by States. EPA does not have a current estimate of how many of the 3,778 RCRA sites have vapor intrusion concerns. EPA estimates from 2000 and 2002 found that about ¼ of RCRA sites were likely to have some possible vapor intrusion.

Brownfields make up a third category of sites with potential vapor intrusion concerns. The US EPA does not track the occurrence of vapor intrusion, or any other specific contaminant pathways, at brownfield sites. The US EPA encourages recipients of brownfield grant funding for assessment, area-wide planning and cleanup grants to consider vapor intrusion and vapor encroachment as part of property assessments and pre-acquisition due diligence, as well as within cleanup activities at brownfields sites.

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Monday, June 26, 2017 11:43 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Good morning,

I've hit my deadline. I'm hoping you might still be able to share any estimates today? I really appreciate it.

Lynne

On Fri, Jun 23, 2017 at 3:38 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Possible to still get this to me today? Thanks.

On Fri, Jun 23, 2017 at 9:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Great. Thanks!

On Fri, Jun 23, 2017 at 8:56 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Working on it!

Sent from my iPhone

On Jun 23, 2017, at 11:10 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Checking back on these estimates. Wrapping up the story now -- possible to get them today? Thanks again.

Lynne

On Thu, Jun 22, 2017 at 10:13 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Just following up on this. Possible to point me to any estimates by end of the day today? Tomorrow would still be ok, if necessary. Thanks again.

Lynne

On Tue, Jun 20, 2017 at 7:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thanks, Christie. I've been assigned to take a broad look at vapor intrusion -- e.g., the extent of the problem across the U.S., related health concerns and what we're doing to assess and mitigate it.

Lynne

On Tue, Jun 20, 2017 at 5:11 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Lynne, I'll see what I can find for you. Can you tell me what your story is about?

Christie

Christie St. Clair

EPA Public Affairs

C: Ex. 6 Personal Privacy (PP)

On Jun 19, 2017, at 6:33 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thanks for the quick response! I'm looking more broadly than Superfund, since it was only recently that vapor intrusion -- as I understand -- became a consideration for Superfund status. So brownfields, etc, too.

Lynne

On Mon, Jun 19, 2017 at 3:22 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Lynne,

Are you looking at Superfund sites? Christie St. Clair is back tomorrow and will assist you.

Enesta Jones

U.S. EPA

Office of Media Relations

Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jun 19, 2017, at 6:13 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> Good afternoon,
>
> I'm reporting on vapor intrusion for Ensia Magazine and looking for an estimate of the number of sites in the U.S. impacted by vapor intrusion. Please let me know if one of you might be able to point me to any relevant figures -- by Thursday. Thanks so much for your time and help.
>
> Lynne
>
> --

Lynne Peeples | Science, Health and Environment Reporter

w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) www.lynnepeeples.com

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LYNNE PEEPLES | Science, Health and Environment Reporter
w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) | www.lynnepeeples.com

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/31/2017 12:45:06 PM
To: Alex Guillen [aguillen@politico.com]
Subject: RE: UPDATED EPA Statement
Attachments: aspect_fact_sheet 08-30-17 V1.pdf

This is the fact sheet I have on the plane

From: Alex Guillen [mailto:aguillen@politico.com]
Sent: Thursday, August 31, 2017 8:41 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: UPDATED EPA Statement

Much appreciated. Do you know if the plane is just for visual observation, or does it have sniffer devices to measure air pollution from the incident?

Sent from my iPhone

On Aug 31, 2017, at 8:21 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Thanks, I know you write fast, so wanted to be sure you got it...the situation is rapidly evolving, so we are trying to get information as quickly as possible out to the public.
>
> Additional background (not for attribution): DHS had authority over the facility, but now that it has actually exploded, other agencies (including EPA) are more involved in the assessment, response, etc.
>
> ---
>
> **From:** Alex Guillen [mailto:aguillen@politico.com]
> **Sent:** Thursday, August 31, 2017 8:19 AM
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: UPDATED EPA Statement
>
> Got it
>
> Sent from my iPhone
>
> On Aug 31, 2017, at 8:16 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
>> I have an updated statement; please use this:
>>
>> On the record: Our focus is on the containment and safety of those around the facility. EPA is sending an aircraft to monitor the situation and emergency response personnel to the scene; EPA is also looking at any other authority we have to address the situation.
>>
>> Additional background: There is a 1.5 mile exclusion area around the explosion, set by the fire marshal, so we are getting as close to the scene as we can, but are

limited by the zone set by the fire marshal to protect from additional explosions. The Administrator is getting briefed now and is very focused on evaluating options he has with regard to federal authority.

From: Bowman, Liz
Sent: Thursday, August 31, 2017 7:59 AM
To: aguillen@politico.com
Cc: Press <Press@epa.gov>
Subject: Statement

Background: It is important to understand that this is handled by the fire Marshall, County and State officials, not EPA.

Statement for the Record:

> "We understand that the Department of Homeland Security is working closely with facility management and state and local public safety officials on the situation at the facility in Crosby, Texas. Our top priority is the safety of those around the facility, and our chemical experts have been providing their expertise and modeling scenarios to ensure officials there have the latest information to make decisions. DHS has been working with the chemical sector in and around Houston since before the storm, through increased information sharing and additional personnel throughout the region. We continue to encourage all residents to heed the advice of their state and local emergency officials."

Sent from my iPhone

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 8/2/2017 7:04:25 PM
To: Kevin Bogardus [kbogardus@eenews.net]; Wilcox, Jahan [wilcox.jahan@epa.gov]; Konkus, John [konkus.john@epa.gov]; Graham, Amy [graham.amy@epa.gov]; Ferguson, Lincoln [ferguson.lincoln@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

When did you submit that FOIA?

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Wednesday, August 2, 2017 3:03 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

I got the letter, which has already been reported on, as well as the report, which has not, so I'm focusing more on the report.

Let me know if you have any thoughts. Thanks.

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Wednesday, August 02, 2017 3:01 PM
To: Kevin Bogardus <kbogardus@eenews.net>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Konkus, John <konkus.john@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Hi Kevin – Off the record, I am a little confused about what you are writing on – What did you get through FOIA?

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Wednesday, August 2, 2017 2:57 PM
To: Wilcox, Jahan <wilcox.jahan@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>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Hey guys, one more follow-up. I just got the following documents through FOIA and attached to this email – the letter (already reported on) and the "Allegation" report (new).

I don't have any questions for you and I wanted to give you a heads up about the piece. That said, I'm happy to add any thoughts you have to the piece.

If you wish to comment, please get back to me as soon as possible. My deadline is 4 pm EST today. Thanks for your help.

-Kevin

From: Kevin Bogardus
Sent: Tuesday, August 01, 2017 5:12 PM
To: 'Wilcox, Jahan' <wilcox.jahan@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>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Thanks for letting me know, Jahan. If you do get a copy of the letter, please send it my way – it will just be "obtained by E&E News" for attribution. Thanks again.

-Kevin

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Tuesday, August 01, 2017 5:09 PM
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>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

We don't have this but noticed it was on the Examiner's website:
https://www.scribd.com/book/355277408/EPA

Hopefully that helps.

From: Kevin Bogardus [mailto:kbogardus@eenews.net]
Sent: Tuesday, August 1, 2017 5:02 PM
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: FW: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Liz, John, Amy, Lincoln, Jahan, Mike and James,

Hi, it's Kevin Bogardus with E&E News.

Quick question: Can you share a copy of the EPA Scientific Integrity Review Panel letter that is referenced in this story below?

Please get back to me as soon as possible. Thank you for your help.

-Kevin

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Tuesday, August 01, 2017 4:50 PM
To: Kevin Bogardus <kbogardus@eenews.net>
Subject: WFB: Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM

The Washington Free Beacon

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge

Scientific Integrity Committee Clears Pruitt Against Sierra Club's 'Climate Denier' Charge
August 1, 2017
Elizabeth Harrington
http://freebeacon.com/issues/scientific-integrity-committee-clears-pruitt-against-sierra-clubs-climate-denier-charge/

The Sierra Club has failed in its attempt to label Scott Pruitt a violator of the Environmental Protection Agency's Scientific Integrity Policy.

Pruitt is off the hook for expressing an opinion about global warming, as a scientific review panel ruled that it is within EPA policy to call for rigorous debate on the issue, according to a letter obtained by the Washington Free Beacon.

"The freedom to express one's opinion about science is fundamental to EPA's Scientific Integrity Policy even (and especially) when that point of view might be controversial," wrote Dr. Thomas Sinks, the director of the EPA's Office of the Science Advisor.

The Sierra Club filed a complaint to the inspector general against Pruitt in March, alleging Pruitt violated the Scientific Integrity Policy by saying during an interview that there is disagreement among scientists about whether CO2 is the primary driver of global warming.

The inspector general referred the allegation to Dr. Francesca Grifo, the EPA's Scientific Integrity Official, who then passed along the Sierra Club's complaint to the EPA Scientific Integrity Committee.

The committee cleared Pruitt of the charge, and, in fact, defended the EPA administrator for expressing his opinion and encouraging "vigorous debate."

"In his response, the Administrator expressed his opinion regarding contributions to global warming and called for more debate, review, and analysis as a precursor to any

future EPA policy decision on the matter," the Scientific Integrity Review Panel said. "This expression of opinion, which was not made in a decisional context, is fully within the protections of EPA's Scientific Integrity Policy and does not violate that Policy. We also note that, in his remarks, the Administrator did not suppress or alter Agency scientific findings."

The EPA panel went further in refuting the Sierra Club's interpretation of the Scientific Integrity Policy. The liberal environmentalist group had branded Pruitt a "climate denier" in its complaint.

"Expressing an opinion about science is not a violation of the EPA Scientific Integrity Policy," the EPA panel said. "Indeed, the Scientific Integrity Policy—in the spirit of promoting vigorous debate and inquiry—specifically encourages employees to express their opinion should the employee disagree with scientific data, scientific interpretations, or scientific conclusions."

The Sierra Club did not immediately respond to a request for comment.

The group's complaint was spurred by an interview Pruitt gave to CNBC, where he was asked, "Do you believe that it's been proven that carbon dioxide is the primary control knob for climate?"

Pruitt responded: "No. I think that measuring with precision human activity on the climate is something very challenging to do and there's tremendous disagreement about the degree of impact. So no, I would not agree that it's a primary contributor to the global warming that we see. But we don't know that yet… We need to continue the debate and continue the review and the analysis."

The letter was signed by Dr. Sinks, and sent to Elena Saxonhouse, a senior attorney for the Sierra Club, and Joanne Spalding, the group's chief climate counsel.

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

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Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/11/2017 5:57:15 PM
To: Dennis, Brady [Brady.Dennis@washpost.com]
Subject: RE: Superfunds

One more thing that I forgot to mention; with regard to the Brownfields grants, we are giving out $56.8 million to 172 local communities to clean up Brownfields sites. In addition to Superfunds, Brownfields grants "aid under-served and economically disadvantaged communities through the assessment and cleanup of abandoned industrial and commercial properties and expand the ability of communities to recycle vacant and abandoned properties for new, productive reuses." Press release on this is below. Thank you – Liz

https://www.epa.gov/brownfields/announcing-award-568-million-fy17-brownfields-assessment-and-cleanup-grants

From: Bowman, Liz
Sent: Friday, June 9, 2017 6:56 PM
To: 'Dennis, Brady' <Brady.Dennis@washpost.com>
Subject: RE: Superfunds

Yes, thanks – you too! **Ex. 6 Personal Privacy (PP)**

From: Dennis, Brady [mailto:Brady.Dennis@washpost.com]
Sent: Friday, June 9, 2017 6:54 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: RE: Superfunds

Thanks for sending all this, Liz. I appreciate it. On the quote – assuming I can attribute that to you?

Have a nice weekend.

-b

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Friday, June 09, 2017 6:48 PM
To: Dennis, Brady <Brady.Dennis@washpost.com>
Subject: Superfunds

Hi Brady – Below, please find a quote that you can use, in the absence of a discussion with the Administrator, some background information and a radio interview (attached) that might be helpful. Please let me know if you have questions. Thanks – Liz

Quote: "Cleaning up Superfund sites and other contaminated land is vital to protecting human health and the environment. The previous administration not only didn't make this a priority – but took years and years just to make decisions about cleaning up these sites. The delays that have plagued individual cleanups aren't helping anyone, and proceeding with business as usual is not an option. Cleaning up these areas – many of which are in neighborhoods where people live, work and play – can make a tangible improvement in the lives of Americans. We believe that with

better leadership, improved coordination with affected communities and others, and greater management efficiencies, we can make real progress."

Additional Background (not for attribution):
EPA's Superfund, Brownfields, and water infrastructure programs are key to helping bring EPA back its core mission; areas that all fell by the wayside under the Obama administration. We are currently looking for ways to better utilize all available tools and resources to clean up more contaminated lands faster so that communities are made safer and put back into productive use. We have recently made two big announcements on our Superfunds program, including a new Task Force[epa.gov], and a new directive[epa.gov] reserving the power to select remedies estimated to cost $50 million or more with the Administrator, and instructing EPA Regions to work more closely with the Administrator's Office throughout the remedy development process.

The notion that streamlining and improving the Superfund program will somehow lead to less protective or effective cleanups is false. Applicable regulations require us to select remedies that will be protective to human health and the environment based on the anticipated future use of the site and other criteria. That isn't changing as a part of this initiative. Unlike the previous administration that failed to prioritize the Superfund program, Administrator Pruitt is providing real leadership that will lead to better results at Superfund sites across the country.

It's very clear this was not a top-priority, or priority in general, from the previous administration because of the little progress made in eight years. The two common metrics are the number of sites that were deleted from the National Priority List or sites where construction of the remedy has been completed. According to this site https://www.epa.gov/superfund/deleted-national-priorities-list-npl-sites-deletion-date[epa.gov], it looks like EPA deleted 60 sites since 2009. Also, according to this site https://www.epa.gov/superfund/superfund-remedial-performance-measures#cc_anchor[epa.gov], EPA has completed construction at about 125 sites since 2009.

In today's Politico Energy, Gina McCarthy recognized that Superfund sites weren't a priority. Her quote makes it sound like this is some old program that no one cares about anymore – but the truth is that a LOT of people care. The people of West Lake care. The people of E. Chicago care. And, Americans deserve better leadership on this program:

> *"Is EPA supposed to respond and say, 'We're really busy cleaning up Superfund sites from the '60s. We really can't address the problems that you're facing today?'"* **McCarthy added.**
> https://www.politicopro.com/energy/story/2017/06/pruitts-predecessors-pan-epa-originalism-philosophy-157849[go.politicoemail.com]

With regard to the Budget:
The proposed budget for EPA is a 31 percent cut, the proposed cut to the Superfund program is 30 percent; or a $330 million reduction. As the Administrator has said many times, money is not the issue with this program. We believe that with better leadership, and reducing inefficiencies and administrative costs, we can accelerate the pace of the clean-ups. It is also worth noting that we believe there is significant amount of money being wasted in administrative costs in this program (ranging from 28 to 55 percent depending on the region, for prior years, for indirect costs that are loaded as a percentage of direct clean-up costs, such as: administrative matters, personnel matters, guidance development, office utility and supply costs), and we are in the process of trying to identify and reduce these inefficiencies through our Task Force. Of course, some of the oversight costs are probably necessary, but we also know there is a lot of inefficiencies and waste – so that is what we are trying to identify and flush out.

Details on numbers: 1,336 sites on National Priorities List. a site was removed on 5/16 lowering the total by 1.

NPL sites correlated to Presidential Administrations:
1984-538 sites
1988-797 sites (+259 Reagan)
1992-1183 sites (+386 George HW Bush)
1996-1211 sites
2000-1232 sites (+49 Clinton)
2004-1239 sites

2008-1257 sites (+25 George W Bush)
2012-1313 sites
2016-1337 sites (+80 Obama)

Specific examples:
USS Lead Superfund Site[epa.gov] - East Chicago, Indiana: Administrator Pruitt is the first EPA Administrator to visit East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009. One of Pruitt's first trips was to visit the East Chicago Superfund site because he wanted to see and hear first-hand from the people who've been counting on us to help them. He has pledged improved coordination, communication and cleanup of the site working alongside federal, state and local partners. Under Pruitt's leadership, EPA has taken actions to expedite cleanup, and EPA announced the creation of a community involvement coordinator to serve as a director point of contact for East Chicago residents. At East Chicago: EPA cleaned up 50 properties in 2016, 200 properties in 2017 and anticipates cleaning up 400 more properties in 2018 and 2019, excluding the housing complex property in zone 1.

West Lake Landfill Superfund Site[epa.gov] – Bridgeton, Missouri: This site has been on the National Priorities List (NPL) for 28 years. Administrator Pruitt has committed to a solution within a few months. While this is not finished even once a decision is made, it shows action to solve a problem that no one else has addressed in almost two decades. While we are still working through a solution, we are committed to getting this matter resolved.

The Anaconda Copper Mine[cumulis.epa.gov] – Nevada: This site was not put on the NPL list because a private/state solution was proposed. Administrator Pruitt met with Nevada Gov. Sandoval about the site to discuss brokering a deal with the PRP (Potentially Responsible Parties) to get the site cleaned up without having to have it added to the NPL – showing deference to the state and governor, and showing cooperative federalism.

Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 6/9/2017 10:48:03 PM
To: Brady Dennis (brady.dennis@washpost.com) [brady.dennis@washpost.com]
Subject: Superfunds
Attachments: 4-20 scott pruitt on kmox.mp3

Hi Brady – Below, please find a quote that you can use, in the absence of a discussion with the Administrator, some background information and a radio interview (attached) that might be helpful. Please let me know if you have questions. Thanks – Liz

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Liz Bowman
U.S. Environmental Protection Agency (EPA)
Office: 202-564-3293

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 5/16/2017 8:32:57 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]
Subject: RE: Regulatory Reform recommendations

Thanks; please send

From: Jones, Enesta
Sent: Tuesday, May 16, 2017 8:51 AM
To: Press <Press@epa.gov>
Subject: LIZ: Regulatory Reform recommendations

Liz, the recommendations are here:
https://www.regulations.gov/docket?D=EPA-HQ-OA-2017-0190

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: danielle.ivory@nytimes.com [mailto:danielle.ivory@nytimes.com]
Sent: Monday, May 15, 2017 7:39 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Regulatory Reform recommendations

Thanks, Liz, and no problem. What is the next deadline for the regulatory reform task force at EPA?

Are the recommendations online at regulations.gov? If so, would you mind sending me a link?

Thanks again!

Danielle

Sent from my iPhone

On May 15, 2017, at 7:32 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Hi Danielle -- Sorry, I mixed up your request. On background (not for attribution): Today was the goal for the program offices to submit feedback, in response to Regulatory Reform memo from the Administrator. We will review the information as its received and evaluate with it accordingly. It's a deliberative process with the different offices. Thank you – Liz

From: Bowman, Liz
Sent: Monday, May 15, 2017 6:55 PM
To: Ivory, Danielle <danielle.ivory@nytimes.com>; Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Subject: RE: Regulatory Reform recommendations

Hi Danielle – The Regulatory Reform recommendations are available on the public docket and can be found on regulations.gov.

Thank you – Liz

From: Ivory, Danielle [mailto:danielle.ivory@nytimes.com]
Sent: Monday, May 15, 2017 12:45 PM
To: Press <Press@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Fwd: Regulatory Reform recommendations

Hello, I received a bounce-back from Enesta's account. Could someone else help me with this request?

Thanks,

danielle

---------- Forwarded message ----------
From: **Ivory, Danielle** <danielle.ivory@nytimes.com>
Date: Mon, May 15, 2017 at 12:39 PM
Subject: Regulatory Reform recommendations
To: "Jones, Enesta" <Jones.Enesta@epa.gov>

Hi Enesta,

Recommendations to the Regulatory Reform Task Force by the Offices of Air and Radiation, Land and Emergency Management, Chemical Safety and Pollution Prevention, Water, Environmental Information, Congressional and Intergovernmental Relations and Small and Disadvantaged Business Utilization are due today, May 15. Would it be possible to send me copies of those recommendations?

If I will need to file a FOIA for this, that is fine -- just let me know. I'll assume if I don't hear from you by the end of the day today that I should file a FOIA.

Many thanks,

Danielle

--
Danielle Ivory
The New York Times
Office: 212-556-1596
Cell: Ex. 6 Personal Privacy (PP)
Fax: 646-349-2536

PGP Key: 4F0C8AF6FB9B5DBE
Signal encrypted chat: Ex. 6 Personal Privacy (PP)

--
Danielle Ivory
The New York Times
Office: 212-556-1596
Cell: Ex. 6 Personal Privacy (PP)
Fax: 646-349-2536
PGP Key: 4F0C8AF6FB9B5DBE
Signal encrypted chat: Ex. 6 Personal Privacy (PP)

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 4/18/2017 8:24:26 PM
To: Anthony Adragna [aadragna@politico.com]
Subject: RE: Politico: EPA: Pruitt not slated to visit regional office during trip, 4/18/17

Also, I just want to clarify that this visit to the Superfund site at East Chicago is being coordinated with our Region 5 Staff, so even if the Administrator doesn't end up visiting the actual office space, it doesn't mean he isn't working with the staff in the region. (just additional background for you, not for attribution).

From: Anthony Adragna [mailto:aadragna@politico.com]
Sent: Tuesday, April 18, 2017 2:53 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Politico: EPA: Pruitt not slated to visit regional office during trip, 4/18/17

Understood. My editors insisted given the item we'd run earlier in the day, but I appreciate the feedback. Thanks for your help on this.
--

Anthony Adragna
Energy Reporter
POLITICO
Cell: Ex. 6 Personal Privacy (PP)
Desk: 703-647-8563
aadragna@politico.com
@AnthonyAdragna

From: "Bowman, Liz" <Bowman.Liz@epa.gov>
Date: Tuesday, April 18, 2017 at 2:36 PM
To: Anthony Adragna <aadragna@politico.com>
Subject: FW: Politico: EPA: Pruitt not slated to visit regional office during trip, 4/18/17

I understand why you wrote it this way, but the headline could have read "Pruitt to visit communities affected by environmental contamination" or "Pruitt is First EPA Administrator to Visit East Chicago Superfund Site."

Politico
https://www.politicopro.com/energy/whiteboard/2017/04/epa-pruitt-not-slated-to-visit-regional-office-during-trip-086435
EPA: Pruitt not slated to visit regional office during trip
By Anthony Adragna 4/18/17, 1:59PM

EPA Administrator Scott Pruitt has no plans to visit the agency's regional office in Chicago during a visit to a Superfund site in East Chicago, Ind., on Wednesday, and will focus instead on direct outreach to local groups, an agency spokeswoman told POLITICO today.

"EPA Administrator Scott Pruitt will visit the USS Lead Superfund in East Chicago, Indiana tomorrow to view cleanup and hear directly from East Chicago residents affected by contamination in their community," Liz Bowman, the spokeswoman, said in a statement. "He is the first EPA Administrator to visit the USS Lead Superfund in East Chicago, which was listed on the National Priorities List of the worst contaminated sites in the country in 2009."

Top officials with the EPA's Region 5 union in Chicago directly implored Pruitt earlier today to meet with them about news reports that the regional office might close. The agency has denied the reports.

In addition, the agency said Pruitt would travel to the Thomas Hill Energy Center, a coal-fired power plant, in Clifton Hill, Mo., on Thursday to deliver remarks to Missouri Electric Cooperative members about his EPA agenda. He'll address two recent executive orders from President Donald Trump directing the agency to review the Obama-era Clean Power Plan and Waters of the U.S. regulation.

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 6/5/2017 10:55:55 PM
To: Jennifer A. Dlouhy [jdlouhy1@bloomberg.net]
Subject: Re: coal job claim - clarification?

For background, Administrator Pruitt meant to say there were almost 50,000 **mining** jobs (which of course includes coal).

For attribution:

"America's miners and drillers are getting back to work under President Trump with the 7th straight month of job creation, after 25 consecutive months of decline in the previous administration. Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a low point in October 2016. Administrator Pruitt continues to underscore this Administration's real work to bring back American jobs."

Thank you - Liz

from my iPhone

On Jun 5, 2017, at 6:36 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

That link isn't working?

From: Jennifer A. Dlouhy (BLOOMBERG/ WASHINGTO) [mailto:jdlouhy1@bloomberg.net]
Sent: Monday, June 5, 2017 3:46 PM
To: Press <Press@epa.gov>
Subject: coal job claim - clarification?

Greetings, EPA!

A colleague is running a chart on coal jobs.

Can you send me anything you're pushing out clarifying the Administrator's comments about an increase in coal jobs by 50,000 since the President has been in office?

It looks like Amy Graham sent out a clarification (on request) suggesting the Administrator intended to cite increased mining jobs instead. Can you share this with me?

Thanks,
Jen.

Jennifer A. Dlouhy
jdlouhy1@bloomberg.net / Ex. 6 Personal Privacy (PP)
reporterjen@protonmail.com
Desk: 202.807.2159
Cell/Text/Signal: Ex. 6 Personal Privacy (PP)
Twitter: @jendlouhyhc
Stories: http://bloom.bg/23Crpvk

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 5/23/2017 5:09:37 PM
To: Timothy Cama [tcama@thehill.com]; Lynn, Tricia [lynn.tricia@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Budget

We are happy to answer questions you have.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 23, 2017 11:43 AM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Budget

Thanks. So no press bring or the like?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, May 23, 2017 at 10:59 AM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Hi Timothy--

For attribution to an EPA spokesperson: EPA will release the details of its budget today in coordination with OMB.

Best,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 23, 2017 10:55 AM
To: Press <Press@epa.gov>
Subject: Budget

Hi folks-

Are you doing a press briefing on the EPA budget today?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 5/23/2017 5:04:24 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Jason Plautz [jplautz@nationaljournal.com]
CC: Press [Press@epa.gov]
Subject: RE: Budget briefing?

In case you didn't get it, our press release can be found here: https://www.epa.gov/newsreleases/epa-budget-returns-focus-core-statutory-mission

---

From: Lynn, Tricia
Sent: Tuesday, May 23, 2017 11:04 AM
To: Jason Plautz <jplautz@nationaljournal.com>
Cc: Press <Press@epa.gov>
Subject: RE: Budget briefing?

Hi Jason--

For attribution to an EPA spokesperson: EPA will release the details of its budget today in coordination with OMB.

Best,

Tricia

From: Jason Plautz [mailto:jplautz@nationaljournal.com]
Sent: Monday, May 22, 2017 7:09 PM
To: Press <Press@epa.gov>
Subject: Budget briefing?

Hello,

Is Administrator Pruitt or any EPA staff holding a budget briefing tomorrow? Thanks.

--
Jason Plautz | Energy & Environment Correspondent | National Journal

p: (202) 266.7245 | c: Ex. 6 Personal Privacy (PP)

jplautz@nationaljournal.com | @jason_plautz

600 New Hampshire Ave. N.W.
Washington, DC 20037

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 5/23/2017 5:01:08 PM
To: Timothy Cama [tcama@thehill.com]
Subject: RE: Budget

Our press statement on this can be found here: https://www.epa.gov/newsreleases/epa-budget-returns-focus-core-statutory-mission

---

From: Lynn, Tricia
Sent: Tuesday, May 23, 2017 11:00 AM
To: Timothy Cama <tcama@thehill.com>
Cc: Press <Press@epa.gov>
Subject: RE: Budget

Hi Timothy--

For attribution to an EPA spokesperson: EPA will release the details of its budget today in coordination with OMB.

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA
Office: 202.564.2615

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 23, 2017 10:55 AM
To: Press <Press@epa.gov>
Subject: Budget

Hi folks-

Are you doing a press briefing on the EPA budget today?

Thanks.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 5/23/2017 4:46:01 PM
To: Valentine, Julia [Valentine.Julia@epa.gov]; Press [Press@epa.gov]
Subject: RE: Conference call tomorrow on EPA budget?

Ex. 5 Deliberative Process (DP)

From: Valentine, Julia
Sent: Tuesday, May 23, 2017 9:00 AM
To: Press <Press@epa.gov>
Subject: FW: Conference call tomorrow on EPA budget?

From: Guerin, Emily [mailto:eguerin@scpr.org]
Sent: Monday, May 22, 2017 7:30 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Re: Conference call tomorrow on EPA budget?

So is there a going to be a reporters call? USDA is having one. See below.

Contact: USDA Press
Phone: (202) 720-4623
Email: press@oc.usda.gov

TOMORROW: Secretary Perdue and Acting Deputy Secretary Mike Young Hold Press Call on Proposed FY 2018 USDA Budget

(Washington, D.C., May 22, 2017) – Agriculture Secretary Sonny Perdue and Acting Deputy Secretary Mike Young will hold an on-the-record, off-camera media briefing on the U.S. Department of Agriculture's (USDA's) proposed FY 2018 Budget. The briefing will be conducted **TOMORROW, Tuesday, May 23, 2017 from 1:15p.m.–2:15p.m. ET**.

Emily Guerin
Environment Reporter
Southern California Public Radio | KPCC 89.3
Ex. 6 Personal Privacy (PP) (c)
(626) 583-5376 (o)
eguerin@scpr.org
@guerinemily

From: "Valentine, Julia" <Valentine.Julia@epa.gov>
Date: Monday, May 22, 2017 at 2:24 PM

To: "Guerin, Emily" <eguerin@scpr.org>, Press <Press@epa.gov>
Subject: RE: Conference call tomorrow on EPA budget?

Hi Emily,

For attribution to an EPA spokesperson: EPA will release the details of its budget on May 23, in coordination with OMB.

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Guerin, Emily [mailto:eguerin@scpr.org]
Sent: Monday, May 22, 2017 5:17 PM
To: Press <Press@epa.gov>
Subject: Conference call tomorrow on EPA budget?

Hello, will there be a press briefing tomorrow on the EPA budget? The USDA is doing one that reporters can call in to. If so what time and how can I call in?

Emily Guerin
Environment Reporter
Southern California Public Radio | KPCC 89.3
Ex. 6 Personal Privacy (PP) c)
(626) 583-5376 (o)
eguerin@scpr.org
@guerinemily

Message

From: Bowman, Liz [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C3D4D94D3E4B4B1F80904056703EBC80-BOWMAN, ELI]
Sent: 4/21/2017 10:32:00 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]
Subject: RE: LIZ/JOHN FOR REVIEW: Response to Bloomberg BNA RE: OECA and States (DEADLINE: 4 p.m., 4/21)

Sure thanks

From: Lynn, Tricia
Sent: Friday, April 21, 2017 1:01 PM
To: Press <Press@epa.gov>
Subject: LIZ/JOHN FOR REVIEW: Response to Bloomberg BNA RE: OECA and States (DEADLINE: 4 p.m., 4/21)

Would you like me to reply with this?

Ex. 5 Deliberative Process (DP)

Best,

Tricia

From: Schoof, Renee [mailto:rSchoof@bna.com]
Sent: Thursday, April 20, 2017 10:52 AM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Bloomberg BNA questions for OECA-states story [WARNING: DKIM validation failed]

Hi Julia,
Here are three questions for the administrator for a story next week. Thanks for passing them on. I need to wrap up the reporting and writing by COB Friday. As you know, our stories appear to a wide audience on the Bloomberg terminal, as well as for our professional subscribers.

What is your vision for how OECA ought to work?
Does EPA need to have a different relationship with states than it had in the past administration? Is the one set out in National Environmental Performance Partnership System (NEPPS) outmoded, and if so what changes are needed?
Some states say that they may do fewer inspections and less enforcement if EPA grants to states are cut as proposed. Is this a likely and acceptable outcome, and why or why not?
Thank you.
Renee Schoof
>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>
Renee Schoof

Reporter/Editor
Bloomberg BNA
Direct: 703.341.3511
Mobile: Ex. 6 Personal Privacy (PP)
rschoof@bna.com

@ReneeSchoof

Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 6/24/2017 12:34:09 AM
To: Coral Davenport [coral.davenport@nytimes.com]
Subject: Re: Pruitt's speech to Harvard club on Paris

I have a list of folks, but not sure they will respond to you over the weekend ... was going to send Monday am.

Sent from my iPhone

On Jun 23, 2017, at 5:37 PM, Coral Davenport <coral.davenport@nytimes.com> wrote:

> This all sounds great. We have pushed back the story in anticipation of an intvu w the administrator on Monday, and I will reach out to Wendy. Anyone else to talk to? Timing for Monday?
>
> Coral Davenport
> Energy and Environment Correspondent
> The New York Times
> Washington Bureau
> 1627 I St. NW, Suite 700
> Washington, DC 20006
> coral.davenport@nytimes.com
> O 202-862-0359
> C Ex. 6 Personal Privacy (PP)
> Twitter @CoralMDavenport
>
> On Jun 23, 2017, at 11:35 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
>
>> Yes, any quotes would need to be from an interview specifically about this article. Let me see if we can schedule something for Monday with the Administrator. I will get back to you shortly. I also am going to send you some names of career staffers you can talk to today about the collaborative effort of the political and staff...to start, I have included the contact information for Wendy, who is the acting head of our chemicals and pesticides office, who worked very closely with Dr. Beck on the TSCA rules that came out yesterday. I am running to a meeting, but will send you more names...
>>
>> Wendy Cleland-Hamnett
>> Acting Assistant Administrator
>> Principal Deputy Assistant Administrator Office of Chemical Safety & Pollution Prevention U.S.
>> 202-564-3810
>> Cleland-hamnett@epa.gov

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Friday, June 23, 2017 11:19 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

Ok -- even the Mayor one? You'd mentioned when we spoke by phone last week that that one -- the only one I'm asking to use -- shld be fine.
We'd like to run the story this weekend, but if he cld speak on Monday, we can prob push til next week.

On Fri, Jun 23, 2017 at 11:13 AM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> What's your deadline? Because this is a big piece and it is Friday afternoon, and we are testifying in the Senate on Tuesday. We want to work with you, but trying to figure out logistics.
>
> Since that conversation you all had was off the record and a general get-to-know-you, any quotes from him for this article or other ones, will need to be from an interview on the record.
>
> **From:** Davenport, Coral [mailto:coral.davenport@nytimes.com]
> **Sent:** Friday, June 23, 2017 11:04 AM
>
> **To:** Bowman, Liz <Bowman.Liz@epa.gov>
> **Subject:** Re: Pruitt's speech to Harvard club on Paris
>
> Got it. Cld he speak by phone today?
>
> The only quote I'd want to use from the earlier intvu is this one, where I asked him about staff employee complaints of low morale and not being included in major decisions.
>
> "I spent the first couple of weeks running for Mayor here. But ultimately, these are my decisions."

Meanwhile, cld he address these qs?

Career employees in several policy shops say they have not been consulted on policy decisions they work on, such as revising the CPP and WOTUS, reconsidering CAFE, and the decision to reverse the ban on chlorpyrifos. Instead, they say a lot of this decision-making appears left to politically appointed staff and outsourced to lobbyists or state AGs. Is this a fair concern? What's your response?

How much are you consulting with the Republican AGs? How much weight does their counsel play in shaping regulatory rollbacks, particularly legal language and strategy?

The EPA's own staff scientists recommended against reversing the chlorpyrifos ban, saying that the chemical causes developmental damage in children, and EPA's own notice to stay the methane rule also noted that delaying the rule could dispropotionately harm children. Critics say these decisions undermine the EPA's own mission to protect public health. What's your response?

The President has tasked Admin. Pruitt with crafting the legal pathway to extracting the US from the Paris Agreement -- a task that would typically go to the State Department's international law efforts. It's not really within the purview E.P.A.'s portfolio or Pruitt's background or expertise. How is this work getting done? Who is he consulting with?

Could you send a list, even if partial, of environmental groups that the administrator has met with as he does outreach on crafting his regulatory policy agenda?

Thanks so much,

Coral

On Thu, Jun 22, 2017 at 9:45 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Okay...as a friendly reminder all the stuff discussed with the Administrator when you came in was off the record. If you want to use on the record quotes for him for this particular article, we will need to try to find a time for you to talk with him again. He was okay with you using stuff on California because that was the same day, but that was weeks ago, and so it would only make sense to do a interview for a new story so that he understands the context
>
> Sent from my iPhone
>
> On Jun 22, 2017, at 8:35 PM, Coral Davenport <coral.davenport@nytimes.com> wrote:
>
>> Yes - wld ideally need to be tomoro before noon!
>>
>> Coral Davenport
>>
>> Energy and Environment Correspondent
>>
>> The New York Times
>>
>> Washington Bureau
>>
>> 1627 I St. NW, Suite 700
>>
>> Washington, DC 20006
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>> coral.davenport@nytimes.com
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>> O 202-862-0359
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>> C Ex. 6 Personal Privacy (PP)

Twitter @CoralMDavenport

On Jun 22, 2017, at 8:33 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Would you be willing to talk to career staff who would say they have had a positive reaction? I can send you some names of people to reach out to.
>
> Sent from my iPhone
>
> On Jun 22, 2017, at 8:06 PM, Davenport, Coral <coral.davenport@nytimes.com> wrote:
>
> > Yes, definitely more than one...
>
> > On Thu, Jun 22, 2017 at 7:57 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:
> >
> > > Define "loot";)? Like more than one?
> > >
> > > Sent from my iPhone
> >
> > > On Jun 22, 2017, at 7:33 PM, Davenport, Coral <coral.davenport@nytimes.com> wrote:
> > >
> > > > Thanks! Can you send/say something about the happy employees for this story? I can tell you that I 've talked to a loooot of unhappy ones.

I'm not completely sure how the ProPublica/NYT relationship works myself. I've never been a part of those projects and don't think I know anyone who has. But let me find out who would know and see if they can explain.

On Thu, Jun 22, 2017 at 7:18 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> Okay sounds good—please note that we also have a lot of HAPPY career staff; who are ready to get to work. For some background (not for attribution): I am actually working on a piece with our "senior advisor to the administrator for regional and state affairs" – a position that did not exist under the previous administration –

that outlines the positive reception he has received as he travels from region-to-region. As part of that piece, we will explain that it is our understanding that no politically-appointed staffer has visited all the regions in a year, and by mid-July he will have visited each Regional office. In his first 60 days, he made 10 visits to regional offices, 14 visits by next week.

As a follow-up to those visits, he receives many thank you notes from EPA employees for the positive message that he brings. In these meetings he discusses the Administrator's vision for the Agency. He has asked the staff if they have ever been asked to weaken their regulatory work or change their enforcement since the

Administrator has been in office, and he said the answer is a "resounding no." For example, there is a Superfund manager in one of the regional offices who has been working at EPA for over 45 years and could easily retire now and walk away – but he remains to stay because he loves his job.

I understand there are reports of "low morale" – but it's also worth noting that there are a lot of dedicated staff who want to work with us; to provide clean air, land, and clean water to their local communities.

On an unrelated note, can you explain the relationship between ProPublica and NYT?

Thanks – Liz

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
Sent: Thursday, June 22, 2017 6:57 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

Hope he feels better!

I'm wrapping up my story looking at the big picture of his tenure so far -- number of regs rolled back, high-profile influential role with the president, back-to-basics agenda, unhappy career staff, influence of his old OK/AG network.

Putting together a few quotes that I'd like to use from our intvu that I'd like to run by you, plus a list of qs raised by the reporting -- will prob send these over early tomorrow.

On Tue, Jun 20, 2017 at 8:45 PM, Bowman, Liz <Bowman.Liz@epa.gov> wrote:

> He isn't going anymore. He is really sick and cancelled meetings today and doesn't think he will be better tomorrow.
>
> Sent from my iPhone
>
> On Jun 20, 2017, at 2:39 PM, Davenport, Coral <coral.davenport@nytimes.com> wrote:
>
> > Got it, tks. Will there be a

			webcast, transcript or recording?
			On Tue, Jun 20, 2017 at 2:28 PM, Bowman, Liz <Bowman.L

iz@epa.gov> wrote:

Hi Coral – He is speaking to the Manhattan Insti

tute, at the Harvard Club. He doesn't have prepared remarks

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l [mailto:coral.davenport@nytimes.com] **Sent:** Tuesday, June 20, 2

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<Bowman.Liz@epa.gov>
Subject: Pruitt's speech to Harvard Club on P

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Coral Davenport

Energy and Environment Correspondent

The New York Times

Washington Bureau

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Sent: 6/23/2017 3:15:48 PM
To: Jahan Wilcox (wilcox.jahan@epa.gov) [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: FW: Pruitt's speech to Harvard club on Paris

Can we discuss?

From: Davenport, Coral [mailto:coral.davenport@nytimes.com]
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Sent: 6/23/2017 1:03:02 PM
To: Wagner, Kenneth [wagner.kenneth@epa.gov]
Subject: RE: Pruitt's speech to Harvard club on Paris

Is there one or two employees that we can put on the phone with her in the regions? Do you have a name/number that I can send her? I only need like one-two...and then we can send her one-two from headquarters.

From: Wagner, Kenneth
Sent: Thursday, June 22, 2017 10:30 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Subject: Re: Pruitt's speech to Harvard club on Paris

I hardly think The NY Times has their finger on the pulse of our regional employees...

I have some thoughts to share on Ex. 5 Deliberative Process (DP)
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Talk to you tomorrow

Kenneth E. Wagner
Senior Advisor to the Administrator
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U S Environmental Protection Agency
202-564-1988 office
Ex. 6 Personal Privacy (PP) **cell**
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> Begin forwarded message:
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> > **From:** "Davenport, Coral" <coral.davenport@nytimes.com>
> > **Date:** June 22, 2017 at 7:32:13 PM EDT
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Sent: 7/2/2019 8:15:13 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]; Dunton, Cheryl [Dunton.Cheryl@epa.gov]
CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: RE: can one of you send an electronic version of the comms plan passed out at the sulfoxaflor briefing today? thanks ng
Attachments: RMD_0702_Comms Roll-out Strategy - Sulfoxaflor 2019.docx

Here it is. NB, I've updated the tick-tock per Corry's request that all outreach take place on July 12.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Grantham, Nancy
Sent: Tuesday, July 02, 2019 4:01 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Cc: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: can one of you send an electronic version of the comms plan passed out at the sulfoxaflor briefing today? thanks ng

Nancy Grantham
Principal Deputy Associate Administrator
Environmental Protection Agency
Office of Public Affairs
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(cell)**
grantham.nancy@epa.gov

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 4/14/2019 8:10:21 PM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
CC: Dunton, Cheryl [Dunton.Cheryl@epa.gov]
Subject: asbestos coms package
Attachments: Asbestos web 4-9-19 - OPPT IO clean.docx; Asbestos Backpocket Questions 4-9-19 - OPPT IO clean.docx; Asbestos tweets 04 09 19 AM.docx; Asbestos SNUR Press Release 4 11 19 PM_PTSLO review LS Q's clean.docx; TEMPLATE Communications Plan- asbestos SNUR.docx

Andrea, some of these still need to be edited/cleaned up but here's the picture of what we have minus the info-graphic and talkers.

We will be editing this Monday am but not sure will be in time for the meeting.

Linda

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 4/12/2019 5:22:23 PM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Dunton, Cheryl [Dunton.Cheryl@epa.gov]
Subject: RE: Asbestos press release
Attachments: Communications Plan- asbestos SNUR.docx

Here's the coms plan so far. Not sure that **Ex. 5 Deliberative Process (DP)** but checking on that. Feel free to use this.

Checking Alex schedule.

Linda

From: Drinkard, Andrea
Sent: Friday, April 12, 2019 12:43 PM
To: Strauss, Linda <Strauss.Linda@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Subject: RE: Asbestos press release

Do you have the comm plan that Jess asked for?

From: Strauss, Linda
Sent: Friday, April 12, 2019 12:41 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Cc: Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Subject: Asbestos press release

Asbestos press released reviewed by Alex and OGC.

Message

From: Strauss, Linda [Strauss.Linda@epa.gov]
Sent: 4/16/2019 2:42:38 AM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
CC: Dunton, Cheryl [Dunton.Cheryl@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]
Subject: Top Line Messages and coms plan
Attachments: Asbetos SNUR comms plan 04 15 19 AM.docx; asbestos exclusive talkers_AD 4.15.19 rev.docx

Andrea, here's Charlotte's edits to the top-line messages (they address this comment by Nancy Beck: Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP) The sentence below sounds like Ex. 5 Deliberative Process (DP)

Andrea, do you have other edits??

Per the call this afternoon, they need to be added to the top of Alex's talkers. Do you want to take the lead on this, or do you want Cheryl to do?

Charlotte Bertrand:

- Ex. 5 Deliberative Process (DP)

From: Strauss, Linda
Sent: Monday, April 15, 2019 6:20 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Subject: Edits to these Top Line Messages?

3-5 Topline Messages

- Ex. 5 Deliberative Process (DP)

Message

From: Mylott, Richard [Mylott.Richard@epa.gov]
Sent: 9/12/2019 3:59:35 PM
To: McFaul, Jessica [mcfaul.jessica@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]
CC: Mutter, Andrew [mutter.andrew@epa.gov]
Subject: FW: FOR REVIEW: OPA Content Tracker (September 16)
Attachments: 2019-2020 DRAFT-DELIBERATIVE OPA Monthly Content Tracker.docx

Importance: High

Andrea, Jess- noting the tracker shows Ex. 5 Deliberative Process (DP). We had previously understood Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Want to make sure nothing has changed…?

Thx,
Rich x 6654

From: McFaul, Jessica <mcfaul.jessica@epa.gov>
Sent: Thursday, September 12, 2019 9:42 AM
Subject: FOR REVIEW: OPA Content Tracker (September 16)
Importance: High

OPA Content Tracker for review. ***Please reply to this email with your edits or additions by Noon ET tomorrow***. Week-ahead pasted below, tracker attached. Thanks!

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Jessica McFaul
Senior Advisor for Strategic and Regional Communications
Office of the Administrator, Office of Public Affairs
U.S. Environmental Protection Agency
mcfaul.jessica@epa.gov
Desk: 202-564-6429
Cell: Ex. 6 Personal Privacy (PP)

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 6/12/2018 10:07:26 AM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: Fwd: Community Role on Monday night of Regional Meeting

Suggest close hold

Sent from my iPhone

Begin forwarded message:

From: "Dunn, Alexandra" <dunn.alexandra@epa.gov>
Date: June 12, 2018 at 12:19:40 AM EDT
To: "Wheeler, Andrew" <wheeler.andrew@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>, "Block, Molly" <block.molly@epa.gov>
Subject: FW: Community Role on Monday night of Regional Meeting

Colleagues:

See below. I strongly recommend we Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) The communities will do an excellent job and we have plenty of open mike time. Without question allowing this to occur will make this event truly successful in New England and gain us much credibility with the community groups.

I pledge to work with John and Molly and my team to Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP)

Alexandra Dapolito Dunn, J.D.
Regional Administrator

Region 1 New England
5 Post Office Sq. Suite 100
Mail Code: ORA01-4
Boston, MA 02109-3912

Desk: (617) 918-1012
Mobile: Ex. 6 Personal Privacy (PP)
Fax: (617) 918-0012
dunn.alexandra@epa.gov

From: Andrea Amico [mailto Ex. 6 Personal Privacy (PP)
Sent: Monday, June 11, 2018 7:47 AM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>
Subject: Community Role on Monday night of Regional Meeting

Dear Administrator Dunn,

Thank you for taking the time to talk more on Friday about my concerns regarding the limited time impacted communities will have to present their stories at the EPA Region 1 meeting and why an extended "open-mic" period does not constitute meaningful participation.

As you know from our in person meeting on May 8, 2018, community members were upset to not have an invitation to the EPA's National PFAS summit in DC. It was our understanding that community members were not given a seat at the DC summit because the regional meetings were more focused around giving the impacted community members their opportunity to be heard. Community leaders in New England were happy to learn that Region 1 was the first regional meeting scheduled one month after the DC summit and that we would have dedicated time set aside on Monday night to share our stories and present them in the meeting. Needless to say, we are disappointed to learn that this opportunity will now not be given to us as we have spent the last month planning, preparing, and collaborating to attend Monday night to make it meaningful and impactful.

We feel strongly that we deserve to have our voices and stories heard on Monday night as previously discussed with a dedicated amount of time for community presentations. New England has multiple communities impacted by PFAS contamination and several community groups that are highly organized and willing to share their story. We have six New England community groups willing to take time off of work, arrange for childcare, and spend resources they don't have to drive to New Hampshire to share their story at this very important meeting. We are appreciative of the community participation on day two of the regional meeting, however some community members can only attend on Monday night due to work and family commitments on Tuesday and we want Monday night to have strong community participation and representation, too. Therefore, it is imperative that the EPA give our communities one to two hours of designated time at the front of the room to share our community stories on Monday night.

We understand EPA's desire for an open mic forum on Monday night, but several hours of open mic with no structure or presentations seems unnecessary and ineffective. We feel having six community groups being able to share their efforts and the details of their stories will foster better open mic comments and discussions throughout the meeting. By allowing meeting attendees to learn of the similarities and differences among each community group and action taken to date will also help to educate the room on the different sites facing PFAS contamination in New England. It will also allow people to start day two with background knowledge of the stories and challenges in each community which will be highly beneficial for the various meeting attendees with different levels of understanding of the many sites in New England dealing with PFAS contamination.

We feel strongly we need more than an open-mic, we need time at the front of the room. And we need to know that we have it NOW so that impacted community members, who work on this issue between balancing full-time jobs, caretaking responsibilities, and dealing with chronic health challenges from exposure, can plan and prepare as the meeting is only two weeks away.

To summarize, we feel that allowing the community the opportunity to share our stories in a more structured way will give the community the voice they have been wanting and deserve since the DC summit was announced. It will also allow for more community

members to participate as an evening meeting is much more feasible for working members of the public than a day meeting that interferes with work and family commitments. Also, it will be an opportunity to educate the meeting attendees on several New England communities dealing with this issue and get background knowledge on the different sites in the region. Lastly, we feel all of these reasons will foster a deeper understanding of the issues communities are facing and allow for more thoughtful and meaningful public comments (which it is our understanding that is what the EPA is looking for in these regional meetings).

We hope that the reasons articulated in this email will help the EPA understand why this time on Monday night is so critical and valuable to us. We want the platform we were promised in our May meeting with you so we can make this regional meeting as successful and productive as possible. Thank you for your understanding of the community's position and please know I am happy to speak with anyone at EPA Headquarters if there are additional questions or possible concerns about the community's role on Monday night. Please keep us posted on the agenda once it is finalized.

Sincerely,
Andrea Amico

Message

From: Vincent Morris [Vincent.Morris@dcwater.com]
Sent: 3/27/2018 7:35:16 PM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]; schafer, joan [schafer.joan@epa.gov]; Dennis, Allison [Dennis.Allison@epa.gov]
CC: Mayer, Lauren [mayer.lauren@epa.gov]; Lieberman, Paige [Lieberman.Paige@epa.gov]
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding
Attachments: Run.of.Show.March28. FINAL.docx

Of course. Here you go.
Glad you all can attend. I will look for you at the entrance to the site.
Please let me know if you have any questions about remarks or timing.
Best
Vince

From: Drinkard, Andrea [mailto:Drinkard.Andrea@epa.gov]
Sent: Tuesday, March 27, 2018 2:56 PM
To: Vincent Morris <Vincent.Morris@dcwater.com>; schafer, joan <schafer.joan@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi Vince,

I'm just checking in to see if there's an updated run of show that I can provide Dave. Thanks so much and we're looking forward to it!

-Andrea-

From: Vincent Morris [mailto:Vincent.Morris@dcwater.com]
Sent: Monday, March 26, 2018 11:10 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>; schafer, joan <schafer.joan@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi there Andrea
Thank you and that sounds great. Good to have Dave.
I have attached the first version of our run of show.
As you can see, Benita was slated to speak at 1:18 so I think we would likely place Dave into that slot.
This script will probably be tweaked a tiny bit between now and Wednesday but I will share whatever we edit.
Can we expect Dave to cover the same topics as Benita? Do you need anything else from us?
Thank you
Vince

From: Drinkard, Andrea [mailto:Drinkard.Andrea@epa.gov]
Sent: Monday, March 26, 2018 11:03 AM
To: schafer, joan <schafer.joan@epa.gov>; Vincent Morris <Vincent.Morris@dcwater.com>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi Vince,

I have good news and bad news. The bad news is that Benita is out of the office this week and can't make it. The good news is that Dave Ross is in the office and he CAN make it! I hope this change will work for you.

Because Dave's time is tight, I was wondering if you could share your updated agenda/run of show for the event and any additional background that might be helpful for Dave's prep. Allison and Joan have brought me up to speed this morning, so I should be able to hit the ground running.

We're looking forward to a good event and hopefully some warmer weather!!

Thanks!

-Andrea-

Andrea Drinkard
Communications Director
EPA Office of Water
Desk: 202.564.1601
Cell: Ex. 6 Personal Privacy (PP)

From: schafer, joan
Sent: Monday, March 26, 2018 8:46 AM
To: Vincent Morris <Vincent.Morris@dcwater.com>; Dennis, Allison <Dennis.Allison@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Vince – Andrea is working on this issue for Allison – and she will be responding to your question later this morning.
I'm copying her to bring her into the conversation.
Thanks.

Joan T. Schafer, Senior Advisor
U.S. Environmental Protection Agency
Region 3 Office of Communications and Government Relations
1650 Arch Street
Philadelphia, PA 19103

215-814-5143 (ph)
215-814-5102

From: Vincent Morris [mailto:Vincent.Morris@dcwater.com]
Sent: Monday, March 26, 2018 8:40 AM
To: Dennis, Allison <Dennis.Allison@epa.gov>; schafer, joan <schafer.joan@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi Allison
Enjoy spring break. Do you all still expect Benita to attend and speak Wednesday or is it possible that someone else would represent EPA?
Thanks
Vince

From: Dennis, Allison [mailto:Dennis.Allison@epa.gov]
Sent: Thursday, March 22, 2018 8:44 PM
To: schafer, joan <schafer.joan@epa.gov>
Cc: Vincent Morris <Vincent.Morris@dcwater.com>; Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: Re: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi Vince,

I will be out of the office next week. In my absence, please work with Paige and Lauren, both cced, as you work to identify a new date for this event. Thanks ! -Allison

Sent from my iPhone

On Mar 21, 2018, at 11:38 AM, schafer, joan <schafer.joan@epa.gov> wrote:

> Thanks, Vince. I'll let our region 3 folks know. Thanks.
>
> Sent from my iPhone
>
> On Mar 21, 2018, at 11:37 AM, Vincent Morris <Vincent.Morris@dcwater.com> wrote:

Vincent Morris| Government Relations & Media | External Affairs
DC Water | 5000 Overlook Avenue, SW, Washington, DC 20032
w. 202-787-2081 | c. Ex. 6 Personal Privacy (PP) |vincent.morris@dcwater.com

IMPORTANT NOTICE:
The security of electronic mail sent through the Internet is not guaranteed. **DC WATER** therefore recommends that you do not send confidential information to us via electronic mail, including social security numbers, account numbers, and personal identification numbers unless instructed to do so through a secured site. Delivery, and timely delivery, of electronic mail is also not guaranteed. **DC WATER** also recommends that you do not send time-sensitive or action-oriented messages to us via electronic mail unless instructed to do so.

Message

From: Wadlington, Christina [Wadlington.Christina@epa.gov]
Sent: 1/10/2018 5:04:06 PM
To: Mattas-Curry, Lahne [Mattas-Curry.Lahne@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Sounds great.

From: Mattas-Curry, Lahne
Sent: Wednesday, January 10, 2018 11:58 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Wadlington, Christina <Wadlington.Christina@epa.gov>
Subject: RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Yes. I also have added Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea
Sent: Wednesday, January 10, 2018 11:52 AM
To: Wadlington, Christina <Wadlington.Christina@epa.gov>; Mattas-Curry, Lahne <Mattas-Curry.Lahne@epa.gov>
Subject: RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

For consideration Ex. 5 Deliberative Process (DP) I know the issues, but I wanted to flag nonetheless. Will update you based on my convo with Nancy, which I have not had yet.

From: Grantham, Nancy
Sent: Wednesday, January 10, 2018 11:47 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Need to connect with you on this thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(mobile)**

From: Block, Molly
Sent: Wednesday, January 10, 2018 8:15 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Pared it down a bit and no need for attribution because this is all background info.

On background:

Ex. 5 Deliberative Process (DP)

From: Jones, Enesta
Sent: Tuesday, January 9, 2018 5:27 PM
To: Press <Press@epa.gov>
Subject: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Background: Bloomberg Environment reporter is asking for the names and number of Superfund sites on the National Priorities List that are contaminated with the chemical, Per- and polyfluoroalkyl substances (PFAS). **Note:** Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Response input from OLEM. Sylvia Carignan, scarignan@bloombergenvironment.com

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: "Carignan, Sylvia" <scarignan@bloombergenvironment.com>
Date: January 3, 2018 at 1:16:54 PM EST
To: Press <Press@epa.gov>
Subject: PFAS at Superfund sites

Hi all,

Happy new year! Hope you all got some time off. I'd like to follow up on something I heard about before the holidays:

It's my understanding that EPA has identified 32 federal and 15 non-federal NPL sites contaminated by PFAS. Could you provide the names of those sites?

And if there's an estimate of how many other NPL sites could be affected by PFAS, let me know about that as well. Dr. Tom Sinks had mentioned in a November presentation that there were likely "hundreds," but I'd like to know if EPA has a narrower estimate.

My deadline for this is Friday at 3 p.m.; let me know if that won't be enough time.

Best,
Sylvia

Sylvia Carignan
Reporter, Superfund and Waste

Bloomberg BNA
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708
scarignan@bloombergenvironment.com

Message

From: Mutter, Andrew [mutter.andrew@epa.gov]
Sent: 9/10/2019 8:42:34 PM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: RE: WOTUS Blurb
Attachments: R8 WOTUS Comms Plan 13 Sep 19 .docx

Will this work?

Best regards,

Andrew

Andrew Mutter

Director, Public Affairs
U.S. Environmental Protection Agency, Region 8 (Denver, CO)

Office: 303.312.6448
Cell: Ex. 6 Personal Privacy (PP)

Twitter: @EPARegion8
Facebook: U.S. EPA Region 8
Webpage: EPA Region 8 (Mountains and Plains)

From: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Sent: Tuesday, September 10, 2019 2:39 PM
To: Mutter, Andrew <mutter.andrew@epa.gov>
Subject: WOTUS Blurb

Can you update?

Thanks.

Region 8: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Andrea Drinkard
Senior Advisor
EPA Office of Public Affairs
Desk: 202.564.1601
Cell: Ex. 6 Personal Privacy (PP)

Message

From: Fuld, John [Fuld.John@epa.gov]
Sent: 7/17/2017 12:59:56 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]
CC: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: RE: FINAL RESPONSE: FW: Water testing questions

Ok thanks

From: Lynn, Tricia
Sent: Monday, July 17, 2017 8:58 AM
To: Fuld, John <Fuld.John@epa.gov>
Cc: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FINAL RESPONSE: FW: Water testing questions

This was the follow-up…

From: Lynn, Tricia
Sent: Friday, July 14, 2017 5:00 PM
To: 'lmmaloney@sbgtv.com' <lmmaloney@sbgtv.com>
Cc: 'slspringob@sbgtv.com' <slspringob@sbgtv.com>
Subject: RE: Water testing questions

Lindsey—

For attribution to "an EPA spokesperson:"

EPA did not review or approve these kits.

As noted previously, EPA recommends that you contact the manufacturer directly regarding questions about their product(s). EPA has not evaluated DIY water test kits and note that the kits do not always assess drinking water contaminants in the same manner as EPA's approved methods. EPA recommends that residents consider using laboratories that are certified to perform drinking water tests in their state. Note that many states certify laboratories that operate outside their boundaries.

To find a certified lab please visit:https://www.epa.gov/dwlabcert/contact-information-certification-programs-and-certified-laboratories-drinking-water.

-----Original Message-----
From: Lindsey Maloney [mailto:lmmaloney@sbgtv.com]
Sent: Wednesday, July 12, 2017 3:13 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject:

Hey Tricia,
I'm the reporter working on this story. I'm curious how the EPA is allowed to put EPA approved on the kits if it is not something you guys recommend using. What makes these kits EPA approved? Also, if people living in South Carolina are

sending out their water for testing out of state will South Carolina view that test as valid or does it have to be done in the same state?
Lindsey Maloney
News Reporter
ABC News 4/WCIV
(843)-478-3985

From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Sent: Wednesday, July 12, 2017 12:19 PM
To: Stacey Springob <slspringob@sbgtv.com>
Subject: RE: Water testing questions

Stacey—

If attributing, please attribute to "an EPA spokesperson."

EPA recommends contacting the manufacturer regarding any questions with a particular product. EPA has not evaluated DIY kits and note that the kits do not always assess drinking water contaminants in the same manner as EPA's approved methods.

To find a certified lab please visit: https://www.epa.gov/dwlabcert/contact-information-certification-programs-and-certified-laboratories-drinking-water.

Best,

Tricia

From: Stacey Springob
Sent: Tuesday, July 11, 2017 11:17 AM
To: 'damico.louis@epa.gov' <damico.louis@epa.gov>
Subject: Water testing questions

Hi Louis,

I am a producer at ABC News 4 in Charleston, South Carolina. We are working on a story about water quality in the Charleston area, and we have some questions about water testing kits the average consumer can use.

If you could please answer these questions or direct me to someone who could help answer them, I would greatly appreciate it:

-A testing kit says it meets "EPA standards," but doesn't clarify what that is exactly. Can you explain what that means?

-If the average consumer is using this test kit, how accurate do they need to be with their testing to make sure it shows legitimate results? (considering most people aren't scientists and don't test water on a day-to-day basis)

-The package says it tests for pesticides, and the back of the package explains those pesticides relate to things that could cause cancer, liver disease, or hurt the immune system. But can you explain further what's in pesticides to cause those problems?

I've also attached a picture of the test kit we are looking at. Thank you very much for your assistance.

Stacey Springob
News Producer
WCIV ABC News 4 / Fox 24 News
W 843. 881. 9581

Message

From: Fuld, John [Fuld.John@epa.gov]
Sent: 11/6/2017 5:31:17 PM
To: Drinkard, Andrea [Drinkard.Andrea@epa.gov]
Subject: FW: Press re: WOTUS at OMB

Andrea,

Based on what we said ....this looks to be Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Lynn, Tricia
Sent: Monday, November 06, 2017 12:17 PM
To: Fuld, John <Fuld.John@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: Press re: WOTUS at OMB

Hi guys...there's follow-up....

From: Jackie Toth [mailto:jackietoth@cqrollcall.com]
Sent: Monday, November 06, 2017 12:02 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Re: Press re: WOTUS at OMB

Thanks much, Tricia. Am I interpreting the proposal correctly that it is amending the original 2015 rule's effective date as a means of providing certainty to stakeholders? Let me know if that is not correct .

- Jackie

Jackie Toth
CQ Legal
Energy, Environment Reporter-Analyst
O: 202-650-6518
C: Ex. 6 Personal Privacy (PP)
@JackieTothDC

On 6 November 2017 at 11:57, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Jackie—

For attribution to "an EPA spokesperson:"

The proposal is currently undergoing interagency review. After that review is complete and the proposal is signed, EPA will make it available for review and public comment.

The proposal undergoing interagency review is separate from the two-step process the agencies propose to take to replace the 2015 rule. The comment period for the Step 1 rule closed in September and the agency is currently working to review the comments received from the public. The agency is also in the process of holding listening sessions with states, tribes and stakeholders as we work to develop a proposed step 2 rule that would revise the definition of "waters of the United States." The agency is working expeditiously on both actions.

Best,

Tricia

From: Jackie Toth [mailto:jackietoth@cqrollcall.com]
Sent: Monday, November 06, 2017 10:28 AM
To: Press <Press@epa.gov>
Subject: Press re: WOTUS at OMB

Hi all,

What would the WOTUS effective date amendment now at OMB do? To which date is it being changed? Are there any other proposed changes to the rescission/replacement being made in this proposal?

Deadline is 1pm.

Thanks,

Jackie

Jackie Toth

CQ Legal

Energy, Environment Reporter-Analyst

O: 202-650-6518

C: Ex. 6 Personal Privacy (PP)

@JackieTothDC

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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: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 7/10/2019 4:00:22 PM
To: Bennett, Tate [Bennett.Tate@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]
CC: Mills, William T. [mills.williamt@epa.gov]
Subject: RE: CORRY/TATE: Sulfoxaflor materials
Attachments: TBSulfoxaflor Press Release 7-10-19_AD.docx; RMD_0710_Comms Roll-out Strategy - Sulfoxaflor 2019.docx

Additional edits from me. Adding the rollout plan, too.

From: Bennett, Tate
Sent: Wednesday, July 10, 2019 11:30 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Mills, William T. <mills.williamt@epa.gov>
Subject: RE: CORRY/TATE: Sulfoxaflor materials

See attached with my edits to the press release. Thomas, can you review the comms plan. We have already given some growers a heads up.

From: Drinkard, Andrea
Sent: Wednesday, July 10, 2019 10:48 AM
To: McFaul, Jessica <mcfaul.jessica@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Subject: FW: CORRY/TATE: Sulfoxaflor materials

Tate,

How do you want to handle this? Do you want to review first and then we'll take a look? Or other way around. Let me know…

From: Dunton, Cheryl
Sent: Wednesday, July 10, 2019 10:06 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: CORRY/TATE: Sulfoxaflor materials

FYI…

From: Daguillard, Robert
Sent: Wednesday, July 10, 2019 9:55 AM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>
Subject: CORRY/TATE: Sulfoxaflor materials

Colleagues, here are the updated Sulfoxaflor materials. Social media and exclusive interview talkers are still going through senior management review, but the attached should give you a pretty good idea of our messaging.

I'll liaise with Michael separately about the interview. Names on our list so far follow. Mike, let me know what/who else you'd like to target.

Outlet	Reporter	State/Region	Contact
Agri-Pulse	Steve Davies	National	steve@agri-pulse.com
Cromwell Ag Radio Network	Jeff Nalley	IL, IN, KY/4,5	jeffnalley@earthlink.net, Ex. 6 Personal Privacy (PP) (cell); 270-729-5112 (studio)
Farm Journal, AgDay Television	Clinton Griffiths	National	cgriffiths@farmjournal.com; (574) 284-3166
Southeast Ag Radio Network	Gary Cooper, President/CEO/Broadcaster	FL, GA, AL/4	gary@southeastagnet.com; (352) 671-1909
SuperTalk Mississippi, JT Show	Camie Crowe, Production Manager	MS/4	camie@telesouth.com

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Message

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 7/10/2019 2:48:00 PM
To: McFaul, Jessica [mcfaul.jessica@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Bennett, Tate [Bennett.Tate@epa.gov]
Subject: FW: CORRY/TATE: Sulfoxaflor materials
Attachments: Sulfoxaflor Press Release 7-10-19.docx; Sulfoxaflor Back Pocket QsAs (Internal) 7 10 2019 ds.docx; RMD_0710_Comms Roll-out Strategy - Sulfoxaflor 2019.docx

Tate,

How do you want to handle this? Do you want to review first and then we'll take a look? Or other way around. Let me know…

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Sent: Wednesday, July 10, 2019 10:06 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: CORRY/TATE: Sulfoxaflor materials

FYI…

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Sent: Wednesday, July 10, 2019 9:55 AM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Bennett, Tate <Bennett.Tate@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>
Subject: CORRY/TATE: Sulfoxaflor materials

Colleagues, here are the updated Sulfoxaflor materials. Social media and exclusive interview talkers are still going through senior management review, but the attached should give you a pretty good idea of our messaging.

I'll liaise with Michael separately about the interview. Names on our list so far follow. Mike, let me know what/who else you'd like to target.

Outlet	Reporter	State/Region	Contact
Agri-Pulse	Steve Davies	National	steve@agri-pulse.com
Cromwell Ag Radio Network	Jeff Nalley	IL, IN, KY/4,5	jeffnalley@earthlink.net, [redacted] Ex. 6 Personal Privacy (PP) (cell); 270-729-5112 (studio)
Farm Journal, AgDay Television	Clinton Griffiths	National	cgriffiths@farmjournal.com; (574) 284-3166
Southeast Ag Radio Network	Gary Cooper, President/CEO/Broadcaster	FL, GA, AL/4	gary@southeastagnet.com; (352) 671-1909
SuperTalk Mississippi, JT Show	Camie Crowe, Production Manager	MS/4	camie@telesouth.com

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Message

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 3/23/2017 7:19:50 PM
To: Millett, John [Millett.John@epa.gov]; Hyde, Courtney [Hyde.Courtney@epa.gov]
CC: Walters, Margaret [Walters.Margaret@epa.gov]; LaRue, Steven [LaRue.Steven@epa.gov]; Wolfe, Michael [Wolfe.Michael@epa.gov]
Subject: RE: Re: Media inquiry

I can do that.

From: Millett, John
Sent: Thursday, March 23, 2017 3:11 PM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Hyde, Courtney <Hyde.Courtney@epa.gov>
Cc: Walters, Margaret <Walters.Margaret@epa.gov>; LaRue, Steven <LaRue.Steven@epa.gov>; Wolfe, Michael <Wolfe.Michael@epa.gov>
Subject: RE: Re: Media inquiry

Ex. 5 Deliberative Process (DP)

From: Drinkard, Andrea
Sent: Thursday, March 23, 2017 3:06 PM
To: Hyde, Courtney <Hyde.Courtney@epa.gov>; Millett, John <Millett.John@epa.gov>
Cc: Walters, Margaret <Walters.Margaret@epa.gov>; LaRue, Steven <LaRue.Steven@epa.gov>; Wolfe, Michael <Wolfe.Michael@epa.gov>
Subject: RE: Re: Media inquiry

Ex. 5 Deliberative Process (DP)

From: Hyde, Courtney
Sent: Thursday, March 23, 2017 3:04 PM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Millett, John <Millett.John@epa.gov>
Cc: Walters, Margaret <Walters.Margaret@epa.gov>; LaRue, Steven <LaRue.Steven@epa.gov>; Wolfe, Michael <Wolfe.Michael@epa.gov>
Subject: FW: Re: Media inquiry

John and Andrea,

Please let me know how you want to handle.

Thanks
Courtney

From: Welderufael, Miriam
Sent: Thursday, March 23, 2017 2:45 PM
To: Walters, Margaret <Walters.Margaret@epa.gov>; Hyde, Courtney <Hyde.Courtney@epa.gov>
Subject: FW: Re: Media inquiry

Hi Courtney and Margaret,

A reporter requested, "data on what Energy Star programs are used in Kansas, and the annual expenditure of funds in Kansas for 10 years." OCFO doesn't have this information. Do you have something that we can send them?

You can see the thread below for more information.

Thank you,

Miriam

Miriam Welderufael
Public Affairs Specialist
EPA Office of Air and Radiation
Desk: 202-564-1810

From: Lynn, Tricia
Sent: Thursday, March 23, 2017 1:39 PM
To: Kelty, Diane <Kelty.Diane@epa.gov>
Cc: McMichael, Nate <McMichael.Nate@epa.gov>
Subject: FW: Re: Media inquiry

Hi Diane—

Please see the string below. The reporter came back with the following:

I still need the data on what Energy Star programs are used in Kansas, and the annual expenditure of funds in Kansas for 10 years.

Is this something you can answer, or do I need to go to the region? Something else?

Thanks so much,

Tricia

From: Lynn, Tricia
Sent: Thursday, March 23, 2017 9:52 AM
To: 'morgan.rothenberger@cjonline.com' <morgan.rothenberger@cjonline.com>
Subject: Re: Media inquiry

Morgan—

See below for EPA's response to your inquiry.

Best,

Tricia

EPA Response:

The budget blueprint reflects the President's priorities of preserving clean air and water as well as to ease the burden of costly regulations to industry. Administrator Pruitt is committed to leading the EPA in a more effective, more focused, less costly way as we partner with states to fulfill the agency's core mission

- For attribution to Julia Valentine, an EPA spokesperson

From: "Chilson, Morgan" <morgan.rothenberger@cjonline.com>
Date: March 21, 2017 at 3:27:31 PM EDT
To: "media@energystar.gov" <media@energystar.gov>
Subject: Media inquiry

Good afternoon:

I'm working on a story about potential cuts under the Trump budget proposal. I understand the Energy Star program may be cut. I'd like to narrow in on what Energy Star programs are utilized in Kansas, how such cuts would impact the state and also would like to see an annual expenditure of funds in Kansas through the past 10 years.

I'd also love to interview someone about Energy Star, its focus as a program, its accomplishments and tie in any Kansas numbers possible.

Thank you!
Morgan

Morgan Chilson
The Topeka Capital-Journal
Ex. 6 Personal Privacy (PP) cell
(785) 295-5659
@crazeywriter

Message

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 3/16/2017 6:28:14 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: MEDIA INQUIRY - Huffington Post. Energy Star. DDL: TODAY, 3/10/17 @ 4:30 PM

Thx!

From: Grantham, Nancy
Sent: Thursday, March 16, 2017 2:27 PM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: MEDIA INQUIRY - Huffington Post. Energy Star. DDL: TODAY, 3/10/17 @ 4:30 PM

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(mobile)**

From: Lynn, Tricia
Sent: Thursday, March 16, 2017 2:26 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: RE: MEDIA INQUIRY - Huffington Post. Energy Star. DDL: TODAY, 3/10/17 @ 4:30 PM

We ended up just giving them Robert's statement:

Dear Alexander,

For attribution to Julia Valentine or to, "an EPA spokesperson," please:

We are not commenting at this early stage in the process.

Thanks, R.

From: Grantham, Nancy
Sent: Thursday, March 16, 2017 2:19 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Subject: FW: MEDIA INQUIRY - Huffington Post. Energy Star. DDL: TODAY, 3/10/17 @ 4:30 PM

Can you send me how we answered this one?thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)

Ex. 6 Personal Privacy (PP) **(mobile)**

Sent: Friday, March 10, 2017 2:54 PM
To: Sharpe, Kristinn <Sharpe.Kristinn@epa.gov>
Cc: Welderufael, Miriam <welderufael.miriam@epa.gov>; VonDemHagen, Rebecca <VonDemHagen.Rebecca@epa.gov>
Subject: MEDIA INQUIRY - Huffington Post. Energy Star. DDL: TODAY, 3/10/17 @ 4:30 PM

Hi Kristinn—

We have a statement for questions 1 & 3, though I left them there so you'd know what the reporter's asking. Can you provide a response for #2 please?

Thanks!

--Tricia

Deadline: TODAY, 3/10/17 @ 4:30 PM
Outlet: Huffington Post
Reporter: Alexander Kaufman
alexander.kaufman@huffingtonpost.com

Context:

Reporter is working on a story, probably coming out later today, on how multiple industries -- including real estate, building, engineering, building management and more -- depend on the Energy Star program that is reportedly on the chopping block.

Reporter Questions:

1. Can you confirm that the program was flagged for phase out under the budget proposed by the administration?

2. The EPA funded the program last year to the tune of $50 million, with another $7 million coming from DOE, correct?

3. What private services would the EPA point to as possible alternatives or as models for how the program could function as a privatized institution?

Tricia Lynn
Office of Public Affairs
U.S. EPA
Office: 202.564.2615

Message

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 1/10/2018 4:49:04 PM
To: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Will call after 12.

From: Grantham, Nancy
Sent: Wednesday, January 10, 2018 11:47 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Need to connect with you on this thanks ng

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(mobile)**

From: Block, Molly
Sent: Wednesday, January 10, 2018 8:15 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: RE: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Pared it down a bit and no need for attribution because this is all background info.

On background:

Ex. 5 Deliberative Process (DP)

From: Jones, Enesta
Sent: Tuesday, January 9, 2018 5:27 PM
To: Press <Press@epa.gov>
Subject: For Review: Bloomberg Environment (Sylvia Carignan) re: PFAS at Superfund sites (Deadline: 1/9)

Background: Bloomberg Environment reporter is asking for the names and number of Superfund sites on the National Priorities List that are contaminated with the chemical, Per- and polyfluoroalkyl substances (PFAS). **Note:** Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Response input from OLEM. Sylvia Carignan, scarignan@bloombergenvironment.com

Suggested Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: "Carignan, Sylvia" <scarignan@bloombergenvironment.com>
Date: January 3, 2018 at 1:16:54 PM EST
To: Press <Press@epa.gov>
Subject: PFAS at Superfund sites

Hi all,

Happy new year! Hope you all got some time off. I'd like to follow up on something I heard about before the holidays:

It's my understanding that EPA has identified 32 federal and 15 non-federal NPL sites contaminated by PFAS. Could you provide the names of those sites?

And if there's an estimate of how many other NPL sites could be affected by PFAS, let me know about that as well. Dr. Tom Sinks had mentioned in a November presentation that there were likely "hundreds," but I'd like to know if EPA has a narrower estimate.

My deadline for this is Friday at 3 p.m.; let me know if that won't be enough time.

Best,
Sylvia

Sylvia Carignan
Reporter, Superfund and Waste

Bloomberg BNA
1801 S Bell St, Arlington VA 22202

Direct 703-341-3708
scarignan@bloombergenvironment.com

Message

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 8/23/2017 8:22:39 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]
Subject: Re: Media request on WOTUS effort

Helpful. Thank you.

Sent from my iPhone

On Aug 23, 2017, at 2:09 PM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Hi Jim—

For attribution to Amy Graham, EPA spokesperson:

Yes, the comment period was extended and the notice was published in the Federal Register yesterday, 8/22/17. EPA has received requests from the House and Senate, as well as various stakeholders requesting more time to prepare comments. To date, EPA has received over 100,000 comments.

As Administrator Pruitt says in the video, receiving public comments from across the country helps EPA make informed decisions on proposed rules. EPA's commitment to an open, transparent process to redefine WOTUS includes engagement with all stakeholders, especially those who felt their voices were ignored by the previous Administration.

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA
Office: 202.564.2615

From: Jim Myers [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Wednesday, August 23, 2017 9:37 AM
To: Press <Press@epa.gov>
Subject: Media request on WOTUS effort

Hello,

Just double checking to make sure I am reading the Federal Register correctly. Plus a few other questions.

Has the comment period on the effort to "fix" the 2015 WOTUS rule been extended from the Aug. 28 deadline to Sept. 27?

Who asked for extension and why?

How many public comments have been received so far?

Any comment on the concern some have expressed that Administrator Pruitt's comments urging ranchers and farmers to submit comments indicate a bias and that his mind on the issue has been made up?

Has he encouraged other groups to submit comments?

His comments in the video released by the beef group indicate he has decided the 2015 rule is unworkable and must be rescinded.

The comments he is seeking now is on how its replacement should be written.

Is that correct?

Thanks,

Jim Myers
Washington Correspondent
The Waterways Journal

cell: Ex. 6 Personal Privacy (PP)

Message

From: Drinkard, Andrea [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=808A6B7B65BF447F93DAD2F510FEAF61-ADRINKAR]
Sent: 3/26/2018 6:25:36 PM
To: Penman, Crystal [Penman.Crystal@epa.gov]
Subject: FW: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding
Attachments: Run.of.Show.March22.Draft5.docx

Current run of show for the calendar entry.

From: Vincent Morris [mailto:Vincent.Morris@dcwater.com]
Sent: Monday, March 26, 2018 11:10 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>; schafer, joan <schafer.joan@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi there Andrea
Thank you and that sounds great. Good to have Dave.
I have attached the first version of our run of show.
As you can see, Benita was slated to speak at 1:18 so I think we would likely place Dave into that slot.
This script will probably be tweaked a tiny bit between now and Wednesday but I will share whatever we edit.
Can we expect Dave to cover the same topics as Benita? Do you need anything else from us?
Thank you
Vince

From: Drinkard, Andrea [mailto:Drinkard.Andrea@epa.gov]
Sent: Monday, March 26, 2018 11:03 AM
To: schafer, joan <schafer.joan@epa.gov>; Vincent Morris <Vincent.Morris@dcwater.com>; Dennis, Allison <Dennis.Allison@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi Vince,

I have good news and bad news. The bad news is that Benita is out of the office this week and can't make it. The good news is that Dave Ross is in the office and he CAN make it! I hope this change will work for you.

Because Dave's time is tight, I was wondering if you could share your updated agenda/run of show for the event and any additional background that might be helpful for Dave's prep. Allison and Joan have brought me up to speed this morning, so I should be able to hit the ground running.

We're looking forward to a good event and hopefully some warmer weather!!

Thanks!

-Andrea-

Andrea Drinkard
Communications Director
EPA Office of Water
Desk: 202.564.1601
Cell: Ex. 6 Personal Privacy (PP)

From: schafer, joan
Sent: Monday, March 26, 2018 8:46 AM
To: Vincent Morris <Vincent.Morris@dcwater.com>; Dennis, Allison <Dennis.Allison@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Vince – Andrea is working on this issue for Allison – and she will be responding to your question later this morning.
I'm copying her to bring her into the conversation.
Thanks.

Joan T. Schafer, Senior Advisor
U.S. Environmental Protection Agency
Region 3 Office of Communications and Government Relations
1650 Arch Street
Philadelphia, PA 19103
215-814-5143 (ph)
Ex. 6 Personal Privacy (PP)

From: Vincent Morris [mailto:Vincent.Morris@dcwater.com]
Sent: Monday, March 26, 2018 8:40 AM
To: Dennis, Allison <Dennis.Allison@epa.gov>; schafer, joan <schafer.joan@epa.gov>
Cc: Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>
Subject: RE: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi Allison
Enjoy spring break. Do you all still expect Benita to attend and speak Wednesday or is it possible that someone else would represent EPA?
Thanks
Vince

From: Dennis, Allison [mailto:Dennis.Allison@epa.gov]
Sent: Thursday, March 22, 2018 8:44 PM
To: schafer, joan <schafer.joan@epa.gov>
Cc: Vincent Morris <Vincent.Morris@dcwater.com>; Mayer, Lauren <mayer.lauren@epa.gov>; Lieberman, Paige <Lieberman.Paige@epa.gov>

Subject: Re: Tunnel opening postponed - we will circle back to share new date & time shortly. Thank you for understanding

Hi Vince,

I will be out of the office next week. In my absence, please work with Paige and Lauren, both cced, as you work to identify a new date for this event. Thanks ! -Allison

Sent from my iPhone

On Mar 21, 2018, at 11:38 AM, schafer, joan <schafer.joan@epa.gov> wrote:

> Thanks, Vince. I'll let our region 3 folks know. Thanks.
>
> Sent from my iPhone
>
> On Mar 21, 2018, at 11:37 AM, Vincent Morris <Vincent.Morris@dcwater.com> wrote:

Vincent Morris| Government Relations & Media | External Affairs
DC Water | 5000 Overlook Avenue, SW, Washington, DC 20032
w. 202-787-2081 | c. Ex. 6 Personal Privacy (PP) | vincent.morris@dcwater.com

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/17/2017 12:21:37 PM
To: Press [Press@epa.gov]
Subject: Fwd: from Reuters reporter

FYI

Robert Daguillard
U.S Environmental Protection Agency
Office of Media Relations
Washington D.C.
+ 1 (202) 564-6618 (o)
Ex. 6 Personal Privacy (PP) (m)

Begin forwarded message:

From: <benjamin.klayman@thomsonreuters.com>
Date: March 16, 2017 at 5:58:31 PM EDT
To: <Daguillard.Robert@epa.gov>
Subject: RE: from Reuters reporter

FYI, just wanted to send you the story. Thanks for your help

Ben

Trump budget would slash cleanup of hazardous waste sites by 30 pct - Reuters News

16-Mar-2017 05:37:12 PM
By Ben Klayman

March 16 (Reuters) - Proponents of government efforts to clean up hazardous waste sites like radioactive soil buried in a St. Louis-area landfill fear the Trump administration's proposed 30 percent budget cut will slow or damage the already struggling Superfund program.

The White House budget proposal submitted to Congress on Thursday includes a 31 percent cut in spending for the U.S. Environmental Protecting Agency, including a similar reduction of the agency's Hazardous Substance Superfund Account by $330 million to $762 million.

The Superfund program, started in 1980, has been criticized over the years for its slow efforts to clean up hazardous waste sites, which now number more than 1,300 around the country.

Proponents argue that the EPA fights with one arm tied behind its back because its budget has been halved from $2 billion in recent years, while critics say what they characterize as a bloated bureaucracy should step out of the way and allow the states and private sector do the job faster, cheaper and more effectively.

"This is a program that is already a bit on life support, so to take another third out of it is really quite harmful," said Ken Kimmell, president of the Union of Concerned Scientists, which advocates for science-based solutions to problems.

Those who worry about the Superfund program's future are angry that EPA Administrator Scott Pruitt is already abandoning newly made promises, citing comments he made earlier this month to U.S. mayors. (Full Story)

On March 2, Pruitt said certain EPA programs, including the Superfund program, "are essential to protect."

An EPA spokeswoman said the focus for the agency has not changed, only how to achieve its mission.

"This budget helps refocus the agency on being more effective, more focused, and less costly," Julia Valentin said in an email. "It is about empowering the states to be primary implementers of environmental programs on the ground, rather than insist that EPA micromanage them."

DO IT WITH LESS

That is cold comfort to some living near Superfund sites, like Dawn Chapman, a 36-year-old stay-at-home mom who co-founded a group named "Just Moms" four years ago to bring attention to the plight of residents near the West Lake Landfill in Bridgeton, Missouri, about 20 miles (30 km) northeast of St. Louis.

The EPA last fall indefinitely delayed its proposal for how to clean up contaminated soil at the landfill, next to another site where an underground fire has been smoldering for several years. Residents complain of higher rates of cancers, bloody noses or asthma. (Full Story)

"I don't see how this is going to speed up anything," Chapman said of the proposed smaller budget.

Chapman, who has three children with special needs, is unsure whether the landfill is the cause of their issues. She wants the cleanup to move ahead, but is not confident the state could handle the matter any better.

Michael McKenna, a Republican strategist and energy lobbyist, said asking an organization to do their job with a little bit less is not unusual, and the EPA will find efficiencies.

"It's a bit premature to declare the sky is falling," he said.

Critics of the EPA said the agency needs to operate better with less, and work more closely with the private sector and states to get back to its core mission.

"The problem I have with the EPA, it's turned into more of an ideological group more concerned with spreading a liberal message (President Barack) Obama had," said Republican Senator James Inhofe of Oklahoma.

Inhofe has been critical of what he characterized as overreach by the EPA, as well as its rule making and bureaucracy under Obama.

However, some environmental groups argue that the shifting the work to the states is not the answer.

Mike Scott, a senior organizing representative with the Sierra Club in Montana, said that state got $37 million from the EPA last year for its 16 Superfund sites. He added that the state's Department of Environmental Quality gets almost half its annual budget from the EPA as well.

"Even if they say, 'We're going to shift this over to the states,' I don't understand how the states are going to have the resources to pay for it," Scott said.

Backers and critics of the program agree on one thing: The budget that comes out of Congress will look far different from the Trump proposal and likely will reverse some of the cuts to the Superfund program.

"We're in the first couple steps of a thousand-mile journey," McKenna said. "This is not where we're going to end."

(Reporting by Ben Klayman in Detroit; Editing by Jonathan Oatis)

((benjamin.klayman@thomsonreuters.com ; 313-600-2277; Reuters Messaging: benjamin.klayman.thomsonreuters.com@reuters.net))

Keywords: USA-TRUMP/BUDGET-SUPERFUND (PIX)

nL2N1GT1RH

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, March 16, 2017 3:03 PM
To: Klayman, Ben (Reuters News)
Subject: RE: from Reuters reporter

Sounds good.

From: benjamin.klayman@thomsonreuters.com [mailto:benjamin.klayman@thomsonreuters.com]
Sent: Thursday, March 16, 2017 2:59 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: from Reuters reporter

Tks, our writing style is spokesman or spokeswoman, so assume I should say spokeswoman?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, March 16, 2017 2:58 PM
To: Klayman, Ben (Reuters News)
Subject: RE: from Reuters reporter

Ben, for attribution to Julia Valentin or to "an EPA spokesperson," please:

Question: I have been tasked with doing a story on the proposed budget cuts for the Superfund program as outlined in the budget (copied below). I was hoping to speak with someone about whether the feeling is the program can operate efficiently with less money and/or will more responsibility for these clean-ups be shifted to the states? I am hoping to speak with someone as soon as possible.

EPA Answer:

Administrator Pruitt is committed to leading the EPA in a more effective, more focused, less costly way as we partner with states to fulfill the agency's core mission.

This budget helps refocus the Agency on being more effective, more focused, and less costly. It is about empowering the states to be primary implementers of environmental programs on the ground, rather than insist that EPA micromanage them.

From: benjamin.klayman@thomsonreuters.com [mailto:benjamin.klayman@thomsonreuters.com]
Sent: Thursday, March 16, 2017 11:20 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: from Reuters reporter

OK thanks, would welcome any comments in the interest of fairness and balance. If you have suggestions for others to reach out to, I welcome that to

---

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, March 16, 2017 11:17 AM
To: Klayman, Ben (Reuters News); Press
Subject: RE: from Reuters reporter

Hullo Benjamin,

For attribution to "an EPA spokesperson," please:

We'll get back to you if we have anything to share.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: benjamin.klayman@thomsonreuters.com [mailto:benjamin.klayman@thomsonreuters.com]
Sent: Thursday, March 16, 2017 11:11 AM
To: Press <Press@epa.gov>
Subject: from Reuters reporter

Hi all

I have been tasked with doing a story on the proposed budget cuts for the Superfund program as outlined in the budget (copied below). I was hoping to speak with someone about whether the feeling is the program can operate efficiently with less money and/or will more responsibility for these clean-ups be shifted to the states? I am hoping to speak with someone as soon as possible. Many thanks.

Ben

Reins in Superfund administrative costs and emphasizes efficiency efforts by funding the Hazardous Substance Superfund Account at $762 million, $330 million below the 2017 annualized CR level. The agency would prioritize the use of existing settlement funds to clean up hazardous waste sites and look for ways to remove some of the barriers that have delayed the program's ability to return sites to the community

Ben Klayman
Editor, U.S. General News - Central and West

Reuters News

Mobile: Ex. 6 Personal Privacy (PP)

benjamin.klayman@thomsonreuters.com

Message

From: Press [Press@epa.gov]
Sent: 2/15/2017 7:11:48 PM
To: jdlouhy1@bloomberg.net
CC: Valentine, Julia [Valentine.Julia@epa.gov]
Subject: Re: RFS question, Pruitt question

Hi Jen,

For attribution to the agency or an agency spokesperson.

We do not yet know how the Executive Order will be implemented. Guidance from OMB on how to implement the Executive Order between now and September 30 is still in draft form.

Regarding press lists, you are on our main list. We will double check to make sure you are on there with your correct email.

Thanks

Office of Public Affairs
US EPA Headquarters
Washington, DC

From: "Jennifer A. Dlouhy (BLOOMBERG/ WASHINGTO)" <jdlouhy1@bloomberg.net>
Date: February 15, 2017 at 11:48:56 AM EST
To: <Valentine.Julia@epa.gov>
Subject: RFS question, Pruitt question
Reply-To: "Jennifer A. Dlouhy" <jdlouhy1@bloomberg.net>

Julia, I sent this note directly to Doug and Nancy a couple days ago -- I meant to include you from the start -- and hadn't heard back. Can you help me clarify this?

Also, I'm not sure if you're maintaining any kind of press list for EPA regulars, but if you are, can you make sure I'm on it?

And, similarly, when there are any details, for planning purposes or otherwise, of any event marking Pruitt's arrival at EPA (including, possibly, his swearing in), can you share those with me? I would like to attend for color. Seems like that could take place Tuesday, assuming confirmation tomorrow/Friday.

Thanks,
Jen.

From: Jennifer A. Dlouhy (BLOOMBERG/ WASHINGTO)
Subject: Re:question on RFS rulemaking

Doug and Nancy,

Can you clarify whether the annual RVO rulemaking under the RFS is subject to the 2-for-1 regulation order -- and specifically, whether the annual renewable volume obligation rule would need to be offset by two others?

Thanks,
Jen.

Jennifer A. Dlouhy
jdlouhy1@bloomberg.net / Ex. 6 Personal Privacy (PP)
reporterjen@protonmail.com
Desk: 202.807.2159
Cell/Text/Signal: Ex. 6 Personal Privacy (PP)
Twitter: @jendlouhyhc
Stories: http://bloom.bg/23Crpvk

Message

From: Press [Press@epa.gov]
Sent: 2/13/2017 9:52:47 PM
To: Carignan, Sylvia [scarignan@bna.com]
Subject: RE: Barrasso letter [WARNING: DKIM validation failed]

Hi Sylvia,

We apologize for the delay in getting back to you.

For attribution to the agency or an agency spokesperson:
We are still reviewing the letter.

Thanks

Office of Public Affairs
US EPA Headquarters
Washington, DC

From: Carignan, Sylvia [mailto:scarignan@bna.com]
Sent: Monday, February 13, 2017 1:26 PM
To: Press <Press@epa.gov>
Subject: RE: Barrasso letter [WARNING: DKIM validation failed]

Hi again EPA – I'd still like a response to these inquiries today if possible.

From: Carignan, Sylvia
Sent: Friday, February 10, 2017 2:15 PM
To: 'press@epa.gov' <press@epa.gov>
Subject: Barrasso letter

Hi EPA,

Another question for today: regarding Sen. Barrasso's letter requesting an extension of the comment period for the CERCLA rule, was EPA already considering extending the comment period based on received comments? And if not, when will EPA make a decision whether or not to grant an extension?

My deadline on this is today at 4.

Thanks,
Sylvia

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>
Sylvia Carignan
Reporter, Superfund and Waste
Bloomberg BNA
1801 S Bell St, Arlington VA 22202
Direct 703-341-3708

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 2/9/2017 9:28:15 PM
To: Press [Press@epa.gov]
Subject: RE: Seeking clarification regarding your comment on the Pebble project

OK. Thank you!

On Thu, 2/9/17, Press <Press@epa.gov> wrote:

Subject: RE: Seeking clarification regarding your comment on the Pebble project
To: Ex. 6 Personal Privacy (PP)
Cc: "Lynn, Tricia" <lynn.tricia@epa.gov>
Date: Thursday, February 9, 2017, 1:21 PM

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_filtered #yiv0731305172 {margin:1.0in 1.0in 1.0in 1.0in;}
#yiv0731305172 div.yiv0731305172WordSection1
{}
#yiv0731305172

Ongoing litigation

Thanks

Office of Public
Affairs
US EPA Headquarters
Washington, DC

From: Ex. 6 Personal Privacy (PP)
[mailto: Ex. 6 Personal Privacy (PP)

Sent: Thursday, February 09, 2017 10:16 AM

To: Press <Press@epa.gov>

Subject: Seeking clarification regarding your comment
on the Pebble project

Hi,

I appreciate your
sending me the below comment on the Pebble
project.

But could you
please clarify. You say "pending litigation." Do
you mean additional litigation may come up? Or are you
referring to the ongoing litigation?

Many
thanks,

Sonya

**

Hi Sonya,

For attribution to the

agency or an agency spokesperson:

We cannot comment on matters involving

pending litigation.

Thanks

Office of Public

Affairs

US EPA Headquarters

Washington, DC

Message

From: Elliott, Dan [delliott@ap.org]
Sent: 2/9/2017 3:15:51 PM
To: Press [Press@epa.gov]
Subject: RE: Query from an Associated Press reporter
Attachments: removed.txt

Enesta:

Many thanks.

Dan

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) (Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St.
Suite 901
Denver, CO 80203

From: Press [mailto:Press@epa.gov]
Sent: Thursday, February 09, 2017 7:43 AM
To: Elliott, Dan
Cc: Jones, Enesta
Subject: RE: Query from an Associated Press reporter

Hi Dan,

For attribution to the agency or an agency spokesperson:

The methane rules for the oil and gas industry became effective on August 2, 2016. EPA is not aware of any companies that have been cited for violating the rules.

Thanks

Office of Public Affairs
US EPA Headquarters
Washington, DC

From: Elliott, Dan [mailto:delliott@ap.org]
Sent: Monday, February 06, 2017 7:13 PM
To: Press <Press@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: RE: Query from an Associated Press reporter

Dear Press Office and Enesta:

Thank you for this. It's very helpful.

A follow-up question:

- Has the EPA found anyone in violation of the oil and gas industry methane rules?
- If so, can you tell me how many violations have been found?
- What is the range of penalties that have been imposed?

Thanks.

Dan

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) (Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St.
Suite 901
Denver, CO 80203

From: Press [mailto:Press@epa.gov]
Sent: Monday, February 06, 2017 2:19 PM
To: Elliott, Dan
Cc: Jones, Enesta
Subject: RE: Query from an Associated Press reporter

Hi Dan,

Here are the responses you requested.

Sorry again for the delay.

Thanks

Office of Public Affairs
US EPA Headquarters
Washington, DC

Q: Do the EPA rules set emission limits or do they require producers to find and fix leaks, like the Colorado rules?
Response: EPA's 2016 standards require both emission limits and work practice standards to reduce emissions from several sources throughout the oil and gas industry. Standards for equipment such as centrifugal compressors and pneumatic pumps are in the form of a numeric limit (e.g., 95% reduction). The rule also includes work practice standards, such as the requirement to find and repair leaks at well sites and compressor stations.

Q: Were the EPA rules modeled on Colorado's, or did Colorado's rules influence the EPA'S?

Response: Before issuing the proposed regulations in 2015, EPA sought input from numerous stakeholders, including states like Colorado.

Q: How are the rules enforced, or how will they be enforced -- inspections, reporting, etc.?
Response: Typical practices for confirming rule compliance include on-site inspections, a review of reported records, and requests for additional information. Often, states, local authorities and tribes receive permission to enforce the rule directly (we call this "delegation), in which case both the state/local/tribe and EPA possess enforcement authority. In these cases, EPA collaborates with and/or conducts oversight of delegated state, local, and tribal enforcement responses and resolutions to ensure national consistency and a level playing field for all operators, regardless of the state/local/tribal land in which they are located.

If the EPA (or a delegated state/local/tribe) finds a rule violation, we may initiate enforcement proceedings to ensure a consistent application of the standards to each operator and a realization of the rule's emissions benefits to human health and the environment.

Q: Are the EPA rules in force now, or have they been blocked pending the resolution of legal challenges?
Response: The final rule went into effect on August 2, 2016.

Q: I know 15 states and the American Petroleum Institute have sued to block the rules. The states are AL, AZ, KS, KY, LA, MI, MT, NC, ND, OH, OK, SC, TX, WI, WV. Do you know of any others?
Response: Nine petitions have been received for judicial review of the Oil and Gas New Source Performance Standard. These were from:

- American Petroleum Institute
- GPA Midstream Association
- Independent Associations (Independent Petroleum Association of America, American Exploration & Production Council, Domestic Energy Producers Alliance, Eastern Kansas Oil & Gas Association, Illinois Oil & Gas Association, Independent Oil & Gas Association of West Virginia, Inc., Indiana Oil and Gas Association, International Association of Drilling Contractors, Kansas Independent Oil & Gas Association, Kentucky Oil & Gas Association, Michigan Oil and Gas Association, National Stripper Well Association, North Dakota Petroleum Council, Ohio Oil and Gas Association, Oklahoma Independent Petroleum Association, Pennsylvania Independent Oil & Gas Association, Texas Alliance of Energy Producers, Texas Independent Producers & Royalty Owners Association, and West Virginia Oil and Natural Gas Association)
- Interstate Natural Gas Association of America
- State of North Dakota
- State of Texas
- State of West Virginia, Alabama, Arizona, Kansas, Kentucky, Louisiana, Michigan, Montana, Ohio, Oklahoma, South Carolina, Wisconsin, North Carolina
- Texas Oil and Gas Association
- Western Energy Alliance

Two motions to intervene on EPA's behalf have also been filed:

- Natural Resources Defense Council, Environmental Defense Fund, Sierra Club, Clean Air Council, Earthworks, Environmental Integrity Project
- State of California, Connecticut, Illinois, New Mexico, New York, Oregon, Rhode Island, Vermont, Massachusetts, and the City of Chicago

More information: https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry

---

From: Elliott, Dan [mailto:delliott@ap.org]
Sent: Friday, February 03, 2017 8:30 PM

To: Press <Press@epa.gov>
Subject: Query from an Associated Press reporter

Greetings.

Can you please tell me the status of a request I sent to the EPA press office on Jan. 26, about the EPA's methane rules for the oil and gas industry?

Enesta Jones had been working on the answers but is currently out of the office. She told me my questions were moving through the review process.

Will you please let me know where things stand?

Here are my questions:

-- Is the new administration reviewing the rules, or does it plan to?
-- Does the new administration plan to change the rules in any way?
-- Do the EPA rules set emission limits or do they require producers to find and fix leaks, like the Colorado rules?
-- Were the EPA rules modeled on Colorado's, or did Colorado's rules influence the EPA'S?
-- How are the rules enforced, or how will they be enforced -- inspections, reporting, etc.?
-- Are the EPA rules in force now, or have they been blocked pending the resolution of legal challenges?
-- I know 15 states and the American Petroleum Institute have sued to block the rules. The states are AL, AZ, KS, KY, LA, MI, MT, NC, ND, OH, OK, SC, TX, WI, WV. Do you know of any others?

Thank you.

Dan Elliott
Associated Press, Denver

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St.
Suite 901
Denver, CO 80203

From: Elliott, Dan
Sent: Thursday, January 26, 2017 12:53 PM
To: 'Press'
Subject: Query from an Associated Press reporter

Greetings.

I have several questions about the EPA's oil and gas industry methane rules:

-- Is the new administration reviewing the rules, or does it plan to?
-- Does the new administration plan to change the rules in any way?
-- Do the EPA rules set emission limits or do they require producers to find and fix leaks, like the Colorado rules?
-- Were the EPA rules modeled on Colorado's, or did Colorado's rules influence the EPA'S?
-- How are the rules enforced, or how will they be enforced -- inspections, reporting, etc.?
-- Are the EPA rules in force now, or have they been blocked pending the resolution of legal challenges?
-- I know 15 states and the American Petroleum Institute have sued to block the rules. The states are AL, AZ, KS, KY, LA, MI, MT, NC, ND, OH, OK, SC, TX, WI, WV. Do you know of any others?

I don't have a firm deadline yet but would appreciate hearing back by Monday.

Thank you.

Dan Elliott

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St.
Suite 901
Denver, CO 80203

Message

From: Ex. 6 Personal Privacy (PP)
Sent: 2/9/2017 2:21:43 PM
To: Press [Press@epa.gov]
Subject: Re: Request for comment regarding Pebble mining project in Alaska

---
On Thu, 2/9/17, Press <Press@epa.gov> wrote:

Subject: Re: Request for comment regarding Pebble mining project in Alaska
To: Ex. 6 Personal Privacy (PP)
Cc: "Lynn, Tricia" <lynn.tricia@epa.gov>
Date: Thursday, February 9, 2017, 7:59 AM

Hi Tricia,
Well, sure took a while for that. Anyway, thank you and have a great day. I'm sure we'll be working together in the future.

Best,
Sonya

Hi Sonya,

For attribution to the
agency or an agency spokesperson:
We cannot comment on matters involving
pending litigation.

Thanks

Office of Public
Affairs
US EPA Headquarters
Washington, DC

From:
Ex. 6 Personal Privacy (PP)

Sent: Tuesday, February 07, 2017 3:33 PM

To: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Request for comment regarding Pebble mining
project in Alaska

Dear
Ms. Lynn,
I'm an editor/writer with
TheStreetSweeper working on a story about Northern
Dynasty's Pebble mining project in Alaska.
Northern has recently been quoted by
Bloomberg and Reuters regarding the EPA and the
controversial project. We would like to verify or debunk
this information
for readers.
Here
are my questions:
1.
Within the last six months
or so, has the EPA, EPA transition team or Myron Ebell held
discussions with Northern Dynasty (or its Pebble
subsidiary)?
2.
If so, was the company

told that the EPA may give in and allow the permit to proceed?
3.
Is the Pebble Project likely to be approved?

Thank you very much for your help on this deadline story. My deadline is at the end of the day today.
For reference, see the snapshots (with yellow highlighting relevant comments by Northern) and links to the stories below.

Sincerely,
Sonya
Colberg
405-513-8190

Message

From: Press [Press@epa.gov]
Sent: 2/9/2017 1:59:50 PM
To: Ex. 6 Personal Privacy (PP)
CC: Lynn, Tricia [lynn.tricia@epa.gov]
Subject: Re: Request for comment regarding Pebble mining project in Alaska

Hi Sonya,

For attribution to the agency or an agency spokesperson:
We cannot comment on matters involving pending litigation.

Thanks

Office of Public Affairs
US EPA Headquarters
Washington, DC

From: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, February 07, 2017 3:33 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Request for comment regarding Pebble mining project in Alaska

Dear Ms. Lynn,
I'm an editor/writer with TheStreetSweeper working on a story about Northern Dynasty's Pebble mining project in Alaska.
Northern has recently been quoted by Bloomberg and Reuters regarding the EPA and the controversial project. We would like to verify or debunk this information for readers.
Here are my questions:
1. Within the last six months or so, has the EPA, EPA transition team or Myron Ebell held discussions with Northern Dynasty (or its Pebble subsidiary)?
2. If so, was the company told that the EPA may give in and allow the permit to proceed?
3. Is the Pebble Project likely to be approved?

Thank you very much for your help on this deadline story. My deadline is at the end of the day today.

For reference, see the snapshots (with yellow highlighting relevant comments by Northern) and links to the stories below.

Sincerely,
Sonya Colberg
405-513-8190

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 2/2/2017 9:08:40 PM
To: Press [Press@epa.gov]
Subject: RESPONSE: PRESS BOX: TRANSITION - DDL 2/6- Inquiry from VICE News on HBO — TRI data removal?

Proposed response – with a couple of minor edits in the question about

"Dear Arielle, for attribution to U.S. EPA or to "an agency spokesperson," please.

In response to your question about agency communications:

Ex. 5 Deliberative Process (DP)

In response to your question about grants:

Ex. 5 Deliberative Process (DP)

In response to your question about Superfund:

Ex. 5 Deliberative Process (DP)

In response to your question about science:

Ex. 5 Deliberative Process (DP)

In response to your question about TRI.

Ex. 5 Deliberative Process (DP)

From: Daguillard, Robert
Sent: Tuesday, January 31, 2017 2:10 PM
To: Press <Press@epa.gov>
Subject: PRESS BOX: TRANSITION - Inquiry from VICE News on HBO — TRI data removal?

SUGGESTION:

1.
2. **Ex. 5 Deliberative Process (DP)**

VICE MEDIA LLC
Arielle Duhaime-Ross
arielle.dr@vice.com
Correspondent, VICE News Tonight on HBO

DEADLINE: Thursday, February 2.

1. That's good news. Thank you. As a follow-up, is there still a cap on EPA employees using social media or releasing fact sheets or scientific reports? There has been some confusion across federal agencies and I'd like to clarify those points. Can you also comment on the hiring and grant freeze? How long will it last? And has the Trump administration begun to review scientific reports prior to their release?

   Finally, I'd like to know if any of the new orders from the Trump administration will interfere with remediation efforts at Federal Superfund sites. Will these new policies affect efforts to clean sites?

2. A source of mine has noticed that the Toxic Release Inventory on the EPA website appears to be having some issues. I'm told that when people try to access the data, those pages have repeatedly crashed or showed an error message. Is something going on with the TRI? Are there any plans to remove it from the EPA website. I was told to refresh the page, but I wasn't told much else. So just to be sure: was there a bug with the TRI inventory page? A

Message

From: Bubenik, Travis D [tbubenik@houstonpublicmedia.org]
Sent: 6/24/2019 8:25:19 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Bubenik, Travis D [tbubenik@houstonpublicmedia.org]
CC: Press [Press@epa.gov]; Durant, Jennah [Durant.Jennah@epa.gov]; Hubbard, Joseph [Hubbard.Joseph@epa.gov]; Taheri, Diane [Taheri.Diane@epa.gov]; Bokun, Lisa [Bokun.Lisa@epa.gov]
Subject: RE: TRAVIS: Your questions on lead dust and lead-based paint?

Thanks very much,

Travis Bubenik
Energy & Environment Reporter
office 713-743-5793
mobile Ex. 6 Personal Privacy (PP)

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From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, June 24, 2019 3:22 PM
To: Bubenik, Travis D <tbubenik@houstonpublicmedia.org>
Cc: Press <Press@epa.gov>; Durant, Jennah <Durant.Jennah@epa.gov>; Hubbard, Joseph <Hubbard.Joseph@epa.gov>; Taheri, Diane <Taheri.Diane@epa.gov>; Bokun, Lisa <Bokun.Lisa@epa.gov>
Subject: RE: TRAVIS: Your questions on lead dust and lead-based paint?

Hey Travis,

For attribution to "an EPA Spokesperson," please:

While EPA is not proposing to change the clearance standards today, EPA does intend to review the clearance levels at a later date. EPA has initiated action on this issue under a separate rulemaking, entitled "Review of Post-Abatement Clearance Levels for Dust-lead" (RIN 2070-AK50), as noted in the Spring 2019 Unified Agenda of Regulatory and Deregulatory Actions.

EPA did not propose to change the post-abatement clearance levels in this rule because we focused this rulemaking on the dust lead hazard standard and the definition of lead based paint which were the subject of the underlying lawsuit.

While the final rule signed on Friday does not change the clearance levels under EPA's regulations, it will have the effect of changing clearance levels under HUD's Lead Safe Housing Rule (LSHR) because the LSHR cross-references EPA's dust-lead hazard standards (DLHS)

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
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From: Bubenik, Travis D <tbubenik@houstonpublicmedia.org>
Sent: Monday, June 24, 2019 3:58 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Bubenik, Travis D <tbubenik@houstonpublicmedia.org>
Cc: Press <Press@epa.gov>
Subject: RE: TRAVIS: Your questions on lead dust and lead-based paint?

Yea this is what I sent them: is there a timeline on a final rule in this related rulemaking about the clearance levels? (The critics' take is that the tightened standards aren't enough without the same changes to the clearance standards.)

Deadline tomorrow 5 PM CT is fine, thanks!

Travis Bubenik
Energy & Environment Reporter
office 713-743-5793
mobile Ex. 6 Personal Privacy (PP)

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From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, June 24, 2019 2:56 PM
To: Bubenik, Travis D <tbubenik@houstonpublicmedia.org>
Cc: Press <Press@epa.gov>
Subject: TRAVIS: Your questions on lead dust and lead-based paint?

Travis, I understand you have questions with our Dallas office regarding EPA's recent announcement on lead dust standards, as well as on lead-based paint.

What's your deadline, please?

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
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U.S. Environmental Protection Agency

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Message

From: Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]
Sent: 6/24/2019 4:42:45 PM
To: Press [Press@epa.gov]
Subject: For Review: interview with Salt Lake Tribune on cleanup database

Yue Stella Yu of the Salt Lake Tribune is hoping to speak with an EPA expert on the Cleanups in My Community Database. The interview would be for attribution and the interviewee would be Joe Macula who is the OLEM data expert on this topic. Steven and Peter have approved. Ok to set up?

From the reporter, Stella:
The purpose is not only for me to understand this database and use it, but how to explain it to my readers. Therefore, I do need to attribute whatever I learn about this database back to the EPA, because I can't be a more authoritative voice than the EPA.

At the very least, I hope you can provide me with the metadata of this database, if that makes sense. That might answer a lot of questions I have in mind, and it might save you time too.

For some records I have specifically about Utah, I can contact the property owners for further answers. I have two general questions you can probably answer for me: *among the records where cleanup is recorded as required*, why would some records have a redevelopment completion date but no cleanup completion date? And why would some records where cleanup appears to be accomplished but the cleaned up acre column is blank?

Maggie Sauerhage
Office of Public Affairs
U.S. Environmental Protection Agency
Office: (202) 564-0443
Cell: Ex. 6 Personal Privacy (PP)

Message

From: Kelly Franklin [kelly.franklin@chemicalwatch.com]
Sent: 6/24/2019 3:21:10 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Media inquiry: Letter from Dem Senators

Many thanks!

On Mon, 24 Jun 2019 at 10:26, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Thanks, Kelly,

For attribution to "an EPA Spokesperson," please:

As part of EPA's efforts to fully implement TSCA, Assistant Administrator Alexandra Dapolito Dunn will be briefing house and senate staff today. And we look forward to hearing their comments and recommendations in person.

For information on EPA's accomplishment under Lautenberg, read the blog on EPA's accomplishments by Alexandra Dapolito Dunn, Assistant Administrator for the Office of Chemical Safety and Pollution Prevention: https://blog.epa.gov/2019/06/17/lautenberg-chemical-safety-for-the-21st-century-act-three-years-of-safer-chemicals/

EPA has diligently worked to implement the first major update to an environmental statute in 20 years, making impressive progress and meeting all major deadlines - while ensuring the safety of chemicals in the marketplace, protecting human health and the environment, and advancing the Agency's core mission. EPA has increased transparency in our actions, including making available important information to protect public health and increasing stakeholder involvement in decision-making and has relied on the best available science.

Recent milestones include:

- Finalized rule to prohibit the manufacture (including import), processing, and distribution of methylene chloride in all paint removers for consumer use.
- Enhanced transparency by providing stakeholders and the public with more information on new chemicals undergoing review and how we conduct our reviews
- Strengthened asbestos regulation to close a dangerous loophole and protect consumers
- Selected 40 chemicals to begin prioritization process
- Identified chemicals being actively manufactured, processed and imported in the U.S. for the first time in 40 years
- Reviewed more than 2,000 new chemicals cases for unreasonable risks to health or the environment
- Released first draft risk evaluation for public comment for a chemical under amended TSCA

- Finalized four chemical safety framework rules
- Developed a strategy to reduce animal testing
- Issued final rule on reporting mercury manufacturing and imports and used this information to issue an initial inventory of mercury, supply, use, and trade in the U.S.
- Expanded access to chemical information for state, tribal, and local governments, and medical personnel and emergency responders
- Established policies and procedures allowing EPA to share more chemical information with the public while protecting verified CBI claims
- Released systematic review approach for public comment to guide
- Issued guidance to help stakeholders develop and submit draft risk evaluations to EPA
- Selected first 10 chemicals to undergo risk evaluation and issued documents describing uses to be included in the risk evaluations
- Established and held first meeting of Science Advisory Committee on Chemicals

Cheers, R.

Robert Daguillard
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From: Kelly Franklin <kelly.franklin@chemicalwatch.com>
Sent: Monday, June 24, 2019 10:24 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Media inquiry: Letter from Dem Senators

Thanks Robert. We were planning to put a story up in the next hour or so (before we lose the editors in the UK) covering the key points in the letter, but can always add a statement from EPA even after we publish.

On Mon, 24 Jun 2019 at 10:22, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Good morning Kelly,

Let me look into this for you. Are you on deadline?

Cheers, R.

Robert Daguillard
Communications Officer (Detail)

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Ex. 6 Personal Privacy (PP) (M)

From: Kelly Franklin <kelly.franklin@chemicalwatch.com>
Sent: Monday, June 24, 2019 10:08 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: Media inquiry: Letter from Dem Senators

Hi Robert,

I hope you're doing well. I wonder if the EPA has a statement prepared in response to the letter sent by Senate Democrats last week with respect to TSCA implementation?

Thanks,

Kelly

--

Kelly Franklin
North America Editor

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 6/21/2019 5:49:49 PM
To: Corbin Hiar [chiar@eenews.net]
CC: Press [Press@epa.gov]
Subject: RE: Senators to EPA: Stop Undermining Key Chemical Safety Law

Corbin, for attribution to "an EPA Spokesperson," please:

As part of EPA's efforts to fully implement TSCA, Assistant Administrator Alexandra Dapolito Dunn will be briefing house and senate staff today. And we look forward to hearing their comments and recommendations in person.

For information on EPA's accomplishment under Lautenberg, read the blog on EPA's accomplishments by Alexandra Dapolito Dunn, Assistant Administrator for the Office of Chemical Safety and Pollution Prevention: https://blog.epa.gov/2019/06/17/lautenberg-chemical-safety-for-the-21st-century-act-three-years-of-safer-chemicals/

EPA has diligently worked to implement the first major update to an environmental statute in 20 years, making impressive progress and meeting all major deadlines - while ensuring the safety of chemicals in the marketplace, protecting human health and the environment, and advancing the Agency's core mission. EPA has increased transparency in our actions, including making available important information to protect public health and increasing stakeholder involvement in decision-making and has relied on the best available science.

Recent milestones include:

- Finalized rule to prohibit the manufacture (including import), processing, and distribution of methylene chloride in all paint removers for consumer use.
- Enhanced transparency by providing stakeholders and the public with more information on new chemicals undergoing review and how we conduct our reviews
- Strengthened asbestos regulation to close a dangerous loophole and protect consumers
- Selected 40 chemicals to begin prioritization process
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- Issued guidance to help stakeholders develop and submit draft risk evaluations to EPA
- Selected first 10 chemicals to undergo risk evaluation and issued documents describing uses to be included in the risk evaluations
- Established and held first meeting of Science Advisory Committee on Chemicals

Cheers, R.

Robert Daguillard
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From: Corbin Hiar <chiar@eenews.net>
Sent: Friday, June 21, 2019 12:32 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Senators to EPA: Stop Undermining Key Chemical Safety Law

Anytime today. But ideally, we'd like to get something in from EPA before it goes out to readers.

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Friday, June 21, 2019 12:29 PM
To: Corbin Hiar <chiar@eenews.net>
Cc: Press <Press@epa.gov>
Subject: Re: Senators to EPA: Stop Undermining Key Chemical Safety Law

Hullo Corbin. How late can you update your story?

Robert Daguillard
Office of Media Relations
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Ex. 6 Personal Privacy (PP) **(M)**

On Jun 21, 2019, at 12:04 PM, Corbin Hiar <chiar@eenews.net> wrote:

> Sorry for the late notice, but please let me know before 1 p.m. if EPA has any comment on all this.
>
> ---
>
> **From:** Tom Udall Press Office <NEWS_PressOffice@tomudall.senate.gov>
> **Sent:** Friday, June 21, 2019 11:14 AM
> **To:** Tom Udall Press Office <NEWS_PressOffice@tomudall.senate.gov>
> **Subject:** Senators to EPA: Stop Undermining Key Chemical Safety Law
>
> **<image001.png>**
>
> **NEWS FROM THE UNITED STATES SENATE**
>
> **FOR IMMEDIATE RELEASE:** June 21, 2019
>
> **Senators to EPA: Stop Undermining Key Chemical Safety Law**

Udall, Booker, Markey, Merkley, & Whitehouse sound the alarm as Trump admin. waters down revamped Toxic Substances Control Act to protect chemical industry rather than public health

Three years after overwhelming, bipartisan passage of landmark legislation overhauling TSCA, senators raise concerns that Trump EPA's implementation of the law has gone dangerously off the rails

WASHINGTON – U.S. Senators Tom Udall (D-N.M.), Cory Booker (D-N.J.) Ed Markey (D-Mass.), Jeff Merkley (D-Ore.), and Sheldon Whitehouse (D-R.I.) sounded the alarm as the Trump administration continues to water down critical reforms to the Toxic Substances Control Act (TSCA) by undermining or skirting key provisions that were designed to protect the American public from exposure to dangerous chemicals. In a letter to Environmental Protection Agency (EPA) Administrator Andrew Wheeler, the senators demanded information about the EPA's implementation of the law, which has gone dangerously off the rails and put public health at risk.

Three years ago, Udall, along with Booker, Markey, Merkley, and Whitehouse, led passage of bipartisan landmark legislation, the *Frank R. Lautenberg Chemical Safety for the 21st Century Act*, to revamp and strengthen the badly outdated Toxic Substances Control Act of 1976. Among the reforms included in the law were key requirements to protect vulnerable populations – including children, pregnant women, the elderly, and chemical industry workers – and to evaluate and review the safety of all new and existing chemicals on the market.

In their letter, the senators raised serious concerns about several steps that the Trump EPA has taken since then to undermine the intent of the law by weakening or openly violating critical safeguards, including allowing chemicals onto the market without reviewing critical information about risks to public health; abandoning its responsibility to protect workers on the job; ignoring real-world exposure to chemicals in our air, water, and food; and withholding public access to critical health and safety information.

"Those reforms were intended to address longstanding structural problems with the original 1976 law that were broadly agreed to have stymied the Environmental Protection Agency's (EPA) authority to ensure that chemicals in and entering commerce are safe for human health and the environment," **the senators wrote.**
"Sadly, the implementation of the Lautenberg Act has deviated dramatically from Congress' intent and the new law's requirements," **they continued.** The senators detailed "some of the many serious problems with the actions taken by this Administration since January of 2017 – actions that have rendered the law's implementation weaker than even before the 2016 reforms."

"Each of us contributed a great deal of time and energy into the Congressional reform process of TSCA... [with] the goal of restoring public trust in the federal government's ability to protect the public from hazardous chemicals in commerce. Three years later, we are sorely disappointed with the direction the Administration has taken this landmark bipartisan law," **the senators concluded.**

To address their concerns, the senators demanded complete responses to a series of specific oversight questions about the EPA's failure of implementation as soon as possible.

The full text of the letter is available below and HERE.

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Dear Mr. Administrator:

Nearly three years ago, major reforms to the Toxic Substances Control Act (TSCA) were enacted by a strong bipartisan majority of both Houses of Congress, in the form of the Frank R. Lautenberg Chemical Safety for the 21st Century Act. Those reforms were intended to address longstanding structural problems with the original 1976 law that were broadly agreed to have stymied the Environmental Protection Agency's (EPA) authority to ensure that chemicals in and entering commerce are safe for human health and the environment.

These problems included debilitating constraints on EPA's ability to obtain and require the development of sufficient information on chemicals; the lack of a mandate for EPA to review and make affirmative risk findings on new chemicals prior to allowing them onto the market; the limited authority and mandate TSCA gave EPA to review the safety of chemicals already in commerce and regulate those that present unreasonable risk; and EPA's inability to share much of the chemical information it obtains with the public, or in the case of information deemed confidential, to share such information with other levels of government and health and environmental professionals.

The Lautenberg Act made improvements to address each of these problems. Among the many changes:

- *Section 4: enhanced EPA's information authorities by allowing EPA to issue orders to obtain information and removing the original law's requirement that EPA first show potential risk in order to require a company to test a chemical;*
- *Section 5: required EPA to make affirmative safety findings for each new chemical, taking into account reasonably foreseen as well as intended uses of the chemical and requiring EPA to issue binding orders on any new chemical that "may present an unreasonable risk" or lacked sufficient information for EPA to conduct a reasoned evaluation;*
- *Section 6: required EPA to establish a continuous "pipeline" process to prioritize existing chemicals in commerce; subject those deemed high-priority to robust risk evaluations that account for: the full lifecycle of the chemical; its intended, known and reasonably foreseen conditions of use; and its potential risks to all "potentially exposed or susceptible subpopulations" (including children and workers); and impose regulatory restrictions on any chemical found to "present an unreasonable risk" that are sufficient to mitigate those risks; and*
- *Section 14: required companies to substantiate and EPA to review many claims for protection from disclosure of confidential business information (CBI) and where approved to provide that such protection generally expires after 10 years unless a claim is reasserted and reapproved; reiterated that health and safety studies and related information are not eligible for CBI protection, subject to two narrow exceptions; and expanded authorized access to CBI to other levels of government and certain health and environmental professionals.*

Sadly, the implementation of the Lautenberg Act has deviated dramatically from Congress' intent and the new law's requirements. This letter describes some of the many serious problems with the actions taken by this Administration since January of 2017 – actions that have rendered the law's implementation weaker than even before the 2016 reforms.

For each of several major sections of TSCA as amended by the Lautenberg Act, we describe what was intended under the law, and provide some examples of how EPA's implementation has fallen short of or deviated from that intent. For each area of concern, we request EPA's prompt responses to the questions identified.

Section 4: EPA's failure to use its enhanced information authorities under TSCA

One of the areas of greatest bipartisan consensus in TSCA reform was the need to improve EPA's ability to readily obtain more robust information on chemicals, including data on exposure pathways and extent of exposure. It is impossible to ensure the safety of chemicals and protect

human health and the environment without having solid information about a chemical's risks. That's just common sense.

Under the 2016 reforms to TSCA, EPA can now readily acquire information where needed to review new chemicals or to prioritize or review the risks of a chemical already on the market. The law also makes clear that EPA can require the development of real-world exposure information.

Yet in the nearly 3 years since passage of TSCA reform, EPA has not once used these new authorities, and seems to be avoiding using them at all costs – even where there are critical information gaps. For example, in a recent draft risk evaluation for Pigment Violet 29, EPA relied exclusively on an unsupported guesstimate from a company representative for the level of workplace exposure to a chemical, rather than using its authority to require actual workplace monitoring.

1. Why has EPA failed to use its information authorities?

2. Is there a policy at the agency that discourages use of such authorities?

3. Is there a policy for determining when such authorities are to be used?

4. Please share any existing policies with the committee by the end of June 2019.

5. EPA received public comments on the first 10 chemicals it is reviewing under TSCA that identified serious information gaps. Yet EPA has already stated publicly that it does not intend to use these authorities for any of the first 10 chemicals. Please explain this decision.

a. *Has EPA documented the basis for its decision not to rely on these authorities with respect to the first 10 chemicals?*

b. *If so, please provide documents related to this decision.*

6. Has EPA considered using any of these information authorities when assessing a new chemical since passage of the Lautenberg Act?

a. *If so, please provide any documentation related to those decisions.*

b. *If not, why EPA has not considered using its information authorities when assessing any of the approximately 2,500 new chemical submissions it has reviewed over this time period?*

c. *Has EPA requested or required—and received—any vertebrate animal or non/vertebrate or non-animal toxicity information?*

The law's vertebrate animal testing provisions in no way limit EPA's testing authorities; they simply call for EPA to rely on methods not involving vertebrate animals where such methods can provide information of equivalent or better scientific quality and relevance than vertebrate animal tests.

7. Does EPA consider that the law in any manner constrains EPA's authority to request or require testing if the needed test is an animal test? If so, please indicate where such a constraint is stated in the law.

8. Has EPA requested or required the use of any tests, whether involving vertebrate animals or not, using its section 4 authorities since passage of the Lautenberg Act?

9. In order for the public to understand how EPA's use of its information authorities affects the information that EPA receives, when and how will EPA make publicly available any:

a. *voluntary exposure and toxicity information it receives for new or existing chemicals,*

b. *any requests or requirements EPA issues regarding new or existing chemicals, and*

c. *exposure or toxicity information it receives as a result of such requests or requirements?*

10. EPA has stated that the agency intends to rely principally or entirely on voluntary submissions of information.

a. *Please describe any steps that the EPA has taken to that it obtains all reasonably available information through voluntary submissions.*

b. *Please describe any steps that the EPA has taken to ensure that all companies with relevant information choose to provide information.*

c. *Please describe any steps that the EPA has taken to ensure that companies do not choose not to provide information that is unfavorable to their chemicals or that they for some other reason do not wish to provide EPA or have be made public.*

11. Does EPA have a written policy or procedure to prevent receiving only incomplete or biased information when relying solely on voluntary submissions? If so, please provide them.

Section 5, part 1: EPA's failure to protect workers when reviewing new chemicals under TSCA

Congress gave EPA authority to regulate chemicals that may present risks to workers when TSCA was first enacted in 1976. Bipartisan TSCA reform in 2016 strengthened this authority by explicitly naming workers as a "potentially exposed or susceptible subpopulation" and requiring that EPA consider and address potential risks to workers when assessing new or existing chemicals.

Every year, industry submits 1,000 or so new chemical notices that EPA must review before the chemicals can enter the market. As part of this review, Congress told EPA to determine whether any of these chemicals "may present an unreasonable risk" to workers, using TSCA's health standard, which is much more stringent than the Occupational Safety and Health Administration's (OSHA) workplace standards. Where potential risks to workers are identified under TSCA, EPA must mitigate or eliminate those risks.

Unfortunately, EPA is failing to carry out the law and is putting the health of American workers in jeopardy. Even where EPA finds a new chemical does or may present serious risks to workers, the agency is allowing that chemical onto the market without imposing any conditions to protect the workers. EPA's only justification for this is that it simply "expects" that workers will protect themselves from harmful workplace exposures by wearing personal protective equipment (PPE) that the company is not required to provide or train workers to use properly. In doing this, EPA is deferring to OSHA regulations that allow workers to be exposed to chemical risks that are a thousand or more times higher than are acceptable under TSCA.

12. Why is EPA failing to carry out its duty to ensure workers are protected under TSCA, and is instead deferring to the much weaker health standards and regulations of OSHA?

13. On what legal basis is EPA allowing, without any conditions or restrictions, new chemicals onto the market that may present risk to workers, when the law clearly requires EPA to regulate such chemicals?

a. *What actual evidence does the agency have that American workers will be sufficiently protected once these chemicals are on the market?*

14. Please promptly provide us with your new chemicals decision-making policies that set forth the legal basis for your decisions regarding worker safety, along with any evidence that workers are being sufficiently protected under your approach. If you lack any such written policies or evidence, please explain why EPA has consistently applied this approach to so many of its recent new chemicals decisions?

Section 5, part 2: EPA's failure to adequately identify and review "reasonably foreseen" conditions of use when reviewing new chemicals under TSCA

When reviewing a new chemical, EPA is directed by statute to examine the chemical under its "conditions of use," defined in TSCA as "the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of." In the context of new chemicals, Congress's inclusion of a requirement for EPA to examine "reasonably foreseen" activities is particularly noteworthy. Where EPA determines that a new chemical "is not likely to present an unreasonable risk" and the notifying company commences manufacture, that chemical is then placed on the TSCA Inventory and other companies can make or use that chemical at will without any notification to or review by EPA. Such a chemical may be produced or used in amounts or in ways that the original company did not intend at the time it first notified EPA of the new chemical. The risks of these additional activities, in combination with those from the originally intended activities, could well increase to a point where EPA would find that the chemical "presents" or "may present" an unreasonable risk. Hence it is vital that EPA consider both intended and reasonably foreseen activities in its initial review.

Unfortunately, EPA has attempted to skirt this requirement for an integrated assessment of both intended and reasonably foreseen conditions of use in several ways that are contrary to what TSCA requires:

- *For most new chemicals EPA has reviewed in recent months, it simply asserts there are no such reasonably foreseen uses.*
- *For most of the small subset of such new chemicals where EPA does identify a reasonably foreseen use, it merely states without providing any analysis that it expects that use to present no greater risk than the intended use. By doing this, EPA not only fails to demonstrate that the reasonably foreseen use is not likely to present an unreasonable risk; it also fails to consider that the combination of use could present such a risk.*
- *For the remaining few new chemicals where EPA does identify a reasonably foreseen use and identifies some potential concern with that use, EPA has separately promulgated a Significant New Use Rule (SNUR) that requires a company to notify EPA prior to engaging in that reasonably foreseen use. However, in these SNURs, EPA has not made clear that it would assess the potential exposure and risks from that use in combination with the already approved intended uses as part of its review of any such notice.*

None of these recent policy changes to EPA's examination of new chemicals' conditions of use has been made public or subject to a public comment opportunity. While certain aspects of the third case outlined above appear to mirror aspects of EPA's November 2017 "decision-making framework" that was subject to public comment, EPA has never responded to those public comments, and when a lawsuit challenged that earlier framework, EPA did not apply the framework until the lawsuit was dismissed, apparently to evade judicial review of the framework.

15. Why has EPA implemented these new "reasonably foreseen" policies for months now without publicly describing them and allowing the public an opportunity to comment on them?

16. We expect that EPA has put its new policies and procedures in writing for internal use. Please provide us with copies. If written copies are not available, please explain how EPA is making decisions concerning new chemicals without such written policies.

17. What are EPA's plans to publish and take public comment on its current decision-making framework, including the legal and scientific justifications for it?

18. On what statutory basis does EPA believe it has authority to separate its consideration of potential risks arising from intended vs. reasonably foreseen conditions of use of a new chemical, given TSCA's clear mandate that they be assessed together?

Section 6: EPA's failure to assess even known conditions of use and pathways of exposure in conducting risk evaluations of existing chemicals under TSCA

The 2016 reforms to TSCA strengthened EPA's authority and mandate to conduct comprehensive, robust evaluations of potential risks posed by chemicals in commerce. As mentioned above, EPA is required to determine whether a chemical substance, as a whole, presents an unreasonable risk under its conditions of use. To do so, EPA must evaluate potential risks arising from activities across the entire lifecycle of a chemical, and it must consider all "known" and "reasonably foreseen" circumstances, not just those "intended" by a company making or using a chemical.

Yet EPA has sought in numerous ways to limit the scope of its risk evaluations and risk determinations. First, in its final Risk Evaluation Rule, EPA reversed course from its proposed rule and asserted sweeping authority to pick and choose what activities and what exposures it includes in its risk evaluation of a chemical. EPA claimed it could ignore any exposure to a chemical that also falls under the authority of another agency, such as OSHA, regardless of whether that agency has actually taken any action to mitigate the risks of the chemical. EPA also stated that it will exclude what it called "legacy" activities associated with a chemical. Even when a chemical is still being used or disposed of, EPA asserted that it could ignore exposures from those "legacy" activities if a chemical was not being actively manufactured for those uses. For example, EPA will ignore known exposures to: flame retardants that have been voluntarily phased out but are still present in millions of items of furniture still in active use; and to asbestos in insulation that remains in place in millions of homes, schools and other buildings. EPA will not only be ignoring exposures that clearly contribute to ongoing risks, it will do so even where no law or regulation prevents companies from resuming production of a chemical that has been voluntarily phased out.

But EPA has not stopped there. It has already begun to conduct risk evaluations that exclude most or all pathways of exposure to a chemical that fall under the jurisdiction of another statute that EPA administers. This means EPA will not account for the human health or environmental risks of releases and exposures to chemicals in air, surface, ground or drinking water, or wastes, no matter how they are disposed of. Not only will EPA ignore the contribution to overall exposure of environmental releases that are actually regulated under another law; it will also do so when no regulation has been issued at all for a chemical under another law--merely because EPA could in principle regulate the chemical in the future.

The magnitude of the exposures EPA is zeroing out of its risk evaluations is enormous. For just seven of the first 10 chemicals undergoing risk evaluations under TSCA, EPA's own data indicate that 66 million pounds are released every year to the air, water and land – even after accounting for any regulations of these chemicals in place under another law.

Finally, while TSCA requires EPA to determine whether a chemical as a whole, not individual uses of a chemical, poses an unreasonable risk, EPA has asserted that it can make use-by-use determinations of no unreasonable risk, without ever considering the combined exposures from multiple uses of the same chemical.

All of these assertions of authority are contrary to both the letter and the spirit of reformed TSCA, which was intended to ensure that EPA's chemical risk assessments accounted for chemical exposures in the real world, where people are exposed to chemicals at work and at home, and through air, water and food as well as through the use of products.

19. How does EPA's exclusion of known uses and exposures to chemicals represent use of the "best available science," as required under TSCA section 26(h)?

20. How is EPA complying with TSCA section 26(k)'s requirement that EPA consider all reasonably available information when EPA ignores known uses and exposures to chemicals?

21. Please identify the specific language in TSCA that authorizes EPA to make risk determinations on individual uses of a chemical, rather than on the chemical as a whole, thereby not accounting for the potential for people or the environment to be exposed to a chemical in multiple ways.

22. Please identify the specific language in TSCA that authorizes EPA not to account for exposures from use or disposal of a chemical where that chemical is not currently manufactured for such a use.

23. How will EPA ensure that it meets its obligation under TSCA to protect against unreasonable risk, including risk to vulnerable subpopulations, if it defers to other agencies or EPA-administered statutes that use health standards that differ significantly from TSCA's and do not require protection of vulnerable subpopulations?

24. While EPA has announced these policies in its final framework rule and risk evaluation scopes and problem formulations, EPA has provided relatively little explanation of the legal basis for these approaches. Does EPA have a more robust legal analysis justifying these approaches? If so, please provide it/them.

Section 14: EPA's failure to provide timely public access to non-confidential information and access by eligible parties to confidential business information under TSCA

A key aim of TSCA even as originally enacted in 1976 was to ensure there is adequate information available on the potential health and environmental effects of chemicals. Congress clearly identified this aim in the first item articulated in TSCA's policy section 2(b)(1). TSCA also called on EPA to play a central role in providing broad access to such information on chemicals, while protecting legitimate confidential business information (CBI). Both roles are specified in TSCA section 14.

The 2016 TSCA amendments made major changes to section 14, enhancing requirements for companies' assertion and substantiation, and EPA's review, of CBI claims; for providing public access to chemical information; and for providing expanded access to CBI:

- *CBI claims must be asserted at the time information is submitted to EPA. Except for certain specific types of information, all CBI claims must also be substantiated at that time.*
- *Health and safety studies and their underlying information are not eligible for CBI protection, subject to two narrow exceptions.*
- *EPA must review all CBI claims made to protect a chemical's identity, and at least 25% of all other types of CBI claims, except for those specifically exempted from substantiation. EPA must conduct its review and make a determination on each CBI claim within 90 days of its receipt. Any claim approved expires after 10 years unless reasserted and reviewed and approved by EPA.*
- *A public "unique identifier" must be assigned to any confidential chemical identity and used to "tag" all other information EPA has or receives on that chemical.*
- *Subject to certain conditions, EPA is to provide access to CBI by state, local and tribal governments, associated health and environmental professionals, medical personnel and first responders.*
- *EPA is to establish a "request and notification system" to provide "expedient and swift access" to CBI by government-associated health and environmental professionals, medical personnel and first responders.*

These provisions of amended TSCA were immediately effective. Yet nearly three years after enactment, there is little evidence that EPA is effectively implementing these provisions or requiring compliance with them. Foremost among our concerns is EPA's failure to provide any means for the public to know about and have confidence in the extent of EPA CBI reviews, the determinations being reached, and the provision of access to information the law requires be provided. Some specific examples are listed below:

- *EPA has provided no public accounting of how many CBI claims it has received and for what types of information; how many claims it has reviewed and within what timeframe; or the outcomes of any of the claim reviews it has conducted.*
- *While section 26(j) of TSCA requires EPA to make all of its determinations public, EPA has yet to do so for even a single CBI claim determination.*

- *Last December, EPA for the first time published a list of "unique identifiers" it had assigned to chemicals for the identities of which it had approved CBI claims. The list contained only 157 entries, and the most recent assignment dated back to August 2017, more than 18 months ago. Yet EPA has allowed the identities of hundreds of additional chemicals to be hidden from the public without assigning a unique identifier. For example, as of the end of January of this year, EPA had failed to assign a unique identifier to at least 270 new chemicals that have commenced manufacture and that are identified only by a generic name indicating EPA has allowed the specific name to be kept confidential.*
- *EPA appears to have made no progress at all toward establishing the "request and notification system" required under TSCA section 14(g)(3). That system is vital to ensuring that government-associated health and environmental professionals, medical personnel and first responders can gain access to confidential information they need to do their jobs.*

Meanwhile, EPA has withheld health and safety studies or their underlying information from the public pertaining to the first chemical subject to a risk evaluation under TSCA, called Pigment Violet 29. Initially EPA erroneously asserted that such information was eligible for CBI protection under TSCA and was being withheld from the public on that basis. When that argument was rebutted, EPA acknowledged it had erred – but then came up with a different legal theory for withholding information that Congress clearly intended be publicly accessible.

Stakeholders report that when they have raised concerns about many of these issues to EPA staff, they have repeatedly been told that the agency does not have sufficient resources to carry out its duties under section 14. Yet comments received by the agency on its proposed user fee rule pointed to EPA's severe underestimation of its costs for implementing these requirements of amended TSCA and urged EPA both to provide a fuller accounting of its expenses and to increase the amount of fees it was to collect to help offset these costs. Despite these concerns being voiced, EPA made no changes either to its cost estimate or to its fee structure.

25. When can we expect to see real progress in the agency's meeting its duties under TSCA section 14? Specifically:

a. *When will EPA provide a public accounting of how many CBI claims it has received and for what types of information; how many claims it has reviewed and within what timeframe; and the outcomes of (i.e., determinations on) the claim reviews it has conducted, as required?*
b. *b. When will EPA make public a current and complete list of "unique identifiers" for chemical identities for which EPA has approved CBI claims, which are essential for the public to identify other information EPA has on those chemicals?*
c. *c. When will government-associated health and environmental professionals, medical personnel and first responders be able to access the confidential information they need to do their jobs through the "request and notification system" for CBI access required under TSCA?*
d. *d. When will EPA make public health and safety studies and associated information on chemicals, which are not eligible for protection as CBI under TSCA?*

Each of us contributed a great deal of time and energy into the Congressional reform process of TSCA with a wide variety of stakeholders from the environmental, health and business sectors. We all had the goal of restoring public trust in the federal government's ability to protect the public from hazardous chemicals in commerce. Three years later, we are sorely disappointed with the direction the Administration has taken this landmark bipartisan law. Your response to these questions in a timely manner would be appreciated so we can begin the process of turning implementation of the new TSCA in the right direction.

Respectfully,

###

Contacts: Ned Adriance (Udall), 202.228.6870 / Kristin Lynch (Booker), 202.597.4071 / Giselle Barry (Markey) 202.224.2742 / Martina McLennan (Merkley), 202.224.3753 / Meaghan McCabe (Whitehouse), 401.453.5294

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 6/21/2019 2:46:33 PM
To: Meg Cunningham [meg.cunningham@fiscalnote.com]
CC: Press [Press@epa.gov]
Subject: RE: Press Inquiry from CQ Roll Cal

Meg, for attribution to "an EPA Spokesperson," please:

1. **The House is aiming to appropriate $9.52 billion to the EPA overall, and a bit more to the SRF program. How are you all looking to use that money within the program, if the bill were to pass as is?**

We'll refer you to the language and numbers in the bill.

2. **The SRF provides the lowest interest financing on the market, but some states are still struggling to properly take full advantage of that. The GAO recommended, and the EPA agreed with that recommendation, that the administration process can be streamlined. What have you found is helping the most when it comes to clarifying administrative roles? There is more money allocated for just that, will that help?**

Ensuring that SRF funds are being fully utilized to address pressing environmental and public health challenges remains one of EPA's top priorities. Working with the states, EPA is actively pursuing an initiative to increase outreach and raise the profile of the SRF. Through this effort, EPA continues to disseminate a variety of resources through its SRF websites that clearly communicate the program's broad project eligibilities and affordable financing options. Additionally, EPA has worked with states to identify ways by which the SRF can be further streamlined to assist potential borrowers seeking funding. Finally, EPA continues to conduct workshops and webinars that cover a variety of topics, ranging from best practices state can undertake when managing the SRF to how the SRF's inherent flexibility can fund innovative solutions to our nation's most pressing wastewater and drinking water needs. For example, EPA has an upcoming webinar covering how an effective cash management strategy can expand the reach of the SRF funding.

3. **This program is a small piece of the puzzle when it comes to funding water updating projects. Where else can states turn for financing when they struggle to pass rate increases, etc?**

In addition to the SRFs, EPA issues loans for water infrastructure through the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA) program. WIFIA is a federal credit program administered by EPA for eligible water and wastewater infrastructure projects. The WIFIA program accelerates investment in our nation's water infrastructure by providing long-term, low-cost supplemental loans for regionally and nationally significant projects.

Cheers, R.

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Ex. 6 Personal Privacy (PP) (M)

From: Meg Cunningham <meg.cunningham@fiscalnote.com>
Sent: Tuesday, June 18, 2019 2:24 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Press Inquiry from CQ Roll Cal

Sure thing.

-The House is aiming to appropriate $9.52 billion to the EPA overall, and a bit more to the SRF program. How are you all looking to use that money within the program, if the bill were to pass as is?

-The SRF provides the lowest interest financing on the market, but some states are still struggling to properly take full advantage of that. The GAO recommended, and the EPA agreed with that recommendation, that the administration process can be streamlined. What have you found is helping the most when it comes to clarifying administrative roles? There is more money allocated for just that, will that help?

-This program is a small piece of the puzzle when it comes to funding water updating projects. Where else can states turn for financing when they struggle to pass rate increases, etc?

Those are the main points I am looking to hit on.

Thanks a million!
Meg

On Tue, Jun 18, 2019 at 2:00 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Got it. Can you send specific questions, so I know what office to get in touch with?
>
> Cheers, R.
>
> Robert Daguillard
>
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>
> U.S. Environmental Protection Agency
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> Ex. 6 Personal Privacy (PP) (M)
>
> **From:** Meg Cunningham <meg.cunningham@fiscalnote.com>
> **Sent:** Tuesday, June 18, 2019 1:58 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Re: Press Inquiry from CQ Roll Cal
>
> Hey there,

I'm referring to the IE appropriations bill for FY20. Specifically within that, what they have allocated toward you all and the SRF program. Looking to chat administrative costs and how states can take advantage!

We are planning for publication as soon as possible.

On Tue, Jun 18, 2019 at 1:55 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Meg,

Thanks for reaching out. Are you referencing a specific document, BTW? And I'm aware of your Thursday deadline – COB, presumably? -, but when are you planning to publish?

Cheers, R.

Robert Daguillard

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Ex. 6 Personal Privacy (PP) (M)

From: Meg Cunningham <megcunningham@cqrollcall.com>
Sent: Tuesday, June 18, 2019 1:34 PM
To: Press <Press@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: Press Inquiry from CQ Roll Cal

Hey there,

My name is Meg Cunningham with CQ Roll Call. I'm looking to chat with the appropriate party about the IE appropriations to the state revolving fund and WIFIA. I'd just need comment on what we are looking at going into FY20. Shouldn't take more than 10-15.

My deadline for this is COB Thursday. Let me know if we can get something arranged!

All the best,

Meg

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 6/20/2019 7:11:10 PM
To: Ortiz, Jillian (NBCUniversal) [Jillian.Ortiz@nbcuni.com]
CC: Press [Press@epa.gov]
Subject: Re: Subject: Mosquito Repellent Incense Sticks Inquiry - 11:00am Deadline

Dear Jillian, for attribution to "an EPA Spokesperson," please.

1. **Do citronella incense provide a safer approach to preventing mosquito bites?**

EPA has determined that certain "minimum risk pesticides" pose little to no risk to human health or the environment. Many citronella products are exempt from registration due to qualifying as minimum risk pesticides. The sticks mentioned above are not registered with the EPA so we have no data to evaluate whether or not they work.

2. **Is DEET harmful for human skin?**

EPA believes that the normal use of DEET does not present a health concern to the general population, including children. EPA's human health risk assessment for DEET concluded that there are no risks of concern because no toxic effects have been identified when DEET is used as a dermally applied insect repellent. As always, consumers are advised to read and follow label directions in using any pesticide product, including insect repellents. Find more information on DEET.

3. **Is it better to use a repellent with DEET or without?**

Mosquito repellents registered by EPA can be expected to repel mosquitoes. Choosing which repellent to use is a personal decision based on individual circumstances. Look for an EPA registration number (EPA Reg. No.) on the insect repellent product label. This registration number means the company provided EPA with technical information on the effectiveness of the product.

4. **Some homeowners tend to spray their yard for mosquitoes, is this a popular and effective method?**

Mosquito-control products registered by EPA can be expected to control mosquitos when used according to their labelling. EPA does not track the "popularity" of pesticides; we evaluate them for efficacy and any unreasonable adverse effects.

5. **Only skin-applied repellent products are registered with the search tool on the website for insect repellent. Are other methods to preventing mosquito bites less effective?**

Not necessarily. Skin-applied repellents are just one way to prevent mosquito bites. EPA's website gives more instruction on how best to prevent bites.

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On Jun 19, 2019, at 11:37 AM, Ortiz, Jillian (NBCUniversal) <Jillian.Ortiz@nbcuni.com> wrote:

Dear Mr. Daguillard,

Thank you so much for your prompt response. I realize the deadline did not provide an ample amount of time for a proper response, so I want to apologize. I would sincerely appreciate the opportunity to further discuss my inquiry, if possible.

I can definitely extend the deadline to the end of the day, although we are aiming to publish the article as soon as possible.

Best,
Jillian Ortiz

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, June 19, 2019 11:12 AM
To: Ortiz, Jillian (NBCUniversal) <Jillian.Ortiz@nbcuni.com>
Cc: Press <Press@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; Rodriguez, Elias <Rodriguez.Elias@epa.gov>
Subject: [EXTERNAL] Subject: Mosquito Repellent Incense Sticks Inquiry - 11:00am Deadline

Good morning Ms. Ortiz and thanks for reaching out,

We're happy to look into, and to compile the best and most up-to-date info on this topic for you. This said, I'm sure you appreciate that you gave us an extremely tight deadline, which it turns out has already passed. If you could extend at the very least until the end of the day, we'd be grateful. Let me know if you want to discuss.

Cheers, R.

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++

From: Ortiz, Jillian (NBCUniversal) <Jillian.Ortiz@nbcuni.com>
Sent: Wednesday, June 19, 2019 9:51 AM
To: Mears, Mary <Mears.Mary@epa.gov>
Subject: Mosquito Repellent Incense Sticks Inquiry - 11:00am Deadline

Dear Ms. Mary Mears,

I hope this email finds you well!

My name is Jillian Ortiz, I am a digital editorial intern for TODAY Commerce. I am reaching out because I am writing a piece on these mosquito repellent sticks and wanted to see if anyone is available to answer a few questions about these kinds of products and preventing mosquito bites in general? I have included them below.

My deadline for comment is 11:00am today. Thank you, and I appreciate any assistance that may be available to me at this time.

1. **Do citronella incense provide a safer approach to preventing mosquito bites?**
2. **Is DEET harmful for human skin?**
3. **Is it better to use a repellent with DEET or without?**
4. **Some homeowners tend to spray their yard for mosquitoes, is this a popular and effective method?**
5. **Only skin-applied repellent products are registered with the search tool on the website for insect repellent. Are other methods to preventing mosquito bites less effective?**

Best,
Jillian Ortiz

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 6/19/2019 10:58:19 PM
To: Osborne, James [James.Osborne@chron.com]
CC: Press [Press@epa.gov]
Subject: Re: Comment on EDF report?

James, for attribution to "an EPA Spokesperson," please:

EPA has diligently worked to implement the first major update to an environmental statute in 20 years, making impressive progress and meeting all major deadlines - while ensuring the safety of chemicals in the marketplace, protecting human health and the environment, and advancing the Agency's core mission.

EPA has increased transparency in our actions, including making available important information to protect public health and increasing stakeholder involvement in decision-making and has relied on the best available science.

Recent milestones include:

- Finalized rule to prohibit the manufacture (including import), processing, and distribution of methylene chloride in all paint removers for consumer use.
- Enhanced transparency by providing stakeholders and the public with more information on new chemicals undergoing review and how we conduct our reviews
- Strengthened asbestos regulation to close a dangerous loophole and protect consumers
- Selected 40 chemicals to begin prioritization process
- Identified chemicals being actively manufactured, processed and imported in the U.S. for the first time in 40 years
- Reviewed more than 2,000 new chemicals cases for unreasonable risks to health or the environment
- Released first draft risk evaluation for public comment for a chemical under amended TSCA
- Finalized four chemical safety framework rules
- Developed a strategy to reduce animal testing
- Issued final rule on reporting mercury manufacturing and imports and used this information to issue an initial inventory of mercury, supply, use, and trade in the U.S.
- Expanded access to chemical information for state, tribal, and local governments, and medical personnel and emergency responders
- Established policies and procedures allowing EPA to share more chemical information with the public while protecting verified CBI claims
- Released systematic review approach for public comment to guide
- Issued guidance to help stakeholders develop and submit draft risk evaluations to EPA
- Selected first 10 chemicals to undergo risk evaluation and issued documents describing uses to be included in the risk evaluations
- Established and held first meeting of Science Advisory Committee on Chemicals

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On Jun 17, 2019, at 3:54 PM, Osborne, James <James.Osborne@chron.com> wrote:

Got it. Thanks.

James Osborne
Washington Energy Correspondent
Houston Chronicle (D.C. Bureau)
1100 13th St NW, Suite 950
Washington DC 20005
Tel: 202-263-6516
Twitter: @osborneja

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Monday, June 17, 2019 3:54 PM
To: Osborne, James <James.Osborne@chron.com>; Press <Press@epa.gov>
Subject: RE: Comment on EDF report?

Good afternoon James,

Thanks for reaching out. We're looking into this for you.

Cheers, R.

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Ex. 6 Personal Privacy (PP) (M)

From: Osborne, James <James.Osborne@chron.com>
Sent: Monday, June 17, 2019 3:51 PM
To: Press <Press@epa.gov>
Subject: Comment on EDF report?

I'm writing about the EPA's decision to speed up the approval of chemicals for the U.S. market and claims by the Environmental Defense Fund this is endangering public health.

http://blogs.edf.org/health/files/2019/06/EDF_Toxic_Consequences_Report.pdf

Would someone from EPA be available to speak on this topic? Or provide comment on EDF's claim that in lifting the Obama administration's 2016 restrictions on chemical sales the EPA is releasing chemicals onto the marketplace with "with little or no health information and only cursory safety reviews."

My deadline is noon tomorrow.

James Osborne
Washington Energy Correspondent
Houston Chronicle (D.C. Bureau)
1100 13th St NW, Suite 950
Washington DC 20005

Tel: 202-263-6516
Twitter: @osborneja

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/10/2019 8:12:47 PM
To: Rizzuto, Denise Pat [prizzuto@bloombergenvironment.com]; Press [Press@epa.gov]
Subject: RE: Deadline for companies to get their TSCA inventory correction notices to EPA

Pat, for attribution to "an EPA Spokesperson," please.

EPA released the TSCA active inventory on Feb. 19: https://www.epa.gov/newsreleases/epa-releases-first-major-update-chemicals-list-40-yearsThat release triggered a 90 day period during which companies could let the agency know if they'd accidentally failed to list a chemical they make or process on the active list.

a. What is the deadline for companies to let the agency know about a chemical that should have been on the active list, but accidentally was left on the inactive list? I heard May 19. Is that correct? If not please advise.
b. Have you received such correction requests yet?
c. If so, can you give me a sense of how many: a few, a couple dozen, a lot?
d. Does the agency see any trends? For example, are the correction requests coming from processors, a few types of industries, some kind of trend?

Response:

EPA did not establish a formal corrections process and is not accepting correction requests for NOA Form As. [See Comment #20 in the Response to Comments Document for the final rule.] If a person discovers that they failed to file a required NOA Form A for a substance that they commercialized for non-exempt purpose during the retrospective reporting period, they should self-disclose according to EPA's Self-Disclosure policies. [See *https://www.epa.gov/compliance/epas-edisclosure*.] If the person anticipates continuing to commercialize the substance for non-exempt purpose into the forward-looking reporting period, and the substance's commercial status on the TSCA inventory is "inactive," the person should file an NOA Form B.

Cheers, R.

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Ex. 6 Personal Privacy (PP) (M)

From: Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com>
Sent: Thursday, May 09, 2019 12:12 PM
To: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Deadline for companies to get their TSCA inventory correction notices to EPA

Gentle reminder that I'm counting on hearing from you all by end of day today. To be useful to companies that may need to get a chemical from the inactive to the active list, I need to write the story Friday.
: : : : : : : : : : : : : : : : :

Pat Rizzuto

Chemicals Reporter

Bloomberg Environment

(703) 341-3741
prizzuto@bloombergenvironment.com

From: Rizzuto, Denise Pat
Sent: Tuesday, May 07, 2019 3:11 PM
To: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Deadline for companies to get their TSCA inventory correction notices to EPA

Background followed by questions. Deadline Thursday end of business day.

Background:

EPA released the TSCA active inventory on Feb. 19:
https://www.epa.gov/newsreleases/epa-releases-first-major-update-chemicals-list-40-years

That release triggered a 90 day period during which companies could let the agency know if they'd accidentally failed to list a chemical they make or process on the active list.

Questions:

a. What is the deadline for companies to let the agency know about a chemical that should have been on the active list, but accidentally was left on the inactive list? I heard May 19. Is that correct? If not please advise.

b. Have you received such correction requests yet?

c. If so, can you give me a sense of how many: a few, a couple dozen, a lot?

d. Does the agency see any trends? For example, are the correction requests coming from processors, a few types of industries, some kind of trend?

: : : : : : : : : : : : : : : : : :

Pat Rizzuto
Chemicals Reporter

Bloomberg Environment

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e.

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/10/2019 3:43:27 PM
To: Press [Press@epa.gov]
Subject: Fwd: Subject: Form submission from: Water Infrastructure Finance and Innovation Act (WIFIA) Contact Us About the Water Infrastructure Finance and Innovation Act (WIFIA) form

OK to give her a name for attribution?

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Ex. 6 Personal Privacy (PP) **M)**

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Jenn Lukens <jenn@ruralhealthinfo.org>
Date: May 10, 2019 at 11:16:16 AM EDT
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Subject: Form submission from: Water Infrastructure Finance and Innovation Act (WIFIA) Contact Us About the Water Infrastructure Finance and Innovation Act (WIFIA) form

Thank you for your emails, Robert! I will look this over and let you know if I have any questions. You would prefer we don't add a name as a source of these statements, then?

Jenn

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Thursday, May 9, 2019 9:16 PM
To: Jenn Lukens <jenn@ruralhealthinfo.org>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Form submission from: Water Infrastructure Finance and Innovation Act (WIFIA) Contact Us About the Water Infrastructure Finance and Innovation Act (WIFIA) form

Jenn, for attribution to "an EPA Spokesperson," please. I'll also send you our most recent WIFIA funding news release first thing in the AM.

1. **How much of a role do water and water systems play into our population's health? What are the biggest differences between this reality for urban America versus rural (what does rural have or not have by way of water infrastructure of systems that affect health differently?)**

-

Every day, Americans depend on water infrastructure to ensure that their drinking water is safe and that local waterways stay clean. Investing in water infrastructure sustains local economies by creating jobs, protecting public health, and increasing quality of life.

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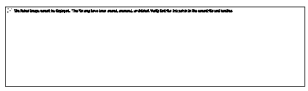

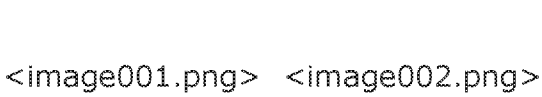

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https://www.epa.gov/newsreleases/epa-announces-availability-26-billion-new-funding-improve-water-infrastructure-across

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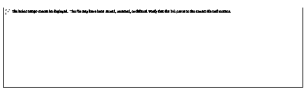

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To: Jenn Lukens <jenn@ruralhealthinfo.org>
Cc: Press <Press@epa.gov>
Subject: Subject: Form submission from: Water Infrastructure Finance and Innovation Act (WIFIA) Contact Us About the Water Infrastructure Finance and Innovation Act (WIFIA) form

Good morning,

Thanks for your outreach. We'd be happy to have you send us questions.

Also: I'm aware of your planned publication date of June 26, but do you have a hard deadline?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Jenn Lukens via EPA <no-reply@epa.gov>
Date: April 8, 2019 at 4:41:06 PM EDT
To: <dorfman.jordan@epa.gov>
Subject: Form submission from: Water Infrastructure Finance and Innovation Act (WIFIA) Contact Us About the Water Infrastructure Finance and Innovation Act (WIFIA) form
Reply-To: Jenn Lukens <jenn@ruralhealthinfo.org>

Submitted on 04/08/2019 4:41PM
Submitted values are:

Name: Jenn Lukens
Email Address: jenn@ruralhealthinfo.org
Comments:
Hello Karen,

My name is Jenn Lukens and I'm a web writer for the Rural Health Information Hub (www.ruralhealthinfo.org). I am working on an article for our Rural Monitor publication that covers water and wastewater systems' effects on health in rural America. I came across the WIFIA program and noticed there have been several rural communities that have received your loans the past few years. With the 15% designation for rural communities this year, I'm wondering if you or a colleague would consider being a voice for my article? I would include questions and let the interviewee review the draft before it is published. The article is set to be published June 26th.

Thank you for your consideration!
-Jenn Lukens

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/9/2019 7:42:49 PM
To: Jacobs, Andrew [jacobsa@nytimes.com]
CC: Press [Press@epa.gov]
Subject: RE: query from The New York Times about use of streptomycin for citrus greening disease

Good afternoon Jacob,

For attribution to "an EPA Spokesperson," please:

Incoming: "Here are a few questions off the top of my head. I realize some of these are answered in the EPA docs that accompanied the approval of streptomycin sulfate for citrus crops, but it would be great to talk to someone as well. *How effective has streptomycin sulfate been in combatting citrus greening disease? Is EPA tracking how much is being used this year by citrus growers in Florida? Is the EPA concerned about whether the expanded use of streptomycin in citrus will possibly accelerate antibiotic resistance given that the drug is medically important in humans?*"

Response:

BACKGROUND: A petition for registering streptomycin sulfate for use on citrus (under FIFRA Section 3) is currently pending with EPA. The Agency has previously granted emergency exemption requests (under FIFRA Section 18) for this use, which limits use to a defined geographic area for a finite period of time..

Q1. How effective has streptomycin sulfate been in combatting citrus greening disease?

R1. Based on data submitted in support of the pending application, streptomycin sulfate on infected trees has reduced concentrations of the bacteria that causes citrus greening, leading to improved tree health. The pathogens causing this disease, however, are not eliminated by the treatment with streptomycin, and long-term disease management would be necessary.

Q2. Is EPA tracking how much is being used this year by citrus growers in Florida?

R2. Yes. EPA requires states to submit final use reports that provide an estimate of the amount used under the emergency exemption program. The final use report is due six months after the expiration date or prior to any new request, whichever comes first.

If the pending Section 3 use of citrus is approved, the Agency has proposed a requirement that sales data be submitted on a yearly basis, along with annual resistance monitoring reports. Details on these proposed terms are outlined in the proposed registration decision (Docket Number: EPA-HQ-OPP-2016-0067-0023).

Q3. Is the EPA concerned about whether the expanded use of streptomycin in citrus will possibly accelerate antibiotic resistance given that the drug is medically important in humans?

R3. As with all antibiotics, concerns exist regarding potential for development of human pathogen resistance, or cross-resistance with other antibiotics, that could result from pesticide applications. EPA has conducted risk assessments and has consulted with CDC, FDA and USDA on this issue. If the registration is issued, additional monitoring would be required. Details on this review process are outlined in the proposed registration decision (Docket Number: EPA-HQ-OPP-2016-0067-0023).

Incoming

There has been some criticism of the EPA's decision to green light these two antibiotics, especially among public health advocates and environmentalists. One of the pointed criticisms is that EPA's office of pesticides really doesn't have experience with antibiotic resistance. The other is that the final EPA report approving oxytetracycline -- and the report that lays the groundwork for approving expanded use of streptomycin -- don't adequately reflect the objections from the CDC and FDA.

Response

In the case of pesticides that are antibiotics, EPA works closely with experts from the Food and Drug Administration (FDA), the Centers for Disease Control (CDC), and the United States Department of Agriculture (USDA). These agencies are at the forefront of antibiotic resistance and provide EPA with current scientific information that we rely on to make our decisions.

The Agency analyzes whether the use of antibiotics on crops may affect the potential resistance of human pathogenic bacteria to antibiotics used by the health care industry to treat people. EPA's analytical process was adapted from the Food and Drug Administration's (FDA's) Center for Veterinary Medicine's Guidance to Industry #152. The adapted process was reviewed by both CDC and FDA, and EPA incorporated their suggestions into the analyses.

During the decision-making process for streptomycin and oxytetracycline, EPA hosted several meetings with our federal partners. These meetings were constructive and served to ensure that EPA applied current methods for evaluating and managing bacterial resistance. EPA reviewed in detail the proposed uses of these pesticides, such as where and how they are used, application rates, application techniques, how the fruit may be processed post-harvest, and a variety of other product specifics. In addition, we discussed the data on the chemical, such as streptomycin's and oxytetracycline's physical and environmental fate characteristics. These details informed the exposure assessment, which was critical to the risk assessment process.

The agencies also discussed the potential for resistance or cross-resistance to develop as a result of exposure to people. We discussed exposure to workers from occupational use as well as exposure to the public from residues on food, in water, or in the environment. These discussions were extensive and covered both human and plant pathogens.

EPA incorporated feedback from these three agencies throughout the decision-making process (pre-meeting, risk assessment, and risk management phases). In addition, the agencies also have an opportunity to provide further comment directly to EPA or in the docket during the comment period.

Based on guidance from CDC, FDA and USDA, the registration for oxytetracycline included numerous terms to minimize the likelihood of antibiotic resistance developing from its use in agriculture. These terms include a time-limited registration of 7 years for citrus use, implementation of a resistance management plan, and additional monitoring requirements. Furthermore, there were additional label restrictions and requirements for personal protective equipment to reduce exposure to handlers and the environment. EPA evaluates each pesticide label to ensure the directions for use and safety measures are appropriate to protect against unreasonable risk.

Details on how FDA, CDC and USDA are engaged in this process are discussed in the proposed registration decision for streptomycin (Docket Number: EPA-HQ-OPP-2016-0067-0023) and the decision document for oxytetracycline (Docket Number: EPA-HQ-OPP-2015-0820).

These federal partners reviewed and commented on EPA's review of oxytetracycline (Docket Number: EPA-HQ-OPP-2015-0820-0012) and engaged in the same process for streptomycin (Docket Number: EPA-HQ-OPP-2016-0067-0015).

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: Jacobs, Andrew <jacobsa@nytimes.com>
Sent: Tuesday, May 07, 2019 10:00 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: query from The New York Times about use of streptomycin for citrus greening disease

My editor said the story might run sooner than Friday so maybe you guys should aim for Thurs COB.

On Tue, May 7, 2019 at 4:33 PM Andrew Jacobs <jacobsa@nytimes.com> wrote:

Sure

On May 7, 2019, at 4:02 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Could we get back to you by, say, Friday COB?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Jacobs, Andrew <jacobsa@nytimes.com>
Sent: Tuesday, May 07, 2019 4:02 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: query from The New York Times about use of streptomycin for citrus greening disease

No pub date yet but it should be in the next two or three days.

On Tue, May 7, 2019 at 4:00 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon and thanks, Andrew. What's your deadline and when are you planning to publish?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Jacobs, Andrew <jacobsa@nytimes.com>
Sent: Tuesday, May 07, 2019 3:53 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: query from The New York Times about use of streptomycin for citrus greening disease

Hey Robert,

Circling back here.

My story is almost done. I wanted to add another question to the list:

There has been some criticism of the EPA's decision to green light these two antibiotics, especially among public health advocates and environmentalists.

One of the pointed criticisms is that EPA's office of pesticides really doesn't have experience with antibiotic resistance. The other is that the final EPA report approving oxytetracycline -- and the report that lays the groundwork for approving expanded use of streptomycin -- don't adequately reflect the objections from the CDC and FDA.

Any thoughts on this?

Thanks,

Andrew

On Mon, Apr 22, 2019 at 5:39 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Thanks, Andrew. We'll be in touch.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) **(M)**

On Apr 22, 2019, at 5:35 PM, Jacobs, Andrew <jacobsa@nytimes.com> wrote:

Thanks for the reply.

My deadline is Wednesday.

Here are a few questions off the top of my head. I realize some of these are answered in the EPA docs that accompanied the approval of streptomycin sulfate for citrus crops, but it would be great to talk to someone as well.

How effective has streptomycin sulfate been in combatting citrus greening disease?

Is EPA tracking how much is being used this year by citrus growers in Florida?

Is the EPA concerned about whether the expanded use of streptomycin in citrus will possibly accelerate antibiotic resistance given that the drug is medically important in humans?

Thanks,

Andrew

On Mon, Apr 22, 2019 at 3:48 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Andrew,

Thanks for reaching out. Are you on deadline, and could you send questions for our pesticides folks?

Happy to discuss the above, if you like.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Jacobs, Andrew <jacobsa@nytimes.com>
Sent: Monday, April 22, 2019 3:35 PM
To: Press <Press@epa.gov>
Subject: query from The New York Times about use of streptomycin for citrus greening disease

Hi,

This is Andrew Jacobs, a science reporter with The New York Times. I was hoping to speak with someone at the EPA about the agency's recent approval of streptomycim sulfate for use in citrus crops affected by citrus greening disease.

Thanks much.

best,

Andrew Jacobs

212-556-1096 landline

Ex. 6 Personal Privacy (PP) cell

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/7/2019 9:07:04 PM
To: Press [Press@epa.gov]
Subject: Fwd: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) **(M)**

Begin forwarded message:

From: Miriam Valverde <immigration@politifact.com>
Date: May 7, 2019 at 5:04:56 PM EDT
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Subject: Re: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

We just published: https://www.politifact.com/texas/statements/2019/may/07/beto-orourke/beto-orourke-says-60-million-americans-have-unsafe/

Thanks for your help.

On Tue, May 7, 2019 at 3:46 PM Miriam Valverde <immigration@politifact.com> wrote:
Haven't posted yet, it might post later this afternoon.

On Tue, May 7, 2019 at 3:45 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Thanks. Looking into this.

Have you already posted your story, BTW? Can you send a link?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Miriam Valverde <immigration@politifact.com>
Sent: Tuesday, May 07, 2019 3:43 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
Subject: Re: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

Thank you, I appreciate your help! But office buildings and restaurants, for instance, aren't included in this estimate for the 30.6 million population right? Since those locations are transient and non-transient non-community water systems?

On Tue, May 7, 2019 at 3:31 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Hey Miriam, for attribution to U.S. EPA, please
>
> Explanation: **As noted in the screenshot below, the total population served by the number of systems in violation is highlighted. Please note, this number can be an overestimate because a single person may drink water from multiple PWSs in a single day (for example, someone works in Downtown NYC but lives in New Jersey and goes out to lunch which may result in being served water by 3 different public water systems). Q represents the quarter in the Fiscal Year (e.g., federal fiscal years starts October 1 2019 and ends Sept 30, 2019; so Q1 refers to Oct -Dec of any given year).**

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Miriam Valverde <immigration@politifact.com>
Sent: Tuesday, May 07, 2019 3:16 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
Subject: Re: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

Thank you. I've included into the story data from this EPA page, which I think addresses my questions.

On Tue, May 7, 2019 at 3:08 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Miriam,

Just a word to let you know we're very close to a response to your follow-up. Bear with us while we finish verifying the figures you sent last night.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Miriam Valverde <immigration@politifact.com>
Sent: Tuesday, May 07, 2019 9:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
Subject: Re: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

Thank you! Can you let me know if I'm correctly reading the link you sent? According to that link, **92,879,652** people are currently being served by community water systems that are violating health-based standards? (data as of 2019 Q1.. is that calendar year or FY?)

How many people in total are supplied by community water systems? If 92 percent have community water systems meeting health-based standards, how many people are part of the remaining 8 percent?

On Mon, May 6, 2019 at 9:07 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good evening,

Over 92 percent of the population supplied by community water systems receives drinking water that meets all health-based standards all of the time. EPA is working aggressively to bring the remaining water systems into compliance as expeditiously as possible.

For more information about Safe Drinking Water Act violations, please visit: https://obipublic.epa.gov/analytics/saw.dll?PortalPages&PortalPath=/shared/SFDW/_portal/Public&Page=Violation

Please note that Under the Safe Drinking Water Act, violation types can vary widely both in kind and severity. Violations can include health-based violations (e.g., exceedances of a maximum contaminant levels), treatment technique violations as well as monitoring and reporting violations. **- EPA Spokesperson**

Robert Daguillard

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On May 6, 2019, at 2:39 PM, Miriam Valverde <immigration@politifact.com> wrote:

Hello,

Following up to let you know that my deadline from my editor is 10 a.m. tomorrow, May 7. I appreciate any information you can provide by then. Thanks!

On Mon, May 6, 2019 at 1:38 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Super. Thanks, Miriam. Will keep you posted.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

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Ex. 6 Personal Privacy (PP) (M)

From: Miriam Valverde <immigration@politifact.com>
Sent: Monday, May 06, 2019 1:37 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
Subject: Re: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

Tomorrow morning could work, looking forward to hearing from you. Thank you.

On Mon, May 6, 2019 at 11:25 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey Miriam,

Thanks for reaching out. We're still looking into this for you. Any way you could push your deadline back to COB, or better yet, tomorrow morning?

Thanks for your patience and understanding.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Miriam Valverde <immigration@politifact.com>
Sent: Monday, May 06, 2019 11:04 AM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

Hi Michael,

Following up — any time estimate on the response to this request? Thank you.

On Fri, May 3, 2019 at 1:49 PM Miriam Valverde <immigration@politifact.com> wrote:

> Thank you!

On Fri, May 3, 2019 at 1:49 PM Abboud, Michael <abboud.michael@epa.gov> wrote:

> Will look into this for you.

From: Miriam Valverde <immigration@politifact.com>
Sent: Friday, May 3, 2019 1:40 PM
To: Press <Press@epa.gov>
Subject: PolitiFact query -- seeking data on # of people in US with unsafe drinking water

Hello,

My name is Miriam Valverde, and I'm a fact-checker for PolitiFact.

I'm fact-checking a statement that said: **"60 million Americans live in a place where the water they drink is unsafe."**

Can you please share with us any available EPA data that would directly address this statement? Does the EPA have an annual tally of how many Americans are exposed to/have unsafe drinking water? If so, can you provide the latest numbers and let me know how that was measured?

I appreciate any feedback you can provide that would help us evaluate that claim.

Please let me know if you can respond by noon, Monday, May 6. I can also be reached at 617-396-7423.

Thank you for your time.

Message

From: Rizzuto, Denise Pat [prizzuto@bloombergenvironment.com]
Sent: 5/2/2019 8:40:56 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Allington, Adam [aallington@bloombergenvironment.com]; Gibb, Steven [sGibb@bloombergenvironment.com]; Press [Press@epa.gov]
Subject: RE: Revised questions for Alex and for staff: clarifying deadline for questions we've asked staff to submit

Robert we haven't heard yet what time/where the interview will be on Monday.

Thanks for answers below, but also please get back to us with those essential details.

: : : : : : : : : : : : : : : : : :

Pat Rizzuto
Chemicals Reporter

Bloomberg Environment

(703) 341-3741
prizzuto@bloombergenvironment.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, May 02, 2019 3:32 PM
To: Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com>
Cc: Allington, Adam <aallington@bloombergenvironment.com>; Gibb, Steven <sGibb@bloombergenvironment.com>; Press <Press@epa.gov>
Subject: RE: Revised questions for Alex and for staff: clarifying deadline for questions we've asked staff to submit

Good afternoon Pat,

For attribution to the Agency, please. See you on Monday.

1. How many full time equivalent employees did OPPT have in June 2016 (or close to that month) before the Lautenberg Chemical Safety Act became law?

OPPT's FY 2016 FTE ceiling was 282.1.

2. How many do you have as of now (or most recent available figure)?

The FY 2019 FTE ceiling is 340.1. Note the FY 19 FTE ceiling is not directly comparable to the FY 2016 ceiling as the TRI program was reorganized from OEI to OPPT in FY 2017 with a shift of 24.6 FTE.

3. Can you break those OPPT staff down into rough areas of expertise e.g. chemists, risk assessors, economists, industrial hygienists?

Roughly half of OPPT consists of staff classified as generalists. These staff undertake a wide variety of tasks including administrative functions, internal project management and coordination, contracts management, regulatory development, and development, reviews and coordination of internal and external documents and work products.

The other half of OPPT staff are specialists. Approximately one third of these specialists are engineers, economists, IT specialists and a small number of attorneys. The remainder are in scientific fields of expertise, and are primarily engaged in developing and reviewing exposure modeling, and undertaking and managing risk assessment work.

4. Alex Dunn said OPPT was hiring. How many more people do you plan/hope to hire? What expertise are you seeking?

OPPT is undertaking a concerted and focused hiring effort to hire up to the FY 2019 FTE ceiling of 340.1. OPPT's senior leadership team completed several analyses and workforce planning exercises to identify and prioritize the most critical hiring needs to fill remaining slots. The majority of the critical hires are for scientific positions.

5. How many contractor firms are working with OPPT? What are their broad areas of support?

OPPT is obtaining programmatic support from a variety of contractors. Broad areas of support include chemical risk assessment for new and existing chemicals; economic and other analysis for chemical risk management; chemical testing and analysis; information technology (IT) and other support for information collection and management; general IT; outreach and communication support; and confidential business information management.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com>
Sent: Wednesday, May 01, 2019 11:56 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Allington, Adam <aallington@bloombergenvironment.com>; Gibb, Steven <sGibb@bloombergenvironment.com>
Subject: Re: Revised questions for Alex and for staff: clarifying deadline for questions we've asked staff to submit

Morning Robert,
I need to have answers for the questions I sent for staff to provide by Friday Noon. I'd already said I needed the answers before the interview. I hope this provides some clarity on the word "before." Staff have had all these questions but one for weeks now, because I sent them with my original request. Looking forward to Monday, pat

Pat Rizzuto,
Chemicals Reporter,
Bloomberg Environment

Sent from my iPhone

On Apr 29, 2019, at 4:02 PM, Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com> wrote:

> Attached please find an updated and shorter list of questions/issues we'd like Alex to address. The exact questions will depend, of course, on her points, answers, and how those direct the conversation. At the bottom of the page you'll see a list of questions I hope staff could address before Monday's interview.

Really appreciate your working on this.

: : : : : : : : : : : : : : : : : :

Pat Rizzuto
Chemicals Reporter

Bloomberg Environment

(703) 341-3741
prizzuto@bloombergenvironment.com

<Dunn Questions.docx>

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/11/2017 5:30:51 PM
To: Natalie Delgadillo [ndelgadillo@governing.com]
CC: Press [Press@epa.gov]
Subject: Re: Governing Magazine media request DEADLINE COB

It's more accurate to say: "EPA is assessing the risks and harm of the chemical to better inform us on the next steps."

On Sep 11, 2017, at 1:29 PM, Natalie Delgadillo <ndelgadillo@governing.com> wrote:

Hi Enesta,

Thanks very much. Forgive me for not understanding, but I'm a bit unsure what this means. I'm taking it to mean, in layman's terms, that the EPA is assessing the risks and harm of the chemical and depending on that assessment, will impose regulations or not.

Can you clarify for me?

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Monday, September 11, 2017 1:23 PM
To: Natalie Delgadillo <ndelgadillo@governing.com>
Cc: Press <Press@epa.gov>
Subject: Re: Governing Magazine media request DEADLINE COB

Hi Natalie, for attribution to an EPA spokesperson:

EPA has released scope documents on the initial 10 chemicals, including 1,4 dioxane, to undergo risk evaluations under the amended TSCA. These documents provide information on the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations EPA expects to consider in its risk evaluations. View the scope document on 1,4 dioxane. EPA will publish and take public comment on a Problem Formulation document for 1,4-dioxane which will refine the current scope, as an additional interim step, prior to publication the draft risk evaluation. This problem formulation is expected to be released within approximately six months of publication of the scope documents.

On Sep 11, 2017, at 1:20 PM, Natalie Delgadillo <ndelgadillo@governing.com> wrote:

Hello Enesta,

My name is Natalie Delgadillo and I'm a reporter at Governing Magazine. I'm reporting a story on drinking water standards in the U.S. and I wanted to get a comment from the EPA for the story. Last week, the Environmental Working Group released a report showing that 7 million people in 27 states are served by public water systems with elevated levels of 1,4-dioxane. The EPA classifies this chemical as a "likely" carcinogen. According to everything I've read, however, the EPA does not regulate the chemical and has not imposed a legal limit on it via the Safe Drinking Water Act.

Is the EPA planning to regulate this chemical in the near future? When?

The EWG also released a tap water database showing the existence of 250 contaminants in water, 150 of which are unregulated by the EPA and 93 of which are linked to an increased risk of cancer. Is the EPA planning to subject any new contaminants to regulation in the near future? Does the EPA plan to reexamine current safety guidelines for any contaminants?

I would love to get either a short interview or email statement by close of business today. Please let me know if that's possible. My phone number is in my email signature if you'd rather reach out that way.

Thanks very much,

Natalie Delgadillo
Web Producer/Writer
Governing Magazine
Ph: (202) 862-1435
@ndelgadillo07

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/11/2017 3:51:36 PM
To: Greg Cima [GCima@avma.org]
CC: Press [Press@epa.gov]
Subject: RE: Your voice mail for EPA

Greg, for attribution to U.S. EPA or to "an agency spokesperson," please:

Do you think most people know environmental lead is a risk?

- While EPA can't know if most people know this, the EPA webpage (www.epa.gov/lead) has received tremendous interest in lead from the public with an average of 85,000 page views per month. Additionally, the National Lead Information Center (NLIC) (1-800-424-LEAD), which EPA funds and oversees in conjunction with the US Dept. of Housing and Urban Development, receives frequent inquiries from the public on lead-based paint concerns, also indicating a wide interest in information on lead and lead exposure risks. The services provided include responding to telephone, written and email requests for information and providing technical assistance and information to federal, state and local governments, lead-based paint professionals, and other stakeholders.

Can you describe some results you have seen from the awareness campaigns?

- In the mid-1990's, nearly 1 million children in the United States had dangerously elevated levels of lead in their blood, which through the work of many has now been reduced to 500,000. This decrease could be a result of more than 20 years of collaboration between EPA and federal partners, states, tribes, and local governments, and non-governmental organizations to help carry out the mission to reduce childhood lead poisoning in the United States. Examples of these collaborations include:

Ad Council

- In 2010, EPA conducted an outreach campaign to educate the public, as well as target groups (parents and caregivers), about general lead poisoning prevention.
- For this effort, EPA worked with the Ad Council, HUD, and the Coalition to End Childhood Lead Poisoning, to develop the *Lead Free Kids* campaign.
- Materials included TV, radio, print, and outdoor billboard messaging.

Renovation, Repair and Painting (RRP)

- The 2010 RRP Outreach Campaign spread the messages of lead-safe work practices and training opportunities directly to contractors and to non-profits who support the various industries that work with lead.
- The RRP Outreach campaign was also aimed at making homeowners aware of the benefits of using trained and certified contractors.
- Outreach materials were sent to contractors, media, large and small hardware stores, trade associations, parenting groups, educational entities, and others.
- Materials included web development, print ads, articles, postcards, brochures, social media and fact sheets.

General

- EPA has partnered with several organizations to provide outreach and education to the public on the dangers of lead-based paint hazards.
- In particular, EPA has partnered with three contractor resource organizations (Angie's List, Consumers' Checkbook, and Best Pick Reports) to increase contractor and consumer awareness concerning lead hazards during renovations.

- EPA has participated in week-long activities to recognize "National Lead Poisoning Prevention Week" in October each year.
- EPA has worked with a college (Morgan State University in Baltimore) and national lead advocacy groups to increase lead awareness with the public.

Have the EPA's outreach campaigns included contact with medical professionals, like pediatricians, general practitioners, or veterinarians?

- EPA has partnered with other federal agencies and organizations in the past to reach medical professionals. For example, in 2001, EPA worked with the U.S. Department of Agriculture's Women, Infants, and Children (WIC) Program to develop and distribute fact sheets, specifically one titled, "Fight Lead Poisoning With a Healthy Diet," which links nutrition and lead prevention. Also Pediatric Environmental Health Specialty Units (PEHSUs) are a respected network of experts in children's environmental health. The PEHSU National Partnership includes EPA, as well as the Agency for Toxic Substances & Disease Registry. Finally, EPA has worked with college nursing programs to better incorporate lead based paint issues into the nursing programs.

Does the EPA have any data or other information about the risk to pets?

- Pets may be poisoned by the same types of exposure to lead that would affect humans: swallowing lead dust or breathing lead dust or fumes. In its "Steps to LEAD SAFE Renovation, Repair and Painting" (https://www.epa.gov/sites/production/files/2013-11/documents/steps_0.pdf), EPA recommends keeping pets out of the work area for their safety and to prevent them from tracking dust and debris throughout the home. In addition, the Agency referenced two studies in its 2010 rulemaking to remove the Opt-Out provision of the RRP rule (75 FR 24802; May 6, 2010), citing benefits of protecting family pets from lead poisoning resulting from renovations.
  - Kowalczyk DF. "Lead poisoning in dogs at the University of Pennsylvania Veterinary Hospital." Journal of American Veterinary Medical Association. 1976 Mar 1;168(5):428-32.
  - Knight TE, Kumar MS. "Lead toxicosis in cats--a review." Journal of Feline Medicine and Surgery. 2003 Oct;5 (5): 249-55.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Greg Cima [mailto:GCima@avma.org]
Sent: Tuesday, August 29, 2017 12:35 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Your voice mail for EPA

I'm interested in lead exposure from all environmental sources, but I understand if some of the information is paint-specific.

Greg Cima
Senior News Reporter
JAVMA

847-285-6755

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 29, 2017 11:22 AM
To: Greg Cima
Subject: RE: Your voice mail for EPA

Sorry Greg: To make sure I have it right, you're most interested in lead in paint, correct?

From: Daguillard, Robert
Sent: Tuesday, August 29, 2017 12:19 PM
To: Greg Cima <GCima@avma.org>
Cc: Press <Press@epa.gov>
Subject: RE: Your voice mail for EPA

Thanks, Greg. Let me see what I can find out.

Regards, R.

From: Greg Cima [mailto:GCima@avma.org]
Sent: Tuesday, August 29, 2017 12:16 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Your voice mail for EPA

Good morning, Robert, and thanks for getting back to me. The following are my main questions for an EPA expert:

Do you think most people know environmental lead is a risk?
Can you describe some results you have seen from the awareness campaigns?
Have the EPA's outreach campaigns included contact with medical professionals, like pediatricians, general practitioners, or veterinarians?
Does the EPA have any data or other information about the risk to pets?

I realize the last question is a long shot, but I've found no surveillance data and little analysis on the risk of lead poisoning in pets. I need to wrap up my article by 5 p.m. Eastern this Friday, and I hope that provides enough time for a 10 minute interview.

Thank you,

Greg Cima
Senior News Reporter
JAVMA
847-285-6755

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 29, 2017 11:00 AM
To: Greg Cima
Subject: Your voice mail for EPA

Good morning Greg and thanks for your voicemail,

I'm happy to help with your query, but I won't be able to give you comments for the record, since I'm a media relations officer and not a subject matter expert. This said, it's probably best if you can send some specific questions, so I can route them to the proper program office and specialists.

Perhaps you can also share your hard deadline and planned publication date? Are you looking to draft a print or online piece?

Thanks, R.

Robert Daguillard
Office of Media Relations
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+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/11/2017 12:47:36 PM
To: Elliott Blackburn [elliott.blackburn@argusmedia.com]
CC: Press [Press@epa.gov]
Subject: FW: RIN trading

Good morning Elliott,

For attribution to "an EPA spokersperson," please:

The proposal as published in the federal register reflects the agency stance on this topic

Regards, R.

From: Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]
Sent: Thursday, September 07, 2017 9:59 AM
To: Press <Press@epa.gov>
Subject: RIN trading

Good morning,

In an initial draft of the proposed RVO for 2018, EPA suggested as potential changes to RIN trading limiting who could trade RINs and how often RINs could be traded. That language was struck during agency review.

Does EPA continue to consider "restricting the parties allowed to participate in RIN trading, or restricting the number of times a RIN can be traded," or has the agency moved away from those ideas?

My deadline is 3pm ET.

Thank you,

Elliott

Elliott Blackburn
Downstream Reporter

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Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 9/8/2017 6:32:22 PM
CC: Press [Press@epa.gov]
Subject: RE: Dicamba

I'll check with the program.

From: Hakim, Danny [mailto:hakim@nytimes.com]
Sent: Friday, September 08, 2017 1:29 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Dicamba

Robert -- Just circling back. What data does the agency have regarding particle drift vs volatility? I assume you all must have something you're working off of. Thanks

On Wed, Sep 6, 2017 at 5:30 PM, Hakim, Danny <hakim@nytimes.com> wrote:

Okay, thanks. Is there any data on dicamba being a particle drift issue vs volatility? Thanks

On Wed, Sep 6, 2017 at 4:41 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Danny, for attribution to "an EPA spokesperson," please:

We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change.

Thanks, R.

From: Hakim, Danny [mailto:hakim@nytimes.com]
Sent: Tuesday, September 05, 2017 11:07 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Dicamba

Great, thanks. Just want to understand the EPA's current posture on the drift issue, if you have any data on whether this is a problem of particle drift vs volatility -- any breakdown of the proportions -- and check the Reuters report that you are considering imposing restrictions on when it can be sprayed. Not publishing tomorrow but trying to file a draft in the next couple days. Best, Danny

On Tue, Sep 5, 2017 at 10:38 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Danny,

Why don't you and I connect first thing in the morning? What's your inquiry about and when are you hoping to publish?

Regards, R.

Robert Daguillard

U.S. EPA

Office of Media Relations

Washington D.C.

Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Sep 5, 2017, at 6:21 PM, Hakim, Danny <hakim@nytimes.com> wrote:

---------- Forwarded message ----------
From: **Hakim, Danny** <hakim@nytimes.com>
Date: Tue, Sep 5, 2017 at 3:56 PM
Subject: Dicamba
To: konkus.john@epa.gov, grantham.nancy@epa.gov

Hi -- I'm doing some reporting on dicamba for the New York Times. Who is the point of contact at EPA on it? Thanks much

--

Danny Hakim

Reporter

The New York Times

Office: 212-556-7320

Cell: Ex. 6 Personal Privacy (PP)

hakim@nytimes.com

twitter: @dannyhakim

Signal/WhatsApp via cell

--

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twitter: @dannyhakim
Signal/WhatsApp via cell

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/7/2017 11:18:16 PM
To: Catherine Clabby [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: RE: Checking in for update re: Chemours PFAS compounds released in Cape Fear River

Hi Catherine, for attribution to an EPA spokesperson:

The investigation is still ongoing. It's EPA policy not to discuss ongoing investigations.
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

From: Catherine Clabby [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Thursday, September 07, 2017 3:17 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Checking in for update re: Chemours PFAS compounds released in Cape Fear River

Thank you!

Tomorrow is my deadline. Sunday really but I hope you do not work in weekends!

Cathy

On Sep 7, 2017, at 3:14 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> Hi Catherine, I'll look into this. What's your deadline?
>
> On Sep 7, 2017, at 3:13 PM, Catherine Clabby <Ex. 6 Personal Privacy (PP)> wrote:
>
> Hello Enesta.
>
> You helped me earlier this summer regarding getting information about EPA's investigation regarding Chemours Co's compliance with a 2009 order EPA issued under the TSCA regarding the production of GenX. (Please see email thread below.) Thank you again for that!
>
> I'm checking in to learn about the status of that investigation you described.
>
> At what stage is the probe now?
>
> Has EPA found evidence that Chemours did not comply with the order.
>
> Does EPA expect to take any regulatory action against Chemours or DuPont on this matter?
>
> I'm happy to talk by phone if that is best.
>
> Best wishes,

Cathy Clabby
NC Health News

I'm just back from a summer trip. In case it is of use to you, here is our most recent story on the issues of GenX and wider PFAS and PFOA contamination in North Carolina.

https://www.northcarolinahealthnews.org/2017/08/17/genx-pollution-what-happened-when/

Catherine Clabby I Journalist
919.423.6163 @cathyclabby

On Jul 12, 2017, at 3:21 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Catherine,

<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->
Please attribute our response below to an EPA spokesperson:

<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->
EPA has initiated an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also reviewing the additional toxicity data submitted by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the request of the North Carolina Department of Environmental Quality (NCDEQ), scientists in EPA's Office of Research and Development are conducting an independent laboratory analysis of four rounds of water samples being collected by NCDEQ at 13 locations in the Cape Fear River in June and July.

Under the terms of the Consent Order, for operations in the United States, DuPont (Chemours) is required to recover and capture (destroy) or recycle the chemical from all the process wastewater effluent streams and air emissions (point source and fugitive) at an overall efficiency rate of 99% (i.e., 99% of the chemical can't be released into the environment). Further, under the terms of the Consent Order, Dupont may only distribute the chemical to those customers, such as manufacturers and processers, that can also achieve this percentage of efficiency or destruction.

From: Catherine Clabby [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, July 11, 2017 9:27 PM
To: Lincoln, Larry <Lincoln.Larry@epa.gov>; Marraccini, Davina <Marraccini.Davina@epa.gov>
Subject: Reporter's query about GenX issue in Cape Fear

Hi Larry and Davina. I'm a reporter at *NC Health News*. Jamie Krietzer at NC DEQ said you would be the right pios at EPA to contact regarding questions regarding the ongoing inquiry to the discovery of PFOA replacement chemicals in the Cape Fear River downstream of the Chemours' Faetteville Works.

For a story I'm filing on Wednesday, here are my questions:

What is the scope of EPA's investigation into the discovery of the compounds in the Cape Fear?

If the EPA determines that Chemours plant did not comply with 2009 consent order with EPA that strictly limited release of PFOA replacement chemicals from its GenX operation in Fayetteville, what range of penalties could EPA impose on the company?

Chemours officials have told NC officials that the compounds did not come from its GenX operations. Instead they came from another site at Fayetteville Works, possibly starting back in the 1980s. Does that appear to be plausible?

Given the limits of release imposed by the consent order, did Chemours have any legal standing to release the PFOA replacements from anywhere at Fayetteville Works in the river?

How long as EPA been aware that that PFOA replacements were being released from the industrial property?

I'm happy to speak by phone if that is best for you.

Thank you in advance for your help.

Best wishes,
Cathy Clabby

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/7/2017 11:14:54 PM
To: Vaughn Hagerty [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: RE: Media inquiry regarding Chemours in North Carolina

Hi Vaughn, for attribution to an EPA spokesperson:

Has EPA determined whether Chemours has violated the terms of the 2009 consent order issued under the Toxic Substances Control Act (TSCA) for the production of GenX?

EPA has initiated an investigation into Chemours' compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility.

Has EPA determined whether there have been any other violations by Chemours?
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->
As noted previously, the investigation is still ongoing. It's EPA policy not to discuss ongoing investigations.

Has EPA updated the risk assessment for GenX?

EPA is currently in the process of updating the risk assessment for GenX and an associate chemical that were initially assessed when submitted as Pre-Manufacture Notices. New information, including 1) updated production volume, process information, and monitoring data, 2) toxicity studies required by the Consent Order, 3) new water monitoring data and 4) updated manufacturing, processing and use information are all being considered in this reassessment.
<!--[if !supportLineBreakNewLine]-->
<!--[endif]-->

From: Vaughn Hagerty [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Thursday, September 07, 2017 7:02 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: Media inquiry regarding Chemours in North Carolina

Hi, Enesta. I'm writing to check on the status of EPA's investigation into Chemours' Fayetteville Works plant in North Carolina. Specifically, I'm curious to know:

1) Has EPA determined whether Chemours has violated the terms of the 2009 consent order issued under the Toxic Substances Control Act (TSCA) for the production of GenX?

2) Has EPA determined whether there have been any other violations by Chemours?

3) Has EPA updated the risk assessment for GenX?

Regards,

Vaughn Hagerty

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/7/2017 5:30:26 PM
To: Block, Eliana [eblock@wusa9.com]
CC: Press [Press@epa.gov]
Subject: RE: Sergeant's Flea Control

Eliana, for attribution to "an EPA spokesperson," please:

1) **Have there been any investigations into Sergeant's flea products?**
Yes, EPA has done a thorough review of incident data related to pet spot-on products**, and** EPA continues to monitor incident data not only for Sergeant's products but for all manufacturers to ensure the continued safety of the pet spot-on products. EPA wants to ensure that these products continue to provide effective flea and tick control while minimizing any adverse effects on pets. Some active ingredients in flea and tick products have been taken off the market because of the number of adverse reactions in pets treated with them.

We recognize that some pets may be more sensitive than others to these products. Following a period of unusually high numbers of incident reports involving pet spot-on products, EPA took action in 2010 and has seen a significant decrease in the number of pet incidents since then. Registrants were required to change their product labels to clarify several statements related to use on cats and dogs. The statements, which apply to dogs as well as cats, include:

- Expanding the number of weight ranges and providing appropriate pictures of the weight ranges;
- Repeating the word "dog" or "cat," as appropriate, throughout the instructions on the packaging,
- Having species, age, and weight ranges clearly labeled on all packaging; and
- Including specific cat warnings on all dog products.

EPA notified registrants of pet spot-on products in writing that they must make the label changes and other actions included in the mitigation plan. Registrants were given six months from receipt of the letter to comply. For more information on EPA's evaluation of pet spot-on products and the resulting analysis and plans to address pet incidents, see: https://www.epa.gov/pets/epa-evaluation-pet-spot-products-analysis-and-plans-reducing-harmful-effects.

More information on required reporting can be found at: https://www.epa.gov/pesticide-incidents/incident-reporting-pesticide-manufacturers-registrants.

In 2016, EPA also announced a pilot process where pet spot-on companies could report more detailed incident information for further analysis using a standard template for reporting. This process allows EPA to more effectively review incident, and if concerns are raised, give us information to act.

2) **Have there been any formal complaints?** Yes, companies have reported incidents to EPA related to pet products containing pesticides. (Pesticide manufacturers are required to inform us about harmful effects of their products under federal law.)

See answer to #1 for actions EPA has taken.

3) **Have there been any recalls or pending recalls pertaining to Sergeant cat products or shampoos? What about dogs?**
No , but as discussed above, registrants were required to change their product labels.

See answer to #1 for actions EPA has taken.

Background:

All pesticides undergo extensive testing to ensure that they are safe for the intended purpose when used as directed on the label. Strictly following label directions and precautions is very important to the health of the treated animal.

EPA also assesses potential impacts on people from pet pesticide products before registering them and allowing them to be marketed. Our reviews

- Assess exposure through skin contact for adults
- Evaluate exposure by skin contact and by mouth for children
- Assess exposure through breathing in the chemicals from pet pesticide treatments, on a case-by-case basis
- Estimate the amount of applied pesticide that can transfer from the animal to a child's skin from hugging or otherwise contact a treated animal. This ensures that children are protected from exposure to pesticides on pets that have been treated.

EPA also reassesses all registered pesticides every 15 years to make sure that they continue to meet safety standards. More about registration review can be found at: https://www.epa.gov/pesticide-reevaluation/registration-review-process

Cheers, R.

From: Block, Eliana [mailto:eblock@wusa9.com]
Sent: Tuesday, September 05, 2017 12:17 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Sergeant's Flea Control

This would be for tonight if possible.
Thanks,

ELIANA BLOCK
Researcher/Special Assignment- "Verify"

A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 20016
eblock@wusa9.com | **P**. 202.895.5506 | Twitter: @ElianaBlock

---

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, September 5, 2017 12:04 PM
To: Block, Eliana <eblock@wusa9.com>
Cc: Press <Press@epa.gov>
Subject: RE: Sergeant's Flea Control

External Email – Be Suspicious of Attachments, Links and Requests for Login Information

Good afternoon Eliana,

Let me check. What's your hard deadline and when are you hoping to produce your story, please?

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Block, Eliana [mailto:eblock@wusa9.com]
Sent: Tuesday, September 05, 2017 11:58 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: FW: Sergeant's Flea Control

Hi I am hoping you are the right person to help me out with this.

ELIANA BLOCK
Researcher/Special Assignment- "Verify"

A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 20016
eblock@wusa9.com | **P**. 202.895.5506 | Twitter: @ElianaBlock

---

From: Putnam, Juli [mailto:JuliAnn.Putnam@fda.hhs.gov]
Sent: Tuesday, September 5, 2017 11:50 AM
To: Block, Eliana <eblock@wusa9.com>
Subject: RE: Sergeant's Flea Control

External Email – Be Suspicious of Attachments, Links and Requests for Login Information

Hi Eliana,
I believe this product is regulated by the U.S. Environmental Protection Agency. Here is the webpage with their media contacts: https://www.epa.gov/newsroom/media-contacts#hq. Thanks!

Best,
Juli

From: Block, Eliana [mailto:eblock@wusa9.com]
Sent: Tuesday, September 05, 2017 11:16 AM
To: Putnam, Juli
Subject: Sergeant's Flea Control

Hi Julliann,

My name is Eliana Block with WUSA9, the CBS in Washington, D.C.

I am reaching out to you regarding Sergeant's flea control products. A woman posted viral videos on Facebook of her friend's cat's violently quivering and ill after using a Sergeant's cat products. People have been reeling on Amazon

(https://www.amazon.com/Sergeants-Gold-Flea-Tick-Squeeze/product-reviews/B002J9HQ3Y/ref=cm_cr_arp_d_hist_1?filterByStar=one_star&pageNumber=1) about Sergeant's cat products making their pets ill, so would like to know whether there have been any investigations into the dangers of Sergeant's flea control products. Have there been any formal complaints? Have there been any recalls or pending recalls pertaining to Sergeant cat products or shampoos? What about dogs?

Thanks so much for your time,

ELIANA BLOCK
Researcher/Special Assignment- "Verify"

A TEGNA Company | 4100 Wisconsin Ave NW, Washington, DC 20016
eblock@wusa9.com | **P**. 202.895.5506 | Twitter: @ElianaBlock

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/28/2017 12:19:06 PM
To: Steve Davies [steve@agri-pulse.com]
CC: Press [Press@epa.gov]
Subject: RE: dicamba

Morning Steve,

As usual, for attribution to "an EPA spokesperson," please:

We are continuing the dialogue with the states regarding how to address the off-target movement of dicamba.

From: Daguillard, Robert
Sent: Wednesday, August 23, 2017 12:57 PM
To: Steve Davies <steve@agri-pulse.com>
Cc: Press <Press@epa.gov>
Subject: FW: dicamba

Hey Steve,

Let me check.

From: Steve Davies [mailto:steve@agri-pulse.com]
Sent: Wednesday, August 23, 2017 12:53 PM
To: Press <Press@epa.gov>
Subject: dicamba

I understand there's a conference call today about dicamba, where EPA will lay out plans for continued use of the products. Could I please get the email that went out to participants and, if possible, have an oppy. to speak with someone at the agency about this?

Thank you--deadline is today

Steve Davies
Associate Editor
202-744-1535
steve@agri-pulse.com

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/6/2017 9:37:51 PM
To: Tom Quimby [Tom.Quimby@randallreilly.com]
CC: Press [Press@epa.gov]
Subject: Re: Ram EcoDiesel MPG numbers missing - Questions from reporters should be referred to the EPA press office

Tom, for attribution to "an EPA spokesperson, please:"

As noted on the the www.fueleconomy.gov website, EPA has taken down fuel economy information on the vehicles listed in the agency's complaint against FCA until more information is available.

For more information on the FCA complaint go to: www.epa.gov/fca

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Sep 6, 2017, at 3:19 PM, Tom Quimby <Tom.Quimby@randallreilly.com> wrote:

> Ok, appreciate your help. Deadline is Wednesday, Sept. 13 at 5 p.m. EST.
>
> Tom Quimby
> Associate editor
> Hard Working Trucks
> Randall-Reilly
> 850-381-3815
>
> Follow me on Twitter
>
> ---
>
> **From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>
> **Date:** Wednesday, September 6, 2017 at 2:16 PM
> **To:** Tom Quimby <Tom.Quimby@randallreilly.com>
> **Subject:** RE: Ram EcoDiesel MPG numbers missing - Questions from reporters should be referred to the EPA press office
>
> Not quite yet, sadly. But we'll definitely try meeting your deadline.
>
> Thx.

From: Tom Quimby [mailto:Tom.Quimby@randallreilly.com]
Sent: Wednesday, September 06, 2017 3:13 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Ram EcoDiesel MPG numbers missing - Questions from reporters should be referred to the EPA press office

Thanks Robert. Any idea on when you'll have some responses ready?

Tom Quimby
Associate editor
Hard Working Trucks
Randall-Reilly
850-381-3815

Follow me on Twitter

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Wednesday, September 6, 2017 at 2:07 PM
To: Tom Quimby <Tom.Quimby@randallreilly.com>
Cc: Press <Press@epa.gov>
Subject: FW: Ram EcoDiesel MPG numbers missing - Questions from reporters should be referred to the EPA press office

Good afternoon Tom,

The folks at fueleconomy.gov have forwarded your inquiry. Just a quick word to acknowledge receipt.

Thanks, R.

From: Tom Quimby [mailto:Tom.Quimby@randallreilly.com]
Sent: Thursday, August 31, 2017 6:20 PM
To: FuelEconomy <fueleconomy@ornl.gov>
Subject: [Fueleconomy] Ram EcoDiesel MPG numbers missing

Hi,

I'm a reporter with Hard Working Trucks, a Randall-Reilly publication.

1. <!--[if !supportLists]--><!--[endif]-->Please let me know why MPG numbers are only available for the 2017 Ram 1500 EcoDiesel and no other model years for that diesel-equipped truck.
2. <!--[if !supportLists]--><!--[endif]-->Please explain the EPA's new calculation method which FCA says caused MPG to drop for the 2017 EcoDiesel and other pickups.
3. <!--[if !supportLists]--><!--[endif]-->FCA announced on July 28 that EPA had approved the production and sale of the 2017 Ram EcoDiesel. Why did it take a month for MPG numbers to be posted for this truck on fueleconomy.gov?

Please respond ASAP. I'm running a story later tonight. If you can't make my 11 p.m. EST deadline tonight, then I'll run a follow-up with your responses.

Thanks,

Tom Quimby
Associate editor
Hard Working Trucks
Randall-Reilly
850-381-3815

Follow me on Twitter

Message

From: Bernfeld, Jeremy [bernfeldj@harvestpublicmedia.org]
Sent: 9/6/2017 8:45:07 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Press Inquiry about Pesticides/Dicamba

Hi Robert,

Thanks for your response.

Some clarification: As EPA is "reviewing the current use restrictions," could EPA issue new "use restrictions"?

Thanks,
Jeremy

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, September 6, 2017 4:42 PM
To: Bernfeld, Jeremy <bernfeldj@harvestpublicmedia.org>
Cc: Press <Press@epa.gov>
Subject: RE: Press Inquiry about Pesticides/Dicamba

Jeremy, for attribution to "an EPA spokesperson," please:

We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change.

Thanks, R.

From: Bernfeld, Jeremy [mailto:bernfeldj@harvestpublicmedia.org]
Sent: Wednesday, September 06, 2017 1:13 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Press Inquiry about Pesticides/Dicamba

Hi Robert,

If at all possible, I'd like to speak with someone or communicate via email today by 4pm CT. We'd like to put a story online today and on the radio tomorrow morning.

Thanks,
Jeremy

Jeremy Bernfeld
Editor, Harvest Public Media

bernfeldj@kcur.org
P: (816)-235-2836
C: Ex. 6 Personal Privacy (PP)
@jeremyhpm
harvestpublicmedia.org

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, September 6, 2017 1:10 PM
To: Bernfeld, Jeremy <bernfeldj@harvestpublicmedia.org>
Cc: Press <Press@epa.gov>
Subject: Re: Press Inquiry about Pesticides/Dicamba

Hullo Jeremy and thanks for reaching out. What's your hard deadline and when are you planning on publishing your story, please?

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
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On Sep 6, 2017, at 12:57 PM, Bernfeld, Jeremy <bernfeldj@harvestpublicmedia.org> wrote:

> Hi Robert,
>
> Jeremy Bernfeld here from Harvest Public Media.
>
> Question: Is the agency considering imposing a deadline on spraying dicamba, as reported by Reuters? Is there a timeline for issuing, or not issuing, these guidelines? Who will ultimately make the decision whether or not to impose this deadline?
>
> I'll likely follow up with a phone call. I'm happy to speak over the phone. I'm hoping we can speak/email today.
>
> Thanks for your help,
> Jeremy
>
> Jeremy Bernfeld
> Editor, Harvest Public Media
> <image001.jpg>
> bernfeldj@kcur.org
> P: (816)-235-2836
> C: Ex. 6 Personal Privacy (PP)
> @jeremyhpm
> **harvestpublicmedia.org**

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/6/2017 8:39:10 PM
To: Jenny Hopkinson [jhopkinson@politico.com]
CC: Press [Press@epa.gov]
Subject: POLITICO (Jenny Hopkinson) - Dicamba - DDL 9/5

Jenny, for attribution to "an EPA spokesperson," please:

We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, as on-going investigations have yet to be concluded. But EPA is reviewing all available information carefully. We will rely on the best information available to inform any regulatory change.

Thanks, R.

From: Jenny Hopkinson [mailto:jhopkinson@politico.com]
Sent: Tuesday, September 05, 2017 12:28 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Dicamba

Hi Robert-

I hope you had a nice long weekend!

What options is the EPA considering to protect farmers from dicamba drift when the herbicide is used on Roundup Ready Xtend crops? Is there a time frame in which EPA expects to issue a decision? What communications have you had with states over the issue?

I'm writing something to put in Morning Ag, so if you could get back to me by 5 p.m, that would be great!

Thanks!

Jenny Hopkinson | Agriculture Reporter | **POLITICO** | Office: 703- 647-8541 | Mobile : Ex. 6 Personal Privacy (PP) | @jennyhops

Sign up for POLITICO Pro's Morning Ag and get a daily dose of ag and food policy in your inbox:http://www.politico.com/tipsheets/morning-agriculture

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/6/2017 8:38:16 PM
To: Corbin Hiar [chiar@eenews.net]
CC: Press [Press@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]
Subject: Re: Request for comment on EWG report

Sorry for the delay, Corbin.

For attribution to an EPA spokesperson:

EPA has released scope documents on the initial 10 chemicals, including 1,4 dioxane, to undergo risk evaluations under the amended TSCA. These documents provide information on the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations EPA expects to consider in its risk evaluations. View the scope document on 1,4 dioxane. EPA will publish and take public comment on a Problem Formulation document for 1,4-dioxane which will refine the current scope, as an additional interim step, prior to publication the draft risk evaluation. This problem formulation is expected to be released within approximately six months of publication of the scope documents.

Mr. Dourson is an outstanding, hard-working scientist with a distinguished record in toxicology and risk assessment. He is widely recognized as a leader in the field of risk assessment and has a long track record of bringing together individuals from academia, industry, and government regulatory agencies to work together.

On Sep 6, 2017, at 9:26 AM, Corbin Hiar <chiar@eenews.net> wrote:

Does EPA have any comment on the analysis of 1,4-dioxane levels, EWG's recommendation to set a MDL for the compound or its concerns about Michael Dourson? If so, please get back to me by 11:30 a.m.

http://www.ewg.org/release/hidden-carcinogen-taints-tap-water-consumer-products-nationwide#.Wa_0NMaQzIU

Thanks,
Corbin

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 9/6/2017 8:37:00 PM
To: khigashibaba@wbez.org
CC: Press [Press@epa.gov]; Arcaute, Francisco [Arcaute.Francisco@epa.gov]
Subject: EWG Report on 1,4-dioxane

Hi Kijin,

For attribution to an EPA spokesperson:

EPA has released scope documents on the initial 10 chemicals, including 1,4 dioxane, to undergo risk evaluations under the amended TSCA. These documents provide information on the hazards, exposures, conditions of use, and the potentially exposed or susceptible subpopulations EPA expects to consider in its risk evaluations. View the scope document on 1,4 dioxane. EPA will publish and take public comment on a Problem Formulation document for 1,4-dioxane which will refine the current scope, as an additional interim step, prior to publication the draft risk evaluation. This problem formulation is expected to be released within approximately six months of publication of the scope documents.

Mr. Dourson is an outstanding, hard-working scientist with a distinguished record in toxicology and risk assessment. He is widely recognized as a leader in the field of risk assessment and has a long track record of bringing together individuals from academia, industry, and government regulatory agencies to work together.

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/31/2017 6:02:42 PM
To: Todd Neeley [todd.neeley@dtn.com]
CC: Press [Press@epa.gov]
Subject: FW: Reporter, DTN/The Progressive Farmer re: Dicamba situation

Hey Todd,

For attribution to "an EPA spokesperson," if needed:

We'll refer you to the statements we sent you on 8/3 and 8/23.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Todd Neeley [mailto:todd.neeley@dtn.com]
Sent: Thursday, August 31, 2017 9:15 AM
To: Baris, Reuben <Baris.Reuben@epa.gov>
Subject: Reporter, DTN/The Progressive Farmer re: Dicamba situation

Mr. Baris,
My name is Todd Neeley and I'm an agriculture reporter with DTN/The Progressive Farmer in Nebraska. With a growing concern about mounting reports of crop damage allegedly caused by dicamba, we wanted to ask if your agency is considering new guidelines for use of the product? If so, what is the process to do that and when might those guidelines be finalized? We would appreciate any insight you could provide for our readers.

Sincerely,

Todd Neeley
DTN Staff Reporter | **DTN/*The Progressive Farmer*** | **Ag News** | **United States**
Phone: +1402.255.8237 | **Cell:** Ex. 6 Personal Privacy (PP) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237
Email: todd.neeley@dtn.com | **Address:** 9110 West Dodge Rd, Omaha, NE 68114
Twitter: https://twitter.com/ToddNeeleyDTN | http://www.dtnprogressivefarmer.com/dtnag/home

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/24/2017 6:20:31 PM
To: bbordelon@nationaljournal.com
CC: Press [Press@epa.gov]
Subject: FW: FW: Query re: Kaspersky Lab products

Brendan, for attribution to "an EPA spokesperson," please:

1. EPA has no knowledge of EPA contractors using Kaspersky Lab software.
2. EPA scanned systems and confirmed Kaspersky Lab software is not deployed on agency systems.
3. EPA is not part of the Department of Commerce and would not be included in their agency-wide meeting.
4. EPA is in contact Chairman Smith's office and is working to answer his questions.

Thanks, R.

From: Brendan Bordelon [mailto:bbordelon@nationaljournal.com]
Sent: Monday, August 21, 2017 5:18 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: FW: Query re: Kaspersky Lab products

Hi Robert,

No hard deadline right now, though by mid-week would be very helpful. Im asking as part of a broader look at the federal government's use of Kaspersky, given Congress's apparent concern that the company is linked to Russian intelligence. It's not specifically EPA focused.

On Aug 21, 2017 4:34 PM, "Daguillard, Robert" <Daguillard.Robert@epa.gov> wrote:

Good afternoon Brendan,

What's your hard deadline and when are you hoping to publish your story please? Also, are you reaching out to several agencies for information for your story?

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

++

From: Brendan Bordelon [mailto:bbordelon@nationaljournal.com]
Sent: Monday, August 21, 2017 3:59 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Query re: Kaspersky Lab products

Hi,

I'm a cybersecurity reporter with National Journal. I'm emailing to ask about EPA's use of antivirus and cybersecurity products from Kaspersky Labs. I'm hoping you could send information on how many offices, networks, computers etc. utilize Kaspersky software, and if you have any information on Kaspersky use by EPA contractors.

I'm also hoping you could provide information on how much money EPA spent on Kaspersky Lab products over the last several fiscal years. I'd be interested in the amount of money EPA paid out each year to Kaspersky, from FY 2012 up until the latest fiscal year available.

I've also been told that the Commerce Dept is holding an agency-wide meeting to discuss Kaspersky Labs on Wednesday of this week. Could you confirm that meeting, and that representatives from EPA will be attending?

House Science and Tech Committee Chairman Lamar Smith has also sent a letter to EPA asking for similar answers re: Kaspersky. The chairman had requested that the information be provided by August 11. Has EPA responded to the chairman's request?

Please call me if you have any questions. Thanks in advance for your help.

Best,

Brendan Bordelon | Tech policy reporter
bbordelon@nationaljournal.com | **C:** Ex. 6 Personal Privacy (PP) **O:** 202-266-7470 | @BrendanBordelon

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/29/2017 8:29:30 PM
To: Patricia Resende [presende@wjar.com]
CC: Press [Press@epa.gov]
Subject: RE: reporter on deadline

Patricia, from our web site – and still for attribution to "an EPA spokesperson" if needed, please:

https://www.epa.gov/asbestos/protect-your-family#professionals:

Federal law does not require persons who inspect, repair or remove asbestos-containing materials in detached single-family homes to be trained and accredited; however, some states and localities do require this. For safety, homeowners should ensure that workers they hire to handle asbestos are trained and accredited.

State agencies have the most up-to-date listings of accredited professionals in your area.

From: Daguillard, Robert
Sent: Tuesday, August 29, 2017 3:48 PM
To: 'Patricia Resende' <presende@wjar.com>
Subject: RE: reporter on deadline

Let me check.

From: Patricia Resende [mailto:presende@wjar.com]
Sent: Tuesday, August 29, 2017 3:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: reporter on deadline

To be clear. Vortex is offering what it is calling MAPS and CONES approved asbestos training courses. Does the company need to be accredited by EPA to provide that training?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 29, 2017 1:14 PM
To: Patricia Resende <presende@wjar.com>; Press <Press@epa.gov>
Subject: RE: reporter on deadline

Dear Patricia, for attribution to "an EPA spokesperson," please:

There is an accredited training provider by this name based in Rhode Island. Their accreditation expires November 18, 2018.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Patricia Resende [mailto:presende@wjar.com]
Sent: Monday, August 28, 2017 4:06 PM
To: Press <Press@epa.gov>
Subject: reporter on deadline

Hello,
I'm seeking information on a contractor/vendor. Can you please confirm/verify Vortex Inc. (owner John Carbone).

I'd like to verify whether the business or owner is EPA approved to provide lead safe renovator training.

Thank you!
Patricia

Thank You for Turning to 10
Patricia Resende
NBC 10 I-Team Digital Reporter
presende@wjar.com
Office: 401-455-9516
Fax: 401-455-9140
Cell: Ex. 6 Personal Privacy (PP)

TurnTo10.com

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 8/29/2017 8:27:51 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOLLOW-UP - FOR REVIEW: WJAR-TV (Providence, RI; Patricia Resende); EPA contractor/vendor check - DEADLINE ASAP

Good to go

From: Daguillard, Robert
Sent: Tuesday, August 29, 2017 4:16 PM
To: Press <Press@epa.gov>
Subject: FOLLOW-UP - FOR REVIEW: WJAR-TV (Providence, RI; Patricia Resende); EPA contractor/vendor check - DEADLINE ASAP

BACKGROUND

The reporter followed up with a question about asbestos removal training and certification. Patricia Resende – WJAR-TV – presende@wjar.com

RESPONSE

Ex. 5 Deliberative Process (DP)

From: Patricia Resende [mailto:presende@wjar.com]
Sent: Tuesday, August 29, 2017 3:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: reporter on deadline

To be clear. Vortex is offering what it is calling MAPS and CONES approved asbestos training courses. Does the company need to be accredited by EPA to provide that training?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 29, 2017 1:14 PM
To: Patricia Resende <presende@wjar.com>; Press <Press@epa.gov>
Subject: RE: reporter on deadline

Dear Patricia, for attribution to "an EPA spokesperson," please:

There is an accredited training provider by this name based in Rhode Island. Their accreditation expires November 18, 2018.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Patricia Resende [mailto:presende@wjar.com]
Sent: Monday, August 28, 2017 4:06 PM
To: Press <Press@epa.gov>
Subject: reporter on deadline

Hello,
I'm seeking information on a contractor/vendor. Can you please confirm/verify Vortex Inc. (owner John Carbone).

I'd like to verify whether the business or owner is EPA approved to provide lead safe renovator training.

Thank you!
Patricia

Thank You for Turning to 10
Patricia Resende
NBC 10 I-Team Digital Reporter
presende@wjar.com
Office: 401-455-9516
Fax: 401-455-9140
Cell: Ex. 6 Personal Privacy (PP)

Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 8/29/2017 2:32:11 PM
To: Press [Press@epa.gov]
Subject: FW: reporter query: underground storage tanks

For tracking

From: Lynn, Tricia
Sent: Friday, August 25, 2017 4:36 PM
To: lsrking@gannett.com
Subject: RE: reporter query: underground storage tanks

Hi Ledge—

For attribution to "an EPA spokesperson:"

State and territorial UST programs provide EPA with data—such as the number of active and closed tanks, releases confirmed, cleanups initiated and completed, facilities in compliance with UST requirements, and inspections—regarding their performance. EPA compiles that data and makes it available twice a year at https://www.epa.gov/ust/ust-performance-measures.

EPA does not collect location information about USTs or UST releases. However, states and territories possess that information, and you can obtain it directly from them. See https://www.epa.gov/ust/underground-storage-tank-ust-contacts#states for how to contact individual states and territories.

The President submitted his fiscal year 2018 budget to Congress in March. At this point, it is premature for us to speculate about EPA's budget for FY 2018. Historically the UST program has worked closely with our state, territorial, and tribal partners. We know they are on the front lines to protect our land and groundwater from petroleum leaks, such as those from gas stations and other UST facilities, and we expect this partnership will continue to be a hallmark of the UST program.

The eliminated program info for UST STAG is on page 62 & LUST Prevention on page 63 of FY18 budget in brief, which can be found at https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-budget-in-brief.pdf

---

From: King, Ledge [mailto:lsrking@gannett.com]
Sent: Thursday, August 24, 2017 11:09 AM
To: Press <Press@epa.gov>
Subject: reporter query: underground storage tanks

Hello:

Looking for guidance.

The EPA's LUST (Leaking Underground Storage Tanks) program lists 70,094 tanks identified for cleanup among the 50 states and tribal areas:
https://www.epa.gov/sites/production/files/2017-05/documents/ca-17-12.pdf

The report gives a state-by-state breakdown but I'm looking for a geographic-specific list or map of where they are.

Also, the following EPA budget document doesn't give the reasoning for cutting the program from roughly $92 million this year to $47 million in 2018. Has something been put out on the justification or is there someone who can walk me through the rationale?
https://www.epa.gov/sites/production/files/2017-05/documents/fy-2018-budget-in-brief.pdf

Thanks,

Ledge King
Washington DC Bureau
USA TODAY
703-854-8933

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/28/2017 8:45:33 PM
To: Scheid, Brian [brian.scheid@spglobal.com]
CC: Press [Press@epa.gov]
Subject: RE: Harvey fuel waiver question

Correction and still for attribution to "an EPA spokesperson:"

"EPA is continuing to actively monitor the fuel supply situation as a result of Hurricane Harvey, and is ready to act expeditiously if extreme and unusual supply circumstances exist in other areas."

From: Daguillard, Robert
Sent: Monday, August 28, 2017 4:45 PM
To: 'Scheid, Brian' <brian.scheid@spglobal.com>
Cc: Press <Press@epa.gov>
Subject: RE: Harvey fuel waiver question

Hey Brian. Same attribution as earlier, please:

This is our response: EPA is continuing to actively monitor the fuel supply situation as a result of Hurricane Harvey, and is ready to act expeditiously if extreme and unusual supply circumstances exist in other areas.

From: Scheid, Brian [mailto:brian.scheid@spglobal.com]
Sent: Monday, August 28, 2017 4:23 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Harvey fuel waiver question

Just to clarify: the waiver review is under review or the waiver EPA has already issued?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, August 28, 2017 4:16 PM
To: Scheid, Brian
Cc: Press
Subject: RE: Harvey fuel waiver question

Thanks, Brian.

For attribution to "an EPA spokesperson," please:

The waiver is under review.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Scheid, Brian [mailto:brian.scheid@spglobal.com]
Sent: Monday, August 28, 2017 4:10 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Harvey fuel waiver question

Hi,
My deadline is ASAP.
Thanks,
Brian

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, August 28, 2017 4:01 PM
To: Scheid, Brian
Cc: Press
Subject: RE: Harvey fuel waiver question

Good afternoon Brian,

What's your deadline and how long will you update your story, please?

Thanks, R.

From: Daguillard, Robert
Sent: Monday, August 28, 2017 3:59 PM
To: Graham, Amy <graham.amy@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: RE: Harvey fuel waiver question

I'll take it.

From: Graham, Amy
Sent: Monday, August 28, 2017 3:57 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Press <Press@epa.gov>; Gray, David <gray.david@epa.gov>
Subject: FW: Harvey fuel waiver question

Can you all assist

From: Scheid, Brian [mailto:brian.scheid@spglobal.com]
Sent: Monday, August 28, 2017 3:53 PM
To: Graham, Amy <graham.amy@epa.gov>
Subject: Harvey fuel waiver question

Hi Amy,
Any response from EPA on this request from Renewable Fuels Association to expand coverage of the Hurricane Harvey fuel waiver?
http://www.ethanolrfa.org/wp-content/uploads/2017/08/RFA-Hurricane-Harvey-Fuel-Waiver-Request-8-28-17.pdf
Thanks
Brian Scheid

S&P Global Platts
202-383-2147

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/24/2017 2:22:33 PM
To: Tammy Lovell [tammy.lovell@chemicalwatch.com]
CC: Press [Press@epa.gov]
Subject: Subject: Early labelling for compliant composite wood products

Tammy, for attribution to "an EPA spokesperson," please:

On July 11, 2017, EPA published a direct final rule that would remove a provision in the formaldehyde final rule that prohibited early labeling of compliant products. The Agency received no adverse comments on the direct final rule or proposed rule, and therefore it will become effective on August 25, 2017.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Tammy Lovell [mailto:tammy.lovell@chemicalwatch.com]
Sent: Thursday, August 24, 2017 8:28 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Early labelling for compliant composite wood products

Dear Robert

Please can I confirm that the direct final rule on labelling relief for compliant composite wood products is due to take effect from tomorrow (25th August)?

Thanks,
Tammy

Tammy Lovell

Business Reporter
CW Research Ltd

+44 2036 376192 (direct)
+44 1743 818101 (head office)
+44 1743 818121 (fax)
www.chemicalwatch.com

10 years of informing businesses globally on product safety

Message

From: Alyssa Morones Ex. 6 Personal Privacy (PP)
Sent: 8/23/2017 8:31:12 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: FW: Question about autonomy granted to states to regulate pesticides

Thanks, Robert. State authority is not the focus of my piece, but because the focus of the piece is on California, I want to include any relevant California-specific conditions. I believe an outside policy analyst noted this.

On Wed, Aug 23, 2017 at 1:19 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Hey Alyssa, let me follow up.
>
> Out of curiosity, did you hear this from, say, a California state official, a farmer, or an industry representative? Is state authority the focus of your piece?
>
> **From:** Alyssa Morones [mailto: Ex. 6 Personal Privacy (PP)
> **Sent:** Wednesday, August 23, 2017 4:15 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** Re: FW: Question about autonomy granted to states to regulate pesticides
>
> Thanks so much, Robert.
>
> Just one quick follow up question--is the California EPA granted any special autonomy by the Federal government concerning its ability to regulate pesticides? (I'm asking because someone I spoke with noted that he thought this to be the case, but I have not been able to confirm).
>
> Alyssa
>
> On Wed, Aug 23, 2017 at 1:10 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> > Alyssa, for attribution to "an EPA spokesperson," please:
> >
> > Any State can ban the use of a pesticide product within that state. Once a company is granted an EPA registration, the company must also receive registration from each State in which it wishes to sell or distribute the product. States can

ban use of (refuse to register) the product, or impose additional use restrictions on a pesticide product beyond the federal restrictions; however, the State cannot allow fewer restrictions or restrictions contrary to those imposed by the federal registration. Whether and when additional state restrictions are placed on a state registration or use of a pesticide product is banned would be dictated by state laws or regulations.

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Alyssa Morones [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, August 23, 2017 12:04 PM
To: Press <Press@epa.gov>
Subject: Question about autonomy granted to states to regulate pesticides

Hello,

I am a reporter with *California Health Report*. I'm working on a story about pesticide regulation in California and I was hoping you could tell me--

Is the California EPA the only state EPA with enough autonomy to ban a pesticide from being used in the state on its own (without the Federal EPA)?

Do other state EPAs have similar authority? If so, which ones?

If there is a difference in states' authority to ban pesticides, why? Where does the California EPA's autonomy concerning pesticide regulation come from? (ie is there a specific law to point to?)

My deadline is **this afternoon** so any information that you can provide would be very helpful.

Thank you,

Alyssa

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/14/2017 4:45:32 PM
To: Stephanie O'Neill [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: FW: FW: Glyphosate daily levels DEADLINE today
Attachments: EPA-HQ-OPP-2009-0361-0006.pdf

Stephanie, for attribution – if needed – to "an EPA spokesperson," please:

We mention the chronic reference dose in the attached *Human-Health Assessment Scoping Document in Support of Registration Review*. It appears in Table 4 on page 22.

The RfD is an estimate of the quantity of chemical that a person could be exposed to every day for the rest of their life with no appreciable risk of adverse health effects. The reference dose is typically measured in milligrams (mg) of chemical per kilogram (kg) of body weight per day.

From: Stephanie O'Neill [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Wednesday, September 13, 2017 4:01 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: FW: Glyphosate daily levels DEADLINE today

An EWG report (2.0) and a published study from 2016 that I can't find at the moment. Neither had a link to the EPA website.

But none of that is relevant. I just need it straight from the horse's mouth. :-)

On Wed, Sep 13, 2017 at 12:40 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Stephanie, a quick follow-up, just to make sure we're talking about the same thing and numbers: What's your source for the numbers you listed? Can you share a link?
>
> Thanks, R.
>
> **From:** Stephanie O'Neill [mailto: Ex. 6 Personal Privacy (PP)]
> **Sent:** Wednesday, September 13, 2017 2:46 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Re: FW: Glyphosate daily levels DEADLINE today
>
> Hi Robert,
>
> I just need that link to the EPA limit. I'm in the editing phase and as soon as I get that and a few more items, we will publish. I'm not in charge of that part. But this is one of the key links I need.

Thank you for your prompt response. Very much appreciated!

On Wed, Sep 13, 2017 at 11:39 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Stephanie,

A quick word to acknowledge receipt. What's your hard deadline and when are you hoping to publish your story?

Also – and so we know what information to send – have you written about glyphosate before?

Thanks, R.

Robert Daguillard

Office of Media Relations

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Ex. 6 Personal Privacy (PP) (M)

From: Stephanie O'Neill [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, September 13, 2017 2:33 PM
To: Press <Press@epa.gov>
Subject: Glyphosate daily levels DEADLINE today

Hello,

I"m a reporter writing a story for Kaiser Health News about glyphosate.

I'm seeking:

1) a link to the EPA's recommended level for glyphosate intake. I've seen in studies and reports both 1.75 mg/day and 2.0 mgs/day mentioned. So trying to get the correct one; and

2) I'm seeking the date the existing level was established; and

3) A link to the level on the EPA website that I can use in my story.

Thank you.

--

STEPHANIE O'NEILL

Health Care Journalist

- Mobile: Ex. 6 Personal Privacy (PP)
- Twitter: **@ReporterSteph**
- LinkedIn: **http://tinyurl.com/jfo3tt4**

Check out my NPR Story: **"How Doctors Die" -** Knowing how doctors die may help patient choices at end of life **http://tinyurl.com/nssycfm**
Check out my REVEAL Story on: **"Poison Lurking in Schools,"** about PCBs in Malibu's public schools. **http://tinyurl.com/hkjeun8**

--

STEPHANIE O'NEILL

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--
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Check out my REVEAL Story on: **"Poison Lurking in Schools,"** about PCBs in Malibu's public schools. **http://tinyurl.com/hkjeun8**

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/14/2017 2:15:06 PM
To: Luis Sanchez [lsanchez@politico.com]
CC: Press [Press@epa.gov]
Subject: RE: EPA - AWPA questions

Hey Luis,

For attribution to "an EPA spokesperson," please:

1. INQUIRY: According to a number of people, the EPA and AWPA work together but the EPA is fairly hands-off a lot of the times. What kind of oversight or cooperation does the EPA have with the AWPA?

RESPONSE: EPA does not exercise any oversight over AWPA; however, the Agency and AWPA have a history of working collaboratively. AWPA is a nonprofit organization that publishes wood preservation standards that are approved through an ANSI accredited consensus based process. EPA is not a member of the AWPA

2. INQUIRY: According to a letter sent by Steve Knizner to the AWPA president, the EPA has argued against the AWPA's M25 standard change proposal. (Proposal # 17F-T04-T7-M25: AWPA T7 TG on Residential Lumber QC). What concerns does the EPA have about the AWPA's M25 standard change proposal?

RESPONSE: The Agency letter you referenced, dated August 29, 2017, addresses our concerns with the proposed change to the M25 standard. Specifically, we are concerned that the use of EPA registered wood preservatives according to the proposed standard could be in violation of FIFRA since the proposed retention rate increase may not be consistent with all current EPA registered labels. The Agency has not assessed the human health and the environmental impacts of a 15 percent retention rate increase for each registered active ingredient used to preserve residential lumber. We are concerned that the proposed rate increase may result in residential lumber being unnecessarily treated with more preservative than approved by EPA

3. INQUIRY: What action does the EPA plan to take if the AWPA approves the M25 proposal?

RESPONSE: The Agency has communicated our concerns regarding the M25 proposal through the August 29, 2017 letter. Wood preservative pesticide registrants would have to examine their individual product labels to see if label amendments are required to permit application at a higher rate. New risk assessments may also be required to reflect label amendments with the proposed increase in application rate.

4. INQUIRY: What environmental and human health concerns does the preservative retention rate increase of 15 percent raise?

RESPONSE: The Agency is uncertain what effects the proposed 15 percent retention rate increase would have on human health and the environment. As stated in our letter, new human health and environmental risk assessments may need to take place as pesticide label amendments are submitted to the Agency.

5. INQUIRY: What are the EPA's concerns with the AWPA's standard changes that led to more ground contact treated wood being used and increased the amount of copper for certain above-ground wood treatments? (The UC3 and UC4 changes from 2016)

RESPONSE: EPA did not submit comments on that.

6. INQUIRY: Does the EPA have representatives in the AWPA?

RESPONSE: The Agency is not a member of AWPA; however, we attend their meetings.

Regards, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) M)

From: Luis Sanchez [mailto:lsanchez@politico.com]
Sent: Wednesday, September 13, 2017 4:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Re: EPA - AWPA questions

Yes, not a problem. Tomorrow should be fine. Thank you so much.

Best,
Luis

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Wednesday, September 13, 2017 4:44:22 PM
To: Luis Sanchez
Cc: Valentine, Julia
Subject: RE: EPA - AWPA questions

Luis, a quick word to let you know we're probably very close to getting you a response, but may not do so until tomorrow. I hope that would still work for your purposes.

Thanks, R.

From: Luis Sanchez [mailto:lsanchez@politico.com]
Sent: Tuesday, September 12, 2017 4:27 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: EPA - AWPA questions

Not a problem. Thank you Robert.

Best,
Luis

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, September 12, 2017 4:25:40 PM
To: Luis Sanchez
Subject: RE: EPA - AWPA questions

Thanks, Luis. We're still working on an inquiry and are aware of your deadline.

Regards, R.

From: Luis Sanchez [mailto:lsanchez@politico.com]
Sent: Tuesday, September 12, 2017 4:20 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: EPA - AWPA questions

Hi Robert,

Is there someone from the program that I can talk to that you recommend?

Best,
Luis

From: Luis Sanchez
Sent: Monday, September 11, 2017 3:07:02 PM
To: Daguillard, Robert
Subject: Re: EPA - AWPA questions

Good afternoon Robert,

Thank you for getting back to me so quickly. The piece is mainly about the American Wood Protection Association, how it operates and the two mentioned standard changes the AWPA passed/is considering. The interaction between the EPA and the AWPA is a significant part of the story but it is not the main focus.

My hard deadline is Wednesday. The article would likely be published at the end of the day Wednesday or first thing Thursday morning.

Thanks again for your help.

Best,
Luis Sanchez

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Monday, September 11, 2017 3:00:29 PM
To: Luis Sanchez
Subject: FW: EPA - AWPA questions

Good afternoon Luis,

My colleague Rose Kyprianou from our pesticides program forwarded me your questions. I'm happy to connect with the program so we can respond to your inquiry.

For my own edification and for context, are you writing a piece about the wood industry, or are you just concentrating on interaction between EPA and a stakeholder?

Last but not least, what's your hard deadline? When are you hoping to publish your story?

Regards, R.

Robert Daguillard

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Ex. 6 Personal Privacy (PP) M)

From: Luis Sanchez [mailto:lsanchez@politico.com]
Sent: Monday, September 11, 2017 1:57 PM
To: Kyprianou, Rose <Kyprianou.Rose@epa.gov>
Subject: EPA - AWPA questions

Hi Mrs. Kyprianou,

I'm a reporter for Politico working on a story about the American Wood Protection Association. We talked late last week over the phone about the EPA and the issues it had with certain AWPA proposed changes. You weren't able to comment but asked me to email you the questions and you would find the appropriate person to answer them. The questions are below. Please let me know if you have any questions or need clarification about anything mentioned. You can also reach me at 469-363-5614 if you'd like to talk in person instead. My deadline is Wednesday.

Thank you so much for your help. I really appreciate you taking the time to help me out.

Best,
Luis

- According to a number of people, the EPA and AWPA work together but the EPA is fairly hands-off a lot of the times. What kind of oversight or cooperation does the EPA have with the AWPA?
- According to a letter sent by Steve Knizner to the AWPA president, the EPA has argued against the AWPA's M25 standard change proposal. (Proposal # 17F-T04-T7-M25: AWPA T7 TG on Residential Lumber QC). What concerns does the EPA have about the AWPA's M25 standard change proposal?
- What action does the EPA plan to take if the AWPA approves the M25 proposal?
- What environmental and human health concerns does the preservative retention rate increase of 15 percent raise?
- What are the EPA's concerns with the AWPA's standard changes that led to more ground contact treated wood being used and increased the amount of copper for certain above-ground wood treatments? (The UC3 and UC4 changes from 2016)
- Does the EPA have representatives in the AWPA?

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/22/2017 2:34:23 PM
To: amy martyn [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: RE: Dicamba drift

Amy, for attribution to "an EPA spokesperson," please:

EPA is evaluating cases of reported damage to non-target crops from the use of the dicamba products applied over-the-top of growing soybeans and cotton.

From: amy martyn [mailto:Ex. 6 Personal Privacy (PP)]
Sent: Tuesday, August 15, 2017 5:55 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Dicamba drift

Thanks Robert. Are you concerned about just dicamba, or also about the dicamba-based products on the market, such as Roundup Ready Xtend?

On Tue, Aug 15, 2017 at 1:00 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Amy, for attribution to "an EPA spokesperson," please:
>
> EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states.
>
> We are working with the states and the registrants to better understand the issue. We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment
>
> Regards, R.
>
> Robert Daguillard
>
> Office of Media Relations
>
> U.S. Environmental Protection Agency
>
> Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: amy martyn [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, August 15, 2017 1:55 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Dicamba drift

End of day today.

On Tue, Aug 15, 2017 at 12:53 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Amy,

Thanks for reaching out. What's your deadline, please?

From: amy martyn [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, August 15, 2017 1:50 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Dicamba drift

Hi Robert. Several states in the South are reporting an uptick in complaints about Dicamba-based pesticides that are drifting and destroying neighboring farms. The problem has become serious enough that Arkansas is now banning dicamba while other states are introducing restrictions.

Given the new information, is the EPA reconsidering its decision to allow Monsanto, Dupont and BASF to sell dicamba-based pesticides and dicamba resistant seeds?

I'm writing for Consumer Affairs. You can reach me here or on my cell, (Ex. 6 Personal Privacy (PP) -Amy

--

Amy D. Martyn

Consumer Affairs/Tonic/Motherboard

c: Ex. 6 Personal Privacy (PP)

asilverstein@consumeraffairs.com

amydmartyn@gmail.com

@amysilstein

--

Amy D. Martyn

Consumer Affairs/Tonic/Motherboard

c: Ex. 6 Personal Privacy (PP)

asilverstein@consumeraffairs.com

amydmartyn@gmail.com

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--
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asilverstein@consumeraffairs.com
amydmartyn@gmail.com
@amysilstein

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/22/2017 2:33:39 PM
To: charles@mesothelioma.com
CC: Press [Press@epa.gov]
Subject: Subject: Asbestos Recycling Question

Charles, for attribution to "an EPA spokesperson," please:

While EPA does not have information regarding the specific reasons that more entities have not undergone the required approval procedure to convert asbestos-containing waste into asbestos-free material, we are aware that the processes used to complete conversion typically are energy intensive. Additionally, the resulting product must not have detectable levels of asbestos, as measured using transmission electron microscopy (TEM), a highly sensitive analytical method. The asbestos National Emission Standards for Hazardous Air Pollutants (NESHAP), pursuant to section 112 of the Clean Air Act, has a provision at 40 CFR section 61.155 entitled standard for operations that convert asbestos-containing waste material into nonasbestos (asbestos-free) material. As per this regulation, entities can apply for, and receive approval from EPA, to convert asbestos-containing waste material to non-asbestos material. Unless approved to convert asbestos-containing waste material to non-asbestos material, entities regulated by the asbestos NESHAP must properly dispose of asbestos-containing waste material at a waste disposal site that accepts asbestos waste as per federal, state and local regulations.

From: charles@mesothelioma.com [mailto:charles@mesothelioma.com]
Sent: Thursday, August 10, 2017 9:28 AM
To: Courtnage, Robert <Courtnage.Robert@EPA.GOV>
Subject: Asbestos Recycling Question

Good morning Robert,

My name is Charles MacGregor and I'm a Community Engagement Specialist with the Mesothelioma Cancer Alliance. I'm currently working on an op-ed piece about the EPA's ongoing evaluation of asbestos and wanted to ask a couple questions about the processes associated with recycling the mineral.

On page 27 of the EPA's scoping document released in June, the agency states that of the 25.6 million pounds of friable asbestos managed, less than half a ton was recycled. Is there a particular reason why so little asbestos is actually recycled? My first thought went to the costs associated with heating the asbestos to the point where it forms silicate glass, but that's just an educated guess. Can you help shed a little light as to why these facilities aren't recycling and treating more asbestos?

Thank you so much for your help,
Charles

Robert Daguillard
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Ex. 6 Personal Privacy (PP) (M)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/22/2017 11:44:03 AM
To: Hiroko Nishimura [nishimura_ny@nikkei.com]
CC: Press [Press@epa.gov]
Subject: RE: Press Inquiry about Pesticides

Dear Ms. Nishimura,

For attribution to "an EPA spokesperson," please:

EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Arkansas and elsewhere.

We are gathering information from the registrants, state officials and crop production experts now in order to understand this issue and evaluate if additional regulatory steps or use adjustments are needed to protect crops from off field movement of this herbicide. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

Regards, R.

From: Hiroko Nishimura [mailto:nishimura_ny@nikkei.com]
Sent: Monday, August 21, 2017 2:31 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Press Inquiry about Pesticides

Dear Mr. Daguillard,

My name is Hiroko Nishimura from Nikkei newspaper, a leading business media in Japan.
I am based in NYC covering US news.
I am currently working on the story about the controversy around Dicamba. I have following questions related to the issue. I'd appreciate for your help.

1) Is there any ongoing review by EPA regarding to the recent approval of the Dicamba products (XtendiMax and Enginia,) if the process and data for approval was sufficient/appropriate?
2) If so, is there any possibility of having the approval revoked?
3) If not, what is EPA's understanding on what is causing the reported damage on crops by the use of Dicamba by neighboring farmers (ex. inappropriate/illegal use)?
4) Is there any ongoing effort by EPA to reduce the reported impact for farmers by the use of Dicamba products?

Thank you very much for your help.

Hiroko Nishimura
Correspondent
Nikkei
212-261-6324
nishimura_ny@nikkei.com

Message

From: Ellen Gilmer [egilmer@eenews.net]
Sent: 8/21/2017 5:15:18 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Hewitt, James [hewitt.james@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: E&E reporter

Many thanks.

-----Original Message-----
From: Lynn, Tricia [mailto:lynn.tricia@epa.gov]
Sent: Monday, August 21, 2017 11:14 AM
To: Ellen Gilmer <egilmer@eenews.net>; Hewitt, James <hewitt.james@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: E&E reporter

Ellen--

For attribution to "an EPA spokesperson:"

EPA may elect to exercise its enforcement discretion on a case-by-case basis with respect to the fugitive emissions monitoring requirements. Companies that have specific questions regarding their compliance obligations should contact the appropriate EPA regional office.

Best,

Tricia

_____

Tricia Lynn
Office of Public Affairs
U.S. EPA
Office: 202.564.2615

-----Original Message-----
From: Ellen Gilmer [mailto:egilmer@eenews.net]
Sent: Monday, August 21, 2017 10:03 AM
To: Hewitt, James <hewitt.james@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: E&E reporter

Morning,

I'm checking in again on this request. I'd appreciate some clarity on the agency's plans.

Thanks,

Ellen Gilmer
E&E News
202-701-0125

-----Original Message-----
From: Ellen Gilmer
Sent: Thursday, August 17, 2017 3:49 PM
To: Hewitt, James <hewitt.james@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: E&E reporter

Hi James and team,

I'm following up on this story now. Two questions:

-Can you provide additional information about EPA's enforcement plans for the NSPS for methane from oil and gas operations?
-Does the agency plan to issue compliance guidance (formal or informal) to the regulated community? If so, can you provide details?

Deadline COB tomorrow (8/17). Please feel free to give me a call if it's easier to chat on the phone.

Thanks so much,

Ellen Gilmer
E&E News
202-701-0125

> On Aug 11, 2017, at 9:52 AM, Hewitt, James <hewitt.james@epa.gov> wrote:
>
> Hi Ellen,
>
> Please attribute to an agency spokesperson:
>
> "The Agency is considering all available options at this time."
>
> Thank you,
> James
>
> -----Original Message-----
> From: Ellen Gilmer [mailto Ex. 6 Personal Privacy (PP)
> Sent: Thursday, August 10, 2017 6:25 PM
> To: Press <Press@epa.gov>
> Subject: E&E reporter
>
> Sorry, another after-hours request from a D.C. Circuit decision. Any agency comment on the court's denial of en banc review re: EPA's NSPS for methane? Or comment on how the agency plans to enforce the standards while it works on the 2-year freeze?
>
> Thanks!
>
> Ellen Gilmer
> E&E News
> 202-701-0125
>

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 8/21/2017 4:22:24 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]; Hull, George [Hull.George@epa.gov]
Subject: RE: Puerto Rico

That's fine

From: Daguillard, Robert
Sent: Monday, August 21, 2017 11:59 AM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; Hull, George <Hull.George@epa.gov>
Subject: FW: Puerto Rico

Amy, I assume that's OK with you?

From: Schultz, David [mailto:dSchultz@bna.com]
Sent: Monday, August 21, 2017 11:56 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Puerto Rico

Thanks. As mentioned earlier, I can't attribute to anonymous sources so I'll attribute this to Amy Graham unless I hear otherwise from you.

: : : : : : : : : : : : : : : : :

David Schultz
Reporter

Bloomberg BNA

703-341-3696
dschultz@bna.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, August 21, 2017 11:54 AM
To: Schultz, David <dSchultz@bna.com>
Cc: Press <Press@epa.gov>
Subject: RE: Puerto Rico

David, for attribution to "an EPA spokesperson," please: The forbearance agreement was extended by an additional six months.

Regards, R.

From: Daguillard, Robert
Sent: Friday, August 18, 2017 4:15 PM
To: 'Schultz, David' <dSchultz@bna.com>
Cc: Press <Press@epa.gov>
Subject: RE: Puerto Rico

Thanks, David. We have nothing to add to our statement, but go ahead and attribute to Amy Graham, EPA spokesperson.

Regards as always, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Schultz, David [mailto:dSchultz@bna.com]
Sent: Friday, August 18, 2017 4:06 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Puerto Rico

Hi Robert,

Please give me a call whenever you get a chance. I have lots of questions about this statement. Also, I will not be able to attribute this to "EPA spokesperson" as we have a policy against anonymous sources.

David

: : : : : : : : : : : : : : : : :

David Schultz
Reporter

Bloomberg BNA

703-341-3696
dschultz@bna.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, August 18, 2017 3:58 PM
To: Schultz, David <dSchultz@bna.com>
Cc: Press <Press@epa.gov>
Subject: FW: Puerto Rico

David, for attribution to "an EPA spokesperson," please:

EPA is working with Puerto Rico's State Revolving Fund agencies and PRASA to develop a long-term restructuring agreement that will reestablish a viable SRF and ensure continued protection of human health and the environment.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Schultz, David [mailto:dSchultz@bna.com]
Sent: Thursday, August 17, 2017 4:29 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Puerto Rico

Hi Robert,

Just checking in on my request with Enesta from earlier this week. Do you think you'll be able to connect me with one of your colleagues in the Office of Water who can chat with me about the EPA's work with PRASA in Puerto Rico to address their water infrastructure financing problems? I already had an off the record conversation with Andrew Sawyer on this but now I'm looking for something on the record. Let me know if it will be possible to chat with him or someone else either tomorrow or early next week.

Thanks!

David

: : : : : : : : : : : : : : : : : :

David Schultz
Reporter

Bloomberg BNA

703-341-3696
dschultz@bna.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/21/2017 11:37:59 AM
To: Ex. 6 Personal Privacy (PP)
CC: Press [Press@epa.gov]
Subject: FW: FOR REVIEW: Architect Magazine (Chris Bentley) TSCA & the built environment- DEADLINE 8/15

Good morning Chris,

For attribution to "an EPA spokesperson," please.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

A1: At any one time, EPA typically has an average of 300 new chemical cases under review. As the Agency makes final determinations on chemicals already in the review process, decreasing the case load, new requests are being submitted which increases the case load. With the new law's passage cases in the review pipeline on June 22, 2016 needed to be reassessed under the new statutory requirements, adding to the Agency's average case load and creating a "backlog" which grew to almost 600 cases. For more information: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/statistics-new-chemicals-review

A2: EPA took many steps. This included redeploying staff to increase the number of Full-Time Equivalent (FTE) staff working on new chemicals and streamlining work processes around new chemicals review.

With regard to your second question, as stated in the press release (https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews) the Agency is committed to a transparent process which includes providing more certainty and clarity to the public in making new chemical determinations. The Agency hopes this clarity will alleviate concern regarding public health.

A3: The publication of the asbestos scope document (which lays out the scope of the risk evaluation) is just the beginning of the risk evaluation process. If EPA finds an unreasonable risk under the conditions of use from asbestos then the Agency will move to eliminate the risk during a 2 to 4 year risk management process. At this time EPA cannot comment on how this chemical will be regulated. Existing regulations will be considered in the risk evaluation. The Chloralkali industry is within the scope of the abestos risk evaluation. The scope document (https://www.epa.gov/sites/production/files/2017-06/documents/asbestos_scope_06-22-17.pdf) provides additional information as to which uses will be considered in this risk evaluation.

From: Chris Bentley [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, August 10, 2017 12:57 PM
To: Press <Press@epa.gov>
Subject: TSCA & the built environment--Architect magazine inquiry

Hello,

I'm writing for Architect magazine about the Toxic Substances Control Act with a deadline of Tuesday, and I'm hoping you can offer some more detail about Tuesday's EPA announcement that "the backlog [of new chemical cases] is eliminated."

1. Could you clarify what that means, exactly? To what backlog are you referring? Which chemicals?
2. How did you eliminate that backlog so quickly? Do you worry you're cutting corners on matters of public health?
3. With regards to the built environment, some architects are particularly concerned about asbestos. What is EPA's intent with asbestos regulations? Do you intend to exclude from TSCA chlorine manufacturing, which involves asbestos?

Thank you for your help.

Chris Bentley
518-366-5732
cabentley.com
@cementley

Message

From: Schultz, David [dSchultz@bna.com]
Sent: 8/18/2017 8:15:56 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Puerto Rico

Thanks for the attribution. That is disappointing that you are unable to expand on this, as it doesn't really answer any of the questions I had. Can you at least tell me what the status is of the forbearance agreement that expired on June 30?

: : : : : : : : : : : : : : : : : :

David Schultz
Reporter

Bloomberg BNA

703-341-3696
dschultz@bna.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, August 18, 2017 4:14 PM
To: Schultz, David <dSchultz@bna.com>
Cc: Press <Press@epa.gov>
Subject: RE: Puerto Rico

Thanks, David. We have nothing to add to our statement, but go ahead and attribute to Amy Graham, EPA spokesperson.

Regards as always, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Schultz, David [mailto:dSchultz@bna.com]
Sent: Friday, August 18, 2017 4:06 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Puerto Rico

Hi Robert,

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David

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David Schultz
Reporter

Bloomberg BNA

703-341-3696
dschultz@bna.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, August 18, 2017 3:58 PM
To: Schultz, David <dSchultz@bna.com>
Cc: Press <Press@epa.gov>
Subject: FW: Puerto Rico

David, for attribution to "an EPA spokesperson," please:

EPA is working with Puerto Rico's State Revolving Fund agencies and PRASA to develop a long-term restructuring agreement that will reestablish a viable SRF and ensure continued protection of human health and the environment.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Schultz, David [mailto:dSchultz@bna.com]
Sent: Thursday, August 17, 2017 4:29 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Puerto Rico

Hi Robert,

Just checking in on my request with Enesta from earlier this week. Do you think you'll be able to connect me with one of your colleagues in the Office of Water who can chat with me about the EPA's work with PRASA in Puerto Rico to address their water infrastructure financing problems? I already had an off the record conversation with Andrew Sawyer on this but now

I'm looking for something on the record. Let me know if it will be possible to chat with him or someone else either tomorrow or early next week.

Thanks!

David

: : : : : : : : : : : : : : : : : :

David Schultz
Reporter

Bloomberg BNA

703-341-3696
dschultz@bna.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/18/2017 4:32:34 PM
To: tvictoria@butlereagle.com
CC: Press [Press@epa.gov]
Subject: EPA Response

Tom, for attribution to "an EPA spokesperson," please.

1. Can EPA confirm the 80 ppb standard?

Yes, EPA's drinking water regulations for disinfection byproducts include a Maximum Contaminant Level (MCL) for Total Trihalomethanes (TTHMs) of 80 ppb. Disinfection byproducts form when disinfectant chemicals such as chlorine are added to drinking water to kill disease causing microbes like salmonella or viruses. Disinfectants can also react with naturally occurring material in the source water to form disinfection byproducts. EPA's Disinfection Byproduct standards are set to balance the risks of microbial pathogens and disinfection byproducts. For more information visit:https://www.epa.gov/dwreginfo/stage-1-and-stage-2-disinfectants-and-disinfection-byproducts-rules

2. Can you comment on the recommendation of .08 ppb?

The health guideline referenced by the EWG is a draft public health goal that was published for review by the California Office of Environmental Health Hazard Assessment in 2009. https://oehha.ca.gov/media/downloads/water/public-health-goal/thmphg061909.pdf (It does not appear as though a final public health goal has been issued by California OEHA for TTHMs). It is important to note that there is a difference between a health goal and an enforceable standard. Health goals are set at levels at which no known or anticipated adverse effects on health will occur with an adequate margin of safety.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/8/2017 2:16:06 PM
To: Rachel Uranga [ruranga@scng.com]
CC: Press [Press@epa.gov]
Subject: RE: Media Inquiry

Rachel, for attribution to "an EPA spokesperson," please:

We currently do not have particulate matter (PM) emission standards for any aircraft engines in EPA regulations. We also currently do not have lead (Pb) emission standards for any aircraft or aircraft engines.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

On Aug 2, 2017, at 5:42 PM, Rachel Uranga <ruranga@scng.com> wrote:

Are there any regulations over particulate matter and lead in smaller aircraft?

Rachel Uranga
o: 562-499-1263
c: Ex. 6 Personal Privacy (PP)
Twitter: @rachelruranga

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/4/2017 2:20:49 PM
To: John Jaksich [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: FW: Pesticide regulations AND Invasive species

John, for attribution to "an EPA spokesperson," please:

Under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), it is illegal to sell or distribute a pesticide unless it is registered by EPA. EPA registers pesticides based on sufficient scientific data for the agency to conclude that it can be used safely for the intended purpose, following approved label instructions and precautions. Under FIFRA, pesticide labels are legally enforceable; they bear the statement: "It is a violation of Federal law to use this product in a manner inconsistent with its labeling." Such misuse can subject the applicator to civil or criminal penalties. FIFRA gives primary enforcement responsibility for pesticide use to the states. Each state has a lead agency (often the state department of agriculture) with primary responsibility for investigating and enforcing incidents involving the use of pesticides in the state, and most states have their own state pesticide use laws, which may be, and often are, more restrictive than FIFRA. For more information about enforcement in a state, contact the state lead agency. For advice about how to control unwanted plants, you may wish to talk to a local Extension Service.

Common table salt is not registered as a pesticide, and thus, there is no approved label. If someone were to sell or distribute table salt for pesticidal use, that would be a violation of FIFRA. It would not be a violation of FIFRA if you applied it only to your own property. If you applied a registered pesticide for a purpose for which it is not approved, or if you applied more than allowed per the label instructions, you would be in violation.
FIFRA has been enforced thousands of times. FIFRA has been around for 70 years and is enforced by EPA. Enforcement of FIFRA under state or tribal law is carried out in all 50 states (only 48 states in the beginning), plus Tribes and territories.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
[Ex. 6 Personal Privacy (PP)] (M)

From: John Jaksich [mailto [Ex. 6 Personal Privacy (PP)]
Sent: Thursday, July 27, 2017 3:39 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Pesticide regulations AND Invasive species

Good afternoon, Mr. Daguillard

Thank you for taking my call. I request information on the legal ramifications of using herbicides that are not specifically designated for species of weed?

The case in point is the Giant Hogweed that has gained a foothold in New York state. Triclopyr and Glyphosate are two designated herbicides for the eradication of the noxious species.

I request to speak with or send questions regarding herbicide registration to fight the invasive species.

Best,

John A. Jaksich

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/3/2017 6:59:20 PM
To: mheller@eenews.net
CC: Press [Press@epa.gov]
Subject: FW: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Hey Marc,

With apologies for the late reply and for attribution to "an EPA spokesperson," please:

We are reviewing the petition and will take action as appropriate.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Marc Heller [mailto:mheller@eenews.net]
Sent: Monday, July 31, 2017 10:14 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Subject: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Hello Christie – I'm writing a follow up story from last week's court ruling on the RFS and the waiver authority.

I wondered, first, if EPA has a reaction. And secondly, whether the agency views this as requiring retroactive action (I don't how that would work, but maybe), or whether this is all just about interpretation of the waiver authority going forward?

Marc Heller
Reporter -- Agriculture
E&E News
(202) 446-0411
mheller@eenews.net

Message

From: Jim Witters [JWitters@ama-cycle.org]
Sent: 8/3/2017 6:45:33 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: RFS, RVOs and the DC court ruling

Thanks, Robert.

If additional information, comment or action is available before my Aug. 10 deadline, please send it along.

Jim Witters
Managing Editor
American Motorcyclist Association
13515 Yarmouth Drive
Pickerington, OH 43147
Phone: (614) 856-1900, ext. 1279
www.americanmotorcyclist.com

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From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, August 3, 2017 2:42 PM
To: Jim Witters <JWitters@ama-cycle.org>
Cc: Press <Press@epa.gov>
Subject: FW: RFS, RVOs and the DC court ruling

Jim, for attribution to "an EPA spokesperson," please:

We are reviewing the petition and will take appropriate action as needed.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Jim Witters [mailto:JWitters@ama-cycle.org]
Sent: Wednesday, August 02, 2017 4:43 PM
To: Press <Press@epa.gov>
Subject: RFS, RVOs and the DC court ruling

Greetings,

I am checking to see if your agency has had a chance to review the July 28 ruling by the U.S. Court of Appeals for the District of Columbia Circuit in case 16-1005 (Americans for Clean Energy, et al., v. Environmental Protection Agency and E. Scott Pruitt, Administrator.

And I am seeking the EPA's response to this ruling.

Specifically, I would like to know:
Will the EPA begin establishing Renewable Volume Obligations that match those laid out in the Energy Independence and Security Act of 2007?
Will this ruling affect the EPA's proposed RVOs for the 2018 calendar year?

Founded in 1924, the nonprofit American Motorcyclist Association is the premier advocate for the motorcycling community. We represent the interests of millions of American on- and off-highway motorcyclists and all-terrain vehicle riders. Our mission is to promote the motorcycle lifestyle and protect the future of motorcycling.

Our magazine goes directly to about 170,000 members each month.

My deadline is 5 p.m. ET on Aug. 10.

Thanks in advance for your help.

Regards,

Jim Witters
Managing Editor
American Motorcyclist Association
13515 Yarmouth Drive
Pickerington, OH 43147
Phone: (614) 856-1900, ext. 1279
www.americanmotorcyclist.com

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/3/2017 4:54:02 PM
To: Cook, Steven [SCook@bna.com]
CC: Press [Press@epa.gov]
Subject: RE: Subject: Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Hawaii

Steve, for attribution to "an EPA spokesperson" if needed, please:

The Federal Register notice in June 2017 (82 FR 29075) was simply confirming that Hawaii DOH's plans to implement EPA Office of Water's Compliance Data Monitoring Portal (CMDP) meet the system technical business process requirements set forth in 40 CFR Part 3 (Cross-Media Electronic Reporting Rule (CROMERR)) and that Hawaii, per CROMERR requirements, sufficiently documented its ability to enforce using electronic documents.

What we published in June 2017 is a simple notice that it evaluated the system plans against the CROMERR standards and are confirming them as legally and technically compliant with these standards. In that approval action, per the requirements of CROMERR, it is modifying the state's EPA-approved authorized program for electronic reporting under the authority of 40 CFR part 3. Neither Hawaii nor EPA need to do anything further to carry out this program modification.

Regards, R.

From: Cook, Steven [mailto:SCook@bna.com]
Sent: Thursday, August 03, 2017 12:03 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Subject: Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Hawaii

OK. Thanks, Robert.

Steve

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, August 03, 2017 12:02 PM
To: Cook, Steven <SCook@bna.com>
Subject: RE: Subject: Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Hawaii

Thanks, Steve (if I may and please, call me Robert).

From: Cook, Steven [mailto:SCook@bna.com]
Sent: Thursday, August 03, 2017 11:58 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Subject: Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Hawaii

Thanks, Mr. Daquillard.

I still need the information. It's not for a news story, but for a reference collection summarizing compliance obligations. I am trying to determine if this final rule activates rules already established by Hawaii, in which case, I need to update the summary, or if it authorizes Hawaii to begin the process of modifying it's rules.

Thanks again.

Steve

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Steven D. Cook
Senior Editor

Bloomberg BNA
1801 S. Bell St.
Arlington, Va., 22202

Direct 703.341.3714
Fax: 703.341.1679
scook@bna.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, August 03, 2017 11:55 AM
To: Cook, Steven <SCook@bna.com>
Subject: Subject: Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Hawaii
Importance: High

Dear Steven, my colleagues in EPA's Office of Environmental Information forwarded me your inquiry. Do you still need the information or have you already written your story?

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

> **From:** Cook, Steven [mailto:SCook@bna.com]
> **Sent:** Monday, July 31, 2017 11:09 AM
> **To:** Seeh, Karen <Seeh.Karen@epa.gov>
> **Subject:** Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Hawaii
>
> Good morning, Ms. Seeh.
>
> I have a background, not for attribution in any way, question about the June 27, 2016 Federal Register notice, 82 FR 29075, regarding EPA permission for Hawaii to implement electronic reporting for drinking water standards.
>
> Is this approval for state regulations already finalized by the Hawaii Department of Health, or is this approval for HI DOH to begin writing regulations to implement electronic reporting? The state in 2014 finalized amendments to drinking water standards that included provisions for electronic reporting in some areas. Is this what was being approved by EPA on June 27?
>
> I am seeking this information so that I can accurately characterize the current regulations. If this action by EPA authorizes steps already taken by HI DOH, I will describe those steps, as described in the state regulations and the Federal Register. If it authorizes prospective action by HI DOH, I will wait until the department completes work on the new regulations before I work on describing them.
>
> Thank you very much.

Steve

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Steven D. Cook
Senior Editor

Bloomberg BNA
1801 S. Bell St.
Arlington, Va., 22202

Direct 703.341.3714
Fax: 703.341.1679
scook@bna.com

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 8/3/2017 4:52:35 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW - BNA (Steven Cook) Hawaii SDWA Electronic Reportign - DEADLINE 8/3

Good to send.

From: Daguillard, Robert
Sent: Thursday, August 3, 2017 12:42 PM
To: Press <Press@epa.gov>
Subject: FOR REVIEW - BNA (Steven Cook) Hawaii SDWA Electronic Reportign - DEADLINE 8/3

BACKGROUND

The notice is about Hawaii DOH's intent to collect electronically required regulatory reports under their EPA-authorized drinking water program. Federal rules set standards for planned electronic reporting under regulatory programs. EPA is providing formal notice that Hawaii's plan to collect this data into OW's CMDP system complies with federal standards. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) The reporter is not writing a story, but looking to update a regulatory affairs database. Steven Cook – BNA – scook@bna.com

RESPONSE

Ex. 5 Deliberative Process (DP)

From: Cook, Steven [mailto:SCook@bna.com]
Sent: Monday, July 31, 2017 11:09 AM
To: Seeh, Karen <Seeh.Karen@epa.gov>
Subject: Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Hawaii

Good morning, Ms. Seeh.

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I am seeking this information so that I can accurately characterize the current regulations. If this action by EPA authorizes steps already taken by HI DOH, I will describe those steps, as described in the state regulations and the Federal Register. If it authorizes prospective action by HI DOH, I will wait until the department completes work on the new regulations before I work on describing them.

Thank you very much.

Steve

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Steven D. Cook
Senior Editor

Bloomberg BNA
1801 S. Bell St.
Arlington, Va., 22202

Direct 703.341.3714
Fax: 703.341.1679
scook@bna.com

Message

From: Todd Neeley [todd.neeley@dtn.com]
Sent: 8/3/2017 3:39:33 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: DTN re: Renewable Fuel Standard in light of DC circuit court decision

Thanks much..

Todd Neeley
DTN Staff Reporter | **DTN/*The Progressive Farmer*** | **Ag News** | **United States**
Phone: +1402.255.8237 | **Cell:** Ex. 6 Personal Privacy (PP) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237
Email: todd.neeley@dtn.com | **Address:** 9110 West Dodge Rd, Omaha, NE 68114
Twitter: **https://twitter.com/ToddNeeleyDTN** | http://www.dtnprogressivefarmer.com/dtnag/home

---

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, August 03, 2017 10:03 AM
To: Todd Neeley <todd.neeley@dtn.com>; Press <Press@epa.gov>
Subject: RE: DTN re: Renewable Fuel Standard in light of DC circuit court decision

Todd, also for attribution to "an EPA spokesperson," please:

We are reviewing the decision and will take action as appropriate.

From: Todd Neeley [mailto:todd.neeley@dtn.com]
Sent: Thursday, August 03, 2017 10:43 AM
To: Press <Press@epa.gov>
Subject: DTN re: Renewable Fuel Standard in light of DC circuit court decision

Last week the U.S. Court of Appeals for the DC circuit issued a ruling regarding the RFS volumes for the 2015 final rule. That rule included volumes for 2014-2016, as well as 2017 volumes for biomass-based biodiesel. The court ruled the agency could not use inadequate domestic supply waiver in lowering the volumes, etc. We just wondered what EPA's next steps are on this in response. Will the agency go back and review the RVOs for 2014-2016 and if so, when might there be agency action on this front? I've attached the court ruling for your reference. My deadline- by tomorrow morning if possible.

Thanks much,

Todd Neeley
DTN Staff Reporter | **DTN/*The Progressive Farmer*** | **Ag News** | **United States**
Phone: +1402.255.8237 | **Cell:** Ex. 6 Personal Privacy (PP) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237
Email: todd.neeley@dtn.com | **Address:** 9110 West Dodge Rd, Omaha, NE 68114
Twitter: https://twitter.com/ToddNeeleyDTN | http://www.dtnprogressivefarmer.com/dtnag/home

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/3/2017 3:34:39 PM
To: srankin@ap.org
CC: Press [Press@epa.gov]
Subject: Subject: inquiry from AP reporter re: Radford air emissions report

Dear Sarah, for attribution to "an EPA spokesperson," please:

The report on the Radford sampling effort is still in draft form, is under review, and is marked "Do Not Copy or Distribute."

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Rankin, Sarah [mailto:SRankin@ap.org]
Sent: Tuesday, August 01, 2017 12:55 PM
To: Gullett, Brian <Gullett.Brian@epa.gov>
Subject: inquiry from AP reporter re: Radford air emissions report

Brian,

My name is Sarah Rankin, and I'm an AP reporter in Richmond, Virginia. I'm writing because I recently received a copy of the draft report you helped prepare on air emissions from open burning at the Radford Army Ammunition Plant.

I have a few questions about the report. Would you have a few minutes to talk on the phone today or tomorrow?

Thanks for your consideration.

Sincerely,

Sarah Rankin
reporter
The Associated Press
Richmond, Virginia
804-643-6646 (office)
Ex. 6 Personal Privacy (PP) (cell)
<image001.png>

Message

From: Todd Neeley [todd.neeley@dtn.com]
Sent: 8/3/2017 2:41:20 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Press Inquiry about dicamba

Much appreciated, thanks!

Todd Neeley
DTN Staff Reporter | **DTN/*The Progressive Farmer*** | **Ag News** | **United States**
Phone: +1402.255.8237 | **Cell:** Ex. 6 Personal Privacy (PP) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237
Email: todd.neeley@dtn.com | **Address:** 9110 West Dodge Rd, Omaha, NE 68114
Twitter: **https://twitter.com/ToddNeeleyDTN** | http://www.dtnprogressivefarmer.com/dtnag/home

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, August 03, 2017 9:41 AM
To: Todd Neeley <todd.neeley@dtn.com>
Cc: Press <Press@epa.gov>
Subject: RE: Press Inquiry about dicamba

Hey Todd,

For attribution to "an EPA spokesperson," please:

"EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states.

We are working with the states and the registrants to better understand the issue. We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment."

Cheers, R.

From: Todd Neeley [mailto:todd.neeley@dtn.com]
Sent: Thursday, August 03, 2017 9:43 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Press Inquiry about dicamba
Importance: High

Thanks Robert! We have been reporting extensively on the dicamba issues, so this is an ongoing story for us. If you can get back to me by the end of today that would be helpful...

Thanks,

Todd Neeley
DTN Staff Reporter | **DTN/*The Progressive Farmer*** | **Ag News** | **United States**

Phone: +1402.255.8237 | **Cell:** Ex. 6 Personal Privacy (PP) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237
Email: todd.neeley@dtn.com | **Address:** 9110 West Dodge Rd, Omaha, NE 68114
Twitter: https://twitter.com/ToddNeeleyDTN | http://www.dtnprogressivefarmer.com/dtnag/home

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, August 03, 2017 8:41 AM
To: Todd Neeley <todd.neeley@dtn.com>
Cc: Press <Press@epa.gov>
Subject: RE: Press Inquiry about dicamba

Hey Todd,

Thanks for reaching out. I'm your media contact on this issue. Let me check for a response to your specific question. Are you on deadline and working on a story?

Thanks, R.

From: Todd Neeley [mailto:todd.neeley@dtn.com]
Sent: Thursday, August 03, 2017 9:37 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Press Inquiry about dicamba
Importance: High

Robert,
We've been told the EPA has held a number of teleconferences with weed scientists and others regarding the dicamba situation. We wanted to ask if EPA is planning any action on this issue? Also, if there's a media contact on this issue we should be reaching out to at EPA please let me know.

Best regards,

Todd Neeley
DTN Staff Reporter | **DTN/*The Progressive Farmer*** | **Ag News** | **United States**
Phone: +1402.255.8237 | **Cell:** Ex. 6 Personal Privacy (PP) | **Fax:** +1402.390.7187 | **Wats:** +1800.485.4000 x8237
Email: todd.neeley@dtn.com | **Address:** 9110 West Dodge Rd, Omaha, NE 68114
Twitter: https://twitter.com/ToddNeeleyDTN | http://www.dtnprogressivefarmer.com/dtnag/home

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/3/2017 2:09:38 PM
To: Bunge, Jacob [jacob.bunge@wsj.com]
CC: Press [Press@epa.gov]
Subject: RE: Query regarding Monsanto/glyphosate documents (from WSJ)

Thanks, Jacob. If you could forward a link once the story posts, I'd be grateful.

Regards as always, R.

From: Bunge, Jacob [mailto:jacob.bunge@wsj.com]
Sent: Thursday, August 03, 2017 10:03 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Query regarding Monsanto/glyphosate documents (from WSJ)

Robert, thanks, I will look this over and let you know if I have any other questions. We expect this story to go today, FYI.
-Jacob

Jacob Bunge
Reporter, The Wall Street Journal
Chicago, IL
312 750 4117 (office)
Ex. 6 Personal Privacy (PP) (mobile)
Jacob.bunge@wsj.com
@jacobbunge

On Thu, Aug 3, 2017 at 8:23 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Jacob, for attribution to "an EPA spokesperson," please:

The pesticide area is actively regulated by EPA, and much of that regulation focuses on where, how (including under what circumstances and with what limitations), and when particular pesticide products may appropriately be used. This regulation of pesticide products necessarily requires frequent communication between EPA and pesticide registrants (licensees).

Additional Context for Registrant Interaction:

EPA has an ongoing statutory responsibility to ensure that pesticides currently on the market continue to meet the standards in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). As the pesticide licensing agency, EPA communicates and meets regularly with registrants to discuss chemicals and products that are under EPA review. The pesticide licensing program also relies heavily on data that are submitted to EPA by pesticide registrants and applicants

for registration. Studies submitted by pesticide companies are required to support EPA'sregistration and registration review decisions. Congress placed this obligation on the pesticide manufacturer rather than requiring the EPA (and taxpayers) to develop and fund such data development.

EPA has enforcement policies and practices in place to help ensure that registrant-developed data represent sound science. For example, EPA developed an extensive set of guidelines and protocols that applicants and registrants use in developing required data. Once studies are submitted to the Agency, EPA scientists conduct extensive analysis of the raw data to ensure that the design of the study is appropriate and that the data are collected and analyzed accurately. In addition to registrant-submitted studies, EPA scientists review pesticide studies from peer-reviewed scientific journals and data from a wide variety of sources when they are available. In doing so, agency scientists identify hazards and characterize risks using the best data available for their review.

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

From: Bunge, Jacob [mailto:jacob.bunge@wsj.com]
Sent: Wednesday, August 02, 2017 12:03 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Query regarding Monsanto/glyphosate documents (from WSJ)

Hello Robert, this is Jacob Bunge at the Wall Street Journal in Chicago here, I hope you have been well. I've been going through a bit some of these emails and internal communications that have been posted earlier today by the plaintiffs' attorneys involved in this glyphosate lawsuit against Monsanto, and we may put together a story on it. The documents all were posted up here: https://www.baumhedlundlaw.com/toxic-tort-law/monsanto-roundup-lawsuit/monsanto-secret-documents/

There's a number of email chains among these documents that include direct communication with EPA officials (such as Jack Housenger) regarding the current status of EPA regulatory reviews of glyphosate or those of other agencies (the potential review by the HHS department for instance), some of which include Monsanto employees describing these interactions favorably, other times with frustration (the email with another industryofficial regarding a presentation Mr Housenger had made at one point). So my question was, does EPA regard these as appropriate communications with a registrant like Monsanto, and if there's any further context or general comment about EPA employees are expected to interact with companies like this, etc.

Please let me know tomorrow morning, as we are looking to pull this together tomorrow.

Thank you,

Jacob

Jacob Bunge
Reporter, The Wall Street Journal
Chicago, IL
312 750 4117 (office)
Ex. 6 Personal Privacy (PP) (mobile)
Jacob.bunge@wsj.com

@jacobbunge

Message

From: Bunge, Jacob [jacob.bunge@wsj.com]
Sent: 8/3/2017 2:03:13 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Query regarding Monsanto/glyphosate documents (from WSJ)

Robert, thanks, I will look this over and let you know if I have any other questions. We expect this story to go today, FYI.
-Jacob

Jacob Bunge
Reporter, The Wall Street Journal
Chicago, IL
312 750 4117 (office)
Ex. 6 Personal Privacy (PP) (mobile)
Jacob.bunge@wsj.com
@jacobbunge

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Jacob, for attribution to "an EPA spokesperson," please:

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In addition to registrant-submitted studies, EPA scientists review pesticide studies from peer-reviewed scientific journals and data from a wide variety of sources when they are available. In doing so, agency scientists identify hazards and characterize risks using the best data available for their review.

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Bunge, Jacob [mailto:jacob.bunge@wsj.com]
Sent: Wednesday, August 02, 2017 12:03 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Query regarding Monsanto/glyphosate documents (from WSJ)

Hello Robert, this is Jacob Bunge at the Wall Street Journal in Chicago here, I hope you have been well. I've been going through a bit some of these emails and internal communications that have been posted earlier today by the plaintiffs' attorneys involved in this glyphosate lawsuit against Monsanto, and we may put together a story on it. The documents all were posted up here: https://www.baumhedlundlaw.com/toxic-tort-law/monsanto-roundup-lawsuit/monsanto-secret-documents/

There's a number of email chains among these documents that include direct communication with EPA officials (such as Jack Housenger) regarding the current status of EPA regulatory reviews of glyphosate or those of other agencies (the potential review by the HHS department for instance), some of which include Monsanto employees describing these interactions favorably, other times with frustration (the email with another industryofficial regarding a presentation Mr Housenger had made at one point). So my question was, does EPA regard these as appropriate communications with a registrant like Monsanto, and if there's any further context or general comment about EPA employees are expected to interact with companies like this, etc.

Please let me know tomorrow morning, as we are looking to pull this together tomorrow.

Thank you,

Jacob

Jacob Bunge
Reporter, The Wall Street Journal
Chicago, IL
312 750 4117 (office)
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Jacob.bunge@wsj.com

@jacobbunge

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/3/2017 1:24:48 PM
To: Camille von Kaenel [cvonkaenel@eenews.net]
CC: Press [Press@epa.gov]
Subject: RE: Heavy duty fuel economy reg story

Camille, for attribution to "an EPA spokesperson," please:

We are reviewing the petitions for reconsideration for the Phase 2 Rule. The petitions may be found here:

https://www.epa.gov/regulations-emissions-vehicles-and-engines/petitions-reconsideration-phase-2-ghg-emissions-and-fuel

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Camille von Kaenel [mailto:cvonkaenel@eenews.net]
Sent: Wednesday, August 02, 2017 1:41 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Heavy duty fuel economy reg story

It'll run tomorrow at 8-9am in Climatewire; I can update until 7:30 am, although that's pushing it. This is an issue I'm continuously covering, so am interested in whatever you get to me later, but I really want to make sure I have something from you in the story.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, August 02, 2017 1:38 PM
To: Camille von Kaenel <cvonkaenel@eenews.net>; Press <Press@epa.gov>
Subject: RE: Heavy duty fuel economy reg story

Good afternoon Camille,

Thanks for reaching out. I have your deadline, but how long will you be updating your story? Into tomorrow, for instance?

From: Camille von Kaenel [mailto:cvonkaenel@eenews.net]
Sent: Wednesday, August 02, 2017 1:35 PM
To: Press <Press@epa.gov>
Subject: FW: Heavy duty fuel economy reg story

Hi,

Hoping someone can help given that Christie is out?

Thanks,

Camille

From: Camille von Kaenel
Sent: Wednesday, August 02, 2017 1:33 PM
To: Christie St. Clair (stclair.christie@epa.gov) <stclair.christie@epa.gov>
Subject: Heavy duty fuel economy reg story

Hi Christie,

I'm working on a story today about the requests by the glider kits and truck trailer folks regarding the heavy duty fuel economy rules. My deadline is 5 pm and I'm hoping you might help me out with some questions.

What is EPA doing with the petitions and lawsuits by these sub industry groups? Is it considering exempting them from the standards?
Has EPA met with these groups?
Can you help me get a copy of the June 26 "petition for a reconsideration and stay" filed by the Truck Trailer Manufacturer Association?

Many thanks!

Camille

Camille von Kaenel
E&E News transportation reporter
cvonkaenel@eenews.net
202-446-0424 (office)
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@cvonka

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/2/2017 8:24:16 PM
To: Steve Davies [steve@agri-pulse.com]; Press [Press@epa.gov]
Subject: RE: dicamba

Steve, for attribution to "an EPA spokesperson," please:

No we have not received any reports, but last year's investigation, which related to alleged misuse of dicamba that is not designed for GE crops, is still ongoing, and it is EPA policy not to comment or provide information about ongoing investigations.

In case you need it:

If we did have 6(a)(2) reports, they would need to file a Freedom of Information Act request to obtain this information. Many documents submitted for pesticide regulatory purposes contain Confidential Business Information that by law cannot be released to the public. The FOIA process redacts CBI so the documents can be released. For more information or to make a FOIA request, see: https://www.epa.gov/foia.

From: Steve Davies [mailto:steve@agri-pulse.com]
Sent: Wednesday, August 02, 2017 2:05 PM
To: Press <Press@epa.gov>
Subject: dicamba

Hi folks:

Can you provide any more details on what EPA plans to do in light of dicamba drift issues this season?

this was in Reuters:

"We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year," said EPA spokeswoman Amy Graham.

Is there anything else you can say? Also, have you received any reports from manufacturers this year about harmful effects of their dicamba products, as required by FIFRA? (I asked this a few weeks back and you hadn't gotten any, but if you have since then, I'd like to get copies of them.)

Thank you

Steve Davies -- Agri-Pulse

Steve Davies
Associate Editor
202-744-1535
steve@agri-pulse.com

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Washington, DC 20250
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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/2/2017 7:17:06 PM
To: AWPS News [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: RE: Subject: MEDIA INQUIRY - AWPS News. Remote Water Monitoring. DDL: 6/2/17 @ 1 PM

Kris, with apologies for the delay – and for attribution to the agency, please:

1.EPA researchers are developing and using new technologies – including satellite data, portable and ground remote sensors, etc – to assess the water quality for coastal oceans, estuaries, and inland waters (lakes and reservoirs, for example). There is a multi-agency project, Cyanobacteria Assessment network (CyAN), which includes EPA, NASA, NOAA, and USGS, aimed at developing an early warning indicator system using historical and current satellite data to detect algal blooms in U.S. freshwater systems. Currently, most of the data is available retrospectively. Through the CyAN project, researchers are working on making data available real-time through Android mobile application and EPA's EnviroAtlas.

EPA, and other government agencies, collaborated with multiple public and private organizations to develop and pilot sensor technologies for measuring water quality parameters, including algal toxins, arsenic, E. Coli, and nitrogen and phosphorus.
EPA developed a demonstration project for state and local organizations to deploy the next generation of lower-cost sensors for nitrogen and phosphorus, and will include enabling technologies to better support the needs of users in state and local government.
EPA's Village Blue project, a partnership among EPA, USGS, and stakeholders in Baltimore, provides state-of-the-art data visualization and community outreach for translating real-time water sensor and weather data to increase public awareness about efforts to improve water quality in Baltimore Harbor, which can be applied to other communities across the country.
EPA's National Aquatic Resource Surveys (NARS) are collaborative programs among EPA, states and tribes designed to assess the quality of our coastal waters, lakes & reservoirs, rivers & streams, and wetlands using a statistical survey design. The data is available for download, however, it's not in real time. These surveys provide a snapshot of the overall condition of our nation's water bodies.

a. Sources: Monitoring and Remote Sensing - https://www.epa.gov/water-research/monitoring-remote-sensing
b. CyAN Project - https://www.epa.gov/water-research/cyanobacteria-assessment-network-cyan
c. EPA's EnviroAtlas - https://www.epa.gov/enviroatlas
d. EPA's NARS - https://www.epa.gov/national-aquatic-resource-surveys
e. EPA Challenges and Prizes - https://www.epa.gov/innovation/epa-challenges-prizes
f. Village Blue - https://www.epa.gov/newsreleases/village-blue-brings-real-time-water-quality-monitoring-data-baltimore

Use of remote sensing is one element or tool used by federal, state and other organizations to monitoring and assess the condition of aquatic resources. The National Water Quality Monitoring Council, co-chaired by EPA and USGS, recently published a fact sheet describing the complementary roles of key monitoring activities including statistically representative surveys, intensive targeted monitoring, and remote sensing. The NWQMC comprised of federal, state and non-governmental organizations oversees the implementation of a framework to advance monitoring. https://acwi.gov/monitoring/

Remote sensing at its most basic is collection of photographs from airplanes and satellites, but includes collection and interpretation of much more sophisticated images which include color, light, radiation, and topographic relief. Through development of translation algorithms and use of field monitoring to ground-truth the algorithms the images are used

to generate maps of elevation and land cover, temperature, vegetation, soil moisture. Its application to water resources is limited by the resolution of image and the resulting algorithms. Current applications have been focused on larger waterbodies unobscured by tree cover such as coastal waters and large lakes.

2. There is no single program for communities to request local water quality monitoring. Members of a community may of course report water quality concerns such as fish kills, oil spills, etc. to their county, city, or state environmental department for follow up action. In addition, many citizens belong to either statewide, regional, national, or local volunteer monitoring organizations and nonprofit environmental advocacy groups that train them in water quality monitoring methods and collect their monitoring data. There are currently about 1,700 of these organizations across the U.S. Their monitoring data are often shared with the volunteers and the public via meetings and newsletters, and are generally available online on the websites of the individual organizations, who may also produce reports for the public. In some cases, these data are also reported to the EPA's publicly available water database, the Water Quality Exchange, although for the most part data are managed and shared by each organization independently. These organizations help the public understand ambient water quality issues and act to protect their local water resources (primarily rivers and streams, lakes, and bays). Their data can be used to supplement the data collected by governmental water quality and natural resource agencies. Learn more about volunteer monitoring at http://volunteermonitoring.org/.

EPA and many other federal agencies support crowdsourcing and citizen science to engage citizens in environmental research and in learning about and protecting the environment. Find out more at https://www.epa.gov/citizen-science and https://www.citizenscience.gov/

3. There are a number of national and international bodies facilitating collaboration and advancement of water quality monitoring. The Group in Earth Observations is an international body working in the area of remote sensing for a wide range of applications. The NWQMC focuses on water quality monitoring using the full range of tools to support national, state and local water quality decisions. EPA with its key role in providing CWA funding and oversight through state and tribal assistance grants, promotes a cost effective strategy that includes using statistically representative surveys to track broad scale national, regional and state water quality conditions and intensive targeted monitoring to address priority local water quality problems. EPA seeks to engage states, tribes, and citizens to use the range of monitoring tools cost effectively to address water quality protection and restoration goals.

4. EPA encourages youth involvement in science in a number of ways, including STEM outreach events, our annual P3 competition, recognizing youth science at the Intel International Science and Engineering Fair, just to name a few. In addition, EPA promotes citizen science for water monitoring in many communities. As an example, in EPA's Region 1 (New England) EPA scientists and employees work with citizen scientists, the general public, and trained water professionals to identify and monitor cyanobacteria (those that cause harmful algal blooms and impact water quality) through a program called the Cyanobacteria Monitoring Collaborative. The Collaborative engages the public to report when and where they see potential cyanobacteria blooms. Then trained citizen scientists and professional water quality managers monitor and track those blooms so that they can eventually understand when and where cyanobacteria species occur.

In addition, EPA collaborates with technology clusters around the country through the Environmental Technology Innovation Clusters program. The clusters are regional groupings of businesses, local/state/tribal/federal government, research institutions, and other organizations focused on innovative technologies for clean air or clean water. In water clusters, a major focus has been on cost-effective monitoring technologies, specifically for watersheds and drinking water systems.

a. Cyanobacteria Monitoring Collaborative - https://cyanos.org/
b. EPA's P3 Program (People, Prosperity, & the Planet) - https://www.epa.gov/P3
c. Intel ISEF - https://student.societyforscience.org/intel-isef?mode=topic&context=6
This year's Intel ISEF EPA winner: https://www.epa.gov/newsreleases/portland-students-plans-disrupt-urban-flooding-win-epa-award-worlds-largest-high-school
g. EPA's Environmental Technology Innovation Clusters - https://www.epa.gov/clusters-program

Many of the volunteer monitoring organizations described above work with local youth in schools and clubs such as Scouts and 4-H, introducing them to science concepts and engaging them in environmental education. As examples, visit http://www.alabamawaterwatch.org/ (Alabama Water Watch);

http://www.fairfaxcounty.gov/nvswcd/monitoring.htm (Fairfax County volunteer monitoring); https://anshome.org/water-quality-monitoring/ (Audubon Naturalist Society volunteer monitoring); and http://www.mostreamteam.org/ (Missouri Stream Team).

Project WET (Water Education for Teachers), based in Montana, advocates for and supports water education both within the US and internationally. Visit http://www.projectwet.org/ for more information. Another program that involves youth both in the U.S. and internationally in water monitoring is the EarthEcho Water Challenge, at http://www.worldwatermonitoringday.org/.

Environment, including monitoring, is one area of work for **AmeriCorps,** a program that engages more than 80,000 Americans in intensive service each year at 21,600 unique sites including nonprofits, schools, public agencies, and community and faith-based groups across the country. AmeriCorps State and National supports a wide range of local service programs that engage thousands of Americans in intensive community service each year. We provide grants to a network of local and national organizations and agencies committed to using national service to address critical community needs in education, public safety, health, and the environment.

The U.S. Youth Conservation Corps (YCC) is a USDA Forest Service project. It is a summer youth employment program that engages young people, ages 15 to 18, in meaningful work experiences on national parks, forests, wildlife refuges, and fish hatcheries. Youth are engaged in fun, exciting work projects designed to develop an ethic of environmental stewardship and civic responsibility such as include work such as building and repairing trails; preserving and repairing historic building; removing invasive species; helping with wildlife and land research; and leading environmental education.

The **Earth Conservation Corps** is a local example of an organization focused on youth development and environmental restoration in Washington DC, along the banks of the Anacostia River.

Regards, R.

From: AWPS News [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, June 07, 2017 9:54 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Subject: MEDIA INQUIRY - AWPS News. Remote Water Monitoring. DDL: 6/2/17 @ 1 PM

Hi Robert-
Okay-
Thanks for keeping me and my issue research in mind!

FISA hearing today.. At the moment, data/ electron streams seem quite some distance from idyllic, calming sense of nature's gorgeous streams, waterways, oceans, lakes..

K-
Best Regards,
Kristina ('Kris') Anderson
White House & Capitol Hill, Reporter,
Executive Editor & Photog
A.W.P.S. News
202-340-2648
- not a profit-making venture (yet)

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---//---

On Jun 7, 2017, at 7:48 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Good morning Kris,
>
> Let's do this: Why don't you check back with me if, say, early next week unless I've gotten back to you by then?
>
> I'll go with the above game plan unless I hear otherwise from you.
>
> Regards, R.
>
> ---
>
> **From:** AWPS News [mailto: Ex. 6 Personal Privacy (PP)
> **Sent:** Tuesday, June 06, 2017 5:13 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Re: Subject: MEDIA INQUIRY - AWPS News. Remote Water Monitoring. DDL: 6/2/17 @ 1 PM
>
> Please keep my interest on your list of folks researching these issues.
>
> The infrastructure discussion has already started. But how far it goes (how fast & where) in this Administration are questions outside my scope of factual knowledge or even divination.
>
> Best Regards,
> Kristina ('Kris') Anderson
> White House & Capitol Hill, Reporter,
> Executive Editor & Photog
> A.W.P.S. News
> 202-340-2648
> - not a profit-making venture (yet)
>
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'Kris Anderson' on Facebook- all NEWS reports are public
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@AWPSNews
@SciKris (~38,000 Followers)
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@SolarWindPower

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---//---

On Jun 6, 2017, at 4:03 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Thanks, Kris. I understand you're in the research stage, but what's the latest we can get back to you with a response?
>
> Regards, R.
>
> ---
>
> **From:** AWPS News [mailto: Ex. 6 Personal Privacy (PP)
> **Sent:** Tuesday, June 06, 2017 4:01 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Re: Subject: MEDIA INQUIRY - AWPS News. Remote Water Monitoring. DDL: 6/2/17 @ 1 PM
>
> Hi Robert-
>
> I'm working on background right now so .. yes, still very much interested in this issue. It could be a good time to push for smart tech, monitoring in infrastructure projects. So I'd like to bring this factual information to greater public attention.
>
> Can meet in person if that is a possibility (in /near Washington, DC).
>
> Best Regards,
> Kristina ('Kris') Anderson
> White House & Capitol Hill, Reporter,
> Executive Editor & Photog
> A.W.P.S. News
> 202-340-2648
> - not a profit-making venture (yet)
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-Biodiversity, Urban Wildlife
-Health, Educatn, Social

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---//---

On Jun 6, 2017, at 2:51 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Good afternoon Kris,
>
> With apologies for the delay, are you still waiting for an EPA response to your questions on water quality research?
>
> Thanks, R.
>
> Robert Daguillard
> Office of Media Relations
> U.S. Environmental Protection Agency
> Washington, DC
> +1 (202) 564-6618 (O)
> Ex. 6 Personal Privacy (PP) (M)

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 8/2/2017 4:16:28 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]
Subject: RE: Reporter seeking clarification: methane emissions enforcement

Thanks Tricia, I'll handle it.

From: Lynn, Tricia
Sent: Wednesday, August 2, 2017 11:28 AM
To: Press <Press@epa.gov>
Subject: FW: Reporter seeking clarification: methane emissions enforcement

Reporter has follow-up. Does someone on the 3rd floor want to handle, or…?

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Tuesday, August 01, 2017 6:27 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Reporter seeking clarification: methane emissions enforcement

Hoped to follow up- former EPA officials said the Trump administration is trying to make "quick work" of dismantling environmental regulations that will "likely slow down after courts have proven that more work goes into it" as far as crafting a proposal to replace existing rules and researching the basis for the replacement.

Can the EPA respond to those allegations? I want to make sure I am representing the agency fairly in my reporting. My deadline is 1 p.m. tomorrow.

Thank you,

Iulia Gheorghiu

On Aug 1, 2017 5:34 PM, "Lynn, Tricia" <lynn.tricia@epa.gov> wrote:

> Hi Iulia—
>
> For attribution to "an EPA spokesperson:"
>
> EPA may elect to exercise its enforcement discretion on a case-by-case basis with respect to the fugitive emissions monitoring requirements.
>
> Best,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Monday, July 31, 2017 12:10 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Subject: Reporter seeking clarification: methane emissions enforcement

Hello,

I am an energy reporter for Morning Consult and I hoped to speak to somebody from the air quality enforcement office of the EPA about the Obama-era methane regulation that the EPA had sought to put on hold.

Following the Appeals Court of the D.C. Circuit's ruling that EPA Chief Scott Pruitt does not have the authority to order a 90 day stay on the regulation, is the regulation of methane emissions being nominally enforced right now, as of July 28?

I appreciate any help you can give - to point me in the right direction.

Thank you for your time,

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu

MORNING CONSULT

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Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 8/2/2017 3:58:32 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Press [Press@epa.gov]
Subject: RE: Reporter seeking clarification: methane emissions enforcement

I'll handle.

From: Lynn, Tricia
Sent: Wednesday, August 2, 2017 11:28 AM
To: Press <Press@epa.gov>
Subject: FW: Reporter seeking clarification: methane emissions enforcement

Reporter has follow-up. Does someone on the 3rd floor want to handle, or…?

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Tuesday, August 01, 2017 6:27 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Reporter seeking clarification: methane emissions enforcement

Hoped to follow up- former EPA officials said the Trump administration is trying to make "quick work" of dismantling environmental regulations that will "likely slow down after courts have proven that more work goes into it" as far as crafting a proposal to replace existing rules and researching the basis for the replacement.

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Thank you,

Iulia Gheorghiu

On Aug 1, 2017 5:34 PM, "Lynn, Tricia" <lynn.tricia@epa.gov> wrote:

> Hi Iulia—
>
> For attribution to "an EPA spokesperson:"
>
> EPA may elect to exercise its enforcement discretion on a case-by-case basis with respect to the fugitive emissions monitoring requirements.
>
> Best,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Monday, July 31, 2017 12:10 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Subject: Reporter seeking clarification: methane emissions enforcement

Hello,

I am an energy reporter for Morning Consult and I hoped to speak to somebody from the air quality enforcement office of the EPA about the Obama-era methane regulation that the EPA had sought to put on hold.

Following the Appeals Court of the D.C. Circuit's ruling that EPA Chief Scott Pruitt does not have the authority to order a 90 day stay on the regulation, is the regulation of methane emissions being nominally enforced right now, as of July 28?

I appreciate any help you can give - to point me in the right direction.

Thank you for your time,

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/1/2017 5:03:56 PM
To: Sneed, Annie, Nature [asneed@sciam.com]
CC: Press [Press@epa.gov]
Subject: RE: Scientific American magazine - request for comment on TSCA final framework rules

Dear Annie,

For attribution to "an EPA spokesperson," please:

In finalizing the three framework rules, EPA has put in place a program that can ensure chemical safety consistent with the rigorous timelines in the law. The approach taken in these rules is consistent with the statute, and its intent, and will allow EPA to make the best use of its resources to accomplish these needs.

The final framework rules should not be seen as weakening the proposals, but as strengthening our ability to successfully ensure public health protection.
Regarding your concern about the conditions of use, the Agency will make determinations for chemical substances in ways that are both protective and efficient. This means directing greatest attention to those uses that pose the greatest potential for risk to health and the environment. While the proposed rule stated that we would evaluate "all" uses, it was not expected that EPA would evaluate every molecule. The statute provides for this discretion, and EPA intends to apply it wisely. In fact, if you look at the life-cycle figures in each of the 10 scoping documents, you will see that EPA is no way shirking our responsibility. Our approach will result in a comprehensive review of a chemical substance, without requiring extensive resources to be spent on evaluating non-risky uses.

Under the amended law, manufacturers can request that a chemical they manufacture undergo an EPA conducted risk evaluation. The law requires that risk evaluations performed under this provision be treated similarly as those initiated by the agency. Therefore, the final rule provision regarding manufacturer requests should not result in a limited review of a chemical substance. If a manufacturer request is narrow, and if the EPA undertakes the review, the agency will ensure that the scope is sufficiently broad so that all the relevant conditions of use are evaluated comprehensively, as they would be for a High-Priority chemical.

Background/Additional Messaging:

One year into implementation of the Frank R. Lautenberg Chemical Safety for the 21st Century Act, EPA is well positioned to evaluate chemicals in a manner that maintains the United States as a leader in innovation while maintaining the public's confidence in the safety of chemicals. EPA is working diligently to continue implementing this law to protect health and the environment, including our most vulnerable populations. Effective implementation must be protective and practical, and we will foster innovation to bring newer technologies and less persistent chemicals to markets. Doing this, while protecting health and the environment, is possible.

Regards, R.

From: Sneed, Annie, Nature [mailto:asneed@sciam.com]
Sent: Thursday, July 27, 2017 1:10 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Scientific American magazine - request for comment on TSCA final framework rules

Hi Robert,

I am still working on the story – I'm writing it up tomorrow, and it will be edited on Monday – if it's possible to get an interview or a comment before EOD Monday, that'd be great. Otherwise, we'll go ahead and publish without comment.

Thanks,
Annie

--
Annie Sneed
Associate Editor
Scientific American
asneed@sciam.com
T: 917-935-8573
C: Ex. 6 Personal Privacy (PP)
@aisneed

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: Thursday, July 27, 2017 at 8:11 AM
To: "Sneed, Annie, Nature" <asneed@sciam.com>
Subject: RE: Scientific American magazine - request for comment on TSCA final framework rules

Good morning Annie,

Terribly sorry for the delay. You last told my colleague Enesta Jones you were hoping for a response this week (Tuesday) if I understood correctly. Are you still working on this story?

Thanks, R.

From: Daguillard, Robert
Sent: Monday, July 17, 2017 3:23 PM
To: 'Sneed, Annie, Nature' <asneed@sciam.com>; Press <Press@epa.gov>
Subject: RE: Scientific American magazine - request for comment on TSCA final framework rules

Good afternoon Annie,

Can you send a hard deadline and some questions, please? Also, will your story just focus on the evaluation process, or are you looking at specific chemicals?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Sneed, Annie, Nature [mailto:asneed@sciam.com]
Sent: Monday, July 17, 2017 3:18 PM
To: Press <Press@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Scientific American magazine - request for comment on TSCA final framework rules

Hi there,

I'm a reporter for Scientific American, and I'm working on a story about the EPA's final framework rules for TSCA – I would like to interview someone at EPA for the story, or at least get a comment. Is someone at EPA available for a quick phone interview?

My deadline is EOD Friday, July 21. Thanks so much,

Annie
--
Annie Sneed
Associate Editor
Scientific American
asneed@sciam.com
T: 917-935-8573
C: Ex. 6 Personal Privacy (PP)
@aisneed

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Message

From: Emily.Flitter@thomsonreuters.com [Emily.Flitter@thomsonreuters.com]
Sent: 8/1/2017 2:47:34 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Dicamba story - lots of questions - Reuters

Many thanks!

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 01, 2017 10:47 AM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Yes, you can attribute to her as well. Thanks.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, August 01, 2017 10:36 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Ok – does that go for everything you've sent me so far on this story?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 01, 2017 10:33 AM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks, Emily. Actually, can you please attribute to Amy Graham, EPA spokesperson?

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, August 01, 2017 10:23 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

Thanks for this. I have to attribute all this stuff to you by name, OK? My editors are insisting.

Emily

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 01, 2017 10:21 AM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

The studies submitted by the registrant were conducted both in the laboratory and in the field. All testing methods (protocols) used to generate studies for all pesticide registrations must be approved by EPA. More information on EPA data requirements https://www.epa.gov/pesticide-registration/data-requirements-pesticide-registration.

We did receive the raw data, as required, and the information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to set labeling restrictions to limit off-site movement of dicamba.

To obtain access to the data, a FOIA request could be filed. The final registration decision and supporting documents are available in www.regulations.gov in docket number EPA-HQ-OPP-2016-0187.

We issued a 2-year registration to allow us to reevaluate if there appear to be drift problems.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Monday, July 31, 2017 10:51 AM
To: Emily.Flitter@thomsonreuters.com; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Enesta,

Just following up on this. My deadline is the end of the day today. I'm told by a former member of Arkansas' plant board that Monsanto provided the EPA with data on XtendiMax testing that had been conducted by contractors in New Mexico, Illinois, Alabama, and one or two other states but had all been syntheisized by Monsanto. Is this true? Did EPA scientists get any raw data, or did they just get complete reports from Monsanto when considering the labels for XtendiMax with VaporGrip?

Thanks and best,

Emily

From: Flitter, Emily R. (Reuters News)
Sent: Friday, July 28, 2017 4:22 PM
To: 'Daguillard, Robert'
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hi,

Some follow-up questions with a deadline of Monday at 3pm:

1. **Who** conducted testing on volatility for new dicamba formulations? EPA scientists? Monsanto? A private contractor?
2. **Can we see the data from these tests?**
3. Were the tests independent from Monsanto?
4. Does the EPA's two-year registration, which is an unusually short period of time, mean someone inside the agency suspected there might be problems?

Best,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 4:49 PM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Again, for attribution to "an agency spokesperson," please.

EPA placed time limits on the registration to allow the Agency to either let it expire or to easily make the necessary changes in the registration if there are problems with resistant weeds or pesticide drift.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 3:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks Robert these are helpful answers. One more question: Why did EPA only approve registration for the new dicamba formulations for 2 years? Did the decision relate at all to concerns about the products' volatility?

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 3:46 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

1. INCOMING/Follow- up Q: "I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba?"

ANSWER: We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year.

2. INCOMING: Is there someone at the EPA who can describe to me the EPA's involvement in this situation? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

ANSWER: EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states. We are working with the states and the registrants to better understand the issue. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

3. INCOMING: What testing did EPA do on the latest formulations of Dicamba before they were approved?

ANSWER: EPA's analysis of the data has shown reduced volatility potential with newer formulations. EPA's risk assessment included the evaluation of studies that measured the deposition and movement of dicamba after application. These studies were conducted both in the laboratory and in the field. The information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to determine buffers and other labeling restrictions to limit off-site movement of dicamba.

4. INCOMING: Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations?

ANSWER: Before pesticides can be manufactured, distributed, or sold in the United States, they first undergo a rigorous registration process. EPA requires many different scientific studies from applicants wishing to register new pesticides. These studies come from all kinds of sources – pesticide companies, other governments, academia, or the published scientific literature – and help us ensure that our decisions are informed by the best science available. EPA scientists and analysts carefully review these data to determine whether to register (license) a pesticide product or use and whether specific restrictions are necessary. EPA goes through an intensive evaluation process, looking at the human health and environmental risks.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 10:51 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

This is getting very urgent. I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba? I need to press you very urgently for answers to these and the other questions I sent earlier today. I am trying to get a story out as soon as possible.

Thanks and best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters

Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:40 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Roger.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 4:37 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

That's OK – I appreciate the update and I look forward to talking tomorrow. Happy to discuss more about what I'm working on with you if it helps you gather the answers to the questions, so please feel free to call me anytime. I'm at [redacted]
Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:36 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Hullo again Emily,

We're working on these questions for you. Let's touch base tomorrow to see where things stand if OK.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Many thanks, Robert. I'll look forward to hearing from you again soon.

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 12:45 PM
To: Flitter, Emily R. (Reuters News); Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hey Emily,

A quick word to acknowledge receipt. I'll circle back.

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:34 PM
To: Press <Press@epa.gov>
Subject: Dicamba story - lots of questions - Reuters

Hi,

I'm working on a story about Dicamba. Broadly, it appears Monsanto has released a new formulation (for 2017 season) of its Dicamba product Xtend that was never tested for volatility and its potential to migrate to nearby crops. A similar situation has occurred with BASF and its new formulation. The 2017 growing season has given rise to a wave of complaints of crop damage resulting from the use of Dicamba on other crops nearby. Arkansas has now completely banned Dicamba and never approved its 2017 formulation because of the volatility potential and the lack of testing. Several lawsuits have been filed now against Monsanto over this issue. There are at least two class action suits.

Is there someone at the EPA who can describe to me the EPA's involvement in this situation? What testing did EPA do on the latest formulations of Dicamba before they were approved? Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

This story's deadline isn't for a few days, but if there's any way we can start discussing this as soon as today, that would be great. I'd love to get on the phone with someone and talk more about what my story is and who the best people would be to interview. Can you please give me a call as soon as you can? Thank you!

Best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/31/2017 9:06:54 PM
To: Abboud, Michael [abboud.michael@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: RFS waiver

Eric, for attribution to an EPA spokesperson, please: Ex. 5 Deliberative Process (DP)

Thank you.

Sent from my iP

On Jul 31, 2017, at 4:46 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

> Yes.
>
> **From:** Daguillard, Robert
> **Sent:** Monday, July 31, 2017 4:38 PM
> **To:** Press <Press@epa.gov>
> **Subject:** FW: RFS waiver
>
> OK to tell the reporter Ex. 5 Deliberative Process (DP) ?
>
> **From:** Eric Wolff [mailto:ewolff@politico.com]
> **Sent:** Monday, July 31, 2017 4:33 PM
> **To:** Press <Press@epa.gov>
> **Subject:** RFS waiver
>
> Hi,
>
> Has EPA started considering its options for dealing with the court's decision to strike down the agency's use of the general waiver in the rule for the 2016 RFS volumes? If so, what's on the table?
>
> I've spoken with some lawyers, and I'm hearing a bunch of options, from requiring refiners to buy more RINs to simply not enforcing the 2016 volumes.
>
> What is EPA considering? Any general goals?
>
> I'm on deadline for tomorrow morning.
>
> Thanks,
>
> Eric
>
> --
> Eric Wolff
> Energy Reporter
> POLITICO

760-303-1927
ewolff@politico.com
@ericwolff

Message

From: Emma Davies [emma.davies@chemicalwatch.com]
Sent: 7/31/2017 7:05:52 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Emma: Toxicoepigenetics

Thanks for the detailed response.

Best wishes,

Emma

Dr Emma Davies

+44 (0)1279 657659 (direct)

Ex. 6 Personal Privacy (PP) (mobile)

+44 1743 818 101 (head office)

www.chemicalwatch.com

On 31 July 2017 at 12:37, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Emma, with apologies for the delay and for attribution to "an EPA spokesperson," please:

- The epigenome refers to a set of modifications to DNA and the proteins that are used to package the DNA inside every cell in the body. The epigenome functions as the master regulator of gene expression and plays a central role in exposure effects, susceptibility, and disease.
- The field of toxicoepigenetics explores the role that the epigenome plays in chemical exposure effects and susceptibility, and is rapidly emerging to provide new insights into the relationship between chemical and non-chemical factors, the epigenome, and public health.
- Understanding the relationship between chemical and non-chemical factors, the epigenome, and exposure effects and susceptibility has the potential to identify risk mitigation strategies that can reduce the effects of environmental exposures through an individual's personal choices, such as changes in lifestyle factors.
- Epigenetic methods can be used to screen chemical libraries to identify and prioritize compounds for further study based on their ability to cause alterations to the epigenome.
- Epigenetic data can contribute to the weight of evidence for chemical exposure effects in risk assessment.
- Toxicoepigenetic data can be used as biomarkers of inter-individual variability in susceptibility and to identify chemicals with the potential to cause acute, long-term, multi-/transgenerational, and developmental exposure effects.

- The majority of toxicoepigenetic studies have examined DNA methylation due to the ease of sample access and compatibility of experimental techniques with frozen blood samples collected during previous studies.
- Modifications on histone proteins – the proteins that are used to package the DNA inside every cell – play a more pivotal role in the active regulation of gene expression; however, the complex nature of their relationship with gene expression and our limited understanding of that relationship has minimized exploration of the role these proteins have in the field of toxicoepigenetics.
- Our recent protocol manuscript provides a straightforward and streamlined method for the analysis of histone modifications using a technique known as "chromatin immunoprecipitation," or "ChIP" for short. The technique itself is not new; however, there are many variations in use, which can make it challenging for toxicologists without formal training in epigenetics to incorporate the analysis of modifications to histone proteins into their research or testing programs.
- Our recent methods paper provides comprehensive explanations, steps for methods optimization, and troubleshooting approaches for key steps to facilitate the exploration of histone modifications in toxicoepigenetics. The paper also includes a validated protocol for performing ChIP on whole blood, the most commonly collected sample in epidemiological and clinical studies.
- The experimental approaches for measuring changes in the epigenome are relatively well accepted in the scientific community. However, we are still learning how to interpret some of those results and it is that limitation that is slowing down the acceptance of toxicoepigenetic data in the risk assessment process.
- The understanding of how epigenetic data can be used in risk assessment is in its early stages; however, the development of thoughtful and reliable approaches to toxicoepigenetics could play a role in the ability of the Agency to fulfill its statutory responsibilities under the Clean Air Act, the Safe Drinking Water Act, and the recent Frank R. Lautenberg Chemical Safety for the 21st Century Act.
- The McCullough lab has recently published several papers describing the relationship between the epigenome and exposure effects and susceptibility and how it can be studied in toxicology:
    - McCullough SD, et al. (2017) Air Pollution and the Epigenome: A Model Relationship for the Exploration of Toxicoepigenetics.*Curr Opin Toxicol*. Epub.
        - http://www.sciencedirect.com/science/article/pii/S246820201730044X
    - McCullough SD, et al. (2017) Using Chromatin Immunoprecipitation in Toxicology: A Step-By-Step Guide to Increasing Efficiency, Reducing Variability, and Expanding Applications. *Curr Prot Toxicol*. 14.1-14.28.
        - https://www.ncbi.nlm.nih.gov/pubmed/28463415
    - Bowers EC and McCullough SD. (2016) Linking the Epigenome with Exposure Effects and Susceptibility: The Epigenetic Seed and Soil Model. *Toxicol Sci*. 155: 302-314.
        - https://www.ncbi.nlm.nih.gov/pubmed/28049737
    - McCullough SD, et al. (2016) Baseline Chromatin Modification Levels May Predict Interindividual Variability in Ozone-Induced Gene Expression. *Toxicol Sci*. 150: 216-224.
        - https://www.ncbi.nlm.nih.gov/pubmed/26719369

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/31/2017 3:13:33 PM
To: Emily.Flitter@thomsonreuters.com
CC: Press [Press@epa.gov]
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks, Emily. Checking.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Monday, July 31, 2017 10:51 AM
To: Emily.Flitter@thomsonreuters.com; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Enesta,

Just following up on this. My deadline is the end of the day today. I'm told by a former member of Arkansas' plant board that Monsanto provided the EPA with data on XtendiMax testing that had been conducted by contractors in New Mexico, Illinois, Alabama, and one or two other states but had all been syntheisized by Monsanto. Is this true? Did EPA scientists get any raw data, or did they just get complete reports from Monsanto when considering the labels for XtendiMax with VaporGrip?

Thanks and best,

Emily

From: Flitter, Emily R. (Reuters News)
Sent: Friday, July 28, 2017 4:22 PM
To: 'Daguillard, Robert'
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hi,

Some follow-up questions with a deadline of Monday at 3pm:

1. **Who** conducted testing on volatility for new dicamba formulations? EPA scientists? Monsanto? A private contractor?
2. **Can we see the data from these tests?**
3. Were the tests independent from Monsanto?
4. Does the EPA's two-year registration, which is an unusually short period of time, mean someone inside the agency suspected there might be problems?

Best,

Emily

Emily Flitter
Correspondent
Thomson Reuters

Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
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To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Again, for attribution to "an agency spokesperson," please.

EPA placed time limits on the registration to allow the Agency to either let it expire or to easily make the necessary changes in the registration if there are problems with resistant weeds or pesticide drift.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 3:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks Robert these are helpful answers. One more question: Why did EPA only approve registration for the new dicamba formulations for 2 years? Did the decision relate at all to concerns about the products' volatility?

Emily Flitter
Correspondent
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Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 3:46 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

1. INCOMING/Follow- up Q: "I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba?"

ANSWER: We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year.

2. INCOMING: Is there someone at the EPA who can describe to me the EPA's involvement in this situation? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

ANSWER: EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states. We are working with the states and the registrants to better understand the issue. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information

carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

3. INCOMING: What testing did EPA do on the latest formulations of Dicamba before they were approved?

ANSWER: EPA's analysis of the data has shown reduced volatility potential with newer formulations. EPA's risk assessment included the evaluation of studies that measured the deposition and movement of dicamba after application. These studies were conducted both in the laboratory and in the field. The information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to determine buffers and other labeling restrictions to limit off-site movement of dicamba.

4. INCOMING: Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations?

ANSWER: Before pesticides can be manufactured, distributed, or sold in the United States, they first undergo a rigorous registration process. EPA requires many different scientific studies from applicants wishing to register new pesticides. These studies come from all kinds of sources – pesticide companies, other governments, academia, or the published scientific literature – and help us ensure that our decisions are informed by the best science available. EPA scientists and analysts carefully review these data to determine whether to register (license) a pesticide product or use and whether specific restrictions are necessary. EPA goes through an intensive evaluation process, looking at the human health and environmental risks.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 10:51 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

This is getting very urgent. I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba? I need to press you very urgently for answers to these and the other questions I sent earlier today. I am trying to get a story out as soon as possible.

Thanks and best regards,

Emily

Emily Flitter
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Phone: 1 646 223 6310
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thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:40 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Roger.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 4:37 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

That's OK – I appreciate the update and I look forward to talking tomorrow. Happy to discuss more about what I'm working on with you if it helps you gather the answers to the questions, so please feel free to call me anytime. I'm at Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
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To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Hullo again Emily,

We're working on these questions for you. Let's touch base tomorrow to see where things stand if OK.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Many thanks, Robert. I'll look forward to hearing from you again soon.

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
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thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 12:45 PM
To: Flitter, Emily R. (Reuters News); Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hey Emily,

A quick word to acknowledge receipt. I'll circle back.

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:34 PM
To: Press <Press@epa.gov>
Subject: Dicamba story - lots of questions - Reuters

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Is there someone at the EPA who can describe to me the EPA's involvement in this situation? What testing did EPA do on the latest formulations of Dicamba before they were approved? Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

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Best regards,

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thomsonreuters.com

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 7/31/2017 2:55:36 PM
To: Emily.Flitter@thomsonreuters.com
CC: Press [Press@epa.gov]
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Emily,

Robert Daguillard is back and will be in touch with you.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
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Ex. 6 Personal Privacy (PP)

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Best regards,

Emily

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Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/31/2017 2:49:14 PM
To: Elliott Blackburn [elliott.blackburn@argusmedia.com]
CC: Press [Press@epa.gov]
Subject: RE: 2016 RVO rule

Elliott, for attribution to "an EPA spokesperson," please:

We are reviewing the decision.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert
Sent: Monday, July 31, 2017 10:22 AM
To: 'Elliott Blackburn' <elliott.blackburn@argusmedia.com>
Cc: Press <Press@epa.gov>
Subject: RE: 2016 RVO rule

Morning Elliott,

A quick word to acknowledge receipt. Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

##

Good morning,

When will EPA give obligated parties direction on the process or expected resolution of the court's direction on 28 July? Will this be a new rulemaking? How does the agency proceed?

Thank you,

Elliott

Elliott Blackburn

Downstream Reporter

www.argusmedia.com
Direct: +1 713 429 6350
Email: elliott.blackburn@argusmedia.com
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Signal Ex. 6 Personal Privacy (PP)

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Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

illuminating the markets

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Argus Media Limited, Argus House, 175 St John Street, London EC1V 4LW Registered in England and Wales, Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

From: Eric Wolff [ewolff@politico.com]
Sent: 7/31/2017 2:16:51 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: E15, legal review

Thanks Robert.

On Mon, Jul 31, 2017 at 10:02 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Eric, for attribution to "an EPA spokesperson," please:

EPA continues to evaluate the waiver and there is no timeline for a decision.

On Background:

The sale of E 15 fuel is allowed year round, and there are volatility specification for it to be sold in the summer as prescribed in the conditions of the waiver.

Thanks, R.

From: Eric Wolff [mailto:ewolff@politico.com]
Sent: Thursday, July 27, 2017 2:28 PM
To: Press <Press@epa.gov>
Subject: E15, legal review

Hi,

Has EPA made any progress on its review of the legality of allowing year-round E15 sales through regulation? It's been some months since the administrator said it was underway. Any deadline on when a decision will be reached?

Thanks,

Eric

--

Eric Wolff

Energy Reporter

POLITICO

760-303-1927

ewolff@politico.com

@ericwolff

--
Eric Wolff
Energy Reporter
POLITICO
760-303-1927
ewolff@politico.com
@ericwolff

Message

From: Dewey, Caitlin [Caitlin.Dewey@washpost.com]
Sent: 8/18/2017 2:57:03 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Inquiry re: dicamba

And sure enough, here's one!

I'm just looking for a little more specificity on the data that was reviewed, if possible. On background is totally fine. Did EPA consider any evaluations that specifically looked at the volatility of the new, commercialized formulations of dicamba (so that's Engenia and Xtendimax with VaporGrip) and that didn't come from applicants?

I understand how the process works, and that the burden's on applicants to supply this data. I've just been told there's next to nothing in the academic literature on the volatility of the newest formulations … and I don't want to assume that's the case, if EPA did actually review studies on it from other sources.

Thanks,
Caitlin

From: Dewey, Caitlin
Sent: Friday, August 18, 2017 10:17 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Inquiry re: dicamba

Thanks very much, Robert, this is helpful! I'll be in touch today if there are any additional questions.

Caitlin

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Thursday, August 17, 2017 12:04 PM
To: Dewey, Caitlin
Cc: Press
Subject: RE: Inquiry re: dicamba

Hey Caitlin,

For attribution to "an EPA spokesperson," please:

Under FIFRA, the applicant for registration is required to submit the required data to support registration. The number of studies submitted to support a registration application can be in the hundreds, as was the case with Dicamba. Congress placed this obligation on the pesticide manufacturer rather than requiring others to develop and fund such data development.

University scientists are, in fact, welcome to submit data. However, EPA does not ask university researchers to produce additional studies. We evaluate information from all kinds of sources – pesticide companies, other governments, academia, and the published scientific literature. For more on how EPA uses science as a basis for decision-making: https://www.epa.gov/pesticide-registration/understanding-science-behind-epas-pesticide-decisions[epa.gov].

EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Arkansas and elsewhere.

We are gathering information from the registrants, state officials and crop production experts now in order to understand this issue and evaluate if additional regulatory steps or use adjustments are needed to protect crops from off field movement of this herbicide. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

From: Dewey, Caitlin [mailto:Caitlin.Dewey@washpost.com]
Sent: Wednesday, August 16, 2017 2:40 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Inquiry re: dicamba

You're so quick! Deadline is Thursday afternoon, and will likely pub next week depending on news.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, August 16, 2017 2:06 PM
To: Dewey, Caitlin <Caitlin.Dewey@washpost.com>
Cc: Press <Press@epa.gov>
Subject: RE: Inquiry re: dicamba

Thanks, Caitlin. Hard deadline and expected publication date, please?

From: Dewey, Caitlin [mailto:Caitlin.Dewey@washpost.com]
Sent: Wednesday, August 16, 2017 2:03 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Inquiry re: dicamba

Okay! Works for me. Here goes:

When evaluating the volatility risk of the new dicamba formulations, how many lab tests and field trials did EPA review? Who conducted and funded those tests?

Was EPA aware that university scientists were not permitted by Monsanto to study volatility of Xtendimax with Vapor Grip? (Would you typically consider that relevant to the registration process?)

Some critics have said that the registration process for the new dicamba formulations proceeded too quickly, and that there was not enough scrutiny of volatility risk. One university scientist told me: "I was surprised that it went through the way it did, as easily as it did, as quickly as it did. It's clear that there were large market forces and large markets at stake, and that was part of the pressure to make a regulatory decision." How would the agency respond to those complaints? Is there any evidence that the EPA under the Obama administration did not adequately review dicamba?

And finally! the obvious one – what actions is EPA considering to address reports of dicamba damage, and what is the timeline for action?

Thanks!

Caitlin

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, August 16, 2017 1:44 PM
To: Dewey, Caitlin <Caitlin.Dewey@washpost.com>

Cc: Press <Press@epa.gov>
Subject: RE: Inquiry re: dicamba

Hey Caitlin,

Email is probably easiest, so I can, at the very least, route your questions and see if we can do an interview.

Thanks, R.

From: Dewey, Caitlin [mailto:Caitlin.Dewey@washpost.com]
Sent: Wednesday, August 16, 2017 1:24 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Inquiry re: dicamba

Hey Robert,

I'm still working on this one, believe it or not! I have a few more questions for you about how EPA handled dicamba volatility testing during the registration process, and what actions you're considering, if any, now. Would it be easiest to hop on the phone to discuss, or would you prefer I email them over…?

Let me know. Thanks!

Caitlin

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 3:19 PM
To: Dewey, Caitlin <Caitlin.Dewey@washpost.com>
Subject: FW: Inquiry re: dicamba

Caitlin, for attribution to "an EPA spokesperson," if applicable:

There is a call on Friday to hear from weed scientists about what they are observing. The purpose of the call is to learn from our colleagues about what they are seeing and experiencing.

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Dewey, Caitlin [mailto:Caitlin.Dewey@washpost.com]
Sent: Wednesday, July 26, 2017 1:18 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Inquiry re: dicamba

Hey Robert,

My name is Caitlin Dewey and I'm a reporter at the Washington Post, working on a story about dicamba. I understand there's an EPA conference call with a number of weed scientists tomorrow to discuss the issue, and that EPA may be considering taking some kind of action.

Do you have a second to hop on the phone and talk me through that this afternoon, even just on background? We're framing out a larger story on the issues farmers are having with dicamba, and I want to make sure I understand its registration status and things like that…

Let me know! Thanks,

Caitlin

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/17/2017 4:04:58 PM
To: Dewey, Caitlin [Caitlin.Dewey@washpost.com]
CC: Press [Press@epa.gov]
Subject: RE: Inquiry re: dicamba

Hey Caitlin,

For attribution to "an EPA spokesperson," please:

Under FIFRA, the applicant for registration is required to submit the required data to support registration. The number of studies submitted to support a registration application can be in the hundreds, as was the case with Dicamba. Congress placed this obligation on the pesticide manufacturer rather than requiring others to develop and fund such data development.

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We are gathering information from the registrants, state officials and crop production experts now in order to understand this issue and evaluate if additional regulatory steps or use adjustments are needed to protect crops from off field movement of this herbicide. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

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Thanks!
Caitlin

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There is a call on Friday to hear from weed scientists about what they are observing. The purpose of the call is to learn from our colleagues about what they are seeing and experiencing.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

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Do you have a second to hop on the phone and talk me through that this afternoon, even just on background? We're framing out a larger story on the issues farmers are having with dicamba, and I want to make sure I understand its registration status and things like that…

Let me know! Thanks,
Caitlin

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 8/17/2017 4:01:38 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: FOR REVIEW: Washington Pot (Caitlin Dewey) Dicamba - DDL 8/17

Good to send.

From: Daguillard, Robert
Sent: Thursday, August 17, 2017 11:58 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Washington Pot (Caitlin Dewey) Dicamba - DDL 8/17

BACKGROUND

Ex. 5 Deliberative Process (DP) Caitlin Dewey – The Washington Post – caitlin.dewey@washpost.com

RESPONSE

Ex. 5 Deliberative Process (DP)

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Subject: FW: Inquiry re: dicamba

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Robert Daguillard
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U.S. Environmental Protection Agency
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Ex. 6 Personal Privacy (PP) M)

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Let me know! Thanks,
Caitlin

Message

From: Therese Raphael (BLOOMBERG/ NEWSROOM:) [traphael4@bloomberg.net]
Sent: 8/17/2017 12:57:49 PM
To: Press [Press@epa.gov]; Daguillard, Robert [Daguillard.Robert@epa.gov]
Subject: RE: fipronil fact check query from Bloomberg

Thanks Robert. We published this morning, but I should be able to add something in an update.

Bloomberg View
Ex. 6 Personal Privacy (PP)
Twitter: @ThereseRaphael1
http://www.bloombergview.com/contributors/therese-raphael

From: Daguillard.Robert@epa.gov
Subject: RE: fipronil fact check query from Bloomberg

Therese, for attribution to "an EPA spokesperson," please:

Correct, fipronil cannot be used on animals destined for human consumption. While fipronil is not registered for use on poultry or livestock, it is approved by EPA for use on some crops that are used for animal feed, which in turn may lead to some detections of fipronil on livestock, poultry and eggs. EPA has established tolerances (maximum permissible level for pesticide residues allowed) for indirect or inadvertent residues established in/on wheat, grain, forage, hay, and straw.

Fipronil tolerance levels can be found in the electronic Code of Federal Regulations, Title 40, Part §180.517: https://www.ecfr.gov/cgi-bin/text-idx?SID=aba6108ffbe015f95067c9a08a45f706&mc=true&node=se40.26.180_1517&rgn=div8. The tolerance level for fipronil residues found in/on eggs is 0.03ppm. There are also tolerances for meat and milk.

Thanks, R.

From: Therese Raphael (BLOOMBERG/ NEWSROOM:) [mailto:traphael4@bloomberg.net]
Sent: Tuesday, August 15, 2017 3:00 PM
To: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: fipronil fact check query from Bloomberg

Dear Robert,

As promised on the phone, here's my query:

We are writing on the European egg contamination issue and just wanted to check US regs: Can you confirm that Frontline/Frontline Plus -- or any product with fipronil used to kill lice/fleas, etc on animals -- are not licensed for use with poultry -- either poultry destined for consumption or egg-laying chickens -- in the U.S. I find only references to cats/dogs online.

Would we be correct in saying fipronil-containing products are not be permitted for use on animals destined for human consumption? Has the EPA ever refused a license request for a fipronil-containing product for use on animals destined for human consumption?

I'm 5 hours ahead of you and have to file in another couple of hours. Thank you!

Kind regards,

Therese

Bloomberg View
Ex. 6 Personal Privacy (PP)
Twitter: @ThereseRaphael1
http://www.bloombergview.com/contributors/therese-raphael

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/17/2017 12:50:10 PM
To: Therese Raphael [traphael4@bloomberg.net]; Press [Press@epa.gov]
Subject: RE: fipronil fact check query from Bloomberg

Therese, for attribution to "an EPA spokesperson," please:

Correct, fipronil cannot be used on animals destined for human consumption. While fipronil is not registered for use on poultry or livestock, it is approved by EPA for use on some crops that are used for animal feed, which in turn may lead to some detections of fipronil on livestock, poultry and eggs. EPA has established tolerances (maximum permissible level for pesticide residues allowed) for indirect or inadvertent residues established in/on wheat, grain, forage, hay, and straw.

Fipronil tolerance levels can be found in the electronic Code of Federal Regulations, Title 40, Part §180.517: https://www.ecfr.gov/cgi-bin/text-idx?SID=aba6108ffbe015f95067c9a08a45f706&mc=true&node=se40.26.180_1517&rgn=div8. The tolerance level for fipronil residues found in/on eggs is 0.03ppm. There are also tolerances for meat and milk.

Thanks, R.

From: Therese Raphael (BLOOMBERG/ NEWSROOM:) [mailto:traphael4@bloomberg.net]
Sent: Tuesday, August 15, 2017 3:00 PM
To: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: fipronil fact check query from Bloomberg

Dear Robert,

As promised on the phone, here's my query:

We are writing on the European egg contamination issue and just wanted to check US regs: Can you confirm that Frontline/Frontline Plus -- or any product with fipronil used to kill lice/fleas, etc on animals -- are not licensed for use with poultry -- either poultry destined for consumption or egg-laying chickens -- in the U.S. I find only references to cats/dogs online.

Would we be correct in saying fipronil-containing products are not be permitted for use on animals destined for human consumption? Has the EPA ever refused a license request for a fipronil-containing product for use on animals destined for human consumption?

I'm 5 hours ahead of you and have to file in another couple of hours. Thank you!

Kind regards,
Therese

Bloomberg View
Ex. 6 Personal Privacy (PP)
Twitter: @ThereseRaphael1
http://www.bloombergview.com/contributors/therese-raphael

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 8/16/2017 10:05:50 PM
To: Pedrick, Joshua [joshua.pedrick@spglobal.com]
CC: Press [Press@epa.gov]
Subject: Re: Comment on Sinclair refining decision?

Hi Josh - For attribution to an EPA spokesperson, please: We are reviewing the decision. Thanks.

Julia P. Valentine
Office of Media Relations
202.564.2663
Sent from USEPA iPhone

On Aug 16, 2017, at 5:32 PM, Pedrick, Joshua <joshua.pedrick@spglobal.com> wrote:

Hi,
Wondering if there's a comment on this.

Thanks,
Josh Pedrick
Direct: +1 713 658 3221
ICE IM: platts_ethanol_americas
joshua.pedrick@spglobal.com

From: Pedrick, Joshua
Sent: Wednesday, August 16, 2017 3:44 PM
To: Press@epa.gov
Subject: Comment on Sinclair refining decision?

Hi,
Does the EPA have a comment on the decision from the 10th district court regarding Sinclair refining?

Thanks,
Josh Pedrick
Biofuels Editor

<image001.png>

1111 Bagby Street, Suite 2200, Houston, TX 77002
Direct: +1 713 658 3221
ICE IM: platts_ethanol_americas
joshua.pedrick@spglobal.com

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/16/2017 3:54:34 PM
To: Elliott Blackburn [elliott.blackburn@argusmedia.com]
CC: Press [Press@epa.gov]
Subject: RE: Sinclair small refinery ruling

Thanks, Elliott. For attribution to "an EPA spokesperson," please, but we are reviewing the decision.

Let me check on your previous questions.

From: Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]
Sent: Wednesday, August 16, 2017 11:41 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Sinclair small refinery ruling

Deadline is ASAP, will stop updating around 4:30 your time.

I also remain interested in my earlier queries on small refiner exemptions, last acknowledged by EPA on 21 July.

Thanks Robert.

Elliott

Elliott Blackburn
Downstream Reporter

www.argusmedia.com
Direct: +1 713 429 6350
Email: elliott.blackburn@argusmedia.com
Skype ID: argus.elliott
Signal: Ex. 6 Personal Privacy (PP)

www.argusmedia.com

Tel: +1 713 968 0000 | Fax: +1 713 622 2991 |
Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

illuminating the markets

STAY CONNECTED:

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, August 16, 2017 10:39 AM
To: Elliott Blackburn; Press
Subject: RE: Sinclair small refinery ruling

Elliott, a quick word to acknowledge receipt. What's your deadline and how late will you be updating your story?

Thanks, R.

From: Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]
Sent: Wednesday, August 16, 2017 11:32 AM
To: Press <Press@epa.gov>
Subject: Sinclair small refinery ruling

Good morning,

Does EPA have a response to the appellate court's decision on the Sinclair Refining small refinery waivers? What are the next steps for the agency?

Thank you,

Elliott

Elliott Blackburn
Downstream Reporter

www.argusmedia.com
Direct: +1 713 429 6350
Email: elliott.blackburn@argusmedia.com
Skype ID: argus.elliott
Signal: Ex. 6 Personal Privacy (PP)

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Tel: +1 713 968 0000 | Fax: +1 713 622 2991 |
Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

illuminating the markets

STAY CONNECTED:

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Argus Media Limited has moved offices. Please note our new address below.

Argus Media Limited, Lacon House, 84 Theobald's Road, London WC1X 8NL Registered in England and Wales, Company Registration No: 1642534 VAT Registration No: GB 229 7149 41

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/14/2017 10:53:25 PM
To: Diane Broncaccio [dbroncaccio@recorder.com]
CC: Press [Press@epa.gov]
Subject: Re: "Yellow Heat" oil burner authorized for EPA "green credits"?

Diane, for attribution to "an EPA spokesperson," please:

Please consult this letter, which you can find on the RFS website. The key point you are looking for is in the last paragraph.

https://www.epa.gov/sites/production/files/2017-07/documents/homestead-eng-deter-ltr-2017-07-10.pdf

More information on the approval process for biofuels eligible to generate RINs under the RFS program may be found here: https://www.epa.gov/renewable-fuel-standard-program/fuel-pathways-under-renewable-fuel-standard

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Aug 14, 2017, at 4:55 PM, Diane Broncaccio <dbroncaccio@recorder.com> wrote:

> If possible, we'd like to publish the story in Friday's Recorder. We had written a story about this invention about 2 years ago, but the new twist is that using this burner could earn energy credits for Leue and for users of the burners, according to Tom Leue.
>
> If I could get this information by Wednesday, it would be helpful.
> Sincerely,
> Diane Broncaccio
>
> On Mon, Aug 14, 2017 at 4:08 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> > Good afternoon Diane,
> >
> > My colleague Dave, from our Boston Office, has forwarded us your inquiry. What's your deadline and when are you hoping to publish a story?

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

From: Diane Broncaccio [mailto:dbroncaccio@recorder.com]
Sent: Friday, August 11, 2017 4:53 PM
To: Deegan, Dave <Deegan.Dave@epa.gov>
Subject: "Yellow Heat" oil burner authorized for EPA "green credits"?

Hi Dave, I work for The Greenfield Recorder and am working on a story about an engineer who has invented a burner that runs on filtered, used cooking oil and produces 98 percent less carbon emission than conventional heating oil. The inventor, Thomas Leue of Homestead Engineering says he has received an agreement from the US EPA "that authorizes users of his Yellow Heat oil burner to generate green credits (called RINs) for every gallon of waste vegetable oil burned."

He is saying these energy credits are currently worth about $1.75 for every gallon burned, and is saying that value could offset the cost of the oil for its users.

Do you know who I could talk to, to confirm this agreement? Tom Leue of Ashfield MA, does business as "Homestead Inc., and the burner is to be sold under the name "Yellow Heat." He told me, also, that the burner is not certified for home use but can be used in barns, shops, greenhouses, etc.

I appreciate any help you can offer.

Diane

--

Diane Broncaccio

West County reporter

(413) 772-0261, ext. 277

Enesta Jones

U.S. EPA

Office of Media Relations

Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

--
Diane Broncaccio
West County reporter
(413) 772-0261, ext. 277

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/14/2017 8:21:01 PM
To: Egelko, Bob [BEgelko@sfchronicle.com]; Press [Press@epa.gov]
Subject: RE: Environmental Groups Sue EPA Over New Toxic Chemicals Rules

Hey Bob. We just spoke a couple of minutes ago. For attribution to "an EPA spokesperson," please:

"We don't comment on pending litigation."

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Egelko, Bob [mailto:BEgelko@sfchronicle.com]
Sent: Monday, August 14, 2017 4:17 PM
To: Press <Press@epa.gov>
Subject: FW: Environmental Groups Sue EPA Over New Toxic Chemicals Rules
Importance: High

I'm writing about this today, about filings last week with the Ninth Circuit Court of Appeals, and would welcome EPA comment.

Bob Egelko
San Francisco Chronicle
Ex. 6 Personal Privacy (PP)

For Immediate Release: Monday, August 14, 2017

Environmental Groups Sue Trump Administration Over New Rules That Will Make It Harder to Protect Against Harm From Toxic Chemicals

Environmental Protection Agency recently gutted crucial chemical safety rules needed to protect families and workers from toxic chemicals

SAN FRANCISCO – Earthjustice — on behalf of the Environmental Working Group and organizations representing consumers, people from low-income communities of color, Alaska Natives, parents and teachers of children with learning disabilities, workers, and scientists — has brought two suits against the Trump administration for weakening key rules establishing how the Environmental Protection Agency will regulate toxic chemicals found in consumer products, building materials, and work places, as well as in our drinking water and food.

Specifically, the lawsuits challenge two EPA regulations that set ground rules for how EPA will prioritize chemicals for safety review and then evaluate the risks of those chemicals under the recently updated Toxic Substances Control Act. Additional information about the lawsuits is available here and here.

Earthjustice filed the complaint in federal court in San Francisco on behalf of EWG, WE ACT for Environmental Justice, Learning Disabilities Association of America, United Steelworkers, Alaska Community Action on Toxics, the Union of Concerned Scientists, Environmental Health Strategy Center and Sierra Club. The challenged rules will play a crucial role in whether EPA fulfills its mission of protecting families and workers across the country from chemical risks or allows known bad actor chemicals, like asbestos, to get a free pass.

"After Congress took bipartisan action to make desperately needed updates to our chemical safety laws, the Trump Administration has turned back the clock, leaving families and workers at risk," said Eve Gartner, an attorney at Earthjustice. "The EPA's newly adopted rules – overseen by a former high-level chemical industry official with head-spinning conflicts of interest – will leave children, communities and workers vulnerable to dangerous chemicals. This lawsuit is about one thing: holding the Trump EPA to the letter of the law and ensuring it fulfills its mandate to protect the public."

In 2016, Congress overhauled TSCA for the first time in 40 years, requiring EPA to conduct comprehensive risk evaluations of chemicals without regard to cost, and with special attention to the risks posed to vulnerable populations. Under the updated law, President Trump's EPA has issued dramatically weakened rules governing how the EPA assesses the safety of chemical in an effort to cater to the chemical industry at the expense of public health. One of the key EPA officials charged with overseeing the drafting of the updated rules is Dr. Nancy Beck, a former high-level official in the leading chemical-industry trade association who is riddled with potential conflicts of interest.

"This administration is anti-public health," said Melanie Benesh, EWG's legislative attorney. "The EPA's new rules fail to protect consumers by exempting key sources of exposure to risky chemicals. For example, 1,4-dioxane is linked to cancer and is a well-known contaminant of the personal care and cleaning products consumers use everyday. EPA has indicated it will not assess the risks from these exposures just because 1,4-dioxane is an impurity. That's absurd. Cancer is cancer regardless of how a chemical ends up in a product. EPA's safety determinations should take all sources of exposure into consideration. To do otherwise is completely contrary to public health and bad for consumers."

In connection with the filing of the lawsuits, Earthjustice's clients issued the following statements:

Dr. Adrienne Hollis, Director of Federal Policy at WE ACT for Environmental Justice said: "There is an immediate need for actions focused on preventing chemical exposures and regulating the use of chemicals. Despite being a New York City native, what Mr. Trump may not realize is that many residents, especially tenants living in poor or substandard housing, disproportionately suffer from respiratory problems such as asthma. We need to know the risks of chemicals used in our communities because exposure often exacerbates health disparities and outcomes. Enforcement of chemical laws to keep our communities healthy should be a top priority for the EPA."

Pamela Miller, Executive Director of Alaska Community Action on Toxics, said: "Indigenous peoples of the Arctic are among the most highly exposed populations on earth and extremely vulnerable to health disparities associated with chemical exposures including endocrine and immune system disorders, neurodevelopmental harm, and cancers. Many persistent and toxic chemicals, including HBCD, are subject to long range transport via atmospheric and oceanic currents and concentrate in wildlife and people of the north. EPA has a clear obligation to protect the health of vulnerable populations, including Alaska Native people who rely on the land and sea for their sustenance and culture. Chemical corporations cannot be allowed to continue violating the health, human rights, and integrity of our northern and Arctic communities."

Patricia Lillie, President of the Learning Disabilities Association of America, said: "We need EPA to fulfill its responsibility under the revised TSCA to regulate toxic chemicals in ways that are especially protective of children's vulnerable developing brains and bodies. These rules do not accomplish that purpose. The rules give EPA authority to choose to ignore chemical uses that could result in prenatal and children's exposures to chemicals that are linked to learning and developmental disabilities."

Michael Wright, Director of Health, Safety and Environment for the United Steelworkers, said: "Our union has fought for decades to control harmful worker exposures to chemicals. Since Congress updated TSCA, we continue to hold EPA accountable and ensure that strong regulations protect workers from occupational disease caused by chemical exposures."

Dr. Andrew Rosenberg, Director, Center for Science and Democracy, Union of Concerned Scientists, said: "The EPA's mission is to protect people and the environment, and its decisions need to be based on the public good and the best available science, not on special interest lobbyists. The EPA's new rules simply don't meet this standard. They were written by an appointee picked straight from the heart of the chemical industry and reflect efforts of some companies to undermine the science that keeps us safe."

Mike Belliveau, Executive Director of the Environmental Health Strategy Center, said: "Obviously, it's total exposure to a chemical, from all sources combined, that most endangers the health of pregnant women, children, and workers. Yet, the Trump EPA deliberately bypassed the law's clear requirement that safety assessments be based on ALL uses of a chemical. By allowing some or even most chemical uses to be ignored, the EPA proposes to do the very thing the new law was intended to halt: allow the chemical industry to continue to produce and sell toxic chemicals that pose unacceptable risks to human health."

Marta Darby, Attorney for Sierra Club, said: "It has become clear the Trump Administration will do whatever it takes to work on behalf of big polluters and the chemical industry to gut the laws that keep our families safe. Now, they want to weaken laws that keep toxic chemicals away from our kids and put a chemical industry official in charge of enforcing them. That is a recipe for disaster, and we intend to hold the Administration accountable with this lawsuit."

###

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/17/2017 7:23:30 PM
To: Juan Carlos Rodriguez [jc.rodriguez@law360.com]; Press [Press@epa.gov]
Subject: RE: House budget

Juan Carlos, for attribution to "an EPA spokesperson," please, but EPA doesn't normally comment on pending legislation.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Daguillard, Robert
Sent: Monday, July 17, 2017 3:19 PM
To: 'Juan Carlos Rodriguez' <jc.rodriguez@law360.com>; Press <Press@epa.gov>
Subject: RE: House budget

Good afternoon and thank you, Juan Carlos. How late will you be updating your story?

From: Juan Carlos Rodriguez [mailto:jc.rodriguez@law360.com]
Sent: Monday, July 17, 2017 2:53 PM
To: Press <Press@epa.gov>
Subject: House budget

Hi, I was wondering if the EPA has any comment regarding the EPA funding bill that's going to be voted on tomorrow by the House Appropriations Committee?

My deadline is 5 p.m. eastern time today.

Thanks.

--
Juan Carlos Rodriguez
Senior Environment Reporter

LAW360
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Legal News & Data
111 West 19th Street
5th Floor

New York, NY 10011
Office: 646-783-7197
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Follow Law360 on Twitter

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/17/2017 3:00:38 PM
To: sharon.bernstein@thomsonreuters.com
CC: Press [Press@epa.gov]
Subject: FW: Press Inquiry about chemicals and other toxins at marijuana grow sites

Sharon, for attribution to "an EPA spokesperson," please:

EPA does not track marijuana growing sites. The agency also wouldn't comment on potential or actual investigations.

For additional information, California's North Coast Regional Water Quality Control Board (Region 1) has a cannabis cultivation program and would be best suited to respond to question #5. Contacts for this program can be found via this link:

http://www.waterboards.ca.gov/water_issues/programs/cannabis/

Regards, R.

From: sharon.bernstein@thomsonreuters.com [mailto:sharon.bernstein@thomsonreuters.com]
Sent: Tuesday, June 27, 2017 2:01 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Press Inquiry about chemicals and other toxins at marijuana grow sites

Hi Robert,

Thanks for taking my call a few minutes ago. I am working on a story about toxic chemicals and cleanup issues at marijuana grow sites across the U.S. While much of this activity seems to be happening in California, I am interested in finding out about the extent of this problem across the U.S. Among the questions I would like to run by your experts are:

1. Is the EPA tracking or considering tracking marijuana grow sites where toxic chemicals are used? If so, how many are you aware of? In what states is this happening? My understanding is that there is little money for cleanup, yet the toxicity of the compounds being found is requiring full on hazardous materials cleanup. If there is concern but not a formal program or investigation, would you please direct me to the folks who have expressed concern so I can find out what their concerns are and where in the process any plans to look at the issue might be?
2. Is EPA working on any cases in which these sites – either on private or federally owned land – are being investigated for possible environmental violations? If so, how many and in what states?
3. Is there a historian or other expert at EPA who can look at figures I have gathered of volume of banned pesticides found at sites in California to tell me whether there is a comparison to a more well-known cleanup operation – perhaps a famous spill, leak or industrial site that readers might be able to identify with?
4. Chemicals found at sites include carbamates, organophosphates, pyrethroids, neonicotinoids, avermectins, 1stGen ARs, 2nd Gen ARs, neurotoxicant rodenticides, phosphides and molluscicides. Among the banned or tightly controlled substances that are most commonly found are carbofuran and zinc phosphide. Piles of thousands of spent butane canisters have also been found.
5. I have been told that toxic runoff from the sites has been measured in water, possibly in Trinity County, California. Do you have any information on soil or water sampling that has found carbofuran, zinc phosphide or other toxic materials leaching from these sites?

Thanks very much,

Sharon Bernstein
National Correspondent
Reuters News
Ex. 6 Personal Privacy (PP)
sharon.bernstein@thomsonreuters.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/10/2017 6:15:26 PM
To: Vinn, Milana [Milana.Vinn@abc.com]
CC: Press [Press@epa.gov]
Subject: Re: Hartz flea and tick investigation

Millana, for attribution to "an EPA" spokesperson, please:

No, there has not been an increase in pet incident involving this product since 2010. The number of reported pet incidents has decreased significantly since 2008 when EPA was propelled to take action on flea and tick products.

It is Agency policy not to comment on potential or ongoing investigations.

EPA continues to monitor incident data not only for Hartz but for all manufacturers to ensure the continued safety of the pet spot-on products. EPA wants to ensure that these products continue to provide effective flea and tick control while minimizing any adverse effects on pets

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Aug 10, 2017, at 12:06 PM, Vinn, Milana <Milana.Vinn@abc.com> wrote:

> Dear Robert,
>
> Can you please tell me the following:
>
> Has there been an increase in incidents involving this product since 2010?
>
> Is there an active investigation?
>
> Is your agency concerned?
>
> I appreciate your help.
>
> Thanks.
>
> ---
>
> **From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
> **Sent:** Thursday, August 10, 2017 11:56 AM
> **To:** Vinn, Milana <Milana.Vinn@abc.com>
> **Subject:** RE: Hartz flea and tick investigation

Funny you should ask.

For attribution to "an EPA spokesperson," please:

EPA continues to monitor incident data not only for Hartz but for all manufacturers to ensure the continued safety of the pet spot-on products. EPA wants to ensure that these products continue to provide effective flea and tick control while minimizing any adverse effects on pets. As part of this effort, EPA took action in 2010 on the use of spot-on products and saw a decrease in the number of pet incidents going forward. More information about those label changes can be found at: https://www.epa.gov/pets/epa-evaluation-pet-spot-products-analysis-and-plans-reducing-harmful-effects

In 2016, EPA announced a pilot process where pet spot-on companies could report more detailed incident information using a standard template. This process allows EPA to more effectively review incidents, and if concerns are raised, give us information to act. More information about the pilot process can be found at: https://www.epa.gov/pesticides/pilot-test-new-template-enhanced-pet-spot-product-incident-reporting

---

From: Vinn, Milana [mailto:Milana.Vinn@abc.com]
Sent: Thursday, August 10, 2017 11:41 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Hartz flea and tick investigation

Hi Robert,
I hope you are well.

I just want to check in to see if you were able to get some information regarding the investigation on the Hartz brand.

Thanks.

Best,
Milana

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 08, 2017 3:57 PM
To: Vinn, Milana <Milana.Vinn@abc.com>
Cc: Press <Press@epa.gov>
Subject: RE: Hartz flea and tick investigation

Thanks, Milana. As per our conversation just now, I note you're not on a hard deadline, but rather doing some research.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Vinn, Milana [mailto:Milana.Vinn@abc.com]
Sent: Tuesday, August 08, 2017 3:50 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Hartz flea and tick investigation

Hello Robert,

Please let us know whether the EPA is still investigating the Hartz flea and tick product and its effect on pets.

Thank you.

Milana Vinn
ABC News' Specialized Units
(O) 212.456.6357
(C) Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/10/2017 3:58:40 PM
To: Press [Press@epa.gov]
Subject: FW: Hartz flea and tick investigation

FYI

From: Daguillard, Robert
Sent: Thursday, August 10, 2017 11:56 AM
To: 'Vinn, Milana' <Milana.Vinn@abc.com>
Subject: RE: Hartz flea and tick investigation

Funny you should ask.

For attribution to "an EPA spokesperson," please:

EPA continues to monitor incident data not only for Hartz but for all manufacturers to ensure the continued safety of the pet spot-on products. EPA wants to ensure that these products continue to provide effective flea and tick control while minimizing any adverse effects on pets. As part of this effort, EPA took action in 2010 on the use of spot-on products and saw a decrease in the number of pet incidents going forward. More information about those label changes can be found at: https://www.epa.gov/pets/epa-evaluation-pet-spot-products-analysis-and-plans-reducing-harmful-effects

In 2016, EPA announced a pilot process where pet spot-on companies could report more detailed incident information using a standard template. This process allows EPA to more effectively review incidents, and if concerns are raised, give us information to act. More information about the pilot process can be found at: https://www.epa.gov/pesticides/pilot-test-new-template-enhanced-pet-spot-product-incident-reporting

From: Vinn, Milana [mailto:Milana.Vinn@abc.com]
Sent: Thursday, August 10, 2017 11:41 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Hartz flea and tick investigation

Hi Robert,
I hope you are well.

I just want to check in to see if you were able to get some information regarding the investigation on the Hartz brand.

Thanks.

Best,
Milana

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 08, 2017 3:57 PM
To: Vinn, Milana <Milana.Vinn@abc.com>
Cc: Press <Press@epa.gov>
Subject: RE: Hartz flea and tick investigation

Thanks, Milana. As per our conversation just now, I note you're not on a hard deadline, but rather doing some research.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Vinn, Milana [mailto:Milana.Vinn@abc.com]
Sent: Tuesday, August 08, 2017 3:50 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Hartz flea and tick investigation

Hello Robert,

Please let us know whether the EPA is still investigating the Hartz flea and tick product and its effect on pets.

Thank you.

Milana Vinn
ABC News' Specialized Units
(O) 212.456.6357
(C) Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/10/2017 3:57:41 PM
To: Krantz, Colleen [colleen.krantz@iptv.org]
CC: Press [Press@epa.gov]
Subject: RE: dicamba

Colleen, for attribution to "an EPA spokesperson," please:

EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states.

We are working with the states and the registrants to better understand the issue. We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment.

From: Krantz, Colleen [mailto:colleen.krantz@iptv.org]
Sent: Thursday, August 10, 2017 10:41 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: dicamba

Robert,

Thanks for your time this morning. As I said on the phone, we are working on a brief story looking at the various complaints and some state-level actions related to dicamba and alleged dicamba drift/inversion-related damage. I'd love to know whether EPA has noticed this also, can provide any way to quantify the scope of the problem (if it is indeed seen as a problem) and can add any insight on what is believes is going wrong. Also, please let me know if EPA is considering any additional action. I wonder if EPA knows if any states other than Arkansas have bans in place on post-emerge dicamba?

I need to hear back today, please, as I'm putting the story together to be ready for our show's broadcast tomorrow.

Thanks!
Colleen

--

Colleen Bradford Krantz

Producer, Market to Market

Iowa Public Television

colleen.krantz@iptv.org

Office # 515-725-9891

Mobile Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/10/2017 3:25:20 PM
To: Carey Gillam [Ex. 6 Personal Privacy (PP)
CC: Press [Press@epa.gov]
Subject: RE: RE: RE: Subject: question on formulated product testing

Carey, for attribution to "an EPA spokesperson," please:

EPA did have all the information needed about glyphosate formulas in the United States. What we didn't have was the composition of formula information for foreign products (which are not used in the United States), which we were able to get from the registrant. EPA needed it because part of the upcoming SAP evaluation was a consideration of numerous epidemiology studies from the United States and Europe.

NTP's work investigating the role of glyphosate in product formulations and the differences in formulation toxicity is still progressing. To clarify, NTP initiated this work and EPA's role in this project is advisory in nature. EPA has provided technical guidance in the past and will continue to do so, if needed.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Carey Gillam [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, August 08, 2017 3:06 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: RE: RE: Subject: question on formulated product testing

Story circulating I see on Yahoo platform. If you do have an update, please send soonish.
Cheers,
Carey

On Friday, August 4, 2017, 11:43:55 AM CDT, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

All right. Thanks.

From: Carey Gillam [mailto: Ex. 6 Personal Privacy (PP)
Sent: Friday, August 04, 2017 12:30 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: RE: Subject: question on formulated product testing

So yes this will be in HuffPo, though might go out first in EcoWatch, which is often fed to Yahoo News, and/or Environmental Health News.

I added this question yesterday and hoping you didn't miss it:

* Is the EPA's work with the NTP progressing or not? EPA stated last September that it was working with the National Toxicology Program Division of the National Institute of Environmental Health Sciences to develop a research plan that would evaluate "the role of glyphosate in product formulations and the differences in formulation toxicity."

Is that ongoing or not?

Story will go Monday or Tuesday at latest.

Thanks so much.

Best regards,

Carey Gillam

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

carey@usrtk.org

https://twitter.com/careygillam

http://www.careygillam.com/

On Friday, August 4, 2017, 10:55:17 AM CDT, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Carey,

We have your questions. Are you looking to write a story for the Huffington Post or another outlet? If so, what's your deadline?

Thanks, R.

From: Carey Gillam [mailto: **Ex. 6 Personal Privacy (PP)**
Sent: Friday, August 04, 2017 11:45 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Subject: question on formulated product testing

Thank you for this. Can you tell me why EPA was asking Monsanto in March and April of last year to tell the agency what it had been using in Roundup for the last 30 years? Documents show that EPA told Monsanto it had a "time sensitive" need for the information, particularly information on the inert ingredients used in popular US and European formulations of glyphosate in the present day and also dating back to the 80s. EPA also asked Monsanto provide information that documents the changes of glyphosate formulations over time and across the globe.

At the same time, EPA was responding to public questions about the safety of formulated products, telling the public that the EPA had all the information about the ingredients in formulated products and that there was no reason for the public to be concerned.

It seems a bit disingenuous to be telling the public the EPA has the information it needs but telling Monsanto it needs to get the information.

Can you reply? Or perhaps put me on the phone with Khue Nguyen ?

Best regards,

Carey Gillam

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

carey@usrtk.org

https://twitter.com/careygillam

http://www.careygillam.com/

On Friday, August 4, 2017, 9:22:22 AM CDT, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Carey, with apologies for the delay and for attribution to "an EPA spokesperson," please.

EPA does not routinely require long-term toxicity studies for pesticide product formulations. EPA does, however, require data on acute and long-term toxicity for all registered active ingredients, as mandated by the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). EPA carefully evaluates the hazard potential for each active ingredient.

For formulated end-use products, EPA requires a battery of acute toxicity studies to support the registration of each product. Determination of acute oral, dermal, eye, and inhalation toxicity is usually the initial step in the assessment and evaluation of the toxic characteristics of a pesticide active ingredient or end-use formulation. These data provide information on health hazards likely to arise when applying the product or when exposed soon after application. Under FIFRA, subchronic and chronic toxicity tests are examples of long-term toxicity tests required for active ingredients.

Additionally, all inert ingredients in pesticide products, including those in an inert mixture that may be added to other approved pesticide products, must be approved for use by EPA. As a part of EPA's evaluation of a pesticide product, the product's composition is examined to verify that all of the inert ingredients proposed for use in the pesticide formulation have been approved by EPA. Just as with individual inert ingredients, each component of an inert mixture must be supported by a battery of toxicity data and must be approved for use by EPA.

The hazard potential of a formulated pesticide product is assessed through evaluation of the relative toxicity of the individual inert ingredients and pesticide active ingredients. If there are data to indicate risk for a formulated mixture, EPA evaluates the potential effects in our risk assessments. The human health risk assessment process is conservative in that maximum legal use rates for applicators and maximum legal

residue levels for dietary exposure assumptions are used, thus ensuring that when a pesticide is used according to the label, people are well protected.

Thanks, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) M)

From: Carey Gillam [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, May 18, 2017 10:50 AM
To: Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: question on formulated product testing

Greetings guys - hoping you both are doing well. I need clarity on an issue that continues to percolate in this glyphosate/Roundup debate. Does the EPA **require** long term toxicity studies for full formulated pesticide products such as Roundup or only for the active ingredients in those products?

You probably are aware that many people make this assertion but the EPA information on this topic posted on various web pages is a bit ambiguous.

Could you please provide clarification on this issue?

Best regards,

Carey Gillam

Ex. 6 Personal Privacy (PP)

Ex. 6 Personal Privacy (PP)

carey@usrtk.org

https://twitter.com/careygillam

http://www.careygillam.com/

Message

From: Wissbaum, Brandon [bwissbaum@wect.com]
Sent: 7/27/2017 8:24:28 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; McAdams, Ann [amcadams@wect.com]
CC: Press [Press@epa.gov]
Subject: RE: WECT inquiry

Thank you, Robert. We added the first part of the statement to our story. It should update online momentarily: http://www.wect.com/story/35977972/feds-warn-of-epa-shortfalls-as-additional-contaminants-identified-in-cape-fear-river

I appreciate all of the background information as well. It will prove helpful in future stories.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 3:28 PM
To: Wissbaum, Brandon <bwissbaum@wect.com>; McAdams, Ann <amcadams@wect.com>
Cc: Press <Press@epa.gov>
Subject: RE: WECT inquiry

Brandon, for attribution to EPA or to "an agency spokesperson," please. Thanks for sending us a link to your updated online story, if possible.

Regards, R.

America's drinking water remains among the safest in the world and protecting drinking water is one of EPA's top priorities. We take our commitment to protecting public health seriously and when issues arise, we work closely with states, local governments, and water suppliers to review and address, as appropriate.

When the GAO report was released the law hadn't been in place for even a year and therefore the implementation was and still is in its early stages. The passing of the Lautenberg Act to amend TSCA on June 22, 2016, as the report illustrates, has the capacity to fully transform EPA's chemicals program and provided EPA with greater authority to address chemical risks.

EPA has moved swiftly since the passage of amended TSCA. On June 22, 2017 EPA met statutory deadlines including the release of three final rules that serve as the framework for existing chemical prioritization and evaluation, ten scope documents for the initial chemicals evaluated under this framework, and a guidance document for those persons interested in submitting a draft risk evaluation to the Agency. In finalizing the three framework rules, EPA has put in place a program that can ensure chemical safety consistent with the rigorous timelines in the law.

GAO acknowledges that progress has been made and will continue under the new law so long as sufficient resources are dedicated.

Background on Water Quality: More than 90 percent of the country's drinking water systems meet all of EPA's health-based drinking water standards every day throughout the year.

EPA has set drinking water standards for more than 90 contaminants, including microorganisms, disinfectants, disinfection byproducts, inorganic and organic chemicals, and radionuclides.

Public water systems are required to report drinking water data to EPA, which is made available to the public in the Safe Drinking Water Information System (SDWIS). Data collected in SDWIS includes public water system characteristics, violation and enforcement information. Additionally, every five years, EPA also collects data for certain unregulated contaminants through the Unregulated Contaminant Monitoring Rule. This data is provided to utilities and can be found in EPA's National Occurrence Database.

Citizens who are concerned about their drinking water and who are served by a public water system can contact their local water supplier and ask for information on contaminants in their drinking water. They are also encouraged to request a copy of their Consumer Confidence Report. This report lists the levels of contaminants that have been detected in the water, including those by EPA, and whether the system meets state and EPA drinking water standards.

Background on GAO report: The GAO high-risk list includes programs that the office has determined are vulnerable or require transformative change in order to fulfill their objectives.

==========

On Jul 26, 2017, at 11:08 AM, McAdams, Ann <amcadams@wect.com> wrote:

Hello Ernesta,

I am a reporter for the NBC affiliate in Wilmington, NC. You have worked with my assignment manager, Brandon Wissbaum, and he shared your contact info.

I am writing to see if I can get a Skype interview today, or at least a statement from the EPA, regarding the GAO putting the EPA's Process for Assessing and Controlling Toxic Chemicals on its 2017 High Risk List.

This airs tonight, so a quick response would be greatly appreciated.

From: Wissbaum, Brandon [mailto:bwissbaum@wect.com]
Sent: Thursday, July 27, 2017 8:24 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; McAdams, Ann <amcadams@wect.com>
Subject: RE: WECT inquiry

Hi Robert,

Ann is off today, but we would still be interested in your response – we will certainly update our online version at least.

Best,

Brandon Wissbaum

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 8:22 AM
To: McAdams, Ann <amcadams@wect.com>
Cc: Wissbaum, Brandon <bwissbaum@wect.com>
Subject: RE: WECT inquiry

Good morning Ann,

I see your story has already run. Are you still interested in our response, if only for background information or, if needed, to update the online version of your report? Please advise.

Thanks, R.

From: McAdams, Ann [mailto:amcadams@wect.com]
Sent: Wednesday, July 26, 2017 11:15 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Wissbaum, Brandon <bwissbaum@wect.com>; Press <Press@epa.gov>
Subject: RE: WECT inquiry

Yes.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 11:15 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>; McAdams, Ann <amcadams@wect.com>
Cc: Wissbaum, Brandon <bwissbaum@wect.com>; Press <Press@epa.gov>
Subject: RE: WECT inquiry

Good morning Ann,

Thanks for reaching out. I'll be in touch.

Presumably, this is the GAO report you're referencing, correct?
http://www.gao.gov/highrisk/transforming_epa_and_toxic_chemicals/why_did_study#t=1

Regards, R.

From: Jones, Enesta
Sent: Wednesday, July 26, 2017 11:10 AM
To: McAdams, Ann <amcadams@wect.com>
Cc: Wissbaum, Brandon <bwissbaum@wect.com>; Press <Press@epa.gov>
Subject: Re: WECT inquiry

Hi Ann,

Robert Daguillard will be in touch. He handles this issue.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jul 26, 2017, at 11:08 AM, McAdams, Ann <amcadams@wect.com> wrote:

Hello Ernesta,

I am a reporter for the NBC affiliate in Wilmington, NC. You have worked with my assignment manager, Brandon Wissbaum, and he shared your contact info.

I am writing to see if I can get a Skype interview today, or at least a statement from the EPA, regarding the GAO putting the EPA's Process for Assessing and Controlling Toxic Chemicals on its 2017 High Risk List.

This airs tonight, so a quick response would be greatly appreciated.

Many thanks,

Ann McAdams
Ex. 6 Personal Privacy (PP)
WECT/WSFX
Investigative Reporter
<image001.jpg>

From: Wissbaum, Brandon
Sent: Wednesday, July 26, 2017 11:02 AM
To: McAdams, Ann <amcadams@wect.com>
Subject: FW: WECT inquiry

This is the EPA contact I've reached out to for information/comments.

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Tuesday, June 20, 2017 4:40 PM
To: Wissbaum, Brandon <bwissbaum@wect.com>
Cc: Press <Press@epa.gov>
Subject: RE: WECT inquiry

HI Brandon,

Please attribute our statement below to an agency spokesperson:

EPA is committed to protecting public health and supporting states and public water systems as the appropriate steps to address the presence of GenX in drinking water are determined.
EPA has initiated an investigation into Chemours's compliance with a 2009 order issued under the Toxic Substances Control Act (TSCA) for the production of GenX. This investigation will allow EPA to determine whether Chemours is in compliance with requirements of the order to control releases to the environment at the Fayetteville, N.C., facility. EPA is also reviewing the additional toxicity data submitted by the company, as required under the consent order, and updating the risk assessment using the additional toxicity data specific to GenX. At the request of the North Carolina Department of Environmental Quality (NCDEQ), EPA has agreed to perform independent laboratory analysis for GenX in some of the water samples being collected by NCDEQ at 13 locations in the Cape Fear River over the next three weeks.

Background
- Typically, EPA investigates potential TSCA noncompliance through a review of production and environmental controls records required by any rule or order and, as needed, an on-site inspection. EPA may also use information requests to inform our investigation.
- When EPA issued the consent order, the risk assessment for GenX was informed by available toxicity data for GenX and analogous substances such as PFOA (also known as C8). The consent order required the company to conduct additional toxicity testing on GenX.
- EPA has received the data from Chemours and is using it to update its risk assessment.
- Chemours agreed to bear all costs for the water collection and testing. The samples are being sent to a private laboratory in Colorado, and the EPA Office of Research and Development laboratory in Research Triangle Park, NC for independent verification.

NCDEQ believes the completed results will be back from the laboratory in Colorado within four weeks from when the samples are received. EPA is working to determine a timeline for its analysis.

Under the Safe Drinking Water Act, EPA undertakes extensive evaluations of contaminants and uses the best available peer reviewed science to identify and regulate contaminants that present meaningful opportunities for health risk reduction.

The agency is working closely with the states and public water systems to determine the appropriate next steps to ensure public health protection.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Wissbaum, Brandon [mailto:bwissbaum@wect.com]
Sent: Tuesday, June 20, 2017 4:38 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: WECT inquiry

Hi Enesta,

I understand the EPA has opened an investigation into Chemours' activities at the Fayetteville Works site on the Cape Fear River? Can you confirm when the investigation was opened, and provide a comment?

Best,

Brandon Wissbaum
Assignment Manager
WECT News
Office: 910.386.5477
Cell: Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/27/2017 7:46:07 PM
To: Press [Press@epa.gov]
Subject: FW: Dicamba story - lots of questions - Reuters

From: Daguillard, Robert
Sent: Thursday, July 27, 2017 3:47 PM
To: 'Emily.Flitter@thomsonreuters.com' <Emily.Flitter@thomsonreuters.com>
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

1. INCOMING/Follow- up Q: "I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba?"

ANSWER: We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year.

2. INCOMING: Is there someone at the EPA who can describe to me the EPA's involvement in this situation? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

ANSWER: EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states. We are working with the states and the registrants to better understand the issue. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

3. INCOMING: What testing did EPA do on the latest formulations of Dicamba before they were approved?

ANSWER: EPA's analysis of the data has shown reduced volatility potential with newer formulations. EPA's risk assessment included the evaluation of studies that measured the deposition and movement of dicamba after application. These studies were conducted both in the laboratory and in the field. The information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to determine buffers and other labeling restrictions to limit off-site movement of dicamba.

4. INCOMING: Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations?

ANSWER: Before pesticides can be manufactured, distributed, or sold in the United States, they first undergo a rigorous registration process. EPA requires many different scientific studies from applicants wishing to register new pesticides. These studies come from all kinds of sources – pesticide companies, other governments, academia, or the published scientific literature – and help us ensure that our decisions are informed by the best science available. EPA scientists and analysts carefully review these data to determine whether to register (license) a pesticide product or use and whether

specific restrictions are necessary. EPA goes through an intensive evaluation process, looking at the human health and environmental risks.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 10:51 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

This is getting very urgent. I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba? I need to press you very urgently for answers to these and the other questions I sent earlier today. I am trying to get a story out as soon as possible.

Thanks and best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: Ex. 6 Personal Privacy (PP)
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:40 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Roger.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 4:37 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

That's OK – I appreciate the update and I look forward to talking tomorrow. Happy to discuss more about what I'm working on with you if it helps you gather the answers to the questions, so please feel free to call me anytime. I'm at Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:36 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Hullo again Emily,

We're working on these questions for you. Let's touch base tomorrow to see where things stand if OK.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Many thanks, Robert. I'll look forward to hearing from you again soon.

Emily Flitter
Correspondent
Thomson Reuters
Phone: Ex. 6 Personal Privacy (PP)
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 12:45 PM
To: Flitter, Emily R. (Reuters News); Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hey Emily,

A quick word to acknowledge receipt. I'll circle back.

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:34 PM
To: Press <Press@epa.gov>
Subject: Dicamba story - lots of questions - Reuters

Hi,

I'm working on a story about Dicamba. Broadly, it appears Monsanto has released a new formulation (for 2017 season) of its Dicamba product Xtend that was never tested for volatility and its potential to migrate to nearby crops. A similar situation has occurred with BASF and its new formulation. The 2017 growing season has given rise to a wave of complaints of crop damage resulting from the use of Dicamba on other crops nearby. Arkansas has now completely banned Dicamba and never approved its 2017 formulation because of the volatility potential and the lack of testing. Several lawsuits have been filed now against Monsanto over this issue. There are at least two class action suits.

Is there someone at the EPA who can describe to me the EPA's involvement in this situation? What testing did EPA do on the latest formulations of Dicamba before they were approved? Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

This story's deadline isn't for a few days, but if there's any way we can start discussing this as soon as today, that would be great. I'd love to get on the phone with someone and talk more about what my story is and who the best people would be to interview. Can you please give me a call as soon as you can? Thank you!

Best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: Ex. 6 Personal Privacy (PP)
@FlitterOnFraud
thomsonreuters.com

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 7/27/2017 2:16:05 PM
To: Druzin, Rye [rdruzin@express-news.net]
CC: Press [Press@epa.gov]
Subject: RE: GHG emissions for power plants - Texas

Hi Rye,

Attributable to an EPA spokesperson:

EPA's Greenhouse Gas Reporting Program(GHGRP) collects GHG data from the largest sources in the United States, including power plants. In general, facilities that emit more than 25,000 metric tons of carbon dioxide equivalent per year are required to submit annual reports.

Using the GHGRP's online data publication tool, you can view emissions data from all the power plants in Texas that reported to the program. However, the GHGRP does not publish facility-level data on emissions per unit of energy/fuel consumed. Nationally averaged emissions rates by fuel type are available through the GHG Inventory (as we indicated in our previous response), but we do not have that information at the facility level.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Wednesday, July 26, 2017 1:02 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: GHG emissions for power plants - Texas

Thank you Enesta.

- Rye

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Wednesday, July 26, 2017 10:28:05 AM
To: Druzin, Rye; Daguillard, Robert
Cc: Press
Subject: RE: GHG emissions for power plants - Texas

Hi Rye,

I am back and will look into this for you.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Wednesday, July 26, 2017 11:26 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: GHG emissions for power plants - Texas

Robert, thank you for this, but I don't think this is quite what I was looking for.

I am looking for the emission rates for the individual power plants within Texas. It doesn't appear that the data you forwarded me to has that specific breakdown; is that data available?

I am currently on vacation but am trying to get this data to our graphics team as we will be starting this series next week. Please advise as soon as possible about when I could expect that data or, if it is available online, where it is so I can get it to the team. Thanks.

- Rye

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Monday, July 24, 2017 11:18:43 AM
To: Druzin, Rye; Jones, Enesta
Cc: Press
Subject: RE: GHG emissions for power plants - Texas

Rye, for attribution to "an EPA spokesperson," please, and on behalf of Enesta, who is out today:

"EPA's Inventory of U.S. Greenhouse Gas Emissions and Sinks (GHG Inventory) estimates annual greenhouse gas emissions from man-made sources in the United States. The most recent Inventory report covers U.S. GHG emissions from 1990-2015. Annex 2 of the Inventory describes the methods and data used for estimating carbon dioxide emissions from fossil fuel combustion, and table A-11 (on page A-36) shows 2015 energy consumption data and CO2 emissions from fossil fuel combustion by fuel type.

I believe this table provides the information you request—if you have further questions, please let us know.

Information about the GHG Inventory: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks

Download the report: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2015

Direct link to Annex 2: https://www.epa.gov/sites/production/files/2017-02/documents/2017_annex_2.pdf"

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:51 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

Thank you Enesta.

- Rye Druzin, San Antonio Express-News

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Thursday, July 20, 2017 9:33 AM
To: Druzin, Rye <rdruzin@express-news.net>
Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

Hi Rye,

I'll look into this for you.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:25 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: GHG emissions for power plants - Texas

Hi Enesta, my name is Rye Druzin and I am a reporter with the San Antonio Express-News in San Antonio, Texas.

I am working on a story on energy issues, particularly with regards to utilities. A group of statistics I am looking for are the CO2 emissions in pounds-per-million-btus, per power type (coal, natural gas, etc.).

I have EPA data on the CO2 emissions for coal fired power plants (data retrieved from the acid rain reporting program), but I cannot find the same data for natural gas fired plants.

Please let me know how I can obtain this data. I am going on vacation tomorrow, July 21, and will not be back until July 31, but I hope to have this data no later than Monday, July 24, so I can pass it on to our data team. Thank you, and please call me at 650-384-5986 if you have any clarifications.

Rye Druzin
Reporter
San Antonio Express-News
Ex. 6 Personal Privacy (PP)
rdruzin@express-news.net
https://twitter.com/druz_journo

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 7/27/2017 2:13:11 PM
To: Druzin, Rye [rdruzin@express-news.net]; Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: GHG emissions for power plants - Texas

Hi Rye,

Attributable to an EPA spokesperson:

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Wednesday, July 26, 2017 1:02 PM
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Cc: Press <Press@epa.gov>
Subject: Re: GHG emissions for power plants - Texas

Thank you Enesta.

- Rye

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Wednesday, July 26, 2017 10:28:05 AM
To: Druzin, Rye; Daguillard, Robert
Cc: Press
Subject: RE: GHG emissions for power plants - Texas

Hi Rye,

I am back and will look into this for you.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

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Sent: Wednesday, July 26, 2017 11:26 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>

Cc: Press <Press@epa.gov>
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- Rye

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Cc: Press
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Rye, for attribution to "an EPA spokesperson," please, and on behalf of Enesta, who is out today:

"EPA's Inventory of U.S. Greenhouse Gas Emissions and Sinks (GHG Inventory) estimates annual greenhouse gas emissions from man-made sources in the United States. The most recent Inventory report covers U.S. GHG emissions from 1990-2015. Annex 2 of the Inventory describes the methods and data used for estimating carbon dioxide emissions from fossil fuel combustion, and table A-11 (on page A-36) shows 2015 energy consumption data and CO2 emissions from fossil fuel combustion by fuel type.

I believe this table provides the information you request—if you have further questions, please let us know.

Information about the GHG Inventory: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks

Download the report: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2015

Direct link to Annex 2: https://www.epa.gov/sites/production/files/2017-02/documents/2017_annex_2.pdf"

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:51 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>

Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

Thank you Enesta.

- Rye Druzin, San Antonio Express-News

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Sent: Thursday, July 20, 2017 9:33 AM
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Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

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I'll look into this for you.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:25 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
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Rye Druzin
Reporter
San Antonio Express-News
Ex. 6 Personal Privacy (PP)
rdruzin@express-news.net
https://twitter.com/druz_journo

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 7/27/2017 2:12:01 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]
Subject: RE: For Review: San Antonio Express-News (Rye Druzin) re: follow-up on emissions from Texas power plants (Deadline: Now)

Good to go.

From: Jones, Enesta
Sent: Thursday, July 27, 2017 9:32 AM
To: Press <Press@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: For Review: San Antonio Express-News (Rye Druzin) re: follow-up on emissions from Texas power plants (Deadline: Now)

This will address his specific question about emissions from Texas power plants.

Suggested Response: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: "Druzin, Rye" <rdruzin@express-news.net>
Date: July 26, 2017 at 11:26:17 AM EDT
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>, "Jones, Enesta" <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: GHG emissions for power plants - Texas

Robert, thank you for this, but I don't think this is quite what I was looking for.

I am looking for the emission rates for the individual power plants within Texas. It doesn't appear that the data you forwarded me to has that specific breakdown; is that data available?

I am currently on vacation but am trying to get this data to our graphics team as we will be starting this series next week. Please advise as soon as possible about when I could expect that data or, if it is available online, where it is so I can get it to the team. Thanks.

- Rye

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Monday, July 24, 2017 11:18:43 AM
To: Druzin, Rye; Jones, Enesta
Cc: Press
Subject: RE: GHG emissions for power plants - Texas

Rye, for attribution to "an EPA spokesperson," please, and on behalf of Enesta, who is out today:

"EPA's Inventory of U.S. Greenhouse Gas Emissions and Sinks (GHG Inventory) estimates annual greenhouse gas emissions from man-made sources in the United States. The most recent Inventory report covers U.S. GHG emissions from 1990-2015. Annex 2 of the Inventory describes the methods and data used for estimating carbon dioxide emissions from fossil fuel combustion, and table A-11 (on page A-36) shows 2015 energy consumption data and CO2 emissions from fossil fuel combustion by fuel type.

I believe this table provides the information you request—if you have further questions, please let us know.

Information about the GHG Inventory: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks

Download the report: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2015

Direct link to Annex 2: https://www.epa.gov/sites/production/files/2017-02/documents/2017_annex_2.pdf"

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:51 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

Thank you Enesta.

- Rye Druzin, San Antonio Express-News

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Thursday, July 20, 2017 9:33 AM
To: Druzin, Rye <rdruzin@express-news.net>
Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

Hi Rye,

I'll look into this for you.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:25 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: GHG emissions for power plants - Texas

Hi Enesta, my name is Rye Druzin and I am a reporter with the San Antonio Express-News in San Antonio, Texas.

I am working on a story on energy issues, particularly with regards to utilities. A group of statistics I am looking for are the CO2 emissions in pounds-per-million-btus, per power type (coal, natural gas, etc.).

I have EPA data on the CO2 emissions for coal fired power plants (data retrieved from the acid rain reporting program), but I cannot find the same data for natural gas fired plants.

Please let me know how I can obtain this data. I am going on vacation tomorrow, July 21, and will not be back until July 31, but I hope to have this data no later than Monday, July 24, so I can pass it on to our data team. Thank you, and please call me at 650-384-5986 if you have any clarifications.

Rye Druzin
Reporter
San Antonio Express-News
(210)-250-3127
rdruzin@express-news.net
https://twitter.com/druz_journo

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/26/2017 11:58:06 PM
To: Press [Press@epa.gov]
Subject: Fwd: media request

Should we Ex. 5 Deliberative Process (DP)?

Begin forwarded message:

From: Karen Schaefer <Ex. 6 Personal Privacy (PP)>
Date: July 26, 2017 at 5:06:10 PM EDT
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Subject: Re: media request

Robert, thanks very much! This is more detailed than I'd hoped.

What is still missing, though, is whether proposed Trump administration funding cuts to the EPA will impact the final two years of the project, as well as future reporting to stakeholders.

Any chance I could still get some response to that question?

Yours,

Karen

On Wed, Jul 26, 2017 at 3:28 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Hey Karen,
>
> For attribution to EPA or to "an agency spokesperson," please:
>
> The U.S. Environmental Protection Agency (EPA) is collaborating with other federal agencies including the National Aeronautics and Space Administration (NASA), National Oceanic and Atmospheric Administration (NOAA), and U.S. Geological Survey (USGS), to assist in monitoring water quality of our lakes, reservoirs, estuaries, and other water bodies. Together, these federal agencies are working to provide the capability to detect and quantify cyanobacteria and nuisance algal blooms using satellite data.
>
> - EPA provides *satellite application methods for management* of freshwater HABs and water quality.
> - NASA provides *satellite data processing, evaluation, and quality control.*

- NOAA provides *satellite algorithms* to detect and forecast HABs for marine systems and Great Lakes.
- USGS provides field freshwater HAB monitoring, *ecological expertise*, and management of the *Landsat satellites*.

- The CyAN project:

  - develops a uniform and systematic approach for identifying cyanobacteria blooms using ocean satellites across the contiguous United States;
  - creates a strategy for evaluation and refinement of algorithms across satellite platforms;
  - identifies landscape linkage postulated causes of chlorophyll-a and cyanoacteria blooms in freshwater systems;
  - characterizes exposure and human health effects using ocean color satellites in drinking water sources and recreational waters;
  - characterizes behavior responses and economic value of the early warning system using ocean satellites and mobile dissemination platform; and
  - disseminates satellite data through an Android mobile application and EnviroAtlas.

This research directly supports the **Harmful Algal Bloom and Hypoxia Research and Control Act (HABHRCA).** The 2016 interagency HABHRCA report identified monitoring challenges, which included sustaining monitoring programs and maintaining consistent methods across programs. One specific recommendation included strengthening long-term HAB monitoring. The satellite methods used in the CyAN project address the monitoring challenge and recommendation. The research gives each state a uniform dataset and consistent approach for determining frequency, spacial extent, and rate of change, year-to-year, with long-term operational satellites. The research provides stakeholders and managers quantifiable cyanoHAB frequencies, rate of change and spatial extent which can help them manage and mitigate HAB occurrences.

Funding for CyAN is provided through EPA's Safe and Sustainable Water Resources Research Program and NASA also contributes through an Interagency Agreement.

Background:

Recent Publications:

Satellite monitoring of cyanobacterial harmful algal bloom frequency in recreational waters and drinking water sources in Ecological Indicators (http://www.sciencedirect.com/science/article/pii/S1470160X17302194). *Study explores the utility and limitations of currently available remotely sensed satellite data for identifying the frequency of harmful algal blooms in the Nation's lakes and reservoirs. This information provides a first step toward the goal of understanding exposure risk to protect the health of humans, pets, livestock, and wildlife. See USGS communication document for more general details (https://toxics.usgs.gov/highlights/2017-06-19-satellite_imagery_habs.html)*

A method for examining temporal changes in cyanobacterial harmful algal bloom spatial extent using satellite remote sensing in Harmful Algae (http://www.sciencedirect.com/science/article/pii/S1568988317300288). Study provides a method for consistently quantifying the spatial extent of cyanobacterial harmful algal blooms (cyanoHABs) using remotely sensed data to address the question of whether the extent of cyanoHABs are changing over time in inland water resources.

Recent related news example:

Utah Lake

Through the Cyanobacteria Assessment Network (CyAN), EPA Region 8 requested support for the State of Utah for early access to satellite imagery based on the severity of cyanobacteria blooms from the previous year. Utah Department of Environmental Quality (DEQ) conducted its routine monthly sampling on June 12, 2017. Satellite imagery the following week indicated a bloom was developing in Provo Bay, so DWQ scientists returned to the area on June 22, 2017, for follow-up sampling. On June 29th, DEQ issued an advisory about a cyanobacteria bloom detected in Utah Lake, warning the public and pets to stay out of the lake's Provo Bay. Local news articles related to the Utah DEQ press release acknowledge the bloom was first detected via satellite imagery (e.g., See Warnings posted for visitors due to algal bloom in Provo Bay, Public warned to avoid Provo Bay in Utah Lake due to algal bloom, Toxic algae's return to Utah Lake could force it to close for holiday weekend, Algal bloom returns to Utah Lake in Provo area).

From: Karen Schaefer [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, July 26, 2017 2:58 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: media request

Thanks, Robert! I'll check back later.

Karen

On Wed, Jul 26, 2017 at 2:56 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey Karen,

I expect we'll have a fairly extensive response for you this afternoon. I'll let you know if anything changes.

Thanks, R.

From: Karen Schaefer [mailto Ex. 6 Personal Privacy (PP)
Sent: Wednesday, July 26, 2017 2:51 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: media request

Robert, any news? I'll be out of the loop until around 4 pm EDT, but will be able to check email again after that.

Thanks,

Karen

On Tue, Jul 25, 2017 at 2:47 PM, Karen Schaefer < Ex. 6 Personal Privacy (PP) > wrote:

Thanks, Robert, good to know I haven't been forgotten.

Karen

On Tue, Jul 25, 2017 at 2:19 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey Karen,

Thanks for the follow-up. Actually, I've just followed up with the relevant program office, so I hope to hear from them soon.

I haven't forgotten your deadline. Thanks again for reaching out.

Best, R.

From: Karen Schaefer [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Tuesday, July 25, 2017 1:45 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: Re: media request

Hello, Robert and Tricia. Happy Tuesday.

I've heard nothing back from either of you or Blake Schaeffer, the CyAN project's PI, with whom I particularly wanted to speak. Robert, you suggested (see previous email in this string) that I would likely hear from you yesterday.

That's a shame, because I have heard back from and/or spoken directly with PI's at the other three agencies involved in this project.

I'll remind you that my deadline is tomorrow at 5 pm. I'm still hopeful I'll hear back from you before then.

Thanks,

Karen

On Tue, Jul 18, 2017 at 4:12 PM, Karen Schaefer < Ex. 6 Personal Privacy (PP) > wrote:

> That sounds like a plan, Robert. Thanks!
>
> Karen

On Tue, Jul 18, 2017 at 4:10 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Hullo Karen,
>
> Why don't you and I connect, say, Monday, to see where things stand, if you haven't heard back from me by then?
>
> Thanks, R.

From: Karen Schaefer [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, July 18, 2017 4:07 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: media request

Thanks, Tricia and Robert!

Karen

On Tue, Jul 18, 2017 at 4:06 PM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Hi Karen—

I'm looping you with my colleague, Robert Daguillard, who will be able to handle your questions since they all fall to ORD.

Thanks so much,

Tricia

From: Karen Schaefer [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, July 18, 2017 3:23 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: media request

Dear Tricia,

I'm a freelance public radio reporter working on a story for NPR. My query regards US EPA's budgetary commitment to the CyAN project (https://www.epa.gov/water-research/cyanobacteria-assessment-network-cyan), for which US EPA is the lead agency.

I've already spoken with NOAA staff at the National Center for Coastal Ocean Science and understand from their acting director, Steven Thur, that EPA, USGS and NASA all have budgetary commitments to the project, along with NOAA's, which is assured through the end of 2018.

What I would like to know from the US EPA is:
1) what its total (or annual) financial responsibility for the project is;
2) what US EPA's scientific and/or administrative involvement is;
3) and most particularly, whether the US EPA will be able to meet its fiduciary commitments through the end of the project under current federal budget proposals now moving through Congress.

If at all possible, I would like to speak directly with the EPA's PIO, Blake Schaeffer. If that's not possible, printed answers to my questions via email would be acceptable.

My deadline is Wednesday, July 26th at 5 pm. I've available to answer any additional questions you may have via return email or at Ex. 6 Personal Privacy (PP)

Thank you for your consideration.

Yours,

Karen Schaefer

--

Karen Schaefer
Freelance Journalist and Independent Radio Producer
Oberlin, OH
Ex. 6 Personal Privacy (PP) Home
Ex. 6 Personal Privacy (PP)
skype: Karen P. Schaefer
twitter: @karenschaefer1
Member, Society of Environmental Journalists since 2003

Member, Association of Independents in Radio (AIR)

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Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 7/26/2017 8:02:02 PM
To: Press [Press@epa.gov]
Subject: For Review: San Antonio Express-News (Rye Druzin) re: follow-up on emissions from Texas power plants (Deadline: 7/27)

This will address his specific question about emissions from Texas power plants.

Suggested Response: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: "Druzin, Rye" <rdruzin@express-news.net>
Date: July 26, 2017 at 11:26:17 AM EDT
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>, "Jones, Enesta" <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: GHG emissions for power plants - Texas

Robert, thank you for this, but I don't think this is quite what I was looking for.

I am looking for the emission rates for the individual power plants within Texas. It doesn't appear that the data you forwarded me to has that specific breakdown; is that data available?

I am currently on vacation but am trying to get this data to our graphics team as we will be starting this series next week. Please advise as soon as possible about when I could expect that data or, if it is available online, where it is so I can get it to the team. Thanks.

- Rye

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Monday, July 24, 2017 11:18:43 AM
To: Druzin, Rye; Jones, Enesta
Cc: Press
Subject: RE: GHG emissions for power plants - Texas

Rye, for attribution to "an EPA spokesperson," please, and on behalf of Enesta, who is out today:

"EPA's Inventory of U.S. Greenhouse Gas Emissions and Sinks (GHG Inventory) estimates annual greenhouse gas emissions from man-made sources in the United States. The most recent Inventory report covers U.S. GHG emissions from 1990-2015. Annex 2 of the Inventory describes the methods and data used for estimating carbon dioxide emissions from fossil fuel combustion, and table A-11 (on page A-36) shows 2015 energy consumption data and CO2 emissions from fossil fuel combustion by fuel type.

I believe this table provides the information you request—if you have further questions, please let us know.

Information about the GHG Inventory: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks

Download the report: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2015

Direct link to Annex 2: https://www.epa.gov/sites/production/files/2017-02/documents/2017_annex_2.pdf"

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:51 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

Thank you Enesta.

- Rye Druzin, San Antonio Express-News

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Thursday, July 20, 2017 9:33 AM
To: Druzin, Rye <rdruzin@express-news.net>
Cc: Press <Press@epa.gov>
Subject: RE: GHG emissions for power plants - Texas

Hi Rye,

I'll look into this for you.

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

From: Druzin, Rye [mailto:rdruzin@express-news.net]
Sent: Thursday, July 20, 2017 10:25 AM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: GHG emissions for power plants - Texas

Hi Enesta, my name is Rye Druzin and I am a reporter with the San Antonio Express-News in San Antonio, Texas.

I am working on a story on energy issues, particularly with regards to utilities. A group of statistics I am looking for are the CO2 emissions in pounds-per-million-btus, per power type (coal, natural gas, etc.).

I have EPA data on the CO2 emissions for coal fired power plants (data retrieved from the acid rain reporting program), but I cannot find the same data for natural gas fired plants.

Please let me know how I can obtain this data. I am going on vacation tomorrow, July 21, and will not be back until July 31, but I hope to have this data no later than Monday, July 24, so I can pass it on to our data team. Thank you, and please call me at Ex. 6 Personal Privacy (PP) if you have any clarifications.

Rye Druzin
Reporter
San Antonio Express-News
(210)-250-3127
rdruzin@express-news.net
https://twitter.com/druz_journo

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/26/2017 6:11:56 PM
To: Elvina Nawaguna [ElvinaNawaguna@cqrollcall.com]; Abboud, Michael [abboud.michael@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Story on pesticide bills

Elvina, sorry for the late response:

Still for attribution to Amy Graham, please: October 1, 2022.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Elvina Nawaguna [mailto:ElvinaNawaguna@cqrollcall.com]
Sent: Tuesday, July 25, 2017 2:09 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Story on pesticide bills

One more thing. What is the "statutory deadline" referred to in Amy's statement?

Elvina Nawaguna
Energy and Environment Reporter
CQ Roll Call
77 K Street NE
Washington, D.C. 20002
Desk: 202-650-6597
Cell: Ex. 6 Personal Privacy (PP)

On Jul 25, 2017, at 2:00 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

> Hey Elvina you can attribute the quote below to Amy Graham, EPA spokeswoman.
>
> "EPA will continue to evaluate the potential risks posed by chlorpyrifos as part of the ongoing registration review, and intends to complete our assessment by the statutory deadline."
>
> ---
>
> **From:** Elvina Nawaguna [mailto:ElvinaNawaguna@cqrollcall.com]
> **Sent:** Tuesday, July 25, 2017 1:53 PM

To: Press <Press@epa.gov>
Subject: Story on pesticide bills

Hi there,
I'm writing a story on a couple of bills introduced in the Senate and the House to ban the use of chlorpyrifos and wanted to get a response from the EPA on that. The bill backers, Sen. Udall and Rep. Nydia Velazquez say if the EPA won't do it, Congress should and also criticized Admin Pruitt's move to reverse steps to ban the pesticide. Grateful if I can get a response to this if possible by 3pm today.
Thanks
Elvina

Elvina Nawaguna
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Cell: Ex. 6 Personal Privacy (PP)

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: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/26/2017 4:46:10 PM
To: Arkin, Daniel (NBCUniversal) [Daniel.Arkin@nbcuni.com]
CC: Press [Press@epa.gov]
Subject: FW: NBC News Inquiry

Importance: High

Daniel, for attribution to "an EPA spokesperson," please:

EPA is currently re-evaluating the safety of glyphosate through our registration review program. This re-evaluation process occurs every 15 years and is mandated by federal law.

In December 2016, EPA convened its FIFRA Scientific Advisory Panel (SAP) to review and solicit comments on our findings that glyphosate is not likely to be carcinogenic to humans at doses relevant for human health risk assessment. Once EPA has reviewed the SAP report and made any appropriate changes to our risk assessment, we intend to release the draft human health and ecological risk assessments for a 60-day public comment period in the Federal Register.

EPA's current review of the carcinogenicity of glyphosate in people includes a wider body of evidence than earlier reviews, both the IARC review and EPA's earlier reviews. EPA has reviewed over 200 studies on a range of scientific topics including epidemiology, animal cancer studies, and genotoxicity and finds that at current US exposure levels that glyphosate is not a carcinogen. EPA's review uses a weight-of-evidence evaluation in accordance with the 2005 EPA Guidelines for Carcinogen Risk Assessment. Given different scopes and purposes of analysis, it is not unusual for multiple international authorities to reach different conclusions on scientific decisions when the science is complex such as this. However, a wide range of entities have concluded that glyphosate is unlikely to pose a carcinogenic risk to humans. This includes the European Food Safety Authority, the FAO/WHO, Japan, Canada, New Zealand, Australia, and Germany

We are currently scheduled to complete the draft risk assessments no later than 2017. After consideration of the public comments on the draft risk assessments, EPA will determine whether any risk management is needed. We intend to complete our evaluation, consistent with the statutory deadline for registration review, ensuring that the best science is considered in making our regulatory decision.

EPA bases its decisions on the best available sound science. However, science is constantly evolving, and new scientific information can come to light at any time and change our understanding of potential risks from pesticides. As new scientific information becomes available that changes our understanding of potential risks as well as pesticide efficacy, we can revisit our decisions.

https://www.epa.gov/ingredients-used-pesticide-products/glyphosate

Glyphosate products can be safely used by following label directions. For more information see:
http://npic.orst.edu/factsheets/glyphogen.html#body

- Glyphosate has low toxicity for humans.
- Protective eye wear is recommended for the few products that may cause eye irritation.
- Entry into agricultural fields is allowed 12-hours after application of these products.
- Glyphosate is no more than slightly toxic to birds and is practically nontoxic to fish, aquatic invertebrates, and honeybees.
- Certain products contain an ingredient that is toxic to some fish.
- Follow the label directions to protect fish and aquatic environments.

Low levels of glyphosate residues in food do not pose a risk to people. When products are used according to label directions, resulting residues would be below the maximum legal level or tolerance and safe for consumption. https://www.epa.gov/pesticide-tolerances

Here are the tolerances for glyphosate:
https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=bd5b01521a6bd6ba075aa5494854c72a&ty=HTML&h=L&mc=true&r=SECTION&n=se40.26.180_1364

Thanks, R.

From: Arkin, Daniel (NBCUniversal) [mailto:Daniel.Arkin@nbcuni.com]
Sent: Wednesday, July 26, 2017 9:30 AM
To: Press <Press@epa.gov>
Subject: NBC News Inquiry
Importance: High

Good morning,

I'm a reporter with NBCNews.com, and I'm writing an article for the site about a new Organic Consumer Association report that says samples of Ben & Jerry's ice cream tested positive for traces of glyphosate.

Here are a few general questions for the EPA:

1. What is the EPA's (i.e., the U.S. government's) official position on glyphosate?
    a. Is it considered generally safe?
    b. Do low levels of glyphosate in food pose a risk to people?
    c. What level of glyphosate would need to be present in, say, ice cream in order for it to pose a risk to people?
2. The International Agency for Research on Cancer, the cancer wing of the World Health Organization, said in March 2015 that glyphosate is "probably carcinogenic to humans." What is the EPA's response to that claim?

Thank you. My deadline is 11 AM ET.

Best,
Daniel Arkin
NBCNews.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/2/2019 7:32:07 PM
To: Rizzuto, Denise Pat [prizzuto@bloombergenvironment.com]
CC: Allington, Adam [aallington@bloombergenvironment.com]; Gibb, Steven [sGibb@bloombergenvironment.com]; Press [Press@epa.gov]
Subject: RE: Revised questions for Alex and for staff: clarifying deadline for questions we've asked staff to submit

Good afternoon Pat,

For attribution to the Agency, please. See you on Monday.

1. How many full time equivalent employees did OPPT have in June 2016 (or close to that month) before the Lautenberg Chemical Safety Act became law?

OPPT's FY 2016 FTE ceiling was 282.1.

2. How many do you have as of now (or most recent available figure)?

The FY 2019 FTE ceiling is 340.1. Note the FY 19 FTE ceiling is not directly comparable to the FY 2016 ceiling as the TRI program was reorganized from OEI to OPPT in FY 2017 with a shift of 24.6 FTE.

3. Can you break those OPPT staff down into rough areas of expertise e.g. chemists, risk assessors, economists, industrial hygienists?

Roughly half of OPPT consists of staff classified as generalists. These staff undertake a wide variety of tasks including administrative functions, internal project management and coordination, contracts management, regulatory development, and development, reviews and coordination of internal and external documents and work products.

The other half of OPPT staff are specialists. Approximately one third of these specialists are engineers, economists, IT specialists and a small number of attorneys. The remainder are in scientific fields of expertise, and are primarily engaged in developing and reviewing exposure modeling, and undertaking and managing risk assessment work.

4. Alex Dunn said OPPT was hiring. How many more people do you plan/hope to hire? What expertise are you seeking?

OPPT is undertaking a concerted and focused hiring effort to hire up to the FY 2019 FTE ceiling of 340.1. OPPT's senior leadership team completed several analyses and workforce planning exercises to identify and prioritize the most critical hiring needs to fill remaining slots. The majority of the critical hires are for scientific positions.

5. How many contractor firms are working with OPPT? What are their broad areas of support?

OPPT is obtaining programmatic support from a variety of contractors. Broad areas of support include chemical risk assessment for new and existing chemicals; economic and other analysis for chemical risk management; chemical testing and analysis; information technology (IT) and other support for information collection and management; general IT; outreach and communication support; and confidential business information management.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com>
Sent: Wednesday, May 01, 2019 11:56 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Allington, Adam <aallington@bloombergenvironment.com>; Gibb, Steven <sGibb@bloombergenvironment.com>
Subject: Re: Revised questions for Alex and for staff: clarifying deadline for questions we've asked staff to submit

Morning Robert,
I need to have answers for the questions I sent for staff to provide by Friday Noon. I'd already said I needed the answers before the interview. I hope this provides some clarity on the word "before." Staff have had all these questions but one for weeks now, because I sent them with my original request. Looking forward to Monday, pat

Pat Rizzuto,
Chemicals Reporter,
Bloomberg Environment

Sent from my iPhone

On Apr 29, 2019, at 4:02 PM, Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com> wrote:

> Attached please find an updated and shorter list of questions/issues we'd like Alex to address. The exact questions will depend, of course, on her points, answers, and how those direct the conversation. At the bottom of the page you'll see a list of questions I hope staff could address before Monday's interview.
>
> Really appreciate your working on this.
>
> : : : : : : : : : : : : : : : : : :
>
> **Pat Rizzuto**
> Chemicals Reporter
>
> **Bloomberg Environment**
>
> (703) 341-3741
> prizzuto@bloombergenvironment.com
>
> <Dunn Questions.docx>

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/1/2019 8:45:44 PM
To: Philip Athey [pathey@eenews.net]; Press [Press@epa.gov]
Subject: RE: Drinking Water funding

Good afternoon Philip,

With apologies for the late reply, and for attribution to "an EPA Spokesperson," please:

1. **How will the money set aside for native tribes be dispersed among them? I saw the TCOT portal on the EPA website but from what I can tell it was only three Virginian tribes that have contacted the EPA, I am assuming I am missing something.**

EPA has conducted formal consultations with tribes regarding both grant programs. Through these consultations, EPA is currently developing the process for awarding tribal allotments. EPA will have the details available later this year.

2. **Also, according to the website for the *Assistance for Small and Disadvantaged Communities* grant program EPA is authorized to make available up to $60 million a year, what is the reason that "only" $42.8 million was made available this year?**

EPA makes available the amount provided to the Agency through congressional appropriations. For both grants, Congress appropriated $45 million and EPA received $43.7 million after rescission. For the small and disadvantaged communities grant, up to 4% of the post-rescission amount was specific for use by EPA for administration of the grant, EPA alloted 2%.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Philip Athey <pathey@eenews.net>
Sent: Tuesday, April 30, 2019 9:32 AM
To: Press <Press@epa.gov>
Subject: Drinking Water funding

Good morning,

I am a reporter with E&E News and I am writing a story about the $87 million in available funding for drinking water that was announced yesterday. I was hoping I could talk to someone this morning to find out more about the program. My deadline is noon eastern time.

Thank you, Philip Athey

Message

From: Brown, Matthew [MBrown@ap.org]
Sent: 7/21/2017 5:45:20 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]
Subject: RE: Press Inquiry about Toxics / TSCA

Thanks, Enesta.
Appreciate the answers and will get back to ya'll if anything needs further clarification.
Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Jones, Enesta [mailto:Jones.Enesta@epa.gov]
Sent: Friday, July 21, 2017 11:44 AM
To: Brown, Matthew
Cc: Daguillard, Robert; Press; Valentine, Julia
Subject: Re: Press Inquiry about Toxics / TSCA

Hi Matthew,

I am pinch hitting for Robert who is out today, but returns early Monday morning.

Please see our responses below to your follow- up questions -- all attributable to an EPA spokesperson.

1.) What is the rationale for not reaching back to evaluate the risk associated with legacy uses? In the case of asbestos, for example, such a focus would seemingly disregard the millions of tons of asbestos known to be in use throughout the country (as insulation, wrapping, building materials, etc) and instead be limited to hundreds of tons of asbestos, primarily imported.

Response: EPA's rationale for this interpretation is described in detail in the preamble to "Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act" – a procedural rule finalized on June 22, 2017. See pages 15-18 of the prepublication copy available on EPA's website here: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic. Generally, EPA interprets section 6 of TSCA to require risk evaluations and any corresponding risk management to focus on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going). Asbestos is no longer manufactured or processed for use in insulation and pipe wrapping, and it is not intended or foreseen to be manufactured or processed for that use (i.e., legacy uses), and EPA considers that such circumstances generally fall outside of the circumstances Congress intended EPA to consider in risk evaluations under section 6. In part, this is because EPA does not have the authority under TSCA section 6 to directly regulate non-commercial use. For example, EPA does not have the authority under section 6 to compel private citizens to remove asbestos insulation from their attics/walls, or to remove the asbestos-containing pipe wrap from their basements. That said, EPA may consider background exposures from legacy use, associated disposal, and legacy disposal as part of an assessment of aggregate exposure or as a tool to evaluate the risk of exposures resulting from non-legacy uses.

2.) The June risk scoping evaluation appears to contradict EPA's Jan. 19, 2017 document entitled "Procedures for Chemical Risk Evaluation under the Amended Toxic Substances Control Act," which says "EPA interprets the amended TSCA as requiring that risk evaluations encompass all manufacture, processing, distribution in commerce, use, and disposal activities that constitute the conditions of use.... (T)he statutory text and purpose are best effectuated through a more encompassing reading" (https://www.federalregister.gov/documents/2017/01/19/2017-01224/procedures-for-chemical-risk-evaluation-under-the-amended-toxic-substances-control-act)
Has the EPA changed its position on what constitutes "conditions of use" since January, and if so, why?

Response: Yes, EPA revised its approach in the final rule in response to public comments received on the Proposed Rule issued on January 19, 2017. A pre-publication copy of the final rule is available on EPA's website here: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/procedures-chemical-risk-evaluation-under-amended-toxic. The discussion on "conditions of use" and the scope of the evaluation can be found on pages 10-20. EPA believes the final approach to "the conditions of use" is firmly grounded in the law, while accounting for the various policy considerations necessary for effective implementation of section 6.

3.) Are the conditions of use now "locked down" as suggested in the same EPA Jan 19 document, meaning there is no chance to alter the scope of the EPA review at a later date? "It will not be practicable to meet the statutory deadlines if stakeholders are free to identify additional conditions of use later in the process—for example, on the proposed risk determination."

Response: As required in TSCA, the scope documents identify the hazards, exposures and conditions of use that EPA expects to consider in the risk evaluation. Currently, the dockets for each of the first 10 chemicals remain open to allow for continued submission of information from the public. As EPA indicated in in the scoping documents for the first 10 chemical risk evaluations, EPA will publish and take public comment on a subsequent problem formulation document which will refine the current scope, as an additional interim step, prior to publication of draft risk evaluations. These problem formulation documents are expected to be released within approximately 6 months of publication of the scope. See, for example, the scoping document for asbestos, Page 8, available on EPA's website here: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/asbestos-scope-document-and-supplemental-files. EPA would further note that timing constraints for the first 10 chemical risk evaluations resulted in scope documents that are generally not as refined or specific as anticipated. For future risk evaluations, EPA also expects to provide an opportunity for public comment on a draft scope document before finalizing.

On Jul 17, 2017, at 3:45 PM, Brown, Matthew <MBrown@ap.org> wrote:

Hi Robert-
Thanks for the time today and for your response.

However, as mentioned during our phone conversation, we're looking for an explanation of the reasoning behind EPA's plan to focus its risk evaluation on prospective or ongoing uses of asbestos and the other 9 toxins.

Three specific questions:

--What is the rationale for not reaching back to evaluate the risk associated with legacy uses? In the case of asbestos, for example, such a focus would seemingly disregard the millions of tons of asbestos known to be in use throughout the country (as insulation, wrapping, building materials, etc) and instead be limited to hundreds of tons of asbestos, primarily imported.

-The June risk scoping evaluation appears to contradict EPA's Jan. 19, 2017 document entitled "Procedures for Chemical Risk Evaluation under the Amended Toxic Substances Control Act," which says "EPA interprets the amended TSCA as requiring that risk evaluations encompass all manufacture, processing, distribution in commerce, use, and disposal activities that constitute the conditions of use.... (T)he statutory text and purpose are best effectuated

through a more encompassing reading" (https://www.federalregister.gov/documents/2017/01/19/2017-01224/procedures-for-chemical-risk-evaluation-under-the-amended-toxic-substances-control-act)
Has the EPA changed its position on what constitutes "conditions of use" since January, and if so, why?

-Are the conditions of use now "locked down" as suggested in the same EPA Jan 19 document, meaning there is no chance to alter the scope of the EPA review at a later date? "It will not be practicable to meet the statutory deadlines if stakeholders are free to identify additional conditions of use later in the process—for example, on the proposed risk determination."

Thanks for your time and help.
Let me know if any of these three questions need further clarification.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, July 17, 2017 1:08 PM
To: Brown, Matthew
Cc: Press
Subject: RE: Press Inquiry about Toxics / TSCA

Matt, for attribution to "an EPA spokesperson," please:

EPA plans to focus risk evaluations and any corresponding risk management on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going). EPA does not plan to *reach back to evaluate the risks associated with legacy uses and legacy disposal*.

For instance, EPA would consider the use of a chemical substance in insulation, where the manufacture, processing, or distribution in commerce for that use is prospective or on-ongoing, but would not consider the use of the chemical substance in previously installed insulation (such as is the case with asbestos), if the manufacture, processing or distribution for that use is not prospective or on-going.

Regards, R.

Robert Daguillard
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+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert
Sent: Thursday, July 13, 2017 5:02 PM

To: Brown, Matthew <MBrown@ap.org>
Cc: Press <Press@epa.gov>
Subject: Re: Press Inquiry about Toxics / TSCA

Thanks, Matt. We have your follow-up question.

Regards, R.

Sent from my iP

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jul 13, 2017, at 5:00 PM, Brown, Matthew <MBrown@ap.org> wrote:

> Thanks for the link.
>
> I see for asbestos scoping document (pgs 24-25that EPA is not going to consider "legacy" uses. Hoping to get some further details. For example, wouldn't that exclude most asbestos that's already out there _ in other words, asbestos that's currently in use?
>
> Also left you a voice mail. Please try me at your earliest convenience.
>
> Matt Brown
>
> **Matthew Brown**
> Associated Press Correspondent
> mbrown@ap.org
> phone-406 896 1528
> mobile Ex. 6 Personal Privacy (PP)
> fax-406 896 8117
>
> ---
>
> **From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
> **Sent:** Thursday, July 13, 2017 11:36 AM
> **To:** Brown, Matthew
> **Cc:** Press
> **Subject:** RE: Press Inquiry about Toxics / TSCA
>
> Matt, you can access the information you're seeking at https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/scopes-risk-evaluations-be-conducted-first-ten-chemical
>
> Thanks, R.
>
> ---
>
> **From:** Brown, Matthew [mailto:MBrown@ap.org]
> **Sent:** Wednesday, July 12, 2017 7:09 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Press Inquiry about Toxics / TSCA

Greetings Robert Daguillard-

Can you please tell me status of scoping process for the TSCA "top 10"?
I saw recent notice re-opening comment period...But also thought scoping dox had to be published by this point under the statute.
Not urgent but would appreciate answer at your earliest chance.
Please let me know.

Matt Brown

<image001.jpg>
Matthew Brown
Associated Press Correspondent
PO Box 36300
Billings, MT 59107
mbrown@ap.org
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mobile Ex. 6 Personal Privacy (PP)
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Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 7/13/2017 12:57:48 PM
To: Krisher, Tom [tkrisher@ap.org]
CC: Press [Press@epa.gov]
Subject: RE: FCA defeat devices

Hi Tom,

EPA does not comment on certification applications prior to vehicles being introduced into commerce. If you are using with attribution, please attribute to an EPA spokesperson.

On background and not for attribution (I know you know this already):
Manufacturers occasionally produce vehicles in advance of receiving a Certificate of Conformity but are prohibited from shipping those vehicles from the plant for domestic vehicles or from importing them from foreign plants until they have received a valid Certificate.

Hope your summer is going well,
Julia

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Krisher, Tom [mailto:tkrisher@ap.org]
Sent: Thursday, July 13, 2017 8:28 AM
To: Bowman, Liz <Bowman.Liz@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: RE: FCA defeat devices

Liz, Jahan, Julia:
I'm seeing reports today that you folks are close to making a decision on whether to certify Fiat Chrysler to sell 2017 diesel Ram pickup trucks so they can go on sale. The company resumed building the trucks, albeit at a slow pace, a couple of weeks ago. Could you please let me know when the decision comes?
Thanks,
Tom

From: Bowman, Liz [mailto:Bowman.Liz@epa.gov]
Sent: Tuesday, May 23, 2017 5:24 PM
To: Krisher, Tom
Cc: Wilcox, Jahan
Subject: Re: FCA defeat devices

Sorry for the delayed response.

Sent from my iPhone

On May 23, 2017, at 2:07 PM, Krisher, Tom <tkrisher@ap.org> wrote:

Never mind. I have found the complaint. If you could please keep me on the distribution list for developments in this case, I'd appreciate it.

From: Krisher, Tom
Sent: Tuesday, May 23, 2017 1:26 PM
To: 'Bowman.Liz@epa.gov'
Cc: 'wilcox.jahan@epa.gov'
Subject: FCA defeat devices

Liz, Jahan,
I'm Tom Krisher, one of the auto industry writers for the Associated Press in Detroit. I've got the FCA defeat device story and was wondering if you might be able to send me a copy of the complaint, or say what civil penalties and injunctive relief you are seeking?
It doesn't appear to have been posted in Pacer yet.
Thanks,
Tom

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Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 7/21/2017 5:41:58 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Press [Press@epa.gov]
Subject: RE: For Review: Associated Press (Matthew Brown) re: follow-up on risk evaluations for asbestos, other toxins (Deadline: 7/24)

Good to go.

From: Jones, Enesta
Sent: Friday, July 21, 2017 9:33 AM
To: Press <Press@epa.gov>
Subject: For Review: Associated Press (Matthew Brown) re: follow-up on risk evaluations for asbestos, other toxins (Deadline: 7/24)

Background: Reporter has returned, asking for the reasoning behind our plan to focus on risk evaluation on prospective or ongoing uses of asbestos and the other nine toxins. Ex. 5 Deliberative Process (DP) Ex. 5 Deliberative Process (DP) Nancy Beck and the Office of General Counsel approved the responses. Matthew Brown, MBrown@ap.org

Suggested Response:
1.) What is the rationale for not reaching back to evaluate the risk associated with legacy uses? In the case of asbestos, for example, such a focus would seemingly disregard the millions of tons of asbestos known to be in use throughout the country (as insulation, wrapping, building materials, etc) and instead be limited to hundreds of tons of asbestos, primarily imported.

Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

2.) The June risk scoping evaluation appears to contradict EPA's Jan. 19, 2017 document entitled "Procedures for Chemical Risk Evaluation under the Amended Toxic Substances Control Act," which says "EPA interprets the amended TSCA as requiring that risk evaluations encompass all manufacture, processing, distribution in commerce, use, and disposal activities that constitute the conditions of use.... (T)he statutory text and purpose are best effectuated through a more encompassing reading" (https://www.federalregister.gov/documents/2017/01/19/2017-01224/procedures-for-chemical-risk-evaluation-under-the-amended-toxic-substances-control-act)
Has the EPA changed its position on what constitutes "conditions of use" since January, and if so, why?

Response: Ex. 5 Deliberative Process (DP)
Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

3.) Are the conditions of use now "locked down" as suggested in the same EPA Jan 19 document, meaning there is no chance to alter the scope of the EPA review at a later date? "It will not be practicable to meet the statutory deadlines if stakeholders are free to identify additional conditions of use later in the process—for example, on the proposed risk determination."

Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: "Brown, Matthew" <MBrown@ap.org>

Date: July 17, 2017 at 3:43:50 PM EDT
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>, "Valentine, Julia" <Valentine.Julia@epa.gov>
Subject: RE: Press Inquiry about Toxics / TSCA

Hi Robert-
Thanks for the time today and for your response.

However, as mentioned during our phone conversation, we're looking for an explanation of the reasoning behind EPA's plan to focus its risk evaluation on prospective or ongoing uses of asbestos and the other 9 toxins.

Three specific questions:

--What is the rationale for not reaching back to evaluate the risk associated with legacy uses? In the case of asbestos, for example, such a focus would seemingly disregard the millions of tons of asbestos known to be in use throughout the country (as insulation, wrapping, building materials, etc) and instead be limited to hundreds of tons of asbestos, primarily imported.

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Has the EPA changed its position on what constitutes "conditions of use" since January, and if so, why?

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Thanks for your time and help.
Let me know if any of these three questions need further clarification.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, July 17, 2017 1:08 PM
To: Brown, Matthew
Cc: Press
Subject: RE: Press Inquiry about Toxics / TSCA

Matt, for attribution to "an EPA spokesperson," please:

EPA plans to focus risk evaluations and any corresponding risk management on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going). EPA does not plan to *reach back to evaluate the risks associated with legacy uses and legacy disposal.*

For instance, EPA would consider the use of a chemical substance in insulation, where the manufacture, processing, or distribution in commerce for that use is prospective or on-ongoing, but would not consider the use of the chemical substance in previously installed insulation (such as is the case with asbestos), if the manufacture, processing or distribution for that use is not prospective or on-going.

Regards, R.

Robert Daguillard
Office of Media Relations
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Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Daguillard, Robert
Sent: Thursday, July 13, 2017 5:02 PM
To: Brown, Matthew <MBrown@ap.org>
Cc: Press <Press@epa.gov>
Subject: Re: Press Inquiry about Toxics / TSCA

Thanks, Matt. We have your follow-up question.

Regards, R.

Sent from my iP

Enesta Jones
U.S. EPA
Office of Media Relations
Office: 202.564.7873
Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jul 13, 2017, at 5:00 PM, Brown, Matthew <MBrown@ap.org> wrote:

> Thanks for the link.
>
> I see for asbestos scoping document (pgs 24-25that EPA is not going to consider "legacy" uses. Hoping to get some further details. For example, wouldn't that exclude most asbestos that's already out there _ in other words, asbestos that's currently in use?
>
> Also left you a voice mail. Please try me at your earliest convenience.
>
> Matt Brown
>
> **Matthew Brown**
> Associated Press Correspondent
> mbrown@ap.org
> phone-406 896 1528
> mobile Ex. 6 Personal Privacy (PP)
> fax-406 896 8117
>
> ---
>
> **From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
> **Sent:** Thursday, July 13, 2017 11:36 AM
> **To:** Brown, Matthew
> **Cc:** Press
> **Subject:** RE: Press Inquiry about Toxics / TSCA
>
> Matt, you can access the information you're seeking at https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/scopes-risk-evaluations-be-conducted-first-ten-chemical
>
> Thanks, R.
>
> ---
>
> **From:** Brown, Matthew [mailto:MBrown@ap.org]
> **Sent:** Wednesday, July 12, 2017 7:09 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Press Inquiry about Toxics / TSCA

Greetings Robert Daguillard-

Can you please tell me status of scoping process for the TSCA "top 10"?
I saw recent notice re-opening comment period...But also thought scoping dox had to be published by this point under the statute.
Not urgent but would appreciate answer at your earliest chance.
Please let me know.

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 Personal Privacy (PP)
fax-406 896 8117

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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.

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/12/2017 8:09:42 PM
To: Emily Unglesbee [Emily.Unglesbee@dtn.com]
CC: Press [Press@epa.gov]
Subject: FW: Dicamba labels' future

Emily, for attribution to "an EPA spokesperson," please:

1. Discussions with states and registrants are ongoing and continuing regarding what additional regulatory steps, label changes and use adjustments may be needed to protect crops from off field movement of this herbicide. EPA is gathering information from the registrants, state officials and crop production experts now.

2. EPA placed time limits on the registration to allow the Agency to either let it expire or to easily make the necessary changes in the registration if there are problems with resistant weeds or pesticide drift. We are working with the states and have met with the registrants to address the issue.

3. It is too early to answer this question. EPA is gathering information from the registrants, state officials and crop production experts now in order to understand this issue and evaluate if additional regulatory steps or use adjustments are needed to protect crops from off field movement of this herbicide.

4. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

Thanks, R.

From: Milbourn, Cathy
Sent: Tuesday, July 11, 2017 11:33 AM
To: Press <Press@epa.gov>
Subject: FW: Dicamba labels' future

From: Emily Unglesbee [mailto:Emily.Unglesbee@dtn.com]
Sent: Tuesday, July 11, 2017 8:50 AM
To: Milbourn, Cathy <Milbourn.Cathy@epa.gov>
Subject: Dicamba labels' future

Cathy,

Can I get a comment from EPA on the ongoing dicamba drift injury complaints flooding in from states like Arkansas, Missouri, Mississippi and Tennessee?

A few questions:

1. Two states (AR and MO) have banned dicamba applications. One of them, Missouri, is demanding a new, safer label immediately. Is EPA working with these state departments on new labels for the dicamba herbicides (XtendiMax, Engenia and FeXapan)? Could they really be available as early as this month?
2. These herbicides have a limited two-year registration. Are the hundreds of injury complaints going to affect EPA's decision to re-register them when that registration is up?

3. More immediately, is EPA considering pulling these herbicides from the market before that two-year registration is up, such as before the next growing season?
4. Does EPA view this growing number of complaints as a failure on applicators' part or as a failure of the EPA to adequately vet these herbicides and label them appropriately for widespread use?

Emily Unglesbee
DTN Staff Reporter | DTN/*The Progressive Farmer*
Phone: 402-637-3295
E-mail: Emily.Unglesbee@dtn.com
Twitter: https://twitter.com/Emily_Unglesbee
www.dtnpf.com

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/12/2017 7:27:22 PM
To: dennis@dennisnishi.com
CC: Press [Press@epa.gov]
Subject: FW: KCET story on beneficial bugs

Dennis, with apologies for the delay and for attribution to "an EPA spokesperson," please:

EPA does not regulate or track the use of beneficial insects. EPA does, however, make information available regarding Integrated Pest Management (IPM), an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. More information on IPM can be found at https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles.

The National Pesticide Information Center, a cooperative effort between Oregon State University and EPA, offers helpful information on beneficial insects in agriculture athttp://npic.orst.edu/envir/beneficial/agcrop.html.

Additionally, the U.S. Department of Agriculture regulates the importation, interstate movement and environmental release of biological control organisms of plant pests and weeds. Additional information can be found athttps://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/regulated-organism-and-soil-permits/biological-control-organism-permits.

You may find it helpful to contact
USDA https://www.aphis.usda.gov/aphis/banner/contactus/sa_aphis_contacts/ct_contact_lpa) and FDA (https://www.fda.gov/newsevents/newsroom/mediacontacts/default.htm) to obtain additional information regarding their oversight roles relating to beneficial insects.

From: dennis@dennisnishi.com [mailto:dennis@dennisnishi.com]
Sent: Friday, June 09, 2017 10:40 AM
To: Press <Press@epa.gov>
Subject: KCET story on beneficial bugs

Hello,
I'm a producer for KCET's SoCal Connected show that's doing a story about the growing popularity of non-chemical pest control methods such as beneficial bugs. I wanted to know if the FDA regulates that industry in any way, what guidelines they are required to follow and any trend statistics about the growth of that industry on the production and retail side. Thanks.

Dennis Nishi

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/12/2017 6:46:36 PM
To: kat.sienuc@law360.com
CC: Press [Press@epa.gov]
Subject: KAT: Your questions on EPA's formaldehyde emissions rule

Kat, for attribution to US EPA or to, "an agency spokesperson," please:

EPA is working to extend compliance dates for the final Formaldehyde Emission Standards for Composite Wood Products rule.
On May 24, 2017, EPA published a direct final rule to extend the compliance dates for the formaldehyde emission standards, recordkeeping, and labeling provisions until March 22, 2018, import certification provisions until March 22, 2019, and laminated product producer provisions until March 22, 2024. Additionally, they would extend the California Air Resources Board Third-Party Certifier transitional period until March 22, 2019.

In the event that EPA received an adverse comment on the direct final rule, EPA also published a companion proposed rule. If the EPA received no adverse comment on the direct final rule or proposed rule, then the agency would have taken no further action on the proposed rule, and the direct final rule would become effective. If the EPA received relevant, adverse comment on either rule, then the agency would withdraw the direct final rule and proceed with the proposed rule through the normal rulemaking process.
The Agency withdrew the direct final rule because it received adverse comment during the 15-day public comment period. Comments received will be taken into account in the final rule. The December 12, 2016 final rule compliance dates will remain in effect until another final agency action is taken.

EPA will soon issue a direct final rule and a proposed rule that would remove the prohibition on early labeling of compliant composite wood products and finished goods in the final Formaldehyde Emission Standards for Composite Wood Products rule, published in the *Federal Register* December 12, 2016. Removal of this provision under 40 CFR 770.45(f) would allow entities to begin labeling compliant composite wood products and finished goods as TSCA Title VI compliant as soon as compliance can be achieved. This will reduce the unnecessary burden for panel producers, fabricators, distributors and retailers who want to roll out compliant inventory prior to the rule's compliance date.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/25/2019 1:00:29 AM
To: Flaherty, Kaitlin (NBCUniversal) [Kaitlin.Flaherty@nbcuni.com]
CC: Press [Press@epa.gov]
Subject: RE: [EXTERNAL] Re: Question about asbestos

Well, since you asked:

For attribution to "an EPA Spokesperson," please:

Question 1: Thanks so much for passing along the SNUR info. Just to clarify, SNUR is a final rule now correct ?

Answer: Yes, the SNUR is now final.

Question 2: Also, I'm writing up a piece on legacy asbestos and would like to get two comments from the EPA. The first is on lawsuits filed by Environmental Defense Fund and Environmental Working Group (along with about 14 other orgs) that are suing over the " Final Risk Evaluation" rule that allows the EPA to only focus on new uses and not address exposure to legacy asbestos I.e. what is left on buildings and schools across the country. The one is in the 9th circuit court of appeals and will hear oral arguments in May.

Answer: We cannot comment on pending litigation.

Question 3: The second comment would be regarding SNUR, what does the EPA say to those who feel the rule does not go far enough —in that the products it would ban are already obsolete ?

Answer: Under the law, EPA cannot ban all uses in one step. The agency must go through the process of a risk evaluation before it can restrict or ban any current uses of asbestos if unreasonable risk is found. Under amended TSCA, EPA has included asbestos as one of the first 10 chemicals to undergo this risk evaluation. The risk evaluation is underway and if it concludes with a finding of unreasonable risk, EPA must then take action.

While the risk evaluation covers current uses, this SNUR ensures that previous uses of asbestos can not come back on the market without EPA review and the opportunity to restrict or prohibit use. Without the action, they could come back.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Flaherty, Kaitlin (NBCUniversal) <Kaitlin.Flaherty@nbcuni.com>
Sent: Wednesday, April 24, 2019 8:52 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: [EXTERNAL] Re: Question about asbestos

Hi Robert,

Just following up on this request to see if you were able to get comments regarding the lawsuit and SNUR question?

Thanks again for your help,

Katie

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, April 23, 2019 7:21 PM
To: Flaherty, Kaitlin (NBCUniversal) <Kaitlin.Flaherty@nbcuni.com>
Cc: Press <Press@epa.gov>
Subject: Re: [EXTERNAL] Re: Question about asbestos

Thanks, Kaitlin. We'll work to meet your Wednesday deadline.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **M)**

On Apr 23, 2019, at 3:37 PM, Flaherty, Kaitlin (NBCUniversal) <Kaitlin.Flaherty@nbcuni.com> wrote:

> Hi Robert,
>
> Thanks so much for passing along the SNUR info. Just to clarify, SNUR is a final rule now correct ?
>
> Also, I'm writing up a piece on legacy asbestos and would like to get two comments from the EPA. The first is on lawsuits filed by Environmental Defense Fund and Environmental Working Group (along with about 14 other orgs) that are suing over the " Final Risk Evaluation" rule that allows the EPA to only focus on new uses and not address exposure to legacy asbestos I.e. what is left on buildings and schools across the country. The one is in the 9th circuit court of appeals and will hear oral arguments in May.
>
> The second comment would be regarding SNUR, what does the EPA say to those who feel the rule does not go far enough —in that the products it would ban are already obsolete ?
>
> I really appreciate your help! I am on deadline and would need comments by end of day Wednesday.
>
> Thank you so much,
>
> Katie
>
> Sent from my iPhone
>
> On Apr 17, 2019, at 5:25 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
>> Hullo Kaitlin,

I hope the following is helpful:

https://www.epa.gov/newsreleases/epa-strengthens-regulation-asbestos-close-loophole-and-protect-consumers

If you have follow-up questions, drop me a line and indicate your deadline.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **M)**

On Apr 17, 2019, at 6:44 PM, Flaherty, Kaitlin (NBCUniversal) <Kaitlin.Flaherty@nbcuni.com> wrote:

> Hi Robert,
>
> I hope all is well!
>
> I wanted to check in and confirm something that I am hearing that asbestos will be almost completely banned under a new rule by the EPA?
>
> If this is true, would love to speak with someone about it.
>
> Thank you very much,
>
> Katie Flaherty
>
> NBCNEWS.com
> Katie Flaherty
> Home page | Evening editor
> o: 818.684.1238 | c: Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/12/2017 6:03:13 PM
To: Stecker, Tiffany [tstecker@bna.com]
CC: Press [Press@epa.gov]
Subject: Subject: EPA OIG reports on pesticides office
Attachments: Audit ltr from WCH and DB.PDF; _epaoig_20170710-17-f-0315.pdf

Tiffany, for attribution to the agency, please, read our response to the draft report (attached).

Thanks, R.

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Monday, July 10, 2017 11:14 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: EPA OIG reports on pesticides office

Dear Robert,

Would EPA like to comment on the findings in the EPA OIG reports on pesticide registration funding released this morning?

Deadline is noon.

Many thanks,

Tiffany

Tiffany Stecker
Environment Reporter
Bloomberg BNA

Direct 703.341.3720
Cell Ex. 6 Personal Privacy (PP)
(please note that my cell number has changed)
tstecker@bna.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/12/2017 6:03:14 PM
To: Press [Press@epa.gov]
Subject: FW: Press Inquiry about chemicals and other toxins at marijuana grow sites

FYI. This inquiry is now closed.

From: Daguillard, Robert
Sent: Wednesday, July 12, 2017 1:59 PM
To: 'sharon.bernstein@thomsonreuters.com' <sharon.bernstein@thomsonreuters.com>
Subject: RE: Press Inquiry about chemicals and other toxins at marijuana grow sites

Sharon, for attribution to US EPA, please:

EPA does not regulate or track the use of beneficial insects. EPA does, however, make information available regarding Integrated Pest Management (IPM), an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. More information on IPM can be found at https://www.epa.gov/safepestcontrol/integrated-pest-management-ipm-principles.

The National Pesticide Information Center, a cooperative effort between Oregon State University and EPA, offers helpful information on beneficial insects in agriculture athttp://npic.orst.edu/envir/beneficial/agcrop.html.

Additionally, the U.S. Department of Agriculture regulates the importation, interstate movement and environmental release of biological control organisms of plant pests and weeds. Additional information can be found athttps://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/permits/regulated-organism-and-soil-permits/biological-control-organism-permits.

You may find it helpful to contact USDA https://www.aphis.usda.gov/aphis/banner/contactus/sa_aphis_contacts/ct_contact_lpa) and FDA (https://www.fda.gov/newsevents/newsroom/mediacontacts/default.htm) to obtain additional information regarding their oversight roles relating to beneficial insects.

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: sharon.bernstein@thomsonreuters.com [mailto:sharon.bernstein@thomsonreuters.com]
Sent: Tuesday, June 27, 2017 2:01 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Press Inquiry about chemicals and other toxins at marijuana grow sites

Hi Robert,

Thanks for taking my call a few minutes ago. I am working on a story about toxic chemicals and cleanup issues at marijuana grow sites across the U.S. While much of this activity seems to be happening in California, I am interested in finding out about the extent of this problem across the U.S. Among the questions I would like to run by your experts are:

1. Is the EPA tracking or considering tracking marijuana grow sites where toxic chemicals are used? If so, how many are you aware of? In what states is this happening? My understanding is that there is little money for cleanup, yet the toxicity of the compounds being found is requiring full on hazardous materials cleanup. If there is concern but not a formal program or investigation, would you please direct me to the folks who have expressed concern so I can find out what their concerns are and where in the process any plans to look at the issue might be?
2. Is EPA working on any cases in which these sites – either on private or federally owned land – are being investigated for possible environmental violations? If so, how many and in what states?
3. Is there a historian or other expert at EPA who can look at figures I have gathered of volume of banned pesticides found at sites in California to tell me whether there is a comparison to a more well-known cleanup operation – perhaps a famous spill, leak or industrial site that readers might be able to identify with?
4. Chemicals found at sites include carbamates, organophosphates, pyrethroids, neonicotinoids, avermectins, 1stGen ARs, 2nd Gen ARs, neurotoxicant rodenticides, phosphides and molluscicides. Among the banned or tightly controlled substances that are most commonly found are carbofuran and zinc phosphide. Piles of thousands of spent butane canisters have also been found.
5. I have been told that toxic runoff from the sites has been measured in water, possibly in Trinity County, California. Do you have any information on soil or water sampling that has found carbofuran, zinc phosphide or other toxic materials leaching from these sites?

Thanks very much,

Sharon Bernstein
National Correspondent
Reuters News
Ex. 6 Personal Privacy (PP)
sharon.bernstein@thomsonreuters.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/9/2017 2:28:17 PM
To: Emily.Flitter@thomsonreuters.com
CC: Press [Press@epa.gov]
Subject: RE: More dicamba qs

Emily, with apologies for the late reply, and for attribution to "an EPA spokesperson," please. Let me know if you're able to update your story:

"Under FIFRA, the applicant for registration is required to submit the required data to support registration. Congress placed this obligation on the pesticide manufacturer rather than requiring others to develop and fund such data development. Although studies submitted in support of a registration application may come from a number of different sources, including university researchers, the data package is submitted by the pesticide registration applicant.

EPA does not ask university researchers to produce additional studies. The reporter can ask the pesticide registrant. For more on how EPA uses science as a basis for decision-making: https://www.epa.gov/pesticide-registration/understanding-science-behind-epas-pesticide-decisions.

Based on review of the available data, the EPA concluded that offsite incidents would not be expected when using the registered products according to the label directions. However, to ensure that we could expeditiously modify the registration or allow the registration to terminate if necessary, the agency imposed a 2- year expiration date."

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) M)

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Friday, August 04, 2017 5:35 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: More dicamba qs

Hi, do you have any response to this please?

Sent from my iPhone

On Aug 3, 2017, at 8:31 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Good morning Emily. Checking.
>
> Robert Daguillard
> U.S. EPA

Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Aug 3, 2017, at 8:23 AM, "Emily.Flitter@thomsonreuters.com" <Emily.Flitter@thomsonreuters.com> wrote:

Hi,

Hopefully these are the last... deadline is 2pm today - thanks!

> Did EPA notice the fact that university researchers were not producing their own testing on xtendimax volatility? Did they ever ask researchers for such testing, and if so what happened? Is the lack of this independent volatility testing part of what made them decide on an abbreviated 2-year registration?

Emily

Sent from my iPhone

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 7/12/2017 1:02:28 PM
To: Ryan Beene [rbeene@bloomberg.net]
CC: Press [Press@epa.gov]
Subject: RE: FCA Resumes Diesel Production?

Hi Ryan – sorry for the delay.

For attribution to an EPA spokesperson: EPA does not comment on certification applications prior to vehicles being introduced into commerce.

On background, for your information, not for attribution:
Manufacturers occasionally produce vehicles in advance of receiving a Certificate of Conformity but are prohibited from shipping those vehicles from the plant for domestic vehicles or from importing them from foreign plants until they have received a valid Certificate.

Thanks

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Ryan Beene (BLOOMBERG/ NEWSROOM:) [mailto:rbeene@bloomberg.net]
Sent: Tuesday, July 11, 2017 12:09 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: FCA Resumes Diesel Production?

We're trying to get this up asap. thanks

From: Valentine.Julia@epa.gov At: 07/11/17 11:13:28
To: Ryan Beene (BLOOMBERG/ NEWSROOM:)
Cc: Press@epa.gov
Subject: RE: FCA Resumes Diesel Production?

Hi Ryan – what's your deadline on this?

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Ryan Beene (BLOOMBERG/ NEWSROOM:) [mailto:rbeene@bloomberg.net]
Sent: Tuesday, July 11, 2017 10:12 AM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: FCA Resumes Diesel Production?

Hi Julia + Co:

Automotive News has a very interesting story saying that Fiat Chrysler has resumed production of diesel-powered Ram 1500 pickups despite not yet having a resolution to the defeat device and AECD violations.

Does EPA have a comment on this? Is the agency aware? Has the agency approved FCA's proposed diesel fix?

Thanks

Ryan

Ryan Beene
Reporter - Autos
Regulation Team
Bloomberg News
rbeene@bloomberg.net
Office: 202.807.2025
Mobile: Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/11/2017 8:15:58 PM
To: Stecker, Tiffany [tstecker@bna.com]
CC: Press [Press@epa.gov]
Subject: RE: New Legal Filing: Center for Food Safety Demands Trump Administration Close Pesticide Loopholes

Tiffany, for attribution to the agency or to "an EPA spokesperson," please: We are reviewing the petition.

Regards, R.

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Tuesday, July 11, 2017 11:16 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: New Legal Filing: Center for Food Safety Demands Trump Administration Close Pesticide Loopholes

Sorry for the delay Robert. We'll be updating throughout the day.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, July 11, 2017 10:07 AM
To: Stecker, Tiffany <tstecker@bna.com>
Cc: Press <Press@epa.gov>
Subject: RE: New Legal Filing: Center for Food Safety Demands Trump Administration Close Pesticide Loopholes

Good morning and thanks, Tiffany. How late will you be updating your story?

Regards, R.

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Tuesday, July 11, 2017 10:02 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: FW: New Legal Filing: Center for Food Safety Demands Trump Administration Close Pesticide Loopholes

Hello Robert, press,

Could EPA please comment on this petition by noon today?

Thanks,

Tiffany

From: pr@centerforfoodsafety.org [mailto:pr@centerforfoodsafety.org]
Sent: Monday, July 10, 2017 4:49 PM
To: Stecker, Tiffany <tstecker@bna.com>
Subject: New Legal Filing: Center for Food Safety Demands Trump Administration Close Pesticide Loopholes

CENTER FOR
FOOD SAFETY

FOR IMMEDIATE RELEASE

JULY 10, 2017

Contact: Amy van Saun; 971-271-7372, avansaun@centerforfoodsafety.com

Center for Food Safety Demands Trump Administration Close Pesticide Loopholes

Legal filing claims current review process neglects real-world impacts of whole pesticide formulations

WASHINGTON, D.C.— Today Center for Food Safety filed a formal legal rulemaking petition calling for a much-needed overhaul of how the Environmental Protection Agency (EPA) regulates pesticides. The groundbreaking petition demands EPA require pesticide companies to provide safety data on all of a pesticide's formulation. Remarkably, current regulations only require toxicity data on a pesticide's "active" ingredient, in isolation, despite the fact that many studies have shown that other ingredients in pesticides, and their combinations, can cause significant health and environmental harms. Yet the agency neglects the toxicology of other ingredients and potential combined effects of the entire formulation.

"EPA's job is to ensure pesticides are safe for children, families, and the environment, but numerous pesticides have other ingredients or combined effects that are causing significant risks and harm," said Amy van Saun, attorney with Center for Food Safety. "EPA's outdated and insufficient safety assessment endangers the public welfare and must be brought into the 21st century."

The legal petition provides both a legal blueprint for EPA's required changes and impetus for the agency to act. The legal filing calls on EPA to make specific revisions to its existing pesticide regulations to require whole formula testing, and to require toxicological data on chronic effects of inert and adjuvant ingredients in pesticide products. The petition also

demands EPA to consider potential effects to endangered and threatened species based on whole pesticide formulations, instead of only the active ingredients.

A growing body of research indicates that a pesticide's active ingredients in combination with its other ingredients—what the EPA calls inert and adjuvant ingredients—can increase pesticide toxicity, ecotoxicity, and exposure, both independently and through their synergistic effects. Last month, EPA's own Office of the Inspector General announced the same, calling on the agency to improve its oversight of pesticides by requiring and assessing information on chemical mixtures and potential synergistic effects. According to the report, such data on interactions amongst pesticide ingredients is important "because the data allows the EPA a greater ability to assess human health and environmental risks combined with real-world pesticide use."

This is not the first time EPA's registration review process has come under public scrutiny. Last year, another public interest group petitioned EPA to define synergistic effects in its regulations and to acknowledge the agency's authority to review data on such effects.

###

About Center for Food Safety

Center for Food Safety's mission is to empower people, support farmers, and protect the earth from the harmful impacts of industrial agriculture. Through groundbreaking legal, scientific, and grassroots action, we protect and promote your right to safe food and the environment. Please join our more than 900,000 consumer and farmer advocates across the country at www.centerforfoodsafety.org. Twitter: @CFSTrueFood, @CFS_Press

This email was sent to tstecker@bna.com
Center for Food Safety, 660 Pennsylvania Ave., SE, Suite 302, Washington, DC 20003, USA
Unsubscribe

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 7/10/2017 8:15:06 PM
To: Press [Press@epa.gov]
Subject: RE: RCRA dataset questions

All – FYI, I'm working on this and trying to get press@epa out of the loop til we have a path forward. I'll be back when we have something.

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Kane, Rebecca
Sent: Monday, July 10, 2017 4:12 PM
To: Mears, Gilbert <Mears.Gilbert@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Lauren W. <Jones.LaurenW@epa.gov>; Meredith, David <Meredith.David@epa.gov>; Press <Press@epa.gov>; Shiffman, Cari <Shiffman.Cari@epa.gov>
Subject: RE: RCRA dataset questions

I'm sorry, I don't know – I think that's the whole problem. I can answer technical questions about the website and its data, but these seem to go more into RCRA policy realm.

On 6/23, Erin Miles and Cari Shiffman in OECA were trying to track down a RCRA Subpart X person, but they weren't able to do so. Cari thought the OECA person had retired and that there was someone in OLEM. I don't know who that is.

So you don't have to keep wading through all my emails – here's what I know/don't know: The violations are displayed on the ECHO website by RCRA ID. The ID Abrahm used as an example, RCRA ID AK1210022157, had several violations in the past (the last one in 2011). (These violations are listed in ECHO downloadable files - not the web display, as it doesn't go back that far) Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Mears, Gilbert
Sent: Monday, July 10, 2017 4:05 PM
To: Kane, Rebecca <Kane.Rebecca@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Lauren W. <Jones.LaurenW@epa.gov>; Meredith, David <Meredith.David@epa.gov>; Press <Press@epa.gov>
Subject: RE: RCRA dataset questions

I handled his FOIA, which amounted to connecting him with Rebecca on 5/19, who walked him through RCRCA Online data he was having trouble with. Because his questions remain technical in nature, I don't have the answers either. Rebecca, any thoughts on whom he should contact who would have the appropriate expertise?

Best,

Gilbert Mears

Waste and Chemical Enforcement Division
U.S. Environmental Protection Agency
(202) 566-0954
mears.gilbert@epa.gov

From: Kane, Rebecca
Sent: Monday, July 10, 2017 3:50 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Lauren W. <Jones.LaurenW@epa.gov>; Mears, Gilbert <Mears.Gilbert@epa.gov>; Meredith, David <Meredith.David@epa.gov>; Press <Press@epa.gov>
Subject: RE: RCRA dataset questions

Hi, He contacted me, but I am not able to answer his questions. I have sent what I know in several different emails.

6/26/17:

I don't have any information on Abrahm's original request. Just that his FOIA request was "Pursuant to FOIA, I'd like to request records of all instances of non-compliance or other notices of violations for the operating or interim RCRA-permitted sites listed in the attached spreadsheet between Jan 1, 2010 and Jan. 1, 2017. (Most of which I believe are Subpart X permits). The majority of these sites and permits are not listed in the public online RCRAinfo database, thus my request here." These data are available via the OECA Enforcement and Compliance History Online (ECHO) website, so he was directed there on 4/3/17. With instruction from OECA and OLEM comms, I answered his 5/18/17 technical questions about the ECHO data set on 5/19/17.

As noted below, I was not able to respond to his 6/22 questions.

I manage the website from which Abrahm pulled the data. I am not a RCRA Subpart X expert, so on Friday [6/23], OECA communications were trying to find a contact in OLEM/ORCR who might be a better person to answer this (but didn't have any luck).

The violations are displayed on ECHO by RCRA ID. The ID Abrahm used as an example, RCRA ID AK1210022157, has had several violations in the past (the last one in 2011). (These violations are listed in ECHO downloadable files - not the web display, as it doesn't go back that far). **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Rebecca Kane
U.S. EPA/Office of Enforcement and Compliance Assurance
Office of Compliance/Enforcement Targeting and Data Division
Integration, Targeting and Access Branch/Access and Transparency Team Leader
202-564-5960

From: Valentine, Julia
Sent: Monday, July 10, 2017 3:42 PM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>; StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Lauren W. <Jones.LaurenW@epa.gov>; Mears, Gilbert <Mears.Gilbert@epa.gov>; Kane, Rebecca <Kane.Rebecca@epa.gov>; Meredith, David <Meredith.David@epa.gov>; Press <Press@epa.gov>
Subject: RE: RCRA dataset questions

In that case, Abrahm, have you reached out to the staffer you were working with on the FOIA? Thanks

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]
Sent: Monday, July 10, 2017 3:39 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Lauren W. <Jones.LaurenW@epa.gov>; Mears, Gilbert <Mears.Gilbert@epa.gov>; Kane, Rebecca <Kane.Rebecca@epa.gov>; Meredith, David <Meredith.David@epa.gov>; Press <Press@epa.gov>
Subject: Re: RCRA dataset questions
Importance: High

Will there be a response to this inquiry at this point? Legally, I do not believe this should not be a press inquiry. It's a follow-up on a FOIA response that appears to be incomplete.

Thank you,
Abrahm Lustgarten
Ex. 6 Personal Privacy (PP)

From: "StClair, Christie" <StClair.Christie@epa.gov>
Date: Thursday, June 22, 2017 at 2:32 PM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Cc: "Jones, Lauren W." <Jones.LaurenW@epa.gov>, "Mears, Gilbert" <Mears.Gilbert@epa.gov>, "Kane, Rebecca" <Kane.Rebecca@epa.gov>, "Meredith, David" <Meredith.David@epa.gov>, Press <Press@epa.gov>
Subject: Re: RCRA dataset questions

Thanks, Abrahm. What is your hard deadline?

Christie

Sent from my iPhone

On Jun 22, 2017, at 5:03 PM, Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org> wrote:

> Hi all,
>
> I sent the following note with some technical questions about the RCRA enforcement database to Rebecca Kane earlier, but haven't yet heard back. Because I'm on a tight deadline, I'm resending to you all more broadly and hoping one of you can help with an explanation. Nothing for attribution/comment – just technical questions to make sure I am not misusing your data.
>
> Thank you,
> Abrahm Lustgarten
>
> Hi Rebecca,

I left you a message earlier, and figured I'd follow up by email. I'm looking for some fact-check help in making sure I understand the RCRA data I'm using correctly in my reporting. Hoping you may be able to help me clarify the following:

I've got a dataset for sites in the RCRA database with RCRA Subpart X permits to Open Burn and detonate hazardous explosives, and I'm examining violations for those specific RCRA IDs that correspond to the Subpart X permits. I'm trying to assess whether the violations I see are definitely associated with the Subpart X permits. So my questions are:

- can those IDs correspond to other violations other than Sub X permit violations or is each RCRA ID specific to the OBOD Sub X permit?
- BASICALLY: if I have a facility ID for an Open Burn/Open Detonation Subpart X permit, is that ID unique to that permit, or also used for other RCRA-specific enforcement issues? Ie – if I see a violation under that ID, do I know that it is a violation of its Sub X permit?
  - o For example, if I take Elmendorf/Richardson base in Alaska, RCRA ID: AK1210022157 and put into Echo, I see multiple RCRA Ids for that site, but the ID I am using matches TSDF for its handling and storage of haz materials.
  - o My violations data for that site and the TSDF permit shows 8 violations coded 264.A, which corresponds to a general Treatment, storage and Disposal violation.
  - o Can I understand that to be specific to their Subpart X permit under that same RCRA ID #? Or is it somehow more general?

- Separately, in the violation codes for RCRA, I see several codes which seem to correspond more specifically to handling of munitions and explosives, 264.EE for example. Is there a catalogue with more precise descriptions of these codes that I should use/reference? Would I only want to look for 264.EE violations if I'm interested in explosives and Suppart X, or could Subpart X permit violations fall under other TSD-related violation codes?

Thank you in advance for your help, I'm on a pretty tight deadline, if you have a chance to reply I'd appreciate it.

Best
Abrahm Lustgarten
ProPublica
Ex. 6 Personal Privacy (PP)

From: "Jones, Lauren W." <Jones.LaurenW@epa.gov>
Date: Friday, May 19, 2017 at 6:49 AM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Cc: "Mears, Gilbert" <Mears.Gilbert@epa.gov>, "Kane, Rebecca" <Kane.Rebecca@epa.gov>, Lena Groeger <Lena.Groeger@propublica.org>, "Meredith, David" <Meredith.David@epa.gov>
Subject: RE: RCRA dataset questions

Good Morning:

Unfortunately, I will have to postpone this meeting until the appropriate communications leads are available to facilitate this call. Thanks for your understanding.

From: Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]
Sent: Thursday, May 18, 2017 5:32 PM
To: Jones, Lauren W. <Jones.LaurenW@epa.gov>
Cc: Mears, Gilbert <Mears.Gilbert@epa.gov>; Kane, Rebecca <Kane.Rebecca@epa.gov>; Lena Groeger

<Lena.Groeger@propublica.org>
Subject: Re: RCRA dataset questions

Hi Lauren, we're both good to go with 9:30 PT/12:30 ET if that might work for you, otherwise let me know a better time.

Thanks
Abrahm

From: "Jones, Lauren W." <Jones.LaurenW@epa.gov>
Date: Thursday, May 18, 2017 at 12:29 PM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Cc: "Mears, Gilbert" <Mears.Gilbert@epa.gov>, "Kane, Rebecca" <Kane.Rebecca@epa.gov>
Subject: RCRA dataset questions

Good afternoon:

My name is Lauren Jones, EPA, and I was notified that you had some questions about the publicly available RCRAInfo dataset. I am available tomorrow if you would like to have a quick call. Please let me know what time works best for you.

Thanks,

Lauren Jones, PMP
Office of Enforcement and Compliance Assurance
Office of Compliance
Enforcement Targeting and Data Division
Media Systems Section
Room 7120
Office Phone (202) 564-0389

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 7/10/2017 7:58:08 PM
To: Press [Press@epa.gov]
Subject: RE: RCRA dataset questions

Amy, I'll figure out with reporter and program how this needs to be processed.

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]
Sent: Monday, July 10, 2017 3:56 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>; StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Lauren W. <Jones.LaurenW@epa.gov>; Mears, Gilbert <Mears.Gilbert@epa.gov>; Kane, Rebecca <Kane.Rebecca@epa.gov>; Meredith, David <Meredith.David@epa.gov>
Subject: Re: RCRA dataset questions

Yes, All cc'd here, but have not been able to connect with anyone. Was previously advised Press office had to approve, and been waiting on that.

From: "Valentine, Julia" <Valentine.Julia@epa.gov>
Date: Monday, July 10, 2017 at 12:41 PM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>, "StClair, Christie" <StClair.Christie@epa.gov>, Press <Press@epa.gov>
Cc: "Jones, Lauren W." <Jones.LaurenW@epa.gov>, "Mears, Gilbert" <Mears.Gilbert@epa.gov>, "Kane, Rebecca" <Kane.Rebecca@epa.gov>, "Meredith, David" <Meredith.David@epa.gov>, Press <Press@epa.gov>
Subject: RE: RCRA dataset questions

In that case, Abrahm, have you reached out to the staffer you were working with on the FOIA? Thanks

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

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Sent: Monday, July 10, 2017 3:39 PM
To: StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Cc: Jones, Lauren W. <Jones.LaurenW@epa.gov>; Mears, Gilbert <Mears.Gilbert@epa.gov>; Kane, Rebecca <Kane.Rebecca@epa.gov>; Meredith, David <Meredith.David@epa.gov>; Press <Press@epa.gov>
Subject: Re: RCRA dataset questions
Importance: High

Will there be a response to this inquiry at this point? Legally, I do not believe this should not be a press inquiry. It's a follow-up on a FOIA response that appears to be incomplete.

Thank you,
Abrahm Lustgarten
Ex. 6 Personal Privacy (PP)

From: "StClair, Christie" <StClair.Christie@epa.gov>
Date: Thursday, June 22, 2017 at 2:32 PM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Cc: "Jones, Lauren W." <Jones.LaurenW@epa.gov>, "Mears, Gilbert" <Mears.Gilbert@epa.gov>, "Kane, Rebecca" <Kane.Rebecca@epa.gov>, "Meredith, David" <Meredith.David@epa.gov>, Press <Press@epa.gov>
Subject: Re: RCRA dataset questions

Thanks, Abrahm. What is your hard deadline?

Christie

Sent from my iPhone

On Jun 22, 2017, at 5:03 PM, Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org> wrote:

> Hi all,
>
> I sent the following note with some technical questions about the RCRA enforcement database to Rebecca Kane earlier, but haven't yet heard back. Because I'm on a tight deadline, I'm resending to you all more broadly and hoping one of you can help with an explanation. Nothing for attribution/comment – just technical questions to make sure I am not misusing your data.
>
> Thank you,
> Abrahm Lustgarten
>
> Hi Rebecca,
>
> I left you a message earlier, and figured I'd follow up by email. I'm looking for some fact-check help in making sure I understand the RCRA data I'm using correctly in my reporting. Hoping you may be able to help me clarify the following:
>
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Thank you in advance for your help, I'm on a pretty tight deadline, if you have a chance to reply I'd appreciate it.

Best
Abrahm Lustgarten
ProPublica
Ex. 6 Personal Privacy (PP)

From: "Jones, Lauren W." <Jones.LaurenW@epa.gov>
Date: Friday, May 19, 2017 at 6:49 AM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Cc: "Mears, Gilbert" <Mears.Gilbert@epa.gov>, "Kane, Rebecca" <Kane.Rebecca@epa.gov>, Lena Groeger <Lena.Groeger@propublica.org>, "Meredith, David" <Meredith.David@epa.gov>
Subject: RE: RCRA dataset questions

Good Morning:

Unfortunately, I will have to postpone this meeting until the appropriate communications leads are available to facilitate this call. Thanks for your understanding.

From: Abrahm Lustgarten [mailto:Abrahm.Lustgarten@propublica.org]
Sent: Thursday, May 18, 2017 5:32 PM
To: Jones, Lauren W. <Jones.LaurenW@epa.gov>
Cc: Mears, Gilbert <Mears.Gilbert@epa.gov>; Kane, Rebecca <Kane.Rebecca@epa.gov>; Lena Groeger <Lena.Groeger@propublica.org>
Subject: Re: RCRA dataset questions

Hi Lauren, we're both good to go with 9:30 PT/12:30 ET if that might work for you, otherwise let me know a better time.

Thanks
Abrahm

From: "Jones, Lauren W." <Jones.LaurenW@epa.gov>
Date: Thursday, May 18, 2017 at 12:29 PM
To: Abrahm Lustgarten <Abrahm.Lustgarten@propublica.org>
Cc: "Mears, Gilbert" <Mears.Gilbert@epa.gov>, "Kane, Rebecca" <Kane.Rebecca@epa.gov>
Subject: RCRA dataset questions

Good afternoon:

My name is Lauren Jones, EPA, and I was notified that you had some questions about the publicly available RCRAInfo dataset. I am available tomorrow if you would like to have a quick call. Please let me know what time works best for you.

Thanks,

Lauren Jones, PMP
Office of Enforcement and Compliance Assurance
Office of Compliance
Enforcement Targeting and Data Division
Media Systems Section
Room 7120
Office Phone (202) 564-0389

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/20/2017 5:54:10 PM
To: Faith Lapidus [flapidus@voa.gov]
CC: Press [Press@epa.gov]
Subject: RE: endosulfan

Faith, for attribution to "an EPA spokesperson," please:

"n 2010, the EPA decided to terminate all uses of endosulfan due to unacceptable risks to farmworkers and wildlife. The EPA signed a Memorandum of Agreement with the registrants of endosulfan that resulted in voluntary cancellation and provided for a phase-out of all existing endosulfan uses in the United States in order to allow time for growers to transition to newer alternatives. As of 2016, all uses of endosulfan have been phased out and cancelled. Use of endosulfan in the United States has been prohibited since July 31, 2016. "

Regards, R.

From: Faith Lapidus [mailto:flapidus@voa.gov]
Sent: Wednesday, July 19, 2017 12:15 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: endosulfan

Yes , but not until Friday.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 19, 2017 12:13 PM
To: Faith Lapidus <flapidus@voa.gov>; Press <Press@epa.gov>
Subject: RE: endosulfan

Good afternoon Faith,

Let me check for you. Are you on deadline?

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Faith Lapidus [mailto:flapidus@voa.gov]
Sent: Wednesday, July 19, 2017 12:09 PM
To: Press <Press@epa.gov>
Subject: endosulfan

Is this pesticide one of the ones that EPA is considering reregistering for use in the United States?

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/20/2017 3:26:05 PM
To: Elliott Blackburn [elliott.blackburn@argusmedia.com]
CC: Press [Press@epa.gov]
Subject: Elliott: RFS comment period

Elliott, for attribution to "an EPA spokesperson," please:

The comment period will be 45 days following publication in the *Federal Register*.

Also, a reminder about the August 1 public hearing: https://www.epa.gov/renewable-fuel-standard-program/2017-announcements-renewable-fuel-standard

Thanks, R.

From: Elliott Blackburn [mailto:elliott.blackburn@argusmedia.com]
Sent: Thursday, July 20, 2017 10:31 AM
To: Press <Press@epa.gov>
Subject: RFS comment period

Good morning,

Does EPA have an estimate for how long the comment period on the proposed rule will last?

Thank you,

Elliott

Elliott Blackburn
Downstream Reporter

www.argusmedia.com
Direct: +1 713 429 6350
Email: elliott.blackburn@argusmedia.com
Skype ID: argus.elliott
Signal: Ex. 6 Personal Privacy (PP)

www.argusmedia.com

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Argus Media Inc., 2929 Allen Parkway, Suite 700, Houston, Texas 77019, USA

illuminating the markets

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/20/2017 3:01:44 PM
To: Martin, Jeff [JeMartin@ap.org]
CC: Press [Press@epa.gov]
Subject: AP (Jeff Martin); Polyethylene

Jeff, for attribution to "an EPA spokesperson," please:

EPA has not taken any regulatory action on this chemical under TSCA. There is some non-Confidential Business Information on Chemview (https://java.epa.gov/chemview) if the reporter looks up CASRN 9002-88-4. The reporter might want to check with the Consumer Product Safety Commission.

The Air office at EPA has standards for the manufacture of polyethylene, but emissions standards don't really impact the use of the finished product. Here's the website with the rule information:
https://www.epa.gov/stationary-sources-air-pollution/polymer-manufacturing-industry-standards-performance-volatile

Thanks, R.

From: Martin, Jeff [mailto:JeMartin@ap.org]
Sent: Wednesday, June 28, 2017 11:36 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Press Inquiry about Toxics / TSCA

Good morning!

I'm hoping to find out whether EPA is, in general, involved in any way with concerns about materials used to cover the exteriors of walls and roofs in light of the recent deadly fire in London.

A company that produced wall panels for the apartment tower that burned issued a statement this week about the matter, announcing that it would discontinue sales of the product in high-rises in the U.S. and elsewhere. The statement is here: https://www.arconic.com/global/en/news/news_detail.asp?pageID=20170626000415en&newsYear=2017

The storm I'm working on focuses on U.S. buildings with the material in question.

Any information you could provide on the general issue, or on the specific on involving the company, would be most appreciated!

Best Regards,

AP

ASSOCIATED PRESS

Jeff Martin
The Associated Press

jemartin@ap.org
Twitter: @JeffMartin9
www.ap.org

The Associated Press
Centennial Tower
101 Marietta St. NW
Atlanta, Georgia 30303
Telephone: 404-522-8971

Cell : Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/19/2019 2:09:45 PM
To: Harlan Levy [Ex. 6 Personal Privacy (PP)] Deegan, Dave [Deegan.Dave@epa.gov]; Gutro, Doug [Gutro.Doug@epa.gov]; Bender, Emily [Bender.Emily@epa.gov]; Senn, John [Senn.John@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: consumer issue all-natural disnfectants

Good morning Harlan,

For attribution to U.S. EPA, please:

There are no EPA-registered products or companies with the name "Green Home."

A cleaning product that makes pesticidal claims to kill, control, mitigate, etc. mold would be considered a pesticide that would require EPA registration per 40 CFR 152.15(b).

However, if a product only makes cleaning claims and is marketed as a cleaner only with no pesticidal claims (e.g., kills mold and bacteria), it may not be subject to regulation/registration under FIFRA (40 CFR 152.10(a)). Thus, quaternary ammonium chemicals could be found in cleaning products that do not make a pesticidal claim although they are also found in registered antimicrobials (pesticides). For more information on determining if a cleaning product is a pesticide under FIFRA, please refer to this website: https://www.epa.gov/pesticide-registration/determining-if-cleaning-product-pesticide-under-fifra.

If there is product misrepresentation, EPA's Office of Enforcement and Compliance Assistance (OECA)should be contacted. OECA's Enforcement and Compliance History Online page may be used to report actions that appear to be in violation of environmental laws and regulations.

Other information:

The registration and use of pesticides are not only regulated by federal laws, but also by state laws and regulations, which differ from state to state. It is advisable to consult with each state and U.S. territory for information on their registration requirements. The National Pesticide Information Center provides contact information for the primary pesticide regulatory agency in each state and U.S. territory.

Registrants that have an active registration with EPA are entirely responsible for their pesticide and pesticide labeling and are required by the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and EPA regulations (40 CFR Parts 150 to 189) to abide by registrant obligations.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
[Ex. 6 Personal Privacy (PP)] (M)

From: Harlan Levy <[Ex. 6 Personal Privacy (PP)]>
Sent: Monday, April 15, 2019 2:27 PM
To: Deegan, Dave <Deegan.Dave@epa.gov>

Cc: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: consumer issue all-natural disnfectants

Thank you.

On Mon, Apr 15, 2019 at 2:20 PM Deegan, Dave <Deegan.Dave@epa.gov> wrote:

HI Harlan –

I'm copying my colleagues in EPA's HQ press office. All of EPA's pesticide oversight occurs out of HQ so they will be better able to get you info on this product used for mold treatment.

All – Harlan Levy also left me a VM, his number is: Ex. 6 Personal Privacy (PP)

Best Regards,

Dave

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Dave Deegan

U.S. EPA, New England Regional Office

Office of Public Affairs

Media Relations | Social Media | Web Content

phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)

email: *deegan.dave@epa.gov*

From: Harlan Levy < Ex. 6 Personal Privacy (PP) >
Sent: Monday, April 15, 2019 2:16 PM
To: Deegan, Dave <Deegan.Dave@epa.gov>
Cc: Harlan < Ex. 6 Personal Privacy (PP) >
Subject: consumer issue all-natural disnfectants

dave: I'm the weekly consumer columnist for the Connecticut daily newspaper the Journal Inquirer, and I'm writing about a national mold-removing company, Green Home solutions, that says it uses 100 percent natural products.

However, a source told me that in fact Green Home's products contain quatenary ammonium chemicals, which are not natural and can have negative health effects.

The EPA apparently requires such companies to register their products and their contents but does not approve or disapprove of them. If so, has Green Home registered its products as containing QACs?

Does the EPA take any action for product misrepresentation?

Regards, Harlan Levy

Note: I cc'd myself to make sure this is delivered.

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/19/2019 2:04:48 PM
To: Volcovici, Valerie (Reuters) [valerie.volcovici@thomsonreuters.com]; Abboud, Michael [abboud.michael@epa.gov]; Press [Press@epa.gov]
Subject: RE: PFAS/PFOA enforcement actions

Valerie, with apologies for the late response, and for attribution to U.S. EPA, please:

EPA has taken the following enforcement actions related to PFAS:

- In 2005, EPA entered into an administrative settlement with DuPont resolving violations related to PFOA under TSCA and RCRA at its WV facility and required DuPont to pay $10.25 million in civil penalties and perform SEPs worth $6.25 million.
- In 2002, 2006, and 2009, and 2017, EPA issued a total of three Safe Drinking Water Act § 1431 imminent and substantial endangerment Orders on Consent, and one amendment to an order, to DuPont requiring the provision of alternative water supplies for public and private water systems in the vicinity of the Washington Works, WV facility for PFOA contamination. The 2009 order based actions on the agency's 2009 Provisional Health Advisory for PFOA. The 2017amendment was a significant amendment to the 2009 order, was issued to DuPont and Chemours, and tied actions to the agency's 2016 drinking water lifetime health advisory (LHA) for PFOA.
    - In 2018, at EPA's request, Chemours began sampling numerous private wells and Public Water Systems (PWSs) for GenX chemicals.
- In 2014 and 2015, EPA issued a total of three Safe Drinking Water Act § 1431 imminent and substantial endangerment unilateral orders to Federal agencies for PFOA and/or PFOS above the Provisional Health Advisory in drinking water (these are also NPL sites). The Navy, Air National Guard, and Air Force agreed to voluntarily use the newer, lifetime health advisory values of 70 ppt as finalized in May 2016:
    - Naval Air Warfare Center, Warminster, PA (2014)
    - Horsham Air Guard Station/Willow Grove (PA) (2015)
    - Pease Air Force Base, NH (2015)

Note, in addition to the actions above, in 2009, EPA issued a TSCA section 5(e) Consent Order, pursuant to its regulatory authority under the act, to DuPont requiring 99% capture of GenX releases. EPA is monitoring Chemours' compliance with that order.

- On February 14, 2019, EPA sent a Notice of Violation to Chemours outlining violations of TSCA at the Fayetteville facility in NC, and the Washington Works facility in Parkersburg, WV.

EPA also has provided assistance to states with their PFAS actions. Examples include:

- Wolverine (MI) – The EPA is overseeing a federal CERCLA time-critical removal action and providing technical assistance to MDEQ while MDEQ responds to PFAS contamination of residential wells from the Wolverine World Wide (Wolverine) Tannery and House Street Disposal Site. EPA assistance has also included issuing a multi-media information request and sampling of residential wells for PFAS in December 2017, and providing technical assistance on sampling locations, filter effectiveness, sampling protocols, sample analysis, and public communication efforts.
- Chemours (NC) – At the request of the NC DEQ, in 2017 and 2018 EPA provided significant laboratory assistance to support the State's investigation of GenX in the Cape Fear River, which resulted in a state enforcement action and February 2019 settlement.
- Hoosick Falls (NY) – EPA added this site to the Superfund NPL in July 2017. NYSDEC is the lead for the cleanup and EPA is supporting them.

Cheers, R.

Robert Daguillard
Office of Media Relations
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Ex. 6 Personal Privacy (PP) (M)

From: Volcovici, Valerie (Reuters) <valerie.volcovici@thomsonreuters.com>
Sent: Tuesday, April 16, 2019 3:08 PM
To: Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
Subject: PFAS/PFOA enforcement actions

Hello,

I wanted to follow up on something that I asked during Reuters interview last week with Administrator Wheeler. He said that EPA has already undertaken 8 enforcement actions related to PFAS/PFOA and aided states with others. Can you please point me to a list of these actions - the parties involved, the penalty, etc?

Thank you,
Valerie

Valerie Volcovici
Correspondent
Reuters

Phone: +1 (202) 898 8373
Mobile: Ex. 6 Personal Privacy (PP)

valerie.volcovici@tr.com

1333 H Street NW
Suite 500
Washington, DC 20005

Twitter: @ValerieVolco

Message

From: Jan Ellen Spiegel Ex. 6 Personal Privacy (PP)
Sent: 7/20/2017 1:45:53 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Deegan, Dave [Deegan.Dave@epa.gov]; Press [Press@epa.gov]
Subject: Re: Reporter inquiry re. Nanotechnology regulation

Yes - I already knew that. It's right on the website. That wasn't my question. My question was is that Aug. 14 date gonna hold or is it gonna get extended again?

Jan Ellen Spiegel
203-483-1227
Ex. 6 Personal Privacy (PP) (cell)
Ex. 6 Personal Privacy (PP)
Twitter: janellens

On Jul 20, 2017, at 8:31 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Jan, for attribution to EPA, please:

On May 12, 2017, EPA extended the effective date of the rule to August 14, 2017.

Thanks, R.

On Jul 19, 2017, at 11:10 AM, Jan Ellen Spiegel Ex. 6 Personal Privacy (PP) > wrote:

Thank you

Jan Ellen Spiegel
203-483-1227
Ex. 6 Personal Privacy (PP) (cell)
Ex. 6 Personal Privacy (PP)
Twitter: janellens

On Jul 19, 2017, at 11:07 AM, Deegan, Dave <Deegan.Dave@epa.gov> wrote:

Hi Jan,

I'm forwarding your email to my colleagues in the EPA HQ press office. The office doing this work is in DC, so my peers down there will be better able to track down the correct answer for you.

Best,

Dave

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Dave Deegan
U.S. EPA, New England Regional Office
Media Relations | Social Media | Web Content
phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)
email: *deegan.dave@epa.gov*
<image003.jpg> <image004.jpg>

From: Jan Ellen Spiegel [mailto Ex. 6 Personal Privacy (PP)
Sent: Wednesday, July 19, 2017 10:19 AM
To: Deegan, Dave <Deegan.Dave@epa.gov>
Subject: from a reporter

Hi Dave -
I also left you voicemail.
I have one point of information that I need answered. This is a story I'm doing for Undark (at MIT) on a specific nanotechnology technique.
The Trump administration had pushed off an effective date for some nanotech regulation from May until Aug. 14. This is the EPA website page that references it: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/control-nanoscale-materials-under
My question is - is that Aug. 14 date still operative? The regulation is way tangential to the story & just noted in passing - but I want to make sure I'm not mis-stating anything.
It would be helpful to get an answer today.
Thanks

Jan Ellen Spiegel
203-483-1227
Ex. 6 Personal Privacy (PP) (cell)
Ex. 6 Personal Privacy (PP)
Twitter: janellens

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/20/2017 1:43:39 PM
To: Stephen Steed [ssteed@arkansasonline.com]
CC: Press [Press@epa.gov]
Subject: RE: ACTION: Arkansas Democrat-Gazette (Stephen Steed) [7/14] OPEN, pesticides conference call, DDL: COB 7/14

Stephen, for attribution to "an EPA spokesperson," please:

"A recording of the conversation is not available. The purpose of the call was to hear from states about what they are hearing from growers.

Pesticide registrants are required to file any reports under FIFRA 6(a)(2) to inform EPA about harmful effects of their products. FIFRA (6)(a)(2) states, "if at any time after the registration of a pesticide the registrant has additional factual information regarding unreasonable adverse effects on the environment of the pesticide, the registrant shall submit such information to the Administrator." Adverse effect information they must report includes:

- New information derived from scientific studies (e.g., unexpected levels of toxicity).
- Reports of incidents of harmful effects resulting from the use of their pesticide products.

We consider incident information submitted by registrants and all others in evaluating the safety of pesticide products. For more information see: https://www.epa.gov/pesticide-incidents/incident-reporting-pesticide-manufacturers-registrants. You would need to file a Freedom of Information Act request to obtain this information. Many documents submitted for pesticide regulatory purposes contain Confidential Business Information that by law cannot be released to the public. The FOIA process redacts CBI so the documents can be released. For more information or to make a FOIA request, see: https://www.epa.gov/foia."

Regards, R.

From: Stephen Steed [mailto:ssteed@arkansasonline.com]
Sent: Wednesday, July 19, 2017 4:56 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: ACTION: Arkansas Democrat-Gazette (Stephen Steed) [7/14] OPEN, pesticides conference call, DDL: COB 7/14

Good afternoon, Robert …

I am not writing on deadline for today, but it would be great if I could get something tomorrow. What and when I write will depend, to some extent, on what's available from the EPA.

Thank you much.

Stephen Steed

> On Jul 19, 2017, at 3:40 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> Good afternoon Stephen,

My colleague Jennah forwarded me your questions. What's your firm deadline and when are you hoping to publish, please?

***

Good morning, Jennah …

I understand that the EPA held a teleconference call yesterday with various representatives of universities (weed scientists, etc) and others. Has the EPA made that available for replay or download anywhere, or made a transcript available?

Returning to my question of the other day, are herbicide manufacturers (in this season's alleged dicamba-related issues, Monsanto, BASF and DuPont) required to inform the EPA of possible problems, whether of lack of performance or off-target movement? I specifically refer to FIFRA 6(a)(2).

If there is such a requirement under 6(a)(2) or other section of the law, have any of these reports been filed by any of the above companies regarding this crop season's reported problems?

Thank you.

Stephen Steed
Arkansas Democrat-Gazette
Ex. 6 Personal Privacy (PP)

Message

From: Stecker, Tiffany [tstecker@bna.com]
Sent: 7/6/2017 5:53:45 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: EPA denies emergency exemption for pesticides on marijuana?

Thanks Robert, very helpful. So are Nevada and California the only states that received disapproval letters for the Section 24c registrations for pesticides on cannabis?

Best wishes,

Tiffany

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 06, 2017 1:52 PM
To: Stecker, Tiffany <tstecker@bna.com>
Cc: Press <Press@epa.gov>
Subject: RE: EPA denies emergency exemption for pesticides on marijuana?

Tiffany, for attribution to "an EPA spokesperson," please:

While EPA has not identified any significant risks to human health or the environment from these pesticides, the Agency is disapproving state registrations of pesticides issued for use on cannabis that is generally illegal under federal law.

Additional Background:
EPA sent a letter to the Nevada Department of Agriculture notifying it of the EPA's disapproval of the Special Local Needs registrations under Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for four products that include the following chemicals: azadirachtin; *Bacillus amyloliquefaciens* strain D747; potassium salts of fatty acids; and capsicum oleoresin extract, garlic oil, and soybean oil to control various insect pests, mites, and/or diseases on cannabis.

FIFRA permits states to register pesticide products to address unique or unusual pest management challenges. In these circumstances, a state is permitted to register an additional use of a pesticide that is already registered for another use as Special Local Needs (SLN) registrations under FIFRA section 24(c); however, they must submit them to EPA for review subsequent to registration by the state.

Under FIFRA 24(c), the EPA Administrator may disapprove, on any reasonable grounds, any state registration which, when compared to a federally registered product, does not have a similar use pattern. Under federal law, cultivation (as well as sale and use) of cannabis is generally unlawful as a schedule I controlled substance under the Controlled Substances Act. EPA finds it reasonable to disapprove the state registrations because the pesticide use would be for the purpose of growing a crop that is generally illegal under federal law. EPA has not identified any significant risks to human health or the environment associated with SLN registrations.

EPA met with the state prior to making a final disapproval decision.

From: Stecker, Tiffany [mailto:tstecker@bna.com]
Sent: Thursday, June 29, 2017 1:21 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>

Cc: Press <Press@epa.gov>
Subject: EPA denies emergency exemption for pesticides on marijuana?

Dear Robert, all,

I have heard from a source that EPA denied an emergency exemption from a state (maybe California, but not sure) to use a pesticide on marijuana. Could I please see the denial letter? Deadline is COB today.

Many thanks,

Tiffany

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Tiffany Stecker
Environment Reporter
Bloomberg BNA

Direct 703.341.3720
Cell Ex. 6 Personal Privacy (PP)
(please note that my cell number has changed)
tstecker@bna.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/7/2017 6:14:05 PM
To: Suzanne Yohannan [suzanney@iwpnews.com]
CC: Press [Press@epa.gov]
Subject: RE: Your questions for our OLEM program?

Suzanne, for attribution to "an EPA spokesperson," please:

The primary purpose of the May 18th memo was to clarify conflicting statements in the 2013 Q&As regarding manifesting of hazardous wastes generated by offshore oil platforms located beyond state waters but within the 200 mile seaward limit. The 2013 Q&As had indicated that RCRA and federal hazardous waste generator standards, were applicable to such offshore oil platforms generating hazardous waste, but that manifesting of those hazardous wastes was not required. The May 18th memo confirmed that RCRA and federal hazardous generator standards were applicable to oil platforms located beyond state waters but within the 200 mile seaward limit, but clarified that manifesting in accordance with those standards was also required.

Thanks, R.

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Ex. 6 Personal Privacy (PP) M)

From: Suzanne Yohannan [mailto:suzanney@iwpnews.com]
Sent: Thursday, June 29, 2017 9:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Hull, George <Hull.George@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Re: Your questions for our OLEM program?

Robert,
Thanks for getting back to me. Yes, I do have some clarification questions related to a May 18 memo signed by Barnes Johnson. The subject line is: Application of RCRA Hazardous Waste Regulations to Waste Generated on Off-Shore Oil Platforms. My questions follow.

The memo says it supersedes Q&A clarifications EPA developed on this in 2013. Is the change you're making here just that waste manifests will now be required? Or is it broader than that? What was required before this 2017 memo clarification in terms of these wastes?

My deadline is tonight - 6 p.m.

I can be reached at the email or number below.

Thanks very much.

Suzanne Yohannan
Inside EPA

Superfund Report
Ex. 6 Personal Privacy (PP)
suzanney@iwpnews.com

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
To: Suzanne Yohannan <suzanne.yohannan@iwpnews.com>
Cc: "Hull, George" <Hull.George@epa.gov>, "Valentine, Julia" <Valentine.Julia@epa.gov>
Sent: 6/29/2017 7:50 AM
Subject: Your questions for our OLEM program?

Good morning Suzanne,

I understand you have questions for our OLEM program regarding RCRA standards applicable to hazardous wastes generated at offshore oil platforms? Thanks in advance for circling back with questions and deadline information if and when you get a chance.

Best regards, R.

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Ex. 6 Personal Privacy (PP) (M)

Message

From: Grantham, Nancy [Grantham.Nancy@epa.gov]
Sent: 7/7/2017 6:09:23 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: JAHAN/NANCY: Chris: Your questions for EPA

yes

Nancy Grantham
Office of Public Affairs
US Environmental Protection Agency
202-564-6879 (desk)
Ex. 6 Personal Privacy (PP) **(mobile)**

From: Daguillard, Robert
Sent: Friday, July 07, 2017 1:23 PM
To: Press <Press@epa.gov>
Subject: JAHAN/NANCY: Chris: Your questions for EPA

OK to send follow-up to OECA and OCSPP?

From: Chris Bennett [mailto:cbennett@Farmjournal.com]
Sent: Friday, July 07, 2017 1:19 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Chris: Your questions for EPA

Good afternoon, Robert. Thank you very much and I will attribute the statement to "an agency spokesperson." Thank you, Chris
I just want to make sure I'm understanding correctly. As to the questions about fines issued to growers for 2016 dicamba violations, EPA won't issue any statement right now? Is EPA able to confirm that fines have been issued? Growers across the Bootheel are claiming EPA fines have indeed been delivered.
Thank you again, Chris

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, July 07, 2017 12:12 PM
To: Chris Bennett
Cc: Press
Subject: Chris: Your questions for EPA

Chris, for attribution to "an agency spokesperson," please:

EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and elsewhere.

EPA placed time limits on the registration to allow the Agency to either let it expire or to easily make the necessary changes in the registration if there are problems with resistant weeds or pesticide drift. We are taking prompt action now to work with the states and will be meeting with registrants soon to address the issue. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

Last year's investigation related to alleged misuse of dicamba that is not designed for GE crops. It's EPA policy not to comment or provide information about ongoing investigations.

Regards, R.

From: Chris Bennett [mailto:cbennett@Farmjournal.com]
Sent: Wednesday, July 05, 2017 12:25 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Farm Journal

Hey Julia, good morning.
I write for Farm Journal magazine and spoke with you last Monday by phone. I wanted to check in and see if an EPA official is able to speak about a number of dicamba-related fines recently issued in the Missouri Bootheel.
Also, for a separate, but related issue, could I please ask an EPA official about the registrations of Monsanto's Xtendimax and BASF's Engenia herbicides? A lot of farmers say EPA should never have given those a 2-year registration considering the risks of off-target movement. Could I please get an EPA response?

Thank you Julia, Chris

Chris Bennett
Technology and Issues Editor
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Robert Daguillard
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Ex. 6 Personal Privacy (PP) (M)

Message

From: Kelsey Nowakowski Ex. 6 Personal Privacy (PP)
Sent: 7/7/2017 4:29:07 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Media Inquiry re: pressure treated wood

Dear Robert,

Thank you for these responses, Robert. I will be sure to attribute them to an EPA spokesperson.

Many thanks,
Kelsey

On Fri, Jul 7, 2017 at 11:13 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Dear Kelsey, for attribution to "an EPA spokesperson," please:

The chromated arsenical group, which includes chromated copper arsenate (CCA), is a group of pesticides containing chromium, copper, and/or arsenic that protect wood against termites, fungi, and other pests that can degrade or threaten the integrity of wood products. After EPA identified concerns about potential human health risks related to exposure to chemical residues from contact with wood treated with chromated arsenicals and the surrounding soils, chromated arsenicals manufacturers voluntarily cancelled their registrations for residential uses. After December 31, 2003, manufacturers discontinued producing these products for homeowner use, including wood intended for play structures, decks, picnic tables, landscaping timbers, residential fencing, patios, and walkways/boardwalks. EPA does not require the removal of existing structures made with wood treated with chromated arsenicals or the surrounding soil. Learn more about chromated arsenicals.

There are a number of alternatives to chromated arsenicals such as copper naphthenate, pentachlorophenol (PCP), creosote, ammoniac/alkaline copper quaternary compounds (ACQ), ammoniacal copper zinc arsenate (ACZA), copper azole (CBA), sodium borates (SBX), and copper HDO. Similar to CCA, PCP, ACZA and creosote are Restricted Use Pesticides (RUPs) that are restricted from use in residential areas. Copper naphthenate, ACQ, CBA, SBX, and copper HDO are all approved for residential uses. In addition to directions on EPA-approved pesticide labels, the United States wood treating industry follows guidelines from the American Wood Protection Association (AWPA). The AWPA makes recommendations as to what preservative systems and retentions they have found to be effective in protecting wood products under specified exposure conditions. Learn more about the AWPA standards

The EPA registers pesticides with a focus on the human health and environmental impacts of these products and, while EPA does require data to support the effectiveness of a pesticide against public health pests, EPA does not request data to show how long a product treated with a pesticide will maintain its intended use. Learn more about the pesticide registration process. The AWPA standards were revised in 2016 to indicate that a higher pesticide application rate is required when treated lumber is installed less than 6 inches off the ground; when it is wetted on a frequent and recurring basis; for joists and beams that are difficult to maintain, repair or replace and are critical to the performance and safety of the structure; or when used in tropical climates. For additional information on treatment of wood in tropical climates, visit Pressure Treated Southern Pine and Best Management Practices for Using Treated Wood in Caribbean Residential Applications.

Regards, R.

From: Kelsey Nowakowski [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, June 20, 2017 1:37 PM
To: Press <Press@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Fwd: Media Inquiry re: pressure treated wood

---------- Forwarded message ----------
From: **Kelsey Nowakowski** < Ex. 6 Personal Privacy (PP) >
Date: Tue, Jun 20, 2017 at 1:20 PM
Subject: Re: Media Inquiry re: pressure treated wood
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>

Good afternoon Robert,

I hope your week is off to a great start. I'm writing to inquire about my questions that I sent about two weeks ago. Have you had an opportunity to look into them?

Many thanks,

Kelsey

On Fri, Jun 9, 2017 at 9:53 AM, Kelsey Nowakowski < Ex. 6 Personal Privacy (PP) > wrote:

> Got it – thanks, Robert. I'm really just looking to get a full scope of the issue and to understand more about the lumber industry's phasing out of CCA lumber. Of course CCA lumber is inherently "toxic," but did the EPA ever decide or have an official statement about whether the risk of exposure to arsenic warranted the phasing out?
>
> On Fri, Jun 9, 2017 at 9:46 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> > Thanks, Kelsey. I specifically meant local authorities. Thanks, R.
> >
> > **From:** Kelsey Nowakowski [mailto: Ex. 6 Personal Privacy (PP)
> > **Sent:** Friday, June 09, 2017 9:43 AM
> > **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>

Subject: Re: Media Inquiry re: pressure treated wood

Good morning Robert,

In regards to question number 3, I am referencing USVI homeowners and homeowners in other coastal areas with similar exposure to natural elements. I will also be speaking with local authorities related to this issue. Or do you mean local EPA personnel?

Many thanks,

Kelsey

On Fri, Jun 9, 2017 at 7:51 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Thanks, Kelsey.

One other thing: When you say:

"3) Is the EPA aware that some people and companies claim that the new pressure treated wood is not lasting as long as the CCA lumber did? And that many claim they are experiencing wood rot and termite infestations in parts of their house and with decks that are only around 5 years old?"

Are you specifically referencing USVI-based homeowners and companies? Have you also approached local authorities?

From: Kelsey Nowakowski [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, June 08, 2017 5:15 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Media Inquiry re: pressure treated wood

Hi Robert,

Thank you for your speedy response! I'm not on a tight deadline, as I foresee digging into this story for the next week, but it would be good to have some background information from you by early next week if possible.

Many thanks!

Kelsey

On Thu, Jun 8, 2017 at 5:09 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Kelsey,

A quick word to acknowledge receipt. Are you on deadline? Please advise.

Regards, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Kelsey Nowakowski [mailto: Ex. 6 Personal Privacy (PP)
Sent: Thursday, June 08, 2017 4:53 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Media Inquiry re: pressure treated wood

Dear Robert,

I'm a St. Thomas-based reporter working on a story about the use of pressure treated wood in the U.S. Virgin Islands. We've been contacted by a homeowner here who says that the newer approved pesticides for lumber don't withstand to the elements here (humidity, salt air, termites) as well as CCA lumber did. To fairly report this story, I'd like to get more information from the EPA on a few things:

1) Can you send me information about why the EPA supported the phasing out of CCA lumber?

2) Does the EPA have information on approved alternatives to CCA? And is there information on how these alternative forms of treating wood compare to CCA? And, how were they tested?

3) Is the EPA aware that some people and companies claim that the new pressure treated wood is not lasting as long as the CCA lumber did? And that many claim they are experiencing wood rot and termite infestations in parts of their house and with decks that are only around 5 years old?

Any insight you have on this issue would be much appreciated. Many thanks in advance for your help and I look forward to hearing from you.

Kind regards,

Kelsey

Kelsey Nowakowski

Reporter

VI Source

Ex. 6 Personal Privacy (PP)

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 7/7/2017 3:28:53 PM
To: John Siciliano [jsiciliano@washingtonexaminer.com]
CC: Press [Press@epa.gov]
Subject: RE: media question

Hi John,

Sorry about the delay, here is the information you asked about. If you are using for attribution please attribute to an EPA spokesperson.

The quote is referring to the "reset" trigger in the rule. The triggers for cellulosic and advanced volume standards have already been met, but not the total volume standard. A reset rule would be required within one year of meeting the statutory requirements for the reset rule. The Administrator has directed staff to begin conducting an analysis that could inform a future reset rule if and when the statutory requirements are met.

Also, a link to the proposed rule: https://www.epa.gov/sites/production/files/2017-07/documents/rfs-2018-standards-nprm-2017-07-05.pdf

Thanks and hope that helps.

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: John Siciliano [mailto:jsiciliano@washingtonexaminer.com]
Sent: Thursday, July 06, 2017 11:16 AM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Re: media question

If you can get me something by 2 that would be great.

On Thu, Jul 6, 2017 at 10:53 AM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi John, what's your deadline for this?

From: John Siciliano <jsiciliano@washingtonexaminer.com>
Date: July 6, 2017 at 9:18:32 AM CDT
To: "Graham, Amy" <graham.amy@epa.gov>
Subject: media question

What does this mean? See below:

"The Clean Air Act requires EPA to reset volume targets when certain conditions are met. We expect those conditions to be met in the near future, so we are conducting technical analysis now, to inform future reset rules," said Administrator Pruitt.

It was the quote in yesterday's RFS announcement. What technical analysis is the agency doing that could reset the volume targets?

Also, is the full proposed rule available?

-John

Julia P. Valentine
Office of Media Relations
202.564.2663
Sent from USEPA iPhone

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/7/2017 3:07:34 PM
To: Maya Kukes [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: RE: URGENT inquiry from Women's Health magazine

Dear Maya, for attribution to U.S. EPA or to "an agency spokesperson," please:

https://www.epa.gov/pesticide-tolerances/about-pesticide-tolerances

By law, EPA is responsible for regulating the pesticides that are used by growers to protect crops grown for human food and animal feed and for setting limits on the amount of pesticides that may remain in or on foods marketed in the USA. These limits on pesticides left on foods are called "tolerances" in the United States (they are referred to as maximum residue limits, or MRLs, in many other countries).

Regards, R.

From: Maya Kukes [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, June 27, 2017 1:12 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: URGENT inquiry from Women's Health magazine

So sorry, Robert. I have one more question to add:

Do you have a site where you could suggest consumers access if our readers wanted to gain more information about pesticide residue and toxicity on produce? Can you recommend a specific EPA page/link?

On Jun 27, 2017, at 12:44 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey Maya,

I was out last week. Thanks for following up. What's your hard deadline, please?

From: Maya Kukes [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, June 27, 2017 12:02 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: URGENT inquiry from Women's Health magazine
Importance: High

Hi Robert,

I'm a researcher with Women's Health magazine and I got your contact information from my colleague, Jill Waldbieser. I sent you an email last week but never heard back so am now worried it may have gone to "junk." I will give you a quick follow-up call if I don't

hear back from you...The reason for my email is I am trying to confirm that the following information is correct for the piece we are working on regarding conventional food with the lowest amounts of pesticide. Can you confirm the following? I'm working on deadline so if you could reply as soon as possible that would be much appreciated!

The U.S. Environmental Protection Agency has "set tolerances" which are the maximum amount of a pesticide allowed to remain in or on a food.

Thanks in advance,

Maya Kukes
Women's Health
Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/7/2017 3:05:02 PM
To: Carrie Arnold [Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]
Subject: RE: Request for interview for Undark magazine

Hey Carrie,

With apologies for the delay – and for attribution to EPA, or to "an agency spokesperson," please:

Multigenerational effects could result from an exposure in a non-heritable way, as it could affect the mother, developing embryo, and the sex cells of the embryo in a direct way. Transgenerational effects result from heritable effects and would be seen in exposure-linked effects that persisted in great-grandchildren, even though direct exposure was only to the great-grandmother (or grandfather). These effects would have caused DNA changes (such as mutagenicity) or heritable epigenetic alterations.

Many reported multi-/transgenerational effects that occur by chemical exposure happen during sensitive windows of development. For example, DNA methylation patterns reset twice during early sex cell and embryo development, and the timing of these resets are different in male and females. Endocrine disrupting chemicals are commonly reported in the literature to have multigenerational effects (see Xin et al. in *Seminars in Cell & Developmental Biology*). There is little mechanistic evidence that epigenetic alterations during sensitive life stages have a direct role in later phenotypic alterations; evidence to date has been mostly correlative. More research needs to be done to better define the role that epigenetics may play in the multigenerational effects of chemicals.

Currently, if we believe a new chemical may raise multigenerational issues, the Organization for Economic Cooperation and Development (OECD) Test Guideline 416: Two-Generation Reproduction Toxicity test could be used to characterize parental and offspring toxicity. These tests are conducted with multiple generations of animals; however, they do not measure nor provide a determination that the effects may be epigenetic. A laboratory environment is critical to control for other confounding factors (other exposures, diet, genetic strains of rodents, etc.). Confirmation in other labs and validation is important.
Currently, rodent (rat/mouse) models are most popular, but are expensive. Experiments would require exposure of females and/or males of breeding pairs and then breeding offspring for three generations or more without further exposures.An alternative animal model, zebrafish, has recently been used and has additional benefits of lower cost, less time to breed subsequent generations, and could assess transgenerational effects in less generations (since only eggs and not embryos are directly exposed).

This would roughly quadruple the costs to assess out to the F3 generation for transgenerational studies; maybe more if long-term effects needed to be assessed.
The zebrafish model would be modest in comparison to the total cost of rodent studies, which argues for further development and utilization of this model for multi/transgenerational studies.As we know more about critical epigenetic mechanisms we could test for chemical-mediated epigenetic effects in cell-based assays.

We need mechanistic-based data to establish causation (e.g., if we alter the epigenetics specifically, and the phenotype occurs). Tools such as gene knockout mice, chemicals inhibitors, and gene inhibition (including CRISPR-Cas) can mechanistically define the role of epigenetic-based effects on phenotype.

Epigenetic baseline needs to be better understood to define what is adverse.
This is the goal of many efforts, including the NIH Roadmap Epigenomics Project.

More focus on epigenetic-mediated heritable effects has ramped up significantly in the past 10 years. Previous barriers were limitations in technology to measure epigenetic alterations. Development and lowering costs of tools such as next

generation DNA sequencing and computational power for analysis now allows us to measure specific epigenetic-based alterations in a variety of models and exposures. Lack of funding can impact this research in this area.

Starting in the 1970s, Robin Holliday demonstrated heritability of DNA methylation and the idea that epigenetic information could mediate phenotypic effects in a heritable way. This prompted many global methylation measurements in the 80s.

Recent enthusiasm has been prompted by aforementioned technological advancements, as well as the recent work by Dr. Mike Skinner of possible epigenetic-mediated mechanisms of transgenerational heritability of phenotype.

There is continued push from regulatory agencies/industry to incorporate genomic-based measurements formally into risk assessment (which loosely includes epigenetic measurements).

The Agouti mouse model developed by Dr. Randy Jirtle in 2003 is an example of a measurable phenotypic that is linked to epigenetic alterations that has been used in toxicological studies.

From: Carrie Arnold [mailto: Ex. 6 Personal Privacy (PP)
Sent: Tuesday, June 27, 2017 1:31 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Request for interview for Undark magazine

My apologies. I had emailed Julia and heard crickets.

The kitchen renovation has left me a wee bit cranky.

On Jun 27, 2017 1:21 PM, "Daguillard, Robert" <Daguillard.Robert@epa.gov> wrote:

> Hullo Carrie,
>
> I just got your voicemail now (as I was on the other line). I'm following up with the relevant program office to see where we stand on your inquiry.
>
> Regards, R.
>
> **From:** Carrie Arnold [mailto: Ex. 6 Personal Privacy (PP)
> **Sent:** Thursday, June 15, 2017 3:40 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** Re: Request for interview for Undark magazine
>
> Dear Robert,

I just wanted to see if you had any updates or if there was anything you needed on my end.

Carrie

On Fri, Jun 9, 2017 at 4:20 PM, Carrie Arnold <Ex. 6 Personal Privacy (PP)> wrote:

Yes, that's right. Sooner is better on my end, but two weeks is the limit.

Thanks,

Carrie

On Fri, Jun 9, 2017 at 4:15 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Thanks, Carrie. It sounds as though you have a two-week deadline, correct?

From: Carrie Arnold [mailto: Ex. 6 Personal Privacy (PP)
Sent: Friday, June 09, 2017 4:10 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Request for interview for Undark magazine

Hi Robert,

So here is a brief outline of my piece:

In 1973, bags of PBB flame retardant were accidentally mixed into cattle feed in Michigan. By the time the mistake was discovered nearly a year later, millions of livestock animals were poisoned and nearly every resident of Michigan's Lower Peninsula had been exposed by eating contaminated beef, chicken, dairy, and eggs. In the wake of the contamination, the Michigan State Health Department began a cohort study of workers at the chemical plant and residents of some of the most heavily contaminated farms to study the long-term health outcomes. A decade ago, Michigan's funding for the study ran out, and a team of scientists at Emory University took over. More recently, the lead PI, Michele Marcus, began investigating the potential for multigenerational exposures, spurred on by animal studies on various environmental contaminants showing such effects were possible. The PBB contamination was a macabre natural experiment for testing such a hypothesis. In my story for Undark, I'm using the PBB issue as a case study for understanding the

long-term potentially toxic outcomes of environmental contaminants, and I am delving into the legal and regulatory issues surrounding such chemicals.

From scientists at the EPA (and I realize we might need to set up interviews with several different experts- it's a big topic!), I was wanting to talk about:

1) what do we know about the multigenerational effects of toxic chemicals (both epigenetic and perhaps via other mechanisms. PBB is highly lipophilic and it can persist in the body for decades, thus the children of the exposed mothers could have had a direct exposure in the womb and via breastmilk)

2) if there are specific types of chemicals that are more likely to have these effects than others

3) how you would go about testing chemicals for multigenerational effects

4) how this would change the cost of testing (I realize that different chemicals would have different answers depending on safety precautions and other factors, but any hard numbers you can find would be really appreciated)

5) in order to conclude that a chemical caused multigenerational epigenetic changes, what types of data would you need? How would you go about establishing the chain of causation?

6) what factors are preventing researchers from delving more deeply into the topic?

7) how long have toxicologists been thinking about the potentials for multigenerational effects, especially in the realm of epigenetics?

And I attached several papers to give you a better idea of some of the recent work and thinking in this department.

Thanks,

Carrie Arnold

--

Carrie Arnold

Freelance science writer

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Message

From: Bowman, Liz [Bowman.Liz@epa.gov]
Sent: 7/6/2017 2:04:12 PM
To: Hewitt, James [hewitt.james@epa.gov]
CC: Wilcox, Jahan [wilcox.jahan@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: FW: EPA Response on Anti-degradation Plans

This is an example **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

From: Lynn, Tricia
Sent: Thursday, July 6, 2017 9:52 AM
To: ewalkenhorst@arkansasonline.com
Subject: Re: EPA Response on Anti-degradation Plans

Hi Emily—

For attribution to "an EPA spokesperson:"

Current and past antidegradation requirements are based on the intent and goals of the Clean Water Act (CWA), especially the principal objective to ". . . restore and *maintain* the chemical, physical and biological integrity of the Nation's waters" (emphasis added) (CWA section 101(a)). Congress explicitly incorporated antidegradation into the Clean Water Act in two places: (1) in a 1987 amendment codified in section 303(d)(4)(B) requiring satisfaction of antidegradation requirements before making certain changes in NPDES permits, and (2) in the 1990 Great Lakes Critical Programs Act codified in CWA section 118(c)(2), which required EPA to publish Great Lakes water quality guidance including antidegradation policies and implementation procedures.

In addition, EPA's federal implementing regulations, which interpret the CWA, have included requirements for an antidegradation policy and implementation methods since the first federal water quality standards regulation in 1975 (pre-dating EPA's first water quality standards regulation in 1985). The current federal water quality standards regulations specify this requirement at 40 CFR 131.12(b); "(b) The State shall develop methods for implementing the antidegradation policy that are, at a minimum, consistent with the State's policy and with paragraph (a) of this section."

Best,

Tricia

Tricia Lynn
Office of Public Affairs
U.S. EPA
Office: 202.564.2615

From: ewalkenhorst@arkansasonline.com [mailto:ewalkenhorst@arkansasonline.com]
Sent: Monday, July 03, 2017 12:49 PM

To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: EPA Response on Anti-degradation Plans

I would like to follow up here -- are antidegradation implementation plans required by the Clean Water Act?

Thanks,
Emily

From: "jones enesta" <Jones.Enesta@epa.gov>
To: ewalkenhorst@arkansasonline.com
Cc: "press" <Press@epa.gov>
Sent: Monday, May 22, 2017 4:21:12 PM
Subject: Re: EPA Response on Anti-degradation Plans

Hi Emily,

Please attribute our response below to an agency spokesperson:

EPA remains committed to working with states to help them develop plans. Arkansas and Nevada are the two states that do not currently have clearly identified antidegradation implementation methods. Since the publication of the 2015 Federal Water Quality Standards Revisions, EPA has been working with states to ensure that their water quality standards are consistent with the regulation revisions (https://www.gpo.gov/fdsys/pkg/FR-2015-08-21/pdf/2015-19821.pdf).

On May 19, 2017, at 4:45 PM, "ewalkenhorst@arkansasonline.com" <ewalkenhorst@arkansasonline.com> wrote:

> Thanks for this. So just to clarify, Arkansas is one of only two states without a plan?
>
> Thanks again,
> Emily Walkenhorst
>
> ---
>
> **From:** "jones enesta" <Jones.Enesta@epa.gov>
> **To:** ewalkenhorst@arkansasonline.com
> **Cc:** "press" <Press@epa.gov>
> **Sent:** Tuesday, May 16, 2017 9:30:21 AM
> **Subject:** EPA Response on Anti-degradation Plans
>
> Hi Emily,
>
> I am sending this on behalf of my colleague, Tricia Lynn, who is out of the office today.
>
> Please attribute our response below to an agency spokesperson:

EPA continues to work with states to develop antidegradation plans, including Arkansas, who does not currently have one. The Arkansas Department of Environmental Quality is making process in laying the important groundwork and stakeholder process needed to create a successful anti-degradation plan for Arkansas.

Currently, 48 states have clearly identified antidegradation implementation plans. Some states include such plans in their water quality standards regulation, while others have them outside of their regulation. They are publicly available on the states' websites. EPA links to each state's water quality standards regulation, at a minimum. See: https://www.epa.gov/wqs-tech/state-specific-water-quality-standards-effective-under-clean-water-act-cwa. [Note: EPA refers to State antidegradation "plans," both those adopted as water quality standards and those developed as guidance documents, as Antidegradation Implementation Methods.] The agency is currently working on additional guidance documents to support the implementation of antidegradation programs. As the revisions to the federal regulations were finalized in August 2015 and guidance is still being developed, it is too soon to determine whether the hurdles identified in comments to the proposed rule remain.

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/19/2017 4:08:44 PM
To: Kate Stein [kstein@wlrnnews.org]
CC: Press [Press@epa.gov]
Subject: RE: Automatic reply: Interview request re: Naled

Kate, for attribution to U.S. EPA or to "an agency spokesperson," please:

These data are currently under EPA review and will be incorporated into a revised risk assessment, which is being developed as part of the Agency's routine registration review process.

When used according to the label instructions, naled is safe for use. For mosquito control, naled is most commonly applied aerially as an ultra-low volume spray. The amount of spray that reaches the ground is small, and the concentration applied is very small (only about 1-2 tablespoons of naled is applied per acre treated).

EPA was already aware of the study, which was conducted in China by researchers based at the University of Michigan. We are currently evaluating the publication using EPA's established framework for considering these types of studies in the risk assessment process ((for example, to the extent the data are scientifically relevant, we will take into consideration the exposures reported by the investigators in comparison to anticipated exposures from uses in the United States).

EPA is currently re-evaluating naled as part of its routine registration review process. EPA expects to issue updated human health and ecological risk assessments for naled for a 60-day public comment period before the end of 2017. After consideration of public comments received on the draft risk assessments, the EPA will determine whether any mitigation measures are needed to address potential risks of concern in making its proposed registration review decision.

As noted above, the risk assessment for naled is based on a wide array of naled-specific data.

It is not accurate to say much of what we know about Naled is extrapolated from studies of other organophosphate pesticides. As explained above, EPA used naled-specific data to make its safety finding for the reregistration of naled and will do the same for the current re-evaluation of naled.

Regards, R.

From: Kate Stein [mailto:kstein@wlrnnews.org]
Sent: Tuesday, July 18, 2017 9:39 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Automatic reply: Interview request re: Naled

Hi Robert,

Thanks for the update. The last edit on the story is scheduled for Thursday afternoon. Do you think you'll have the written response by then?

Best,

Kate

--
Kate Stein
WLRN-Miami Herald News
kstein@wlrnnews.org
Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/19/2017 4:05:51 PM
To: Steve Davies [steve@agri-pulse.com]; Press [Press@epa.gov]
Subject: RE: dicamba conference call?

Steve, for attribution to "an EPA spokesperson," please:

We held a call on Thursday, July 13, 2017, with from state lead agencies and state land grant universities – more than 100 attendees in all. A recording of the conversation is not available. The purpose of the call was to hear from states what they are hearing from growers.

EPA has received no formal notices from registrants. However, EPA is gathering information from the registrants, state officials and crop production experts. The agency is doing this now in order to understand this issue; and evaluate whether additional regulatory steps or use adjustments are needed to protect crops from off field movement of this herbicide.

There is no report about last year's incidents. However, last year's investigation, which related to alleged misuse of dicamba that is not designed for GE crops, is still ongoing, and it is EPA policy not to comment or provide information about ongoing investigations.

Regards, R.

Robert Daguillard
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U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Steve Davies [mailto:steve@agri-pulse.com]
Sent: Friday, July 14, 2017 3:31 PM
To: Press <Press@epa.gov>
Subject: dicamba conference call?

Just saw something on twitter about an epa dicamba conference call.

1. was there one?

2. if so, is there a recording available?

3. If not, what did agency say?

deadline: Now

Steve Davies
Associate Editor
Ex. 6 Personal Privacy (PP)

steve@agri-pulse.com

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 7/17/2017 7:47:07 PM
To: Brown, Matthew [MBrown@ap.org]
CC: Press [Press@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]
Subject: RE: Press Inquiry about Toxics / TSCA

Thanks, Matt.

Regards, R.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Monday, July 17, 2017 3:44 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: RE: Press Inquiry about Toxics / TSCA

Hi Robert-
Thanks for the time today and for your response.

However, as mentioned during our phone conversation, we're looking for an explanation of the reasoning behind EPA's plan to focus its risk evaluation on prospective or ongoing uses of asbestos and the other 9 toxins.

Three specific questions:

--What is the rationale for not reaching back to evaluate the risk associated with legacy uses? In the case of asbestos, for example, such a focus would seemingly disregard the millions of tons of asbestos known to be in use throughout the country (as insulation, wrapping, building materials, etc) and instead be limited to hundreds of tons of asbestos, primarily imported.

-The June risk scoping evaluation appears to contradict EPA's Jan. 19, 2017 document entitled "Procedures for Chemical Risk Evaluation under the Amended Toxic Substances Control Act," which says "EPA interprets the amended TSCA as requiring that risk evaluations encompass all manufacture, processing, distribution in commerce, use, and disposal activities that constitute the conditions of use.... (T)he statutory text and purpose are best effectuated through a more encompassing reading" (https://www.federalregister.gov/documents/2017/01/19/2017-01224/procedures-for-chemical-risk-evaluation-under-the-amended-toxic-substances-control-act)
Has the EPA changed its position on what constitutes "conditions of use" since January, and if so, why?

-Are the conditions of use now "locked down" as suggested in the same EPA Jan 19 document, meaning there is no chance to alter the scope of the EPA review at a later date? "It will not be practicable to meet the statutory deadlines if stakeholders are free to identify additional conditions of use later in the process—for example, on the proposed risk determination."

Thanks for your time and help.
Let me know if any of these three questions need further clarification.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528

mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, July 17, 2017 1:08 PM
To: Brown, Matthew
Cc: Press
Subject: RE: Press Inquiry about Toxics / TSCA

Matt, for attribution to "an EPA spokesperson," please:

EPA plans to focus risk evaluations and any corresponding risk management on uses for which manufacturing, processing, or distribution in commerce is intended, known to be occurring, or reasonably foreseen to occur (i.e., is prospective or on-going). EPA does not plan to *reach back to evaluate the risks associated with legacy uses and legacy disposal.*

For instance, EPA would consider the use of a chemical substance in insulation, where the manufacture, processing, or distribution in commerce for that use is prospective or on-ongoing, but would not consider the use of the chemical substance in previously installed insulation (such as is the case with asbestos), if the manufacture, processing or distribution for that use is not prospective or on-going.

Regards, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert
Sent: Thursday, July 13, 2017 5:02 PM
To: Brown, Matthew <MBrown@ap.org>
Cc: Press <Press@epa.gov>
Subject: Re: Press Inquiry about Toxics / TSCA

Thanks, Matt. We have your follow-up question.

Regards, R.

Sent from my iP

On Jul 13, 2017, at 5:00 PM, Brown, Matthew <MBrown@ap.org> wrote:

> Thanks for the link.
>
> I see for asbestos scoping document (pgs 24-25that EPA is not going to consider "legacy" uses. Hoping to get some further details. For example, wouldn't that exclude most asbestos that's already out there _ in other words, asbestos that's currently in use?

Also left you a voice mail. Please try me at your earliest convenience.

Matt Brown

Matthew Brown
Associated Press Correspondent
mbrown@ap.org
phone-406 896 1528
mobile-Ex. 6 Personal Privacy (PP)
fax-406 896 8117

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 13, 2017 11:36 AM
To: Brown, Matthew
Cc: Press
Subject: RE: Press Inquiry about Toxics / TSCA

Matt, you can access the information you're seeking at https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/scopes-risk-evaluations-be-conducted-first-ten-chemical

Thanks, R.

From: Brown, Matthew [mailto:MBrown@ap.org]
Sent: Wednesday, July 12, 2017 7:09 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Press Inquiry about Toxics / TSCA

Greetings Robert Daguillard-

Can you please tell me status of scoping process for the TSCA "top 10"?
I saw recent notice re-opening comment period...But also thought scoping dox had to be published by this point under the statute.
Not urgent but would appreciate answer at your earliest chance.
Please let me know.

Matt Brown

<image001.jpg>
Matthew Brown
Associated Press Correspondent
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Billings, MT 59107
mbrown@ap.org
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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/11/2019 10:41:33 PM
To: Nathan Rott [NRott@npr.org]
CC: Press [Press@epa.gov]
Subject: Re: [SPAM-Sender] RE: NPR Story on WOTUS changes

Nathan, for attribution to "an EPA Spokesperson," please:

Q) What's the impetus for the proposed rule change and the desired results?

See EPA-Army Press Release:Caution

https://www.epa.gov/newsreleases/epa-and-army-propose-new-waters-united-states-definition

Q) Any idea of what the changes would actually, physically mean. Is there any way to quantify how many fewer waterways (stream miles, wetland acres, etc.) would be protected under the Clean Water Act with these changes?

The maps and data that are available to the U.S. Environmental Protection Agency and the Department of the Army ("the agencies") now do not accurately distinguish, at a nationwide level, different types of waters, including ephemeral and intermittent streams, which are treated differently under the agency's proposal and the 2015 rule, or distinguish the changes to the category of adjacent wetlands. Perhaps most importantly, there is no nationwide map that identifies "waters of the United States" under the 1980s regulations, the 2015 Rule, or the proposed rule. As a result, the agencies qualitatively described potential changes to categories of waters in the supporting analyses.

Q) Why the decision was made to not extend the public comment period, as has been requested by some groups?

After careful consideration, the agencies decided to maintain the current April 15, 2019, deadline for submitting comments on the proposed revised definition of "waters of the United States." Multiple preliminary injunctions of the 2015 rule have resulted in a confusing patchwork of federal regulations in place across the country. The agencies are committed to moving as expeditiously as possible to restore regulatory certainty and to craft a rule that is clearer and easier to understand and respects the authority that the executive branch has been given under the Constitution and the Clean Water Act to regulate navigable waters.

The proposed rule and supporting documents have been available on EPA's website since December 11, 2018, which will allow the public a total of 125 days to review.

q) Where does the rule change go from here (post April 15)?

The agencies will review the public comments received on the proposed rule before taking final action.

Robert Daguillard
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+1 (202) 564-6618 **(O)**
Ex. 6 Personal Privacy (PP) **(M)**

On Apr 10, 2019, at 4:43 PM, Nathan Rott <NRott@npr.org> wrote:

> Much appreciated, Robert.
> The story is scheduled to air on Friday morning or afternoon, so I'm hoping to get it buttoned-up by tomorrow evening.
> Thanks,
> Nathan
>
> ---
>
> **From:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Sent:** Wednesday, April 10, 2019 1:42 PM
> **To:** Nathan Rott <NRott@npr.org>; Press <Press@epa.gov>
> **Subject:** RE: NPR Story on WOTUS changes
>
> Good afternoon Nathan,
>
> We'll look into this for you. Are you on deadline?
>
> Cheers, R.
>
> Robert Daguillard
> Office of Media Relations
> U.S. Environmental Protection Agency
> Washington, DC
> +1 (202) 564-6618 (O)
> Ex. 6 Personal Privacy (PP) (M)
>
> ---
>
> **From:** Nathan Rott <NRott@npr.org>
> **Sent:** Wednesday, April 10, 2019 4:24 PM
> **To:** Press <Press@epa.gov>
> **Subject:** [SPAM-Sender] NPR Story on WOTUS changes
>
> Hello,
>
> I'm doing a story about the proposed changes to the Waters of the U.S. rule, tied to the upcoming closure of the public comment period, and wanted to see if I could talk to someone at EPA for the story. It would be great to have some usable audio.
>
> Here's what I'm looking to get an idea of:

- <!--[if !supportLists]--><!--[endif]-->The impetus for the proposed rule change and the desired results.
- <!--[if !supportLists]--><!--[endif]-->An idea of what the changes would actually, physically mean. Is there any way to quantify how many fewer waterways (stream miles, wetland acres, etc.) would be protected under the Clean Water Act with these changes?
- <!--[if !supportLists]--><!--[endif]-->Why the decision was made to not extend the public comment period, as has been requested by some groups?
- <!--[if !supportLists]--><!--[endif]-->Where does the rule change go from here (post April 15)?

Thanks,
Nathan

| Nathan Rott | Reporter | nrott@npr.org | 310-815-4378 | @NathanRott

The content image001.jpg of type has been blocked.

Message

From: John Mesenbrink [jmesenbrink@mechanical-hub.com]
Sent: 4/16/2019 2:28:00 AM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Subject: Water Management Story

Thank you.

Can you supply any general images, as well?

Thanks,

John

John Mesenbrink
Mechanical Hub
Ex. 6 Personal Privacy (PP)

On Apr 15, 2019, at 12:08 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

John, thanks for your patience.

Please attribute the preceding to Lee Forsgren, deputy assistant administrator, EPA Office of Water.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Sent: Monday, April 15, 2019 10:28 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Water Management Story

Robert,

Thanks so much for this.

Is there anyone in particular to whom I can attribute these answers?

Also, can you supply any generic images that could accompany the answers/topics?

Thanks,

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John Mesenbrink
Mechanical Hub
Ex. 6 Personal Privacy (PP)

<image001.png>

On Apr 8, 2019, at 2:38 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon John,

For attribution to "an EPA Spokesperson," please:

1. **Describe the significance for building owners to have a sound water management plan**

Over the years, building owners have placed an emphasis on improving energy management in response to regulatory requirements, code changes, and energy costs. In 2018, more than 270,000 buildings used the ENERGY STAR Portfolio Manager tool to measure and track their energy use. **https://www.energystar.gov/buildings/about-us/facts-and-stats**. There is increasing attention on the need to improve water management, whether to increase resiliency to water shortages caused by drought or to respond to the rising cost of water and sewer rates. Remember that in most cases, a building will be paying for their water use twice because many sewer charges are based on the water supplied to the building. Similar to energy management, if a building owner wants to get a handle on water use within their building, they need to have a plan. In some cases, it may be as easy as adding water to their existing energy management plans or environmental management systems.

2. **What would be your top 4 tips in developing a water management plan? Please describe each in detail.**

WaterSense is a voluntary partnership program sponsored by the U.S. Environmental Protection Agency and is a valuable resource for helping Americans save water.
WaterSense has a comprehensive guide that can help facility managers understand the steps to water management planning and opportunities for saving water in buildings. The guide, WaterSense at Work, is available on the EPA website at **https://www.epa.gov/watersense/best-management-practices. That said, here are four tips to consider when developing a water management plan**.

- Make a commitment to water management and put a team in place to develop and implement the plan. The commitment has to be made at a high level so it is clear that it is a priority of the building owner or property manager. The team should

include people from across the organization including the facility manager who understands the building's mechanical systems and basic infrastructure, staff responsible for regulatory compliance, and staff responsible for overseeing the cleaning staff.

- Carry out a comprehensive assessment of facility water use. The only way to know exactly how a building uses water and where it consumes the most is to conduct a water assessment and develop a water balance. This will also help identify potential efficiency projects and prioritize efforts. This begins with collecting the billing data for at least the most recent two years to help set a baseline for assessing progress. Inventory the major water-using fixtures in the building by walking through the facility, gathering information about all of products or systems, and verifying water use where possible. Consider the need for additional flow meters for larger systems to better manage water use. Don't forget to assess outdoor water use if the building has landscapes or outdoor washing.

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- Track progress and share the information. Review any meter readings and water bills to confirm that expected water savings are being achieved. ENERGY STAR's Portfolio Manager also allows buildings to track water use and can be a useful tool for building owners who manage portfolios of buildings. Sharing the results of the plan is also important because it builds accountability, helps to recognize success, or identify areas for improvement.

3. Are there any incentives for building owners to have such plans?

Certainly, there can be financial incentives – wisely managing water use can save money on water/sewer bills and energy bills. And many of the actions or projects that a building owner can carry out will have a short return on investment. For building owners that are in areas subject to drought, having a plan to manage their water use will improve their resiliency to shortages.
Corporate social responsibility is also a focus for a growing number of companies. Demonstrating that they are addressing water use helps to demonstrate that the owner is a good steward of water resources.. Some cities that have mandatory energy reporting and disclosure for buildings are now extending that requirement to water reporting. See**https://www.energystar.gov/buildings/program-administrators/state-and-local-governments/see-federal-state-and-local-benchmarking-policies**.

Further, there is growing interest in better monitoring water quality within buildings, particularly building types that may have occupants that are at greater risk to illness (e.g., hospitals, long-term health care facilities). The basic steps for developing a plan to manage water use in a building can be extended to also consider water quality. The Centers for Disease Control and Prevention have developed a toolkit to help facility

managers implement water quality management programs. The toolkit and additional information are available at**https://www.cdc.gov/legionella/wmp/index.html.**

4. **How important is it to have employees/building occupants aware of a water strategy?**

It is very important for employees and building occupants to be aware if the building is carrying out a water management plan to use water more efficiently. For example, if a hotel is carrying out a towel reuse program, but if the cleaning staff does not understand why or supervisors fail to follow up on implementation, savings that management is counting on will not be realized. Additionally, hotel guests who want to participate in the program may be frustrated, which could affect their perception of the business.

It's important to update standard operating procedures and educate employees on the changes and the reason for making them. Consider newsletters to update employees on progress or recognition programs for employees that come up with solutions that help achieve water-saving goals. People working or visiting the building need to know that they are part of the program and that if they see water waste, they should be emboldened to report it to the proper personnel or suggest operation changes that include water use. Instead of being part of the problem, educated employees and occupants can become part of the solution.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Sent: Thursday, April 04, 2019 9:05 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Water Management Story

Robert,

I think it might be better to answer the questions via email at this point. I was looking to have them returned mid-week next week, if possible. (4/10-4/11)

1. Describe the significance for building owners to have a sound water management plan.

2. What would be your **top 4 tips** in a developing a water management plan? Please describe each in detail.

3. Are there any incentives for building owners to have such plans?

4. How important is it to have employees/building occupants aware of a water strategy?

This should help.

Thanks, Robert.

All the best,

John

John Mesenbrink
Mechanical Hub
Ex. 6 Personal Privacy (PP)

<image001.png>

On Apr 3, 2019, at 3:16 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey John,

Veronica and her colleagues from the water office have forwarded me your inquiry. We're happy to look into this for you. Maybe you could send me some specific questions, in case we don't have time to put Veronica or one of her colleagues on the phone with you?

Also, what's your deadline and when are you planning to publish?

Nice logo, BTW.

Cheers, R.

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Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Date: April 3, 2019 at 7:35:01 AM MST
To: Veronica Blette <blette.veronica@epamail.epa.gov>
Subject: Water Management Story

Veronica,

I hope you are doing well. We have met at various industry functions, including the Emerging Technology Symposiums.

I was wondering if you'd be interested in participating in a story I am working on regarding developing a sound water management plan (for commercial buildings).

The story would be published in *Architectural Products* magazine.

Can you answer a few questions or provide tips in this regard?

Thanks, and all the best,

John

John Mesenbrink
Mechanical Hub
Ex. 6 Personal Privacy (PP)

<image001.png>

Message

From: Kevin Druley [Kevin.Druley@nsc.org]
Sent: 4/11/2019 2:34:21 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
CC: Kramek, Niva [kramek.niva@epa.gov]
Subject: RE: Question re:
Attachments: ATT00001.txt

Robert,

Thank you for your assistance, as always. I will make note of this response and let you know should any further questions arise.

Have a good day,

Kevin

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Thursday, April 11, 2019 8:33 AM
To: Kevin Druley <Kevin.Druley@nsc.org>; Press <Press@epa.gov>
Cc: Kramek, Niva <kramek.niva@epa.gov>
Subject: RE: Question re:

WARNING: This email originated from outside of the organization.

Kevin, for attribution to "an EPA Spokesperson," please:

They are connected merely through the Lautenberg Act. The March 2019 press release announcing publishing a list of 40 chemicals refers to the process of reviewing chemicals currently in commerce. The August 2017 press release addresses new chemicals that are going through the review process. There is no relationship between the existing chemicals going through the prioritization process for risk evaluations and the new chemical submissions subject to EPA's efforts to reduce backlog.

Information about new chemicals review: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/statistics-new-chemicals-review

Information about existing chemicals (those currently in commerce) review: https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/statistics-new-chemicals-review

Cheers, R.

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Ex. 6 Personal Privacy (PP) (M)

From: Kevin Druley <Kevin.Druley@nsc.org>
Sent: Wednesday, April 03, 2019 5:25 PM

To: Press <Press@epa.gov>
Cc: Kramek, Niva <kramek.niva@epa.gov>
Subject: Question re:

Hello,

My name is Kevin Druley, and I work in the publications department of the National Safety Council in Itasca, Ill. We are working on a news brief on this agency press release https://www.epa.gov/newsreleases/reaching-another-tsca-milestone-epa-identifies-40-chemicals-prioritize-risk-evaluation, and I had a question, via my editor, about whether this development relates to EPA eliminating the backlog of new chemicals in the summer of 2017 https://www.epa.gov/newsreleases/epa-eliminates-new-chemical-backlog-announces-improvements-new-chemical-safety-reviews.

Are these actions connected merely through the Lautenberg Act? The chemicals being evaluated for risk evaluation currently are in commerce; were any evaluated as a result of the backlog of new chemicals being cleared?

Any feedback is appreciated at your convenience. Thanks as always for your time and consideration.

Best,

Kevin

Kevin Druley
Associate Editor
Publications

National Safety Council
O:(630)775-2083
Kevin.Druley@nsc.org
nsc.org

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/15/2019 2:31:27 PM
To: Press [Press@epa.gov]
Subject: FW: Subject: Water Management Story

OK to ask the program for a name for attribution?

Cheers, R.

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Washington, DC
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Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Sent: Monday, April 15, 2019 10:28 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Water Management Story

Robert,

Thanks so much for this.

Is there anyone in particular to whom I can attribute these answers?

Also, can you supply any generic images that could accompany the answers/topics?

Thanks,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

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For attribution to "an EPA Spokesperson," please:

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There is increasing attention on the need to improve water management, whether to increase resiliency to water shortages caused by drought or to respond to the rising cost of water and sewer rates. Remember that in most cases, a building will be paying for their water use twice because many sewer charges are based on the water supplied to the building. Similar to energy management, if a building owner wants to get a handle on water use within their building, they need to have a plan. In some cases, it may be as easy as adding water to their existing energy management plans or environmental management systems.

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Certainly, there can be financial incentives – wisely managing water use can save money on water/sewer bills and energy bills. And many of the actions or projects that a building owner can carry out will have a short return on investment. For building owners that are in areas subject to drought, having a plan to manage their water use will improve their resiliency to shortages. Corporate social responsibility is also a focus for a growing number of companies. Demonstrating that they are addressing water use helps to demonstrate that the owner is a good steward of water resources.. Some cities that have mandatory energy reporting and disclosure for buildings are now extending that requirement to water reporting.
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Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Sent: Thursday, April 04, 2019 9:05 AM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Water Management Story

Robert,

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| 847.340.9962 |

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<image001.png>

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CC: Press [Press@epa.gov]
Subject: Re: Subject: Water Management Story

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1. Describe the significance for building owners to have a sound water management plan.

2. What would be your **top 4 tips** in a developing a water management plan? Please describe each in detail.

3. Are there any incentives for building owners to have such plans?

4. How important is it to have employees/building occupants aware of a water strategy?

This should help.

Thanks, Robert.

All the best,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

<image001.png>

On Apr 3, 2019, at 3:16 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey John,

Veronica and her colleagues from the water office have forwarded me your inquiry. We're happy to look into this for you. Maybe you could send me some specific questions, in case we don't have time to put Veronica or one of her colleagues on the phone with you?

Also, what's your deadline and when are you planning to publish?

Nice logo, BTW.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Date: April 3, 2019 at 7:35:01 AM MST
To: Veronica Blette <blette.veronica@epamail.epa.gov>
Subject: Water Management Story

Veronica,

I hope you are doing well. We have met at various industry functions, including the Emerging Technology Symposiums.

I was wondering if you'd be interested in participating in a story I am working on regarding developing a sound water management plan (for commercial buildings).

The story would be published in *Architectural Products* magazine.

Can you answer a few questions or provide tips in this regard?

Thanks, and all the best,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

<image001.png>

Appointment

From: McFaul, Jessica [mcfaul.jessica@epa.gov]
Sent: 4/12/2019 7:53:38 PM
To: Strauss, Linda [Strauss.Linda@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Konkus, John [konkus.john@epa.gov]; Grantham, Nancy [Grantham.Nancy@epa.gov]; Drinkard, Andrea [Drinkard.Andrea@epa.gov]; Hewitt, James [hewitt.james@epa.gov]; Beach, Christopher [beach.christopher@epa.gov]; Mack, Sara [mack.sara@epa.gov]

Subject: Asbestos SNUR Discussion (RJ Priority)
Location: 3415

Start: 4/15/2019 2:30:00 PM
End: 4/15/2019 3:00:00 PM
Show Time As: Tentative

Linda will bring a comms plan and any additional prepared materials to review. We will go over messaging and press strategy, develop a punchlist and take assignments as needed. Wednesday rollout.

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/8/2019 7:38:12 PM
To: John Mesenbrink [jmesenbrink@mechanical-hub.com]
CC: Press [Press@epa.gov]
Subject: RE: Subject: Water Management Story

Good afternoon John,

For attribution to "an EPA Spokesperson," please:

1. **Describe the significance for building owners to have a sound water management plan**

Over the years, building owners have placed an emphasis on improving energy management in response to regulatory requirements, code changes, and energy costs. In 2018, more than 270,000 buildings used the ENERGY STAR Portfolio Manager tool to measure and track their energy use.
https://www.energystar.gov/buildings/about-us/facts-and-stats.
There is increasing attention on the need to improve water management, whether to increase resiliency to water shortages caused by drought or to respond to the rising cost of water and sewer rates. Remember that in most cases, a building will be paying for their water use twice because many sewer charges are based on the water supplied to the building. Similar to energy management, if a building owner wants to get a handle on water use within their building, they need to have a plan. In some cases, it may be as easy as adding water to their existing energy management plans or environmental management systems.

2. **What would be your top 4 tips in developing a water management plan? Please describe each in detail.**

WaterSense is a voluntary partnership program sponsored by the U.S. Environmental Protection Agency and is a valuable resource for helping Americans save water.
WaterSense has a comprehensive guide that can help facility managers understand the steps to water management planning and opportunities for saving water in buildings. The guide, WaterSense at Work, is available on the EPA website at **https://www.epa.gov/watersense/best-management-practices. That said, here are four tips to consider when developing a water management plan**.

- Make a commitment to water management and put a team in place to develop and implement the plan. The commitment has to be made at a high level so it is clear that it is a priority of the building owner or property manager. The team should include people from across the organization including the facility manager who understands the building's mechanical systems and basic infrastructure, staff responsible for regulatory compliance, and staff responsible for overseeing the cleaning staff.

- Carry out a comprehensive assessment of facility water use. The only way to know exactly how a building uses water and where it consumes the most is to conduct a water assessment and develop a water balance. This will also help identify potential efficiency projects and prioritize efforts. This begins with collecting the billing data for at least the most recent two years to help set a baseline for assessing progress. Inventory the major water-using fixtures in the building by walking through the facility, gathering information about all of products or systems, and verifying water use where possible. Consider the need for additional flow meters for larger systems to better manage water use. Don't forget to assess outdoor water use if the building has landscapes or outdoor washing.

- Create an action plan that identifies specific projects and prioritizes them for action. Use the information from the assessment to determine where there are opportunities for significant water savings and, if associated with hot water, energy savings. Some projects may only require changes to standard operating procedures, but some may need new equipment. Identify how projects can be funded. Can activities be funded using operating expenses or

will they require capital financing? Buildings that use energy service companies may find that they are also able to carry out water-efficiency projects through the contracts. Water utilities may also offer rebates or other financial assistance to help reduce water use.

- Track progress and share the information. Review any meter readings and water bills to confirm that expected water savings are being achieved. ENERGY STAR's Portfolio Manager also allows buildings to track water use and can be a useful tool for building owners who manage portfolios of buildings. Sharing the results of the plan is also important because it builds accountability, helps to recognize success, or identify areas for improvement.

3. Are there any incentives for building owners to have such plans?

Certainly, there can be financial incentives – wisely managing water use can save money on water/sewer bills and energy bills. And many of the actions or projects that a building owner can carry out will have a short return on investment. For building owners that are in areas subject to drought, having a plan to manage their water use will improve their resiliency to shortages.
Corporate social responsibility is also a focus for a growing number of companies. Demonstrating that they are addressing water use helps to demonstrate that the owner is a good steward of water resources.. Some cities that have mandatory energy reporting and disclosure for buildings are now extending that requirement to water reporting. See **https://www.energystar.gov/buildings/program-administrators/state-and-local-governments/see-federal-state-and-local-benchmarking-policies**.

Further, there is growing interest in better monitoring water quality within buildings, particularly building types that may have occupants that are at greater risk to illness (e.g., hospitals, long-term health care facilities). The basic steps for developing a plan to manage water use in a building can be extended to also consider water quality. The Centers for Disease Control and Prevention have developed a toolkit to help facility managers implement water quality management programs. The toolkit and additional information are available at
https://www.cdc.gov/legionella/wmp/index.html.

4. How important is it to have employees/building occupants aware of a water strategy?

It is very important for employees and building occupants to be aware if the building is carrying out a water management plan to use water more efficiently. For example, if a hotel is carrying out a towel reuse program, but if the cleaning staff does not understand why or supervisors fail to follow up on implementation, savings that management is counting on will not be realized. Additionally, hotel guests who want to participate in the program may be frustrated, which could affect their perception of the business.

It's important to update standard operating procedures and educate employees on the changes and the reason for making them. Consider newsletters to update employees on progress or recognition programs for employees that come up with solutions that help achieve water-saving goals. People working or visiting the building need to know that they are part of the program and that if they see water waste, they should be emboldened to report it to the proper personnel or suggest operation changes that include water use. Instead of being part of the problem, educated employees and occupants can become part of the solution.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Sent: Thursday, April 04, 2019 9:05 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Water Management Story

Robert,

I think it might be better to answer the questions via email at this point. I was looking to have them returned mid-week next week, if possible. (4/10-4/11)

1. Describe the significance for building owners to have a sound water management plan.

2. What would be your **top 4 tips** in a developing a water management plan? Please describe each in detail.

3. Are there any incentives for building owners to have such plans?

4. How important is it to have employees/building occupants aware of a water strategy?

This should help.

Thanks, Robert.

All the best,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

On Apr 3, 2019, at 3:16 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey John,

Veronica and her colleagues from the water office have forwarded me your inquiry. We're happy to look into this for you. Maybe you could send me some specific questions, in case we don't have time to put Veronica or one of her colleagues on the phone with you?

Also, what's your deadline and when are you planning to publish?

Nice logo, BTW.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency

Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Date: April 3, 2019 at 7:35:01 AM MST
To: Veronica Blette <blette.veronica@epamail.epa.gov>
Subject: Water Management Story

Veronica,

I hope you are doing well. We have met at various industry functions, including the Emerging Technology Symposiums.

I was wondering if you'd be interested in participating in a story I am working on regarding developing a sound water management plan (for commercial buildings).

The story would be published in *Architectural Products* magazine.

Can you answer a few questions or provide tips in this regard?

Thanks, and all the best,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

<image001.png>

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/3/2019 5:50:31 PM
To: Kate Klein [kklein@nrha.org]
CC: Press [Press@epa.gov]
Subject: RE: Subject: interview request regarding methylene chloride ban
Attachments: Methylene chloride.retailer magazine.press responses-4-1-19-clean.docx

Good afternoon Kate,

Here's our response, at last, attached, and for attribution to "an EPA Spokesperson," please.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Kate Klein <kklein@nrha.org>
Sent: Wednesday, March 20, 2019 9:58 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: interview request regarding methylene chloride ban

Hello, Robert.

Thank you for reaching out.

Here are my questions about the methylene chloride ban:

1. What are recommended ways for retailers to dispose of the consumer products containing methylene chloride? Are manufacturers required to take back some of the paint strippers that hardware stores currently carry?
2. About how many types of consumer products are impacted by the ban?
3. How can retailers help consumers understand the risks of using any methylene chloride-containing products they bought in the past?
4. What consequences could retailers face if they do not dispose of the chemicals by the EPA deadline?
5. What can retailers do to help protect commercial/professional customers from potential risks of the commercial paint strippers that will still be available for sale?

My deadline for a printed version of this story will be March 29, but if an EPA representative isn't available for an interview until after that, we will publish the story on our website instead.

Please let me know if you have any other questions.

Thank you,

Kate Klein

Assistant Editor

NRHA/Hardware Retailing

317-275-9411 – Office

Ex. 6 Personal Privacy (PP) – Cell

www.nrha.org

On Tue, Mar 19, 2019 at 12:31 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon to you Kate and thanks for reaching out,

We can look into this for you. Can you do me a huge favor and send specific questions, just so we know who in the Toxic Chemicals program to send them to?

Also, whats are you planning to publish your story?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Kate Klein <kklein@nrha.org>
Sent: Monday, March 18, 2019 10:05 AM
To: Rowan, Anne <rowan.anne@epa.gov>
Subject: interview request regarding methylene chloride ban

Good morning, Anne.

I write for *Hardware Retailing* magazine, a publication distributed to more than 35,000 independent home improvement retailers in North America.

The new ban on methylene chloride will impact most of the independent retailers we serve in the U.S., as well as their customers.

I would like to write an article that provides practical information to retailers about how they should handle the ban and communicate with their customers about it. Is there an EPA representative who is available to grant me an interview about the ban?

Thank you in advance for your help.

Sincerely,

Kate Klein

Assistant Editor

NRHA/Hardware Retailing

317-275-9411 – Office

Ex. 6 Personal Privacy (PP) – Cell

www.nrha.org

--

Kate Klein
Assistant Editor
NRHA/Hardware Retailing
317-275-9411 – Office
Ex. 6 Personal Privacy (PP) – Cell
www.nrha.org

Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 6/13/2019 8:46:28 PM
To: Press [Press@epa.gov]
Subject: For Review: looking for attribution for quotes in a FedTech article

Michael, are you good with the quotes?

From: Elizabeth Neus <elizabeth.neus@manifest.com>
Date: June 13, 2019 at 4:40:38 PM EDT
To: <Jones.Enesta@epa.gov>, <Labbe.Ken@epa.gov>
Subject: media request: looking for attribution for quotes in a FedTech article

Good afternoon.

I am Jacquelyn Bengfort's editor at FedTech magazine, and she's written an article for me on the EPA's use of storage area networks. She's quoted spokesperson Michael Abboud extensively, but my boss has asked if there's any way we could get an actual IT official on the record. If anyone's willing to just put their name on Michael's quotes, that's fine, especially since Michael provided exactly what we needed. Here's the segment of the article in which he's quoted:

***
In 2013, the EPA moved its entire workforce — at the time, more than 18,000 employees and contractors — to the cloud for email and collaboration. The agency has continued to move additional functions and data to the cloud.

"The EPA is fully engaged in an agency-wide campaign to migrate end user data to OneDrive and shared file storage," says Michael Abboud, an EPA spokesperson. "The cloud platform minimizes storage cost and complexity while maximizing accessibility, availability, integrity, security, records management and discovery capabilities."

SANs still remain an important part of the IT mix at the EPA, however. While the agency is working to limit SAN growth, it still needs this sort of data storage for certain applications. Abboud shares one example: "EPA's National Computing Center in Research Triangle Park, N.C., recently extended its SAN infrastructure and software to ensure 'hot' data is on the fastest physical tier."

The EPA's Office of Research and Development (ORD) likewise continues to use SANs to meet information security requirements and support specialized workloads for scientific data at its 13 facilities.

These SANs need to support isolated and interconnected networks, says Abboud.

"Faced with the challenge of refreshing SAN storage for several of these locations, EPA's ORD disk subsystems managed using virtual SAN software," explains Abboud. "This solution provided an integrated, cost-efficient, high-performance SAN solution for distributed research laboratories.

"EPA's private and hybrid cloud platforms will continue to have significant storage area network investments," he adds.

***
Please let us know as soon as possible if there's any IT official to whom we can attribute this material, and also let us know if there's anything in the content that might need to be changed.

thank you!
betsy
--
Elizabeth Neus
Senior Editor
202-721-1484
D.C. Studio

Be unmistakable.

Recently at Manifest:
The Path to Content Maturity Manifest's mission to damn good content marketing
Why Accessibility Matters Best practices for digitally accessible content
Rules All Brand Marketers Must Follow The latest from Manifest's President

Work We're Proud Of
CDW Positioning CDW as a thought leader across six key industries
ExpressScripts Leveraging data to identify, digitize and move audiences
See more here.

Message

From: Chen, Daphne [dchen@gatehousemedia.com]
Sent: 4/10/2019 5:17:09 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]; Harris-Young, Dawn [Harris-Young.Dawn@epa.gov]; Jenkins, Brandi [Jenkins.Brandi@epa.gov]
Subject: Re: Public records request

Thank you Robert. The problem is that when I use your app, and try to download a state at a time, many states have more than 50,000 entries and I get the error of "This query has returned more than 50,000 rows, please filter your data to ensure complete results." It's very difficult for me to download each county in the US manually. **Is there any way you can simply send me a copy of your Water Quality Report underlying database for the entire nation at once?**

Thanks,
Daphne

On Fri, Apr 5, 2019 at 4:51 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
Daphne, for attribution to U.S. EPA, please:

esponse:
Yes, all of the water quality data is received in EPA's WQX, then weekly, uploaded to be stored in the WQP.

[1]**What are the "three EPA databases" that are combined to form BEACON?**

Response:
From the "About Bacon" Tab https://watersgeo.epa.gov/BEACON2/about.html

What are the sources of BEACON information?

The data available through BEACON have been provided to EPA by the coastal and Great Lakes states, tribes and territories that receive grants under the BEACH Act. For the most up-to-date information, contact the state or local beach manager using the contact information provided at the State, Tribe, and Territory Beach Contacts page.
The state-reported data found in BEACON come from the following EPA databases:

- **EPA's Reach Address Database (RAD)**. RAD contains geographic data that define each beach's location and the location of water quality monitoring stations. BEACON pulls this data to display the beaches and stations on a map. For more information on RAD, seeEPA's Reach Address Database page.

- **EPA's Water Quality Exchange (WQX) and the USGS Water Quality Portal (WQP)**. WQX is the framework by which organizations submit data to the WQP. BEACON pulls water quality monitoring data from WQX/WQP. For more information on WQX/WQP, see Water Quality Data (WQX)page.

Program tracking, beach Advisories, Water quality standards, and Nutrients (PRAWN). PRAWN stores beach administrative, advisory and closing data. For more information on PRAWN, seeSubmitting Data to EPA page. And data flow diagram:

https://www.epa.gov/sites/production/files/2019-02/documents/ebeaches-dataflow-2019.pdf

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **(M)**

On Apr 3, 2019, at 12:58 PM, Chen, Daphne <dchen@gatehousemedia.com> wrote:

Dear Robert,

Thanks for the timely reply. I just have a question:
1. You suggested that I reach out to each jurisdiction individually to get raw data. Does the EPA not have all of that data stored in one place?
2. What are the "three EPA databases" that are combined to form BEACON?

To clarify, the specific fields I am interested in are e. coli and eterococcus levels at each beach over time. I hope this helps narrow down my request.

Thanks,
Daphne

On Tue, Apr 2, 2019 at 2:51 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Daphne,

Hoping the following is helpful. Let me know if you have any further questions.

1. **I'm working on a data story about beach water quality and was very impressed by your BEACON data app. However, I was wondering if there's any way to get a copy of the underlying database, so I can do my analysis (instead of downloading every county one by one). I'm sure it's a huge file but if there's any way to get it in spreadsheet format (.csv is ideal) that would be great.**

BEACON integrates data (submitted to EPA by states, tribes and territories, generally once a year) from three EPA databases. But you can create a query for one or more states and/or counties and get a report that is grouped, for example, by county. You can download copies of the resulting reports into .csv files. Example instructions are below.

You will find that BEACON only includes coastal and Great Lakes beaches as defined by the Clean Water Act (CWA). Such beaches are: (1) adjacent to water with water quality standards (WQS) for primary contact recreation, (2) used by the public, and (3) are "… waters downstream of the mouth of a river or stream having unimpaired natural connection with the open sea." [Sec 5. (B)]

Also, this BEACON page includes a link to each jurisdiction's beach webpage. If you want to obtain raw beach data on each jurisdiction, we suggest you contact each jurisdiction directly.

INSTRUCTIONS FOR SEARCHING IN BEACON

You can search for individual beaches of interest In BEACON via the National List of Beaches and via map [select the "Find a Beach" tab]. You can search for multiple beaches by selecting the [Reports tab]. Both methods are described below, but more detail is available in the BEACON 2.0 User Guide (also accessible in the top right corner of the BEACON 2.0 Reports webpage).

INDIVIDUAL BEACHES

National List of Beaches

Click this BEACON link.

At the top of the webpage, below the blue bar, click on "National List of Beaches."

For the most current information (as reported to EPA annually by the coastal and Great Lakes states, tribes, and territories) click on "National List of Beaches Interactive Version."

From the list of jurisdictions, click on a link (e.g., Maine).

Scroll down the list of beaches (alphabetical by county).

Click on a beach name e.g., in Cumberland Co., Broad Cove Reserve.

Let the screen refresh to show the map of the beach with the white pop-up.

You can close the popup to see the approximate location of the beach (to re-open the pop-up click on the beach line).

Or, in the white pop-up click on any of the links to see report information for that one beach (e.g. start with "Beach Profile").

"Find a Beach" Tab

To search for an individual beach by map location, you can click on the "Find a Beach" tab.

Then click in a highlighted jurisdiction outline, or in the lower right blue panel click on a link to a tribe or territory.

MULTIPLE BEACHES

(State example - can also query from multiple jurisdictions, for national list see further below).

Click on the "Reports" tab.

Step 1 – click on twisty for "Select by State . . ."

Scroll down click on e.g., FL

From the County list, e.g., click on Charlotte

between right-most columns click on ">" and watch for name to appear in right-most column.

Repeat for Manatee and Sarasota counties

Step 2

Click on e.g., 2017 (2018 data is being submitted now, delayed by the Partial Government Shutdown). 2019 season data will not be submitted real-time; it is not due to EPA until January of 2020.

Step 3

Click on Beach Actions report

In grey panel, change "1. Primary" to "3.Total of all Jurisdictions" [merges all rows into a sortable list].

RESULT

Listing of Beaches by Beach ID in ascending order. You can sort by Beach Name (click on blue column name and select up arrow "ascending") for an alphabetical listing.

1st column is EPA-assigned Beach ID* (a.k.a. EPA Water Quality Exchange (WQX) project ID, which stores water quality sample data)

2nd is Beach Name

8th is WQX station ID(s)

Right-most column identifies possible source of contamination

You can download the report: in the grey panel, click on "Actions v," select "Download," pick a format.

To see the water quality sample results for sampling stations (current query for all the beaches in those counties), close the Beach Actions tab at the top of your browser screen and go to step 3 and scroll down to open the "Water Quality" report. It can take a half a minute for the call to the WQX database to complete. The Water Quality standards against which the sample results are compared can be found on the 2018 WQS Criteria report (go back to step 2 and change 2017 to 2018), then select the WQS Criteria report.

*To see an individual Beach Profile report, click on the beach ID link – which will also list recently used station IDs related to exceedances resulting in an Action (advisory or closure).

NOTE – the BEACON maps previously showed the location of the monitoring stations, but EPA recently changed to ArcGIS Javascript and we have not received updated code yet.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Chen, Daphne <dchen@gatehousemedia.com>
Sent: Tuesday, March 26, 2019 10:34 AM
To: OST.Comments <OST.Comments@epa.gov>; Press <Press@epa.gov>; Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Subject: Public records request

Hello,

My name is Daphne Chen and I'm a data reporter at the Sarasota Herald-Tribune/GateHouse Media in Florida.

I'm working on a data story about beach water quality and was very impressed by your BEACON data app. However, I was wondering if there's any way to get a copy of the underlying database so I can do my analysis (instead of downloading every county one by one). I'm sure it's a huge file but if there's any way to get it in spreadsheet format (.csv is ideal) that would be great.

Any assistance would be greatly appreciated!

Thanks,

Daphne

--

Daphne Chen

National Data Projects Reporter

GateHouse Media

941-361-4904

This message may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

--
Daphne Chen
National Data Projects Reporter
GateHouse Media
941-361-4904

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--
Daphne Chen
National Data Projects Reporter
GateHouse Media
941-361-4904

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/10/2019 3:02:10 PM
To: Erickson, Britt [B_Erickson@acs.org]; Press [Press@epa.gov]
Subject: RE: request for interview with C&EN
Attachments: Animal Testing Press Inquiry Response.docx

Good afternoon Britt,

Attached, and for attribution to "an EPA Spokesperson," please.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Erickson, Britt <B_Erickson@acs.org>
Sent: Monday, March 18, 2019 11:22 AM
To: Press <Press@epa.gov>
Subject: FW: request for interview with C&EN

I would like to schedule an interview with Anna Lowit in EPA's pesticides office. Please see my request to her below.
Thanks for your help.
Britt

Britt Erickson, Ph.D.
Senior Editor
Chemical & Engineering News
1155 16th St., NW
Washington, DC 20036
Phone: 202-872-4545
b_erickson@acs.org
@EricksonBEE
cen.acs.org

From: Lowit, Anna <Lowit.Anna@epa.gov>
Sent: Monday, March 18, 2019 11:12 AM
To: Erickson, Britt <B_Erickson@acs.org>
Subject: [EXT] Re: request for interview with C&EN

[Actual Sender is Lowit.Anna@epa.gov]

Thanks for the request but you need to contact the EPA Press Office.

Anna

Sent from my iPhone

On Mar 18, 2019, at 11:10 AM, Erickson, Britt <B_Erickson@acs.org> wrote:

> Hi Anna,
> I've been following some of EPA's work to reduce the number of animal tests needed to demonstrate the safety of pesticides. I'm interested in learning more about replacements for the 6 mammalian acute tox tests (6 pack). I attended your presentation at SOT Baltimore, but I arrived late and missed some of the details. I'm hoping you can help me understand some of the challenges EPA is facing with replacing the eye irritation test. It sounded like that one was particularly difficult to replace.
> I'm also interested in the inhalation assay proposed by Syngenta for the chlorothalonil review.
> Do you have time to talk by phone either this week or next? If I need to schedule this interview through EPA's press office, please help direct me to the appropriate person.
> I look forward to learning more about this work.
> Best,
> Britt
>
> Britt Erickson, Ph.D.
> Senior Editor
> Chemical & Engineering News
> 1155 16th St., NW
> Washington, DC 20036
> Phone: 202-872-4545
> b_erickson@acs.org
> @EricksonBEE
> cen.acs.org

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/20/2019 9:30:39 PM
To: Rizzuto, Denise Pat [prizzuto@bloombergenvironment.com]
CC: Press [Press@epa.gov]
Subject: Re: Follow up questions from Alex Dunn's comments at Global Chem

Pat, for attribution to "an EPA Spokesperson," please:

The process for receiving and evaluating manufacturer requests for chemical risk evaluation is set forth in the final Risk Evaluation framework rule at 40 CFR 702.37(e). Upon receipt of a request, EPA will first verify that the request is facially complete (contains the minimum needed element to proceed), consistent with the regulatory requirements. If the request is incomplete, EPA will notify the submitting manufacturer that the request cannot be processed. Within 15 business days of receiving a facially complete request, EPA will notify the public of receipt.

EPA has received a manufacturer request for a risk evaluation of two additional phthalates and is currently determining whether the request contains the minimum needed elements to proceed under EPA's regulations. If complete, EPA has 15 days to provide notice of such a request. In 2016, prior to the publication of the Risk Evaluation framework and TSCA Fees rules, EPA did receive a request to conduct risk evaluations on two PBT chemicals. See EPA's website here: https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/persistent-bioaccumulative-and-toxic-pbt-chemicals-under#requirements. EPA is currently working with that requestor to modify their request consistent with the information requirements in the final Risk Evaluation framework rule.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 **(O)**
Ex. 6 Personal Privacy (PP) **M)**

On Mar 19, 2019, at 2:34 PM, Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com> wrote:

> Haven't heard from EPA despite asking for this clarification twice. I guess that means the agency is declining to answer any of these questions.
>
> ---
>
> **From:** Rizzuto, Denise Pat
> **Sent:** Thursday, March 14, 2019 10:57 AM
> **To:** Press <Press@epa.gov>
> **Subject:** Follow up questions from Alex Dunn's comments at Global Chem
>
> Alex mentioned that ACC had asked the agency to conduct a manufacturer-requested risk evaluation of one or more chemicals. That sparks several questions. **Deadline Monday Noon.**
>
> 1) <!--[if !supportLists]--><!--[endif]-->What chemical/chemicals did ACC ask the agency to evaluate?

2) <!--[if !supportLists]--><!--[endif]-->What's the process for letting the public know about the request? For example, does the EPA first have to decide whether it will carry out the assessment before it makes the request public?
3) <!--[if !supportLists]--><!--[endif]-->Has any company and/or other trade association asked the EPA to conduct a risk evaluation?
4) <!--[if !supportLists]--><!--[endif]-->Is there a timeframe to let the public know about all of these requests?
5) <!--[if !supportLists]--><!--[endif]-->Will public comment be sought?

: : : : : : : : : : : : : : : : : :

Pat Rizzuto
Chemicals Reporter

Bloomberg Environment

(703) 341-3741
prizzuto@bloombergenvironment.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 4/1/2019 1:21:03 PM
To: Paul Robbins [paul_robbins@greenbuilder.com]
CC: Press [Press@epa.gov]
Subject: RE: Searching for Recent Pesticide Report

Good morning Paul,

For attribution to "an EPA Spokesperson," please:

Question 1.
I am trying to find a recent report on national pesticide sales and usage. The most recent one I found on your Web site was for 2008 to 2012. Is there anything more recent?

Response 1: No. EPA has not yet published more recent pesticide sales and usage figures. More recent data on the use of pesticides are publicly available through USDA National Agricultural Statistics Service (NASS) (https://www.nass.usda.gov/Surveys/Guide_to_NASS_Surveys/Chemical_Use/), but searching that database is labor intensive.

Also, typically for a pesticide used for food purposes, when EPA develops a dietary assessment for a pesticide, it will often attach a Screening Level Usage Analysis, based on market research, to the dietary assessment in the registration review docket.

Question 2.
Regarding food, it would appear from the EPA pesticide report that does exist that use of herbicides has gone up. My inference is that this is due to the increased use of crops genetically engineered to resist them. However, this 6-year gap leaves a lot to guessing. Can you solve this riddle?

Response 2: Some factors that might result in higher usage of herbicides include more acres of crops being planted or an increased need for additional herbicide use to control herbicide-resistant weeds.

Cheers, R.

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From: Paul Robbins <paul_robbins@greenbuilder.com>
Sent: Sunday, March 31, 2019 1:26 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Searching for Recent Pesticide Report

??

On Tue, Mar 12, 2019 at 8:40 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

We'll shoot for that. Thanks, Paul.

Cheers, R.

Robert Daguillard

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Ex. 6 Personal Privacy (PP) (M)

From: Paul Robbins <paul_robbins@greenbuilder.com>
Sent: Tuesday, March 12, 2019 9:32 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Searching for Recent Pesticide Report

Friday this week?

On Tue, Mar 12, 2019 at 8:29 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

That's very helpful, thanks, Paul. When would you need a response?

Cheers, R.

Robert Daguillard

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Ex. 6 Personal Privacy (PP) (M)

From: Paul Robbins <paul_robbins@greenbuilder.com>
Sent: Monday, March 11, 2019 9:22 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Searching for Recent Pesticide Report

That is fine.

I am writing an article about Food & the Environment for the next edition of the ***Austin Environmental Directory***. It has a hard-copy circulation of 35,000 plus the Internet.

Pesticides are obviously part of this. I will probably also be writing an article about home pesticides as well.

The report I referenced is a great resource, but it does not appear to have been updated.

Regarding food, it would appear from the EPA pesticide report that does exist that use of herbicides has gone up. My inference is that this is due to the increased use of crops genetically engineered to resist them. However, this 6-year gap leaves a lot to guessing.

Can you solve this riddle?

Paul

On Mon, Mar 11, 2019 at 8:14 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Thanks, Paul. Who are you writing this particular story for? Maybe you'd have time for a phone chat first thing in the morning?
>
> **Robert Daguillard**

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Washington, DC

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Ex. 6 Personal Privacy (PP) **M)**

On Mar 11, 2019, at 9:12 PM, Paul Robbins <paul_robbins@greenbuilder.com> wrote:

I am an environmental writer. I do not need this tonight, but would appreciate it in the next few days.

FYI, I have also sent this letter to Delores Barber.

Yours,

Paul Robbins

On Mon, Mar 11, 2019 at 8:01 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good evening and thanks for reaching out. We can look into this for you.

Are you a reporter on deadline, BTW?

Robert Daguillard

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On Mar 11, 2019, at 7:30 PM, Paul Robbins <paul_robbins@greenbuilder.com> wrote:

Paul Robbins

Ex. 6 Personal Privacy (PP)

Austin, TX Ex. 6 Personal Privacy (PP)

Dear Media Office:

I am trying to find a recent report on national pesticide sales and usage.

The most recent one I found on your Web site was for 2008 to 2012.

Is there anything more recent?

Thanks,

Paul Robbins

(512) 447-8712

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/25/2019 1:07:19 PM
To: dinah.pulver@news-jrnl.com
CC: Press [Press@epa.gov]
Subject: RE: Subject: Air quality issue

Good morning Dinah,

For attribution to "an EPA Spokesperson," please:

Per your request, please find below information on three enforcement cases from the last three years involving Florida companies. The cases involving the companies KT Performance and Derive Systems are both concluded cases. In addition, EPA recently filed a civil administrative complaint against Freedom Performance LLC.

KT Performance: The case involved a Florida defeat device retailer which, between January 2013 and April 2018, sold approximately 2,833 products for diesel-powered trucks in violation of section 203 of the Clean Air Act. The company was assessed a reduced civil penalty of $52,284 that was calculated based on a demonstrated ability to pay. KT Performance must also comply with injunctive relief in the form of a compliance plan. The Consent Decree for this case can be viewed here.

Derive Systems: On September 24, 2018, the EPA and US Department of Justice announced a settlement with Derive Systems (Derive) addressing the sale of approximately 363,000 aftermarket products which the United States alleges were designed, in part, to defeat the emissions control systems of cars and trucks in violation of the Clean Air Act. The Consent Decree provides a path for compliance to allow the continued sale, purchase and use of some of Derive's products. The Consent Decree specifies steps Derive must take to prevent future violations, including a phase-out period for certain features on existing products. Derive will spend approximately $6.25 million to implement injunctive relief. Derive will also pay a civil penalty of $300,000, as the company has limited financial ability to pay a higher penalty. More information on this case can be viewedhere.

Freedom Performance LLC: On March 18, 2019, the Environmental Protection Agency (EPA) filed a civil administrative complaint with the EPA's Office of Administrative Law Judges in Washington, D.C., against Freedom Performance, LLC, an online retailer that sells, among other things, diesel truck aftermarket performance parts. The complaint alleges that between May 1, 2015, and November 1, 2016, Freedom Performance sold 13,928 aftermarket products designed to defeat the emission control systems of diesel pick-up trucks, otherwise known as "defeat devices," in violation of the Clean Air Act. These products include engine tuning software and hardware components designed to disable, bypass or remove diesel engine emission control and exhaust gas aftertreatment systems, such as exhaust gas recirculation, diesel particulate filters and selective catalytic reduction.

Cheers, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) (M)

From: dinah.pulver@news-jrnl.com <dinah.pulver@news-jrnl.com>
Sent: Tuesday, March 19, 2019 3:16 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Air quality issue

Thanks.
How can I find out if there have been any enforcement actions and where? Say in Florida over the past 3 years?

Thanks
Dinah

Dinah Voyles Pulver
Data Editor / Environment Writer
901 Sixth St, Daytona Beach, FL 32117
dinah.pulver@news-jrnl.com
www.news-journalonline.com
Twitter: @dinahvp

http://www.news-journalonline.com/topics/rising_seas

creative.news-journalonline.com/troubledwater

On Tue, Mar 19, 2019 at 2:38 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Good afternoon Dinah,
>
> Motor vehicles have catalytic converters and other emissions controls to help keep our air clean. These emissions controls are critical for state and federal efforts to reduce ozone and other air pollution that harms people's health. The Clean Air Act prohibits the removal of such emissions controls. The EPA enforces that law by, among other efforts, holding accountable those companies that manufacture, sell and install the aftermarket parts designed to remove emissions controls. **– EPA Spokesperson.**
>
> Cheers, R.
>
> Robert Daguillard

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U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Voyles Pulver, Dinah <dinah.pulver@news-jrnl.com>
Sent: Monday, March 18, 2019 4:57 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Subject: Air quality issue

I think I'd like to know if the EPA does anything regarding the illegal alteration of motorcycles, whether by individuals or companies that are incorporated.

Dinah Voyles Pulver
Data Editor / Environment Writer
901 Sixth St, Daytona Beach, FL 32117
dinah.pulver@news-jrnl.com
www.news-journalonline.com
Twitter: @dinahvp

http://www.news-journalonline.com/topics/rising_seas

creative.news-journalonline.com/troubledwater

On Mon, Mar 18, 2019 at 2:34 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon,

My colleagues from our Atlanta office forwarded this inquiry. Just to make sure: Are you inquiring about illegal alteration of motorcycle exhaust systems by companies? Or by individuals?

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

From: Voyles Pulver, Dinah <dinah.pulver@news-jrnl.com>
Sent: Thursday, March 14, 2019 5:26 PM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Subject: Air quality issue

Hi Dawn

I've received a long complaint from someone about illegal alteration of motorcycle exhaust systems in Daytona Beach during Bike Week.

Does the EPA monitor this? Could you find out if anyone checks this in Daytona?

I'm not on deadline.

Thanks

Dinah

Dinah Voyles Pulver

Data Editor / Environment Writer

901 Sixth St, Daytona Beach, FL 32117

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creative.news-journalonline.com/troubledwater

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This message may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/20/2019 12:34:33 PM
To: Wilson, Julie A. [Julie.A.Wilson@abc.com]
CC: Press [Press@epa.gov]
Subject: Re: Subject: MEDIA REQUEST: Bug bomb study

Julie, for attribution to "an EPA Spokesperson," please:

EPA requires efficacy data for all products used on cockroaches, including the total-release foggers. Pests, such as cockroaches, that hide in cracks and crevices can be difficult to control using total-release foggers because the pesticides used in the foggers must contact the pest to kill it. If the material does not reach the cracks and crevices where the insects are hiding, they will not be killed. Please see EPA's Guidance on Efficacy Testing web page for additional information and frequently asked questions.

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On Mar 18, 2019, at 11:30 AM, Wilson, Julie A. <Julie.A.Wilson@abc.com> wrote:

> Good morning, Robert,
> I wanted to follow up on this request- will there be a response?
>
> Thank you
>
> Julie
>
> ---
>
> **From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
> **Sent:** Monday, March 04, 2019 12:48 PM
> **To:** Wilson, Julie A. <Julie.A.Wilson@abc.com>
> **Cc:** Press <Press@epa.gov>
> **Subject:** Subject: MEDIA REQUEST: Bug bomb study
>
> Good afternoon Julie and thanks for reaching out,
>
> We'll be in touch.
>
> Cheers, R.
>
> Robert Daguillard
> Office of Media Relations
> U.S. Environmental Protection Agency
> Washington, DC
> +1 (202) 564-6618 (O)
> Ex. 6 Personal Privacy (PP) (M)

-----Original Message-----
From: Wilson, Julie A. <Julie.A.Wilson@abc.com>
Sent: Monday, March 4, 2019 12:42 PM
To: Harris-Young, Dawn <Harris-Young.Dawn@epa.gov>
Subject: MEDIA REQUEST: Bug bomb study

Good afternoon-
My name is Julie Wilson, I am a reporter with ABC 11 in Raleigh, North Carolina.

Recently, NC State University did a study, finding that bug bombs are ineffective in battling cockroaches. I have linked the study below.

I'm hoping to get a comment from the EPA on this study and it's findings, and what this means for products that claim to eliminate cockroaches.

My deadline is Thursday.

https://news.ncsu.edu/2019/01/bug-bombs-are-ineffective/
Thank you!
Julie A. Wilson

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/26/2019 4:06:33 PM
To: Sherry McWhirter [smcwhirter@record-eagle.com]; Press [Press@epa.gov]
CC: Kelley, Jeff [kelley.jeff@epa.gov]; Rowan, Anne [rowan.anne@epa.gov]; Bassler, Rachel [Bassler.Rachel@epa.gov]
Subject: RE: Traverse City Record Eagle's questions on drinking water

Good afternoon Sherry,

For attribution to "an EPA Spokesperson," please:

On February 14, 2019, EPA announced the first-ever PFAS Action Plan. This historic plan responds to extensive public interest and input the EPA has received, including at the agency's May 2018 National Leadership Summit and subsequent visits to a number of states across the nation. The Action Plan represents the first time the EPA has built a national, multi-media, multi-program, research, management, and risk communication plan to address an emerging chemical of concern like PFAS. The Action Plan identifies both short-term solutions for addressing PFAS chemicals and long-term strategies that will help provide the tools and technologies states, tribes, and local communities need to clean up sites and provide clean and safe drinking water to their residents. For additional information: www.epa.gov/pfas

The Environmental Protection Agency (EPA) is planning to submit an information collection request (ICR), "Information Collection Request for Contaminant Occurrence Data in Support of the EPA's Fourth Six-Year Review of National Primary Drinking Water Regulations." Before doing so, the EPA solicited public comments on specific aspects of the proposed, voluntary information collection as described in the notice. To review the comments submitted to EPA, please visit: https://www.regulations.gov/document?D=EPA-HQ-OW-2018-0241-0001

EPA also is beginning the development of the fifth Contaminant Candidate List (CCL 5). The CCL is a list of contaminants that are currently not subject to any proposed or promulgated national primary drinking water regulations, but are known or anticipated to occur in public water systems. Contaminants listed on the CCL may require future regulation under the Safe Drinking Water Act (SDWA). For more visit: https://www.epa.gov/ccl/contaminant-candidate-list-5-ccl-5

Cheers, R.

Robert Daguillard
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Ex. 6 Personal Privacy (PP) (M)

From: Sherry McWhirter <smcwhirter@record-eagle.com>
Sent: Thursday, March 21, 2019 8:28 PM
To: Press <Press@epa.gov>
Subject: FW: Traverse City Record Eagle's questions on drinking water

To Whom:

Any information forthcoming?

Thank you,

Sheri McWhirter
Traverse City Record-Eagle

From: Lippert, Allison [mailto:lippert.allison@epa.gov]
Sent: Thursday, March 21, 2019 5:07 PM
To: Sherry McWhirter
Subject: Re: Traverse City Record Eagle's questions on drinking water

Hi Sheri, our press office in DC told me they are handling your inquiry. You can check with them at press@epa.gov.

Allison Lippert
U.S. EPA Region 5
312-353-0967

On Mar 21, 2019, at 5:06 PM, Sherry McWhirter <smcwhirter@record-eagle.com> wrote:

> Will I be hearing back from you today?
>
> Thanks,
>
> Sheri
>
> ---
>
> **From:** Sherry McWhirter [mailto:smcwhirter@record-eagle.com]
> **Sent:** Wednesday, March 20, 2019 3:52 PM
> **To:** 'Lippert, Allison'
> **Subject:** RE: Traverse City Record Eagle's questions on drinking water
>
> I need to wrap up my reporting by the end of tomorrow.
>
> Thanks much,
>
> Sheri
>
> ---
>
> **From:** Lippert, Allison [mailto:lippert.allison@epa.gov]
> **Sent:** Wednesday, March 20, 2019 3:45 PM
> **To:** smcwhirter@record-eagle.com
> **Subject:** RE: Traverse City Record Eagle's questions on drinking water
>
> Hi Sheri – your inquiry was forwarded to me. What's your deadline?
>
> Thanks,
>
> Allison Lippert
> U.S. EPA Region 5
> 312-353-0967
>
> ---
>
> **From:** Sherry McWhirter <smcwhirter@record-eagle.com>
> **Sent:** Wednesday, March 20, 2019 1:58 PM

To: Rowan, Anne <rowan.anne@epa.gov>
Subject: FW: drinking water questions

Hi Anne,

Can you help?

Thanks,

Sheri

From: Sherry McWhirter [mailto:smcwhirter@record-eagle.com]
Sent: Tuesday, March 19, 2019 4:15 PM
To: 'forrest.kesha@epa.gov'; 'tucker.nicole@epa.gov'
Subject: drinking water questions

Hello Kesha and Nicole,

I'm writing to you because I am a reporter at the Traverse City Record-Eagle working on an article about drinking water. I'm interested in learning more about the EPA's fourth 6-year-review. What is the process and timeline? How much public input was received by the Dec. 4 deadline? What kinds of changes may be coming to the Safe Drinking Water Act? What are any emerging issues associated with drinking water, especially in light of the Flint, Michigan, water crisis and the threat of chemical contaminants such as PFAS?

I'm looking to learn those sorts of things. Are either of you the best person to talk to about this? I found your names and email addresses in the online paperwork about the ongoing review. Please let me know if you can help.

Thanks much,

Sheri McWhirter
Staff writer
Traverse City Record-Eagle
231-933-1416

Message

From: Blake Sobczak [bsobczak@eenews.net]
Sent: 3/22/2019 8:49:22 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Media request: Water cybersecurity

Thanks, Robert!

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, March 22, 2019 4:48 PM
To: Blake Sobczak <bsobczak@eenews.net>
Cc: Press <Press@epa.gov>
Subject: Re: Media request: Water cybersecurity

Blake, for attribution to "an EPA Spokesperson," please:

1. ***As the Sector-Specific Agency for cyber defense of the water and wastewater systems sector, what is EPA doing to assist utilities, many of which are small companies potentially squaring off against nation-state-backed hackers?***

EPA provides guidance and training to the Water and Wastewater Systems sector on cybersecurity best practices and cybersecurity incident response. Since 2015, EPA has conducted cybersecurity classroom training courses for water and wastewater utilities at locations across the nation. These classes assist water utilities with enhancing cybersecurity at their facilities, as well as preparing to respond to a cybersecurity incident. EPA also provides remote training through webinars and has developed guidance for state drinking water agencies on working with water systems to build cybersecurity programs.

2. ***What does EPA collect in terms of metrics/statistics to measure cybersecurity maturity in the water sector, writ large? What resources or assistance is the agency equipped to provide?***

EPA is very aware that cyber-attacks are a significant threat to critical infrastructure sectors, including water and wastewater systems. EPA works through a voluntary partnership approach to help water utilities enhance the cyber-security of their water systems. In addition to the guidance and training EPA provides to the water sector described in the previous response, EPA strongly encourages the Water sector to work with the agency and with the Department of Homeland Security (DHS) if a water sector facility seeks federal assistance with protection, response and/or recovery from a cyber-attack. Through this role, EPA can work with DHS to assess impact and facilitate the response. It is important to note that DHS is tasked with the responsibility for assisting all critical infrastructure sectors, including the water sector, with responding to a cybersecurity attack. The general approach for rendering federal assistance to critical infrastructure sectors, and the roles of EPA and other federal agencies, can be found in the National Cyber Incident Response Plan at https://www.us-cert.gov/ncirp.

[On background to reporter: EPA does currently collect metrics to measure cybersecurity maturity in the water sector as the agency does not regulate cybersecurity at water sector facilities.]

3. ***How does EPA stay on top of the latest threats to water systems – are there cleared employees working on this issue?***

EPA works in close partnership with the FBI and Department of Homeland Security to maintain situational awareness of threats to water systems. EPA has senior officials, managers as well as employees with the proper clearances who regularly receive National Security Information on all threats, including cyber threats, that may impact the water sector.

Robert Daguillard
Office of Media Relations
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On Mar 15, 2019, at 3:51 PM, Blake Sobczak <bsobczak@eenews.net> wrote:

> Good afternoon,
>
> I'm working on a story about U.S. water and wastewater cybersecurity readiness.
>
> EPA has noted that "cyber-attacks are a growing threat to critical infrastructure sectors, including water and wastewater systems."
>
> As the Sector-Specific Agency for cyber defense of the water and wastewater systems sector, what is EPA doing to assist utilities, many of which are small companies potentially squaring off against nation-state-backed hackers? What does EPA collect in terms of metrics/statistics to measure cybersecurity maturity in the water sector, writ large? What resources or assistance is the agency equipped to provide? How does EPA stay on top of the latest threats to water systems – are there cleared employees working on this issue?
>
> Would an expert from EPA's Office of Water be available for a phone interview to address these and other questions before **my Friday, March 22 deadline at 5 p.m. EDT?**
>
> Thanks in advance for looking into this. My contact info is listed below.
>
> Best,
>
> Blake
>
> **Blake Sobczak**
> E&E News cybersecurity reporter
> bsobczak@eenews.net
> 202-446-0400 (office)
> Ex. 6 Personal Privacy (PP) (Signal/WhatsApp)
> @BlakeSobczak (Twitter)
>
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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/22/2019 8:48:25 PM
To: Blake Sobczak [bsobczak@eenews.net]
CC: Press [Press@epa.gov]
Subject: Re: Media request: Water cybersecurity

Blake, for attribution to "an EPA Spokesperson," please:

1. ***As the Sector-Specific Agency for cyber defense of the water and wastewater systems sector, what is EPA doing to assist utilities, many of which are small companies potentially squaring off against nation-state-backed hackers?***

EPA provides guidance and training to the Water and Wastewater Systems sector on cybersecurity best practices and cybersecurity incident response. Since 2015, EPA has conducted cybersecurity classroom training courses for water and wastewater utilities at locations across the nation. These classes assist water utilities with enhancing cybersecurity at their facilities, as well as preparing to respond to a cybersecurity incident. EPA also provides remote training through webinars and has developed guidance for state drinking water agencies on working with water systems to build cybersecurity programs.

2. ***What does EPA collect in terms of metrics/statistics to measure cybersecurity maturity in the water sector, writ large? What resources or assistance is the agency equipped to provide?***

EPA is very aware that cyber-attacks are a significant threat to critical infrastructure sectors, including water and wastewater systems. EPA works through a voluntary partnership approach to help water utilities enhance the cyber-security of their water systems. In addition to the guidance and training EPA provides to the water sector described in the previous response, EPA strongly encourages the Water sector to work with the agency and with the Department of Homeland Security (DHS) if a water sector facility seeks federal assistance with protection, response and/or recovery from a cyber-attack. Through this role, EPA can work with DHS to assess impact and facilitate the response. It is important to note that DHS is tasked with the responsibility for assisting all critical infrastructure sectors, including the water sector, with responding to a cybersecurity attack. The general approach for rendering federal assistance to critical infrastructure sectors, and the roles of EPA and other federal agencies, can be found in the National Cyber Incident Response Plan at https://www.us-cert.gov/ncirp.

[On background to reporter: EPA does currently collect metrics to measure cybersecurity maturity in the water sector as the agency does not regulate cybersecurity at water sector facilities.]

3. ***How does EPA stay on top of the latest threats to water systems – are there cleared employees working on this issue?***

EPA works in close partnership with the FBI and Department of Homeland Security to maintain situational awareness of threats to water systems. EPA has senior officials, managers as well as employees with the proper clearances who regularly receive National Security Information on all threats, including cyber threats, that may impact the water sector.

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On Mar 15, 2019, at 3:51 PM, Blake Sobczak <bsobczak@eenews.net> wrote:

Good afternoon,

I'm working on a story about U.S. water and wastewater cybersecurity readiness.

EPA has noted that "cyber-attacks are a growing threat to critical infrastructure sectors, including water and wastewater systems."

As the Sector-Specific Agency for cyber defense of the water and wastewater systems sector, what is EPA doing to assist utilities, many of which are small companies potentially squaring off against nation-state-backed hackers? What does EPA collect in terms of metrics/statistics to measure cybersecurity maturity in the water sector, writ large? What resources or assistance is the agency equipped to provide? How does EPA stay on top of the latest threats to water systems – are there cleared employees working on this issue?

Would an expert from EPA's Office of Water be available for a phone interview to address these and other questions before **my Friday, March 22 deadline at 5 p.m. EDT?**

Thanks in advance for looking into this. My contact info is listed below.

Best,

Blake

Blake Sobczak
E&E News cybersecurity reporter
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202-446-0400 (office)
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Message

From: Jones, Enesta [Jones.Enesta@epa.gov]
Sent: 6/5/2019 11:25:15 AM
To: bengt@internetbrands.com
CC: Press [Press@epa.gov]
Subject: Fwd: Media request: ethanol/E15 announcement

Hello Bengt,

We are working on a response to your last question. Do you have a deadline?

From: "Murdie, Ashley" <murdie.ashley@epa.gov>
Date: May 31, 2019 at 6:57:22 PM EDT
To: "bengt@internetbrands.com" <bengt@internetbrands.com>
Cc: Press <Press@epa.gov>
Subject: FW: Media request: ethanol/E15 announcement

Hi Bengt,

Responses to your questions are below. For attribution to U.S. EPA, please.

For your last question, I'm copying our headquarters' Office of Public Affairs.

Kind regards,

Ashley Murdie | Public Affairs Specialist
U.S. Environmental Protection Agency | Region 7
Office: 913-551-7785 EPA Cell: Ex. 6 Personal Privacy (PP)

From: Bengt Halvorson <bengt.halvorson@internetbrands.com>
Sent: Friday, May 31, 2019 3:23 PM
To: Murdie, Ashley <murdie.ashley@epa.gov>
Subject: Media request: ethanol/E15 announcement

Hi Ashley,

Three questions about today's announcement, please:

- How soon can we expect to see the higher level of ethanol in pumps?

Retail stations will be permitted to sell E15 at the same RVP as E10 starting June 1, excluding in Federal reformulated gasoline areas and areas where existing state and local rules limit the RVP of gasoline. EPA is not pre-empting state and local rules on the matter.

- To what regions of the country does this apply?

The 1-psi waiver applies for E15 in the same way that the 1-psi waiver applies to E10 today. This is not nationwide, however, as the 1-psi waiver does not apply in Federal reformulated gasoline (RFG) areas and other state and local areas where their rules limit it. In such areas E15 can already use the same gasoline blendstocks as E10, so no 1-psi waiver is needed.

- The common argument against more ethanol in fuel tanks is that it contributes to smog. Does the EPA have any comprehensive number for how much the crops used for fuel reduce carbon dioxide?

For an answer to this question, I'm copying the EPA Headquarters Office of Public Affairs.

Thanks!

--
Bengt Halvorson
Editor, Green Car Reports
bengt@internetbrands.com
503-381-5662

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/21/2019 9:07:36 PM
To: Alexander, Kurtis [KAlexander@sfchronicle.com]
CC: Press [Press@epa.gov]; Glenn, William [Glenn.William@epa.gov]; Calvino, Maria Soledad [Calvino.Maria@epa.gov]; PerezSullivan, Margot [PerezSullivan.Margot@epa.gov]
Subject: RE: WOTUS question from Chronicle

Kurtis, for attribution to "an EPA Spokesperson," please:

After a thorough review of existing data and information available on the nation's waters, the agencies have determined that there is not enough information to accurately or responsibly quantify changes in federally-regulated waters associated with the proposed rule. For example, the maps and data that are available to the agencies now do not accurately distinguish, at a nationwide level, different types of waters, including ephemeral and intermittent streams, which are treated differently under the agency's proposal and the 2015 rule, or distinguish the changes to the category of adjacent wetlands. Perhaps most importantly, there is no nationwide map that identifies "waters of the United States" under the 1980s regulations, the 2015 Rule, or the proposed rule. As a result, estimates like those listed below cannot be calculated and should not be used to compare the agencies' current proposal to previous regulations. By establishing clear categories of waters that would be federally regulated and specific categories of excluded waters and features, the Trump Administration's 2018 proposal will provide the necessary clarity to stakeholders, while maintaining robust protection of our nation's waterways.

Cheers, R.

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From: Alexander, Kurtis <KAlexander@sfchronicle.com>
Sent: Tuesday, March 19, 2019 1:18 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Press <Press@epa.gov>
Subject: WOTUS question from Chronicle

Hi Christie. I'm writing to you because you've helped me before, but I'm not sure this is in your wheelhouse so I've cc'ed the main line.

I'm hoping to get some info on the proposed change to WOTUS. I've looked at the proposed rule, which essentially reverts back to the 2015 rule, and I see changes in terms and definitions, and acknowledgement that the scope of the Clean Water Act is scaled back. But I don't get any sense of how much the scope is restricted. Is there any way to quantify the rollback in terms of acres of wetlands or streams covered? I've seen one estimate suggesting that 51 percent of wetlands and 18 percent of the streams without a permanent water connection would be freed from regulation. Is this accurate?

Any other info you could provide to give readers a sense of the scope of the change would be helpful.

Thanks for your time,

Kurtis

Kurtis Alexander
Staff Writer
(415) 777-6063
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San Francisco Chronicle | SFGATE

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/21/2019 8:16:59 PM
To: Oliver Milman [oliver.milman@theguardian.com]
CC: Press [Press@epa.gov]
Subject: Re: Question on number of chemicals banned by EPA

Oliver, for attribution to "an EPA Spokesperson," please:

The 2016 amendments to Toxic Substances Control Act (TSCA) were enacted because of concerns that EPA did not have adequate authority to regulate chemicals and ensure their safety in the marketplace. EPA is currently implementing new authorities in TSCA which includes the ability of EPA to review new and existing chemicals and mitigate unreasonable risk through appropriate regulatory action.

EPA has prevented some new chemicals from entering the market, and have put restrictions on many that we have allowed to commercialize. Chemicals on the market may have many uses, only some of which, if any, may be of concern and EPA has put additional protections and/or restrictions for specific uses of the chemicals that play vital roles in our economy and the well-being of society.

Most recently, EPA banned consumer sales of Methylene Chloride in paint removers.

EPA has banned or taken risk management actions on some uses of 6 existing chemicals. (See actions that have been taken by EPA under Section 6 of TSCA. On the bar toward the top of the page are two ways to search: § 6 Rules Under Amended TSCA and § 6 Rules Prior to June 2016.)

EPA has issued 1,495 consent orders for new chemicals, which are available for view to the public. (See ChemView, check the "TSCA Section 5 Orders" box under EPA Actions in the Show Output Selection area of ChemView and then select "Generate Results.") Consent orders contain requirements and restrictions on the manufacturing, processing, distribution, use and/or disposal of specific new chemicals.

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On Mar 18, 2019, at 3:19 PM, Oliver Milman <oliver.milman@theguardian.com> wrote:

> Hello there,
>
> could you please let me know the answer to the following, should be fairly straightforward:
>
> How many chemicals has the EPA banned under TSCA? I've seen different numbers ranging from 5 to 9. Could you please confirm the correct number?
>
> Look forward to hearing back from you.
>
> Many thanks,

Oliver

--
Oliver Milman
Journalist
Guardian News & Media
---
(917) 362 5925
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---

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/21/2019 2:54:19 PM
To: Meyer, Zlati [zmeyer@usatoday.com]
CC: Press [Press@epa.gov]
Subject: Re: Specifically, these are the EWG grafs I'd like EPA reax to, pls

Hey Zlati,

For attribution to "an EPA Spokesperson," please:

We have not reviewed this year's list yet. However, based on FDA and USDA monitoring, EPA has concluded that the rate of violations of pesticide maximum legal residue limits is very small, which confirms our analysis that the food supply is safe.

The EPA evaluates all pesticides marketed in the United States to make sure that they meet the strict safety standard of the Food Quality Protection Act and can be used with "a reasonable certainty of no harm." In making these decisions, we consider the public's overall exposure to pesticides through food, water and in home environments. Protecting human health, especially that of sensitive populations like children, is a priority for the EPA. Moreover, the EPA agrees with the experts who recommend consuming a varied diet including many fruits and vegetables, and washing them first (with plain water) to remove dirt, bacteria and pesticide residues.

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On Mar 19, 2019, at 3:36 PM, Meyer, Zlati <zmeyer@usatoday.com> wrote:

From the embargoed EWG report:

The chief responsibility of deciding which pesticides are approved for use in the U.S., including deciding what conditions are placed on their approval and setting the pesticide residue levels on foods and crops, falls to the EPA. But primary enforcement authority for pesticide use on farms is left to states, and the responsibility of testing foods to determine dietary exposures to pesticides is divided between the USDA and the Food and Drug Administration. However, neither the USDA nor FDA regularly tests all commodities for pesticide residues, nor do the programs test for all pesticides commonly used in agriculture.

The pesticide registration process requires companies to submit safety data, proposed uses and product labels to be approved by the EPA. However, the EPA does not conduct its own independent testing of pesticides. Neither does its review fully capture the risks posed by pesticides, because of limitations in available data and failures in risk assessments such as excluding synergistic effects. This is concerning because scientists have found that the combination of two or more pesticides can be more potent than the use of the pesticides individually.

The primary pesticide law – the Federal Insecticide, Fungicide, and Rodenticide Act, or FIFRA – is far less health protective than the laws that protect the safety of our air, food, water and environment. There are many reasons EWG fights for pesticide regulation and reform: registration loopholes, limited public participation, outdated registration and pesticide registration backlogs, to name a few. These are examples of the potential undermining of marketplace safety as products with harmful health concerns can remain on the market. Not all pesticides registered under FIFRA adequately protect human health and the environment, and federal food tolerance residue levels often allow for higher exposure levels than public health advocates, including EWG, consider to be safe.

Zlati Meyer
Money reporter
USA TODAY
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Follow me on Twitter: @ZlatiMeyer

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, March 19, 2019 2:45 PM
To: Meyer, Zlati <zmeyer@usatoday.com>; Press <Press@epa.gov>
Subject: RE: Urgent media request -- pesticides

Thanks, Zlati. Again, I'm sure you understand we'd find it hard to comment on an embargoed report.

Now, do you have questions about specific EPA regulations/policies?

Cheers, R.

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From: Meyer, Zlati <zmeyer@usatoday.com>
Sent: Tuesday, March 19, 2019 2:42 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: Urgent media request -- pesticides

Correct. This is their annual Dirty Dozen/Clean 15 report.(The February one was about wine and beer.) This is something they've put out annually for years, so you're familiar with it. The 2019 report is embargoed until tomorrow morning.

The group continues to be critical of EPA's pesticide approval, usage and monitoring. I'm seeking comment from you on that, please.

Zlati Meyer
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Follow me on Twitter: @ZlatiMeyer

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, March 19, 2019 2:22 PM
To: Meyer, Zlati <zmeyer@usatoday.com>; Press <Press@epa.gov>
Subject: RE: Urgent media request -- pesticides

Good afternoon Zlati,

Sorry for the delayed response. Just so I'm sure I understand: the EWG report you're referencing is not the one for which you reached out to us weeks ago, right? We did send you a response on February 22.

Maybe you have a link to, or copy of, the report in question?

Last but not least: Do you still need info from us, or are you set for publication?

Cheers, R.

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From: Meyer, Zlati <zmeyer@usatoday.com>
Sent: Monday, March 18, 2019 4:54 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: Urgent media request -- pesticides

Hi. I'm working on a story on deadline for tomorrow/Tuesday afternoon about the EWG's new report about pesticides on fruits and vegetables. The organization is critical of the EPA's allowing these chemicals to be used on produce, so I'm requesting a response from EPA to include in my piece – either an e-mailed statement or a phone interview.

Thanks,
Zlati

Zlati Meyer
Money reporter
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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/29/2019 8:15:17 PM
To: Franklin County Free Press Ex. 6 Personal Privacy (PP)
CC: Press [Press@epa.gov]
Subject: RE: DAVID TAYLOR: Your questions on pesticides for U.S. EPA

David, with apologies for the late response, and for attribution to "an EPA Spokesperson," please:

Triple Action Neem Oil (EPA Reg. No. 70051-2-829) is a distributor product under the primary registration for NEEM OIL 70% (EPA Reg. No. 70051-2).

A distributor product is one where a registrant distributes or sells their registered product under another company's name and address instead of (or in addition to) their own under FIFRA. Read more about these products here: https://www.epa.gov/pesticide-registration/pesticide-registration-manual-chapter-9-supplemental-distribution-registered

The only active ingredient the EPA has approved for this product formulation is neem oil. Malathion, chlorpyrifos, and permethrin are not approved for use in this product. Though these active ingredients are used in other registered pesticides, they are not part of the approved formulation for this product.

EPA is aware of the state actions that have been taken regarding this product. While we cannot comment on the status of or how we will proceed with any investigation, EPA continues to work with our state partners to enforce against the sale and distribution of illegal pesticides.

Cheers, R.

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Ex. 6 Personal Privacy (PP) (M)

From: Franklin County Free Press Ex. 6 Personal Privacy (PP) >
Sent: Tuesday, May 21, 2019 4:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: DAVID TAYLOR: Your questions on pesticides for U.S. EPA

Okay, I will hold it until Tuesday, May 28th. Thank you for your help.

On Tue, May 21, 2019 at 1:10 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> How about next Tuesday?
>
> Cheers, R.
>
> Robert Daguillard

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Ex. 6 Personal Privacy (PP) (M)

From: Franklin County Free Press < Ex. 6 Personal Privacy (PP) >
Sent: Tuesday, May 21, 2019 3:59 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: DAVID TAYLOR: Your questions on pesticides for U.S. EPA

I can wait for you if you need some more time.

On Tue, May 21, 2019 at 8:47 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Sorry, David,

As my out-of-office message likely told you, I was not in yesterday. Let me check on where things stand. How late can you realistically hold out for a response?

Cheers, R.

Robert Daguillard

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Ex. 6 Personal Privacy (PP) (M)

From: Franklin County Free Press < Ex. 6 Personal Privacy (PP) >
Sent: Monday, May 20, 2019 3:18 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: DAVID TAYLOR: Your questions on pesticides for U.S. EPA

Well, no deadline but we would like to publish soon and we would really like an official position on this issue. So we will wait another 24 hours for your reply before we publish.

On Fri, May 17, 2019 at 7:49 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning,

Happy to look into this for you. Are you on deadline?

Cheers, R.

Robert Daguillard

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My name is David Taylor with Franklin County Free Press My questions are in reference to "Triple Action Neem Oil Broad Spectrum Fungicide, Insecticide, and Miticide" containing "Malathion, Chlorpyrifos, and Permethrin". The Pennsylvania Department of Agriculture issued a press release advising everyone to dispose of the product.
The Oregon Department of Agriculture has issued a removal order to Southern Agricultural Insecticides Inc. Other states that we have found warnings issued are Alaska, Colorado, and Texas.

What is the EPA position on this issue?

Will the EPA issue a recall for Triple Action Neem Oil Broad Spectrum Fungicide, Insecticide, and Miticide?

What is the PPM of Malathion in the product?

What is the EPA acceptable limit for Malathion?

What is the PPM of Chlorpyrifos in the product?

What is the EPA acceptable limit for Chlorpyrifos?

What is the PPM of Permethrin in the product?

What is the EPA acceptable limit for Permethrin?

Thank You

David Taylor
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http://fcfreepress.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/23/2019 2:00:42 PM
To: julenebair[Ex. 6 Personal Privacy (PP)]
CC: Press [Press@epa.gov]; Brees, Angela [Brees.Angela@epa.gov]; Carey, Curtis [Carey.Curtis@epa.gov]; Murdie, Ashley [murdie.ashley@epa.gov]
Subject: JULENE: Your questions for US EPA re: WOTUS

Julene, for attribution to "an EPA Spokesperson," please:

1) **How would the 2015 rule have affected a dry creek bed (adjacent to a grassland) and a lagoon/playa (periodically farmed) on her property versus the current proposed rule?**

Under EPA's proposed rule revising the definition of "waters of the United States," any river or creek that flows only in direct response to precipitation would be excluded from federal jurisdiction. Under the 2015 rule, streams or creeks that contained flow after rainfall would be covered by the Clean Water Act under the definition of "tributary" if they have a bed and banks and an ordinary high water mark and where they connect downstream to a traditional navigable water, interstate water, or territorial sea.

Under the proposed rule, a lagoon or playa would likely be non-jurisdictional, unless it is an impoundment of a jurisdictional water or an adjacent wetland according to the proposal.

Under the 2015 rule, a lagoon or playa would be jurisdictional where it is an impoundment of a jurisdictional water, including a jurisdictional ephemeral tributary; where it meets that rule's definition of adjacent waters; or where it has been determined to be jurisdictional based on a case-specific significant nexus analysis.
Learn more:

- https://www.epa.gov/sites/production/files/2018-12/documents/factsheet_-_key_changes_12.10.18.pdf
- https://www.epa.gov/sites/production/files/2018-12/documents/factsheet_-_wotus_revision_overview_12.10_1.pdf

2) **Once the new rule is in place, who should farmers call if they have questions?**

When it comes to the day-to-day implementation of Clean Water Act jurisdiction, local Army Corps of Engineers offices are always a good place to start. See: http://regulatory-ops.s3-website-us-east-1.amazonaws.com/

3) **Within the rule, what is considered point source pollution versus non-point source pollution? What is the difference between the two?**

EPA's proposed rule revising the definition of "waters of the United States" identifies "waters of the United States" that are federally jurisdictional under the Clean Water Act. The Act regulates discharges of pollutants from a point source into "waters of the United States." The proposed rule revising the definition of "waters of the United States" does not address the definitions of point source pollution or non-point source pollution. For more information see https://www.epa.gov/nps/basic-information-about-nonpoint-source-nps-pollution/.

4) **Within the revised definition of WOTUS, Julene asked about references to 'common/longstanding' ag practices. She would like to know if the agency considers chemical applications, which have historically been used in traditional ag practices, as part of 'common/longstanding' ag practices?**

The proposed WOTUS rule addresses the scope of waters that are jurisdictional under the Clean Water Act. It does not alter longstanding permitting exemptions under section 404 of the Act for discharges of dredged and fill material related to normal farming activities. The proposed rule would not change existing Clean Water Act

permitting requirements regarding the application of pesticides. A National Pollutant Discharge Elimination System (NPDES) permit is required for discharges to waters of the United States from the application of (1) biological pesticides and (2) chemical pesticides that leave a residue.

Cheers, R.

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/22/2019 10:46:55 PM
To: dac@columbiainsight.org
CC: Press [Press@epa.gov]; MacIntyre, Mark [Macintyre.Mark@epa.gov]; Holsman, Marianne [Holsman.Marianne@epa.gov]; Dunbar, Bill [dunbar.bill@epa.gov]
Subject: DAC: Your Questions for EPA About ACP

DAC, for attribution to "an EPA Spokesperson," please:

Q1: *In researching aminocyclopyrachlor (ACP), I saw that the EPA banned Imprelis, which had ACP as the active ingredient, in 2011. This move came after it was linked to tree deaths in the Midwest. Is this accurate? And if so, my question is: why didn't the agency extend the ban to cover products like Perspective, which also has ACP as the active ingredient and has now been linked to the death of thousands of pine trees in Central Oregon?*

R1: EPA ordered DuPont to stop selling and distributing Imprelis following an investigation into why a large number of trees had been harmed after use of the herbicide. The investigation showed that the company failed to submit reports to EPA about potential adverse effects of the product and sold it with labeling that did not ensure its safe use. When customers applied the improperly labeled Imprelis product, it led to widespread death and damage to trees. EPA did not take action on other products including Perspective, containing ACP if they were appropriately labeled.

Q2: *In light of the Oregon Dept. of Agriculture's recent move to restrict the use of Perspective, does the EPA intend to change the way it regulates Perspective (and potentially other herbicides that have ACP as the active ingredient)?*

R2: EPA has seen news reports of damage to ponderosa pines in Oregon after application of other ACP products. EPA takes incidents of unintended plant damage very seriously and evaluates all available information when considering additional action. EPA acquires information regarding incidents through various mechanisms, including data concerning adverse effects of a registered pesticide required by FIFRA Section 6(a)(2) to be submitted by registrants.

EPA will evaluate all available information, including incident data for Perspective, as part of the consideration(s) for any change to existing pesticide registrations.

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/22/2019 10:06:26 PM
To: Rizzuto, Denise Pat [prizzuto@bloombergenvironment.com]
CC: Press [Press@epa.gov]
Subject: Re: Would you share the rationale for removing these 3 TSCA rulemakings from Reg. Agenda?

Pat, for attribution to "an EPA Spokesperson," please:

> When EPA permanently discontinues work on any rule, the Agency is required to note the completion of our efforts by including an entry for those actions in the Completed Actions part of the Regulatory Agenda (https://www.reginfo.gov/public/do/eAgendaHistory?showStage=completed).

> The three rules in question are identified on the list of "inactive" actions that correspond to the Spring 2019 Regulatory Agenda. As noted on the reginfo.gov web page presenting the inactive list (https://www.reginfo.gov/public/do/eAgendaInactive), agencies may designate actions as "inactive" when they choose to take additional time to review a regulatory or deregulatory action. Generally, "inactive" actions do not have an anticipated proposed/final rule publication milestone that will occur in the next 12 months.

> With respect to the TCE actions, TCE is among the first 10 chemicals undergoing risk evaluation under the 2016 TSCA amendments, and the uses identified in the December 2016 and January 2017 proposed rules (RIN 2070-AK03 and RIN 2070-AK11, respectively) are being considered as part of the risk evaluation. EPA therefore will not move forward on issuing any final risk management regulations until after the risk evaluation is complete, including the final risk determination.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 **(O)**
Ex. 6 Personal Privacy (PP) **(M)**

On May 22, 2019, at 8:13 AM, Rizzuto, Denise Pat <prizzuto@bloombergenvironment.com> wrote:

> Three TSCA rulemakings that were on the Fall agenda have been dropped from the newly posted spring agenda.
>
> They are: 2 long-term actions involving TCE: specifically a "regulation of certain uses" and a "vapor degreasing" rule
> The 3rd was a SNUR for nonylphenols and nonylphenol ethoxylates.

Has the agency dropped those rulemakings?
Would you share the rationale for that.

Deadline asap as we're to file as soon as possible.

: : : : : : : : : : : : : : : : : :

Pat Rizzuto
Chemicals Reporter

Bloomberg Environment

(703) 341-3741
prizzuto@bloombergenvironment.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 5/22/2019 7:19:27 PM
To: Esch, Mary [MEsch@ap.org]; Press [Press@epa.gov]
Subject: RE: Press inquiry - Domestic recycling infrastructure

Mary, for attribution to "an EPA Spokesperson," please:

Q. I'm doing a story for the Associated Press on investment in domestic recycling infrastructure in response to China's scrap import restrictions. Is there someone at EPA who can comment on whether infrastructure is expanding (or are some paper or plastic recyclers going out of business, offsetting the increased capacity?)

A. Data is not yet widely available for EPA to report on any changes that have occurred over the past year or two. However, some data is starting to be published that might give us an early indication about any changes that may have occurred. For instance, the American Forest and Paper Association (AF&PA) has reported that the U.S. paper recovery rate rose 2.2 percentage points in 2018 to a new all-time high of 68.1 percent. They indicate that the increase was mainly driven by a 2.7 percent increase in domestic mill consumption of recovered paper and 4.2 percent increase in recovered paper exports. In addition, AF&PA notes that the amount of paper landfilled decreased by one million tons from 2017 to 2018.

Q. Are there figures on how much recyclable material is collected and how much of that is actually recycled?

A. EPA publishes data on material generation and management annually. The most recent data available is 2015. Data for 2016 and 2017 should be available this fall. For more information on the report, please visit https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/advancing-sustainable-materials-management.

Q. Is EPA doing anything to promote development of domestic recycling capacity?

A. Between August and October 2018, EPA held one-on-one and small roundtable conversations with stakeholders including recyclers; brands; industry representatives and associations; and state, tribal and local government representatives and associations to identify key challenges facing the U.S. recycling system as well as ways for EPA to support stakeholders' efforts. EPA used this information to develop the agenda for a Summit hosted by EPA Administrator Wheeler on November 15, 2018, to form the America Recycles Pledge signed at the Summit and to craft the four action areas identified by the stakeholders as ways to build a resilient national recycling system. The four action areas – education and outreach, enhancing infrastructure, strengthening markets, and enhancing measurement – are the core of the work being undertaken by EPA and stakeholders involved in all aspects of the U.S. recycling system.

Following the November Summit, EPA convened volunteers who participated in the Summit and formed work groups around each of the four action areas to identify key actions and implementation strategies to address challenges in the U.S. recycling system. The work groups met several times in-person and via conference call between February and April 2019 to begin developing a framework to address challenges facing the U.S. recycling system. Through an iterative and inclusive process, the work groups identified a series of potential near-term and long-term actions to address the identified challenges. The groups also began to develop project plans for the immediate actions selected. The actions and strategies finalized by the workgroups will be included in a national Framework. EPA will facilitate advancing the national Framework including those actions that support and encourage market development.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Esch, Mary <MEsch@ap.org>
Sent: Wednesday, May 08, 2019 3:39 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: Press inquiry - Domestic recycling infrastructure

I don't have a hard deadline date, but I'd like to have it wrapped up by Friday.

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Wednesday, May 08, 2019 3:35 PM
To: Esch, Mary <MEsch@ap.org>; Press <Press@epa.gov>
Subject: RE: Press inquiry - Domestic recycling infrastructure

Good afternoon,

Thanks for reaching out. Let me know your deadline and planned publication date – and whether you have any additional questions.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Esch, Mary <MEsch@ap.org>
Sent: Wednesday, May 08, 2019 3:32 PM
To: Press <Press@epa.gov>
Subject: Press inquiry - Domestic recycling infrastructure

I'm doing a story for the Associated Press on investment in domestic recycling infrastructure in response to China's scrap import restrictions. Is there someone at EPA who can comment on whether infrastructure is expanding (or are some paper or plastic recyclers going out of business, offsetting the increased capacity?)

Are there figures on how much recyclable material is collected and how much of that is actually recycled?

Is EPA doing anything to promote development of domestic recycling capacity?

Thanks for your help.
Mary

Mary Esch
Associated Press
Albany, NY
518-458-7821 office

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Message

From: Isa Ismail [iismail@VOANews.COM]
Sent: 5/17/2019 6:36:02 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; White, Terri-A [White.Terri-A@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: interview

Hi Robert,
thank you very much for the info. i am off today. will work on it next week.
Isa

Are your memories real
or is it your imagination trying to fill in the gaps?

Sent From My Redberry

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Friday, May 17, 2019 2:01 PM
To: Isa Ismail; White, Terri-A
Cc: Press
Subject: RE: interview

Good afternoon Isa,

For attribution to "an EPA Spokesperson," please:

Q1) I would like to know how much US trash/plastics waste were sent to China before it is stopped?

A1) According to the Institute for Scrap Recycling Industries (ISRI), the U.S. exported approximately 15,418,278 (short) tons of scrap recyclables to China, which included ferrous materials, paper and paperboard, copper, nickel, aluminum, lead and zinc, plastics, rubber, textiles and glass in 2017, the year before China implemented the ban. Out of this amount, plastics accounted for 614,957 (short) tons. Please see ISRI Scrap Data for further information.

Q2) Where do they go now? Malaysia, Vietnam, Indonesia etc?

A2) ISRI provides information on U.S. exports scrap materials to India, Malaysia, Canada, Indonesia, Thailand and several other countries, but the flow of exports to specific countries depends on the materials. Please see ISRI Scrap Database for further information.

Q3) Many municipalities in the US have actually stopped recycling those wastes and just dumped them in landfills or incinerate them. What would be the environmental impacts of those actions?

A3) EPA is aware that export bans from countries primarily in southeast Asia, including China, have impacted recycling efforts across the U.S. Many stakeholders from the U.S. recycling industry, as well as state and local

governments, have expressed concerns to EPA about the bans. However, many see the bans as an opportunity to upgrade operations, stimulate jobs and increase the use of recyclables in manufacturing. It may take some time, but the markets for recyclables are returning to more domestic use. We see this trend continuing in the future as recycling programs work to increase the quantity of high quality collected materials, and manufacturers in our country adapt to using recovered materials. EPA is engaging in conversations at the national, regional, state, tribal and local levels regarding the issues in recycling. We are convening meetings and facilitating dialogues with impacted stakeholders, including last November's America Recycles Day Summit, to help us more fully understand the consequences of the export ban and focus on expanding markets for recovered materials.

Recycling has a number of environmental and economic benefits, including reducing the amount of waste sent to landfills and combustion facilities, conserving natural resources such as timber, water and minerals as well as increasing economic security by tapping into a domestic source of materials. Recycling supports our nation's manufacturing by providing valuable energy efficient feedstocks to domestic producers of paper, packaging, textiles, construction products, consumer goods and many other industries. However, decisions about how municipal solid waste is managed are generally made at the state and local level. If there are questions about how solid waste management is managed in specific localities, please contact the individual localities for additional information including impacts from the bans.

Additionally, WasteDive has been tracking the effect of international scrap policies in all 50 states and the District of Columbia since 2017. According to this publication, many small-and medium-sized municipalities are particularly vulnerable to the recent changes, and the domestic recycling infrastructure is going through a significant transformation. For information on the environmental and other impacts on specific states and municipalities, please see: Waste Dive: How Recycling is Changing in all 50 States

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Isa Ismail <iismail@VOANews.COM>
Sent: Monday, May 13, 2019 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; White, Terri-A <White.Terri-A@epa.gov>
Cc: Press <Press@epa.gov>; Isa Ismail <iismail@VOANews.COM>
Subject: RE: interview

Hi Robert,
Thanks for the quick response.
I am planning to write this story for radio this week, if possible. I work for the Indonesian Language Service at VOA.
Isa

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Monday, May 13, 2019 12:42 PM
To: White, Terri-A <White.Terri-A@epa.gov>; Isa Ismail <iismail@VOANews.COM>
Cc: Press <Press@epa.gov>
Subject: RE: interview

Good afternoon Isa,

Let me look into this for you. Are you on deadline? When are you planning to file? Is this for a radio, web or TV piece?

Also and out of curiosity: What VOA service do you work for?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: White, Terri-A
Sent: Monday, May 13, 2019 12:40 PM
To: Isa Ismail <iismail@VOANews.COM>
Cc: Press <Press@epa.gov>
Subject: RE: interview

Hi Isa,

I'm copying EPA's national press office. Someone from our D.C. office will get back to you.

Terri

Terri A. White
Chief, Communications Branch
Office of Public Affairs
EPA Region 3
215-814-5523
white.terri-a@epa.gov

From: Isa Ismail <iismail@VOANews.COM>
Sent: Monday, May 13, 2019 12:12 PM

To: White, Terri-A <White.Terri-A@epa.gov>
Cc: Isa Ismail <iismail@VOANews.COM>
Subject: interview

Hi,
My name is Isa Ismail. I am a journalist for the Voice of America in Washington DC. I would to speak/interview with a spokesman/woman of your office regarding the U.S.management of trash/plastics waste, after China stopped recycling foreign trash.
If this is not the right office, can you direct me to the appropriate office/person?
Thank you very much.
Isa

"Are your memories real, or
or is it your imagination trying to fill in the gaps?"
(Anonymous)

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 5/20/2019 6:50:49 PM
To: Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]; Press [Press@epa.gov]
Subject: RE: Approval: Administration ending contributions to research programs on environmental impacts for children's health?

This is better send this.

From: Sauerhage, Maggie
Sent: Monday, May 20, 2019 2:47 PM
To: Press <Press@epa.gov>
Subject: Approval: Administration ending contributions to research programs on environmental impacts for children's health?

Updated statement for AP (new first line). Jennifer is good with this. Ok to send & do you want to add a spokesperson or just U.S. EPA for attribution?

Ex. 5 Deliberative Process (DP)

Maggie Sauerhage
Office of Public Affairs
U.S. Environmental Protection Agency
Office: (202) 564-0443
Cell: Ex. 6 Personal Privacy (PP)

From: Sauerhage, Maggie
Sent: Monday, May 20, 2019 2:09 PM
To: Press <Press@epa.gov>
Subject: Approval: Administration ending contributions to research programs on environmental impacts for children's health?

Ok to send below statement? I moved the last part up to the top.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Maggie Sauerhage
Office of Public Affairs
U.S. Environmental Protection Agency
Office: (202) 564-0443
Cell: Ex. 6 Personal Privacy (PP)

From: Knickmeyer, Ellen <EKnickmeyer@ap.org>
Sent: Monday, May 20, 2019 2:01 PM
To: Press <Press@epa.gov>
Subject: Administration ending contributions to research programs on environmental impacts for children's health?

Hello- Can you tell me if the EPA has decided to end its contributions to university-based research looking at various environmental impacts on children's health?

If so, can you tell me why? Was there a specific change in funding for the EPA that necessitated it?

Thank you,
Ellen
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Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 5/20/2019 6:49:07 PM
To: Sauerhage, Maggie [Sauerhage.Maggie@epa.gov]
CC: Press [Press@epa.gov]
Subject: Re: Approval: Administration ending contributions to research programs on environmental impacts for children's health?

Let's send it.

John Konkus
Environmental Protection Agency
Deputy Associate Administrator for Public Affairs
Mobile: Ex. 6 Personal Privacy (PP)

On May 20, 2019, at 2:47 PM, Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:

Updated statement for AP (new first line). Jennifer is good with this. Ok to send & do you want to add a spokesperson or just U.S. EPA for attribution?

Ex. 5 Deliberative Process (DP)

Maggie Sauerhage
Office of Public Affairs
U.S. Environmental Protection Agency
Office: (202) 564-0443
Cell: Ex. 6 Personal Privacy (PP)

From: Sauerhage, Maggie
Sent: Monday, May 20, 2019 2:09 PM
To: Press <Press@epa.gov>
Subject: Approval: Administration ending contributions to research programs on environmental impacts for children's health?

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Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Maggie Sauerhage
Office of Public Affairs
U.S. Environmental Protection Agency
Office: (202) 564-0443
Cell: Ex. 6 Personal Privacy (PP)

From: Knickmeyer, Ellen <EKnickmeyer@ap.org>
Sent: Monday, May 20, 2019 2:01 PM
To: Press <Press@epa.gov>
Subject: Administration ending contributions to research programs on environmental impacts for children's health?

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Message

From: Elliott, Dan [delliott@ap.org]
Sent: 8/2/2018 10:20:12 PM
To: Hewitt, James [hewitt.james@epa.gov]
Subject: RE: Gold king info
Attachments: ATT00001.txt

Understood, thanks.

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) (Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St.
Suite 901
Denver, CO 80203

From: Hewitt, James <hewitt.james@epa.gov>
Sent: Thursday, August 02, 2018 4:17 PM
To: Elliott, Dan <delliott@ap.org>
Cc: Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Gold king info

We have not paid any tort claims related to the gold king release.

On Aug 2, 2018, at 6:15 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

> Dan,
>
> You may attribute the first highlighted paragraph to EPA Spokesperson James Hewitt.
>
> I am checking on your second question. And You're third question is correct.
>
> Sent from my iPhone
>
> On Aug 2, 2018, at 6:08 PM, Elliott, Dan <delliott@ap.org> wrote:
>
>> James:
>>
>> Thank you. This is very helpful.
>>
>> It's possible that the Colorado official I spoke with heard about the EPA letters seeking clarification or more information, and somewhere along the chain of communication they were misrepresented as offer letters.
>>
>> Three follow-up questions to your email:

1. Please define "on background." I would like to use the information in the fourth and fifth paragraphs in your email, highlighted in yellow below, in my story and attributed to someone by name, because they show the EPA is in fact actively reviewing the claims as then-administrator Pruitt promised. Otherwise, all I have on the record for attribution is Molly's email from yesterday which said, "We have no further information at the moment." I have quotes from two people who filed claims and have heard nothing from the agency, and I have some unhappy-sounding comments from lawmakers who apparently aren't aware of the steps you outlined. Altogether, what I have on the record leaves the impression that the EPA has done very little or nothing. I don't want to leave that impression if it's not accurate.
2. Is it accurate to say that although the review is continuing, no tort claims have been paid yet?
3. Does OGC stand for the EPA's Office of General Counsel?

Thank you.

Dan

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) (Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St.
Suite 901
Denver, CO 80203

From: Hewitt, James <hewitt.james@epa.gov>
Sent: Thursday, August 02, 2018 3:26 PM
To: Elliott, Dan <delliott@ap.org>
Cc: Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Gold king info

Dan,

Molly passed along your inquiry.

EPA staff is not aware of any such "offer letters" but if you have additional information to share please do and we will look into it.

Below is information you may used on background:

The claims review process within OGC is continuing. We have 380 or so pending claims before the agency, including approximately 80 that were denied by the previous

administration and that we are reconsidering. The deadline to file new tort claims arising from the Gold King release passed last year.

Most recently, on June 13, 2018, EPA OGC sent letters to 54 tort claimants (or their counsel, if the claimant is represented) requesting additional information or documentation to substantiate part or all of their claims. We have received a small number of responses to these requests thus far, which our staff is reviewing. As a reminder, EPA has authority to pay administrative tort claims in the amount of $2,500 or less from EPA appropriations. For claims above that amount, any payments come from the Judgment Fund and require consultation and/or written approval from DOJ.

Because more than six months has passed since the time we received these claims and EPA has not responded to the claim within that time period, any claimant can file a lawsuit against the United States (not against EPA) on their claim. New Mexico, Utah, the Navajo Nation, and approximately 14 individuals have done so. These cases are consolidated in the District of New Mexico, and DOJ filed a motion to dismiss these cases on July 26, 2018 based on various defenses, including sovereign immunity. Once a claimant sues over a claim on which EPA has not acted, the Agency no longer has authority to act on that claim.

Best,
James

James Hewitt
Environmental Protection Agency
Press Secretary
Ex. 6 Personal Privacy (PP)

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Message

From: Elliott, Dan [delliott@ap.org]
Sent: 8/2/2018 10:16:37 PM
To: Hewitt, James [hewitt.james@epa.gov]
Subject: RE: Gold king info
Attachments: ATT00001.txt

James:

Many thanks.

Dan

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) (Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

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Denver, CO 80203

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Sent from my iPhone

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Dan

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
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1120 Lincoln St.
Suite 901
Denver, CO 80203

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Sent: Thursday, August 02, 2018 3:26 PM
To: Elliott, Dan <delliott@ap.org>
Cc: Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Gold king info

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Best,
James

James Hewitt
Environmental Protection Agency
Press Secretary
Ex. 6 Personal Privacy (PP)

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Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 4/15/2019 3:35:56 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Press [Press@epa.gov]
Subject: RE: Subject: Water Management Story

Sure.

From: Daguillard, Robert
Sent: Monday, April 15, 2019 10:31 AM
To: Press <Press@epa.gov>
Subject: FW: Subject: Water Management Story

OK to ask the program for a name for attribution?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Sent: Monday, April 15, 2019 10:28 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Water Management Story

Robert,

Thanks so much for this.

Is there anyone in particular to whom I can attribute these answers?

Also, can you supply any generic images that could accompany the answers/topics?

Thanks,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

On Apr 8, 2019, at 2:38 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon John,

For attribution to "an EPA Spokesperson," please:

1. **Describe the significance for building owners to have a sound water management plan**

Over the years, building owners have placed an emphasis on improving energy management in response to regulatory requirements, code changes, and energy costs. In 2018, more than 270,000 buildings used the ENERGY STAR Portfolio Manager tool to measure and track their energy use. **https://www.energystar.gov/buildings/about-us/facts-and-stats**.
There is increasing attention on the need to improve water management, whether to increase resiliency to water shortages caused by drought or to respond to the rising cost of water and sewer rates. Remember that in most cases, a building will be paying for their water use twice because many sewer charges are based on the water supplied to the building. Similar to energy management, if a building owner wants to get a handle on water use within their building, they need to have a plan. In some cases, it may be as easy as adding water to their existing energy management plans or environmental management systems.

2. **What would be your top 4 tips in developing a water management plan? Please describe each in detail.**

WaterSense is a voluntary partnership program sponsored by the U.S. Environmental Protection Agency and is a valuable resource for helping Americans save water.
WaterSense has a comprehensive guide that can help facility managers understand the steps to water management planning and opportunities for saving water in buildings. The guide, WaterSense at Work, is available on the EPA website at **https://www.epa.gov/watersense/best-management-practices. That said, here are four tips to consider when developing a water management plan**.

- Make a commitment to water management and put a team in place to develop and implement the plan. The commitment has to be made at a high level so it is clear that it is a priority of the building owner or property manager. The team should include people from across the organization including the facility manager who understands the building's mechanical systems and basic infrastructure, staff responsible for regulatory compliance, and staff responsible for overseeing the cleaning staff.

- Carry out a comprehensive assessment of facility water use. The only way to know exactly how a building uses water and where it consumes the most is to conduct a water assessment and develop a water balance. This will also help identify potential efficiency projects and prioritize efforts. This begins with collecting the billing data for at least the most recent two years to help set a baseline for assessing progress. Inventory the major water-using fixtures in the building by walking through the facility, gathering information about all of products or systems, and verifying water use where possible. Consider the need for additional flow meters for larger systems to better manage water use. Don't forget to assess outdoor water use if the building has landscapes or outdoor washing.

- Create an action plan that identifies specific projects and prioritizes them for action. Use the information from the assessment to determine where there are opportunities for significant water savings and, if associated with hot water, energy savings. Some projects may only require changes to standard operating procedures, but some may need new equipment. Identify how projects can be funded. Can activities be funded using operating expenses or will they require capital financing? Buildings that use energy service companies may find that they are also able to carry out

water-efficiency projects through the contracts. Water utilities may also offer rebates or other financial assistance to help reduce water use.

- Track progress and share the information. Review any meter readings and water bills to confirm that expected water savings are being achieved. ENERGY STAR's Portfolio Manager also allows buildings to track water use and can be a useful tool for building owners who manage portfolios of buildings. Sharing the results of the plan is also important because it builds accountability, helps to recognize success, or identify areas for improvement.

3. Are there any incentives for building owners to have such plans?

Certainly, there can be financial incentives – wisely managing water use can save money on water/sewer bills and energy bills. And many of the actions or projects that a building owner can carry out will have a short return on investment. For building owners that are in areas subject to drought, having a plan to manage their water use will improve their resiliency to shortages. Corporate social responsibility is also a focus for a growing number of companies. Demonstrating that they are addressing water use helps to demonstrate that the owner is a good steward of water resources.. Some cities that have mandatory energy reporting and disclosure for buildings are now extending that requirement to water reporting.
See**https://www.energystar.gov/buildings/program-administrators/state-and-local-governments/see-federal-state-and-local-benchmarking-policies.**

Further, there is growing interest in better monitoring water quality within buildings, particularly building types that may have occupants that are at greater risk to illness (e.g., hospitals, long-term health care facilities). The basic steps for developing a plan to manage water use in a building can be extended to also consider water quality. The Centers for Disease Control and Prevention have developed a toolkit to help facility managers implement water quality management programs. The toolkit and additional information are available
at**https://www.cdc.gov/legionella/wmp/index.html.**

4. **How important is it to have employees/building occupants aware of a water strategy?**

It is very important for employees and building occupants to be aware if the building is carrying out a water management plan to use water more efficiently. For example, if a hotel is carrying out a towel reuse program, but if the cleaning staff does not understand why or supervisors fail to follow up on implementation, savings that management is counting on will not be realized. Additionally, hotel guests who want to participate in the program may be frustrated, which could affect their perception of the business.

It's important to update standard operating procedures and educate employees on the changes and the reason for making them. Consider newsletters to update employees on progress or recognition programs for employees that come up with solutions that help achieve water-saving goals. People working or visiting the building need to know that they are part of the program and that if they see water waste, they should be emboldened to report it to the proper personnel or suggest operation changes that include water use. Instead of being part of the problem, educated employees and occupants can become part of the solution.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency

Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Sent: Thursday, April 04, 2019 9:05 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Subject: Water Management Story

Robert,

I think it might be better to answer the questions via email at this point. I was looking to have them returned mid-week next week, if possible. (4/10-4/11)

1. Describe the significance for building owners to have a sound water management plan.

2. What would be your **top 4 tips** in a developing a water management plan? Please describe each in detail.

3. Are there any incentives for building owners to have such plans?

4. How important is it to have employees/building occupants aware of a water strategy?

This should help.

Thanks, Robert.

All the best,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

<image001.png>

On Apr 3, 2019, at 3:16 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hey John,

Veronica and her colleagues from the water office have forwarded me your inquiry. We're happy to look into this for you. Maybe you could send me some specific questions, in case we don't have time to put Veronica or one of her colleagues on the phone with you?

Also, what's your deadline and when are you planning to publish?

Nice logo, BTW.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: John Mesenbrink <jmesenbrink@mechanical-hub.com>
Date: April 3, 2019 at 7:35:01 AM MST
To: Veronica Blette <blette.veronica@epamail.epa.gov>
Subject: Water Management Story

Veronica,

I hope you are doing well. We have met at various industry functions, including the Emerging Technology Symposiums.

I was wondering if you'd be interested in participating in a story I am working on regarding developing a sound water management plan (for commercial buildings).

The story would be published in *Architectural Products* magazine.

Can you answer a few questions or provide tips in this regard?

Thanks, and all the best,

John

John Mesenbrink
Mechanical Hub
| 847.340.9962 |

<image001.png>

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 6/14/2019 1:26:46 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: For Review: FedTech re SAN quotes

No need to respond.

From: Jones, Enesta
Sent: Friday, June 14, 2019 8:57 AM
To: Hewitt, James <hewitt.james@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: For Review: FedTech re SAN quotes

To be clear — just let her know **Ex. 5 Deliberative Process (DP)** ?

On Jun 14, 2019, at 8:56 AM, Hewitt, James <hewitt.james@epa.gov> wrote:

Leave as is.

From: Jones, Enesta
Sent: Friday, June 14, 2019 8:39 AM
To: Press <Press@epa.gov>
Subject: For Review: FedTech re SAN quotes

Circling back on this one. **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP) **Good to send?**

From: Elizabeth Neus <elizabeth.neus@manifest.com>
Date: June 13, 2019 at 4:40:38 PM EDT
To: <Jones.Enesta@epa.gov>, <Labbe.Ken@epa.gov>
Subject: media request: looking for attribution for quotes in a FedTech article

Good afternoon.

I am Jacquelyn Bengfort's editor at FedTech magazine, and she's written an article for me on the EPA's use of storage area networks. She's quoted spokesperson Michael Abboud extensively, but my boss has asked if there's any way we could get an actual IT official on the record. If anyone's willing to just put their name on Michael's quotes, that's fine, especially since Michael provided exactly what we needed. Here's the segment of the article in which he's quoted:

***
In 2013, the EPA moved its entire workforce — at the time, more than 18,000 employees and contractors — to the cloud for email and collaboration. The agency has continued to move additional functions and data to the cloud.

"The EPA is fully engaged in an agency-wide campaign to migrate end user data to OneDrive and shared file storage," says Michael Abboud, an EPA spokesperson. "The cloud platform minimizes

storage cost and complexity while maximizing accessibility, availability, integrity, security, records management and discovery capabilities."

SANs still remain an important part of the IT mix at the EPA, however. While the agency is working to limit SAN growth, it still needs this sort of data storage for certain applications. Abboud shares one example: "EPA's National Computing Center in Research Triangle Park, N.C., recently extended its SAN infrastructure and software to ensure 'hot' data is on the fastest physical tier."

The EPA's Office of Research and Development (ORD) likewise continues to use SANs to meet information security requirements and support specialized workloads for scientific data at its 13 facilities.

These SANs need to support isolated and interconnected networks, says Abboud.

"Faced with the challenge of refreshing SAN storage for several of these locations, EPA's ORD disk subsystems managed using virtual SAN software," explains Abboud. "This solution provided an integrated, cost-efficient, high-performance SAN solution for distributed research laboratories.

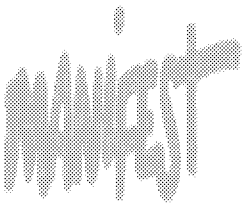
"EPA's private and hybrid cloud platforms will continue to have significant storage area network investments," he adds.

***

Please let us know as soon as possible if there's any IT official to whom we can attribute this material, and also let us know if there's anything in the content that might need to be changed.

thank you!
betsy
--

Elizabeth Neus
Senior Editor
202-721-1484
D.C. Studio



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The Path to Content Maturity Manifest's mission to damn good content marketing
Why Accessibility Matters Best practices for digitally accessible content
Rules All Brand Marketers Must Follow The latest from Manifest's President

Work We're Proud Of
CDW Positioning CDW as a thought leader across six key industries
ExpressScripts Leveraging data to identify, digitize and move audiences

See more here.

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 6/5/2019 2:29:50 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: For Review: Bloomberg Environment re NATA backgrounder

Yes.

From: Jones, Enesta
Sent: Wednesday, June 5, 2019 10:27 AM
To: Hewitt, James <hewitt.james@epa.gov>
Cc: Press <Press@epa.gov>
Subject: For Review: Bloomberg Environment re NATA backgrounder

Reflagging to ensure it's good to Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Good to proceed?

On May 14, 2019, at 4:44 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

Yes.

From: Jones, Enesta
Sent: Tuesday, May 14, 2019 4:39 PM
To: Press <Press@epa.gov>
Subject: For Review: Bloomberg Environment re NATA backgrounder

3F, ok to proceed with getting clarification from Amena and then scheduling a backgrounder with her and the appropriate OAQPS staffer?

From: "Bremer, Kristen" <Bremer.Kristen@epa.gov>
Date: May 14, 2019 at 4:32:42 PM EDT
To: "Millett, John" <Millett.John@epa.gov>, "Jones, Enesta" <Jones.Enesta@epa.gov>
Cc: "DeLuca, Isabel" <DeLuca.Isabel@epa.gov>
Subject: RE: Bloomberg NATA walk thru (on background)

If we do schedule a backgrounder it would be helpful to know what she means by the NATA database. Is she referring to the map? The table of results? Or does she really mean the NEI, which feeds NATA?

Kristen Bremer
Policy Analysis & Communications
U.S. EPA, Office of Air Quality Planning & Standards
Email: bremer.kristen@epa.gov
Phone: 919.541.9424
Cell: Ex. 6 Personal Privacy (PP)

From: Millett, John
Sent: Tuesday, May 14, 2019 4:05 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Cc: DeLuca, Isabel <DeLuca.Isabel@epa.gov>; Bremer, Kristen <Bremer.Kristen@epa.gov>
Subject: Bloomberg NATA walk thru (on background)

Hi All – I haven't responded, but this seems like **Ex. 5 Deliberative Process (DP)** ?

From: Saiyid, Amena <asaiyid@bloombergenvironment.com>
Sent: Tuesday, May 14, 2019 3:56 PM
To: Millett, John <Millett.John@epa.gov>
Subject: quick question

Hi John,
Can someone at EPA on background walk me through the 2014 national air toxics assessment database and help me understand whether the facilities reporting emissions in that database are all regulated facilities requiring macts for the standard set for that particular industrial sector.
This is not for attribution or anything. I need to understand how this database operates. When I have questions, I will be submitting them formally.
Thank you,
amena

Amena H. Saiyid
Air Reporter

Bloomberg Environment

D: 703 341-3695
C: Ex. 6 Personal Privacy (PP)
asaiyid@bloombergenvironment.com

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 8/2/2018 10:35:12 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]
Subject: Fwd: Gold king info

FYI, Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

From: "Elliott, Dan" <delliott@ap.org>
Date: August 2, 2018 at 6:26:44 PM EDT
To: "Hewitt, James" <hewitt.james@epa.gov>
Subject: RE: Gold king info

Two questions I neglected to ask:

1. Any estimate of when the review will be complete?
2. Any estimate of when the first claims will be paid, if any will be?

Dan

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) Mobile)
delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

1120 Lincoln St.
Suite 901
Denver, CO 80203

From: Hewitt, James <hewitt.james@epa.gov>
Sent: Thursday, August 02, 2018 4:17 PM
To: Elliott, Dan <delliott@ap.org>
Cc: Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Gold king info

We have not paid any tort claims related to the gold king release.

On Aug 2, 2018, at 6:15 PM, Hewitt, James <hewitt.james@epa.gov> wrote:

Dan,

You may attribute the first highlighted paragraph to EPA Spokesperson James Hewitt.

I am checking on your second question. And You're third question is correct.

Sent from my iPhone

On Aug 2, 2018, at 6:08 PM, Elliott, Dan <delliott@ap.org> wrote:

James:

Thank you. This is very helpful.

It's possible that the Colorado official I spoke with heard about the EPA letters seeking clarification or more information, and somewhere along the chain of communication they were misrepresented as offer letters.

Three follow-up questions to your email:

1. Please define "on background." I would like to use the information in the fourth and fifth paragraphs in your email, highlighted in yellow below, in my story and attributed to someone by name, because they show the EPA is in fact actively reviewing the claims as then-administrator Pruitt promised. Otherwise, all I have on the record for attribution is Molly's email from yesterday which said, "We have no further information at the moment." I have quotes from two people who filed claims and have heard nothing from the agency, and I have some unhappy-sounding comments from lawmakers who apparently aren't aware of the steps you outlined. Altogether, what I have on the record leaves the impression that the EPA has done very little or nothing. I don't want to leave that impression if it's not accurate.
2. Is it accurate to say that although the review is continuing, no tort claims have been paid yet?
3. Does OGC stand for the EPA's Office of General Counsel?

Thank you.

Dan

ASSOCIATED PRESS

Dan Elliott
303-825-0123 (Office)
Ex. 6 Personal Privacy (PP) (Mobile)

1120 Lincoln St.
Suite 901
Denver, CO 80203

delliott@ap.org
@DanElliottAP
http://bigstory.ap.org/content/dan-elliott

From: Hewitt, James <hewitt.james@epa.gov>
Sent: Thursday, August 02, 2018 3:26 PM
To: Elliott, Dan <delliott@ap.org>
Cc: Block, Molly <block.molly@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Gold king info

Dan,

Molly passed along your inquiry.

EPA staff is not aware of any such "offer letters" but if you have additional information to share please do and we will look into it.

Below is information you may used on background:

The claims review process within OGC is continuing. We have 380 or so pending claims before the agency, including approximately 80 that were denied by the previous administration and that we are reconsidering. The deadline to file new tort claims arising from the Gold King release passed last year.

Most recently, on June 13, 2018, EPA OGC sent letters to 54 tort claimants (or their counsel, if the claimant is represented) requesting additional information or documentation to substantiate part or all of their claims. We have received a small number of responses to these requests thus far, which our staff is reviewing. As a reminder, EPA has authority to pay administrative tort claims in the amount of $2,500 or less from EPA appropriations. For claims above that amount, any payments come from the Judgment Fund and require consultation and/or written approval from DOJ.

Because more than six months has passed since the time we received these claims and EPA has not responded to the claim within that time period, any claimant can file a lawsuit against the United States (not against EPA) on their claim. New Mexico, Utah, the Navajo Nation, and approximately 14 individuals have done so. These cases are consolidated in the District of New Mexico, and DOJ filed a motion to dismiss these cases on July 26, 2018 based on various defenses, including sovereign immunity. Once a claimant sues over a claim on which EPA has not acted, the Agency no longer has authority to act on that claim.

Best,
James

James Hewitt
Environmental Protection Agency

Press Secretary

Ex. 6 Personal Privacy (PP)

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Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 4/20/2018 4:05:51 PM
To: Sam Jefferies [jefferies@uwalumni.com]
Subject: RE: Question re: RFS

I'll ask around and circle back.

From: Sam Jefferies [mailto:jefferies@uwalumni.com]
Sent: Friday, April 20, 2018 11:48 AM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: Re: Question re: RFS

Sweet, I'll send it along. Thank you.

Is there anyone they can follow up with on technical, non-media questions? They're just working with small refiners to navigate the actually waivers process.

On Fri, Apr 20, 2018 at 8:44 AM Hewitt, James <hewitt.james@epa.gov> wrote:

> Hopefully this helps. We sent this to reporters asking yesterday:
>
> "There is not consensus on the regulatory path forward on the E15 RVP waiver and related issues."
>
> On the waivers:
>
> "The criteria used to grant waivers has not changed since previous administrations. EPA follows a long-standing, established process where the Agency uses a Department of Energy analysis to inform decisions about refiner exemptions/waivers, for refineries that are below the blending threshold. EPA decisions on waivers are based on refinery-specific information that is subject to confidential business information protections. We continue to work through petitions received for 2017 and will provide updated information, as soon as complete." Liz Bowman, EPA spokesperson
>
> Additional background (not for attribution):
>
> - As requests for waivers are based on CBI, EPA cannot share company-specific information.
> - Any refinery that produces 75,000 barrels or less per day on an annualized basis can apply for the Small Refinery Hardship exemption.
> - When first established, the program automatically exempted refineries based solely on their output, which resulted in 59 small refineries being exempted from 2007 to 2010. Post-2010, qualifying refineries seeking a small refinery hardship exemption submit financial information to EPA. EPA then shares this information with

DOE and DOE uses a scoring matrix to quantify structural, economic and refinery-specific factors that may contribute to "disproportionate economic hardship."

- During the Obama Administration, there was often disagreement by EPA with DOE's recommendation. Since the start of this administration, EPA has worked to better coordinate with DOE to ensure cross-administration consistency.
- On August 15, 2017, EPA received an adverse decision from the Tenth Circuit Court of Appeals, which found the agency's viability analysis employed by the previous administration to be inconsistent with congress's intent of the hardship exemption and outside its statutory authority (Sinclair Wyoming Refining Company v. EPA). Specifically, the court found EPA's requirement that refineries demonstrate an "existential threat" to their long-term viability as the standard for demonstrating "disproportionate economic hardship" inconsistent with EPA's statutory authority and vacated a previously denied hardship exemption and remanded Sinclair's hardship petitions back to EPA for further consideration.
- In 2016, EPA received 20 petitions and granted 19 based on DOE's recommendation.

From: Sam Jefferies [mailto:jefferies@uwalumni.com]
Sent: Friday, April 20, 2018 11:40 AM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: Question re: RFS

Jimbo,

Hope you're well my man. Here's my client question:

DOE makes a recommendation to EPA about refiner waiver requests; EPA makes the final determination. Since there has been a change in the law, I'm trying to determine what the waiver process is at the moment for small refiners. Is the administration doing what they think they are required under the law/is the decision to grant a waiver pro forma at this point or is there a formal review process? If there is a review process, what is it? Who at EPA can talk about this process?

Thanks for asking around.

Onward and upward,

Sam

Sam Jefferies

Jefferies@uwalumni.com

--

Sam Jefferies

Jefferies@uwalumni.com

--

Sam Jefferies
Jefferies@uwalumni.com

Message

From: Hewitt, James [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=41B19DD598D340BB8032923D902D4BD1-HEWITT, JAM]
Sent: 4/25/2018 5:11:36 PM
To: Pam Dixon - Z [pamela.dixon@gsa.gov]; Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: RE: Inquiry

Thanks Pam.

From: Pam Dixon - Z [mailto:pamela.dixon@gsa.gov]
Sent: Wednesday, April 25, 2018 12:56 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: Inquiry

For awareness - GSA's response on the matter.

Official Response: For information regarding a specific agency or agency employee, please contact that agency directly.

On Background (not for attribution):

The Federal Travel Regulation (FTR), § 301-11.12(a)(4) states employees on official travel "may be reimbursed the cost of other types of lodging when there are no conventional lodging facilities in the area (e.g., in remote areas) or when conventional facilities are in short supply because of an influx of attendees at a special event (e.g., World's Fair or international sporting event)."

Pamela A. Dixon
Press Secretary
Office of Strategic Communication
U.S. General Services Administration
202-412-2192
pamela.dixon@gsa.gov

---------- Forwarded message ----------
From: **Steven Overly** <soverly@politico.com>
Date: Wed, Apr 25, 2018 at 11:05 AM
Subject: Politico
To: "press@gsa.gov" <press@gsa.gov>

Hello,

Steven Overly here with Politico. I had a quick question regarding federal employee lodging rules. Can federal workers use and expense house sharing services, such as Airbnb or VRBO, when traveling on government business? Thank you in advance for your help on this.

Steven

--

Steven Overly

Technology Reporter

POLITICO | POLITICO Pro

O: 703.842.1797

M: Ex. 6 Personal Privacy (PP)

T: @StevenOverly

...

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Message

From: Jan Wesner Childs [Ex. 6 Personal Privacy (PP)]
Sent: 9/12/2018 8:44:10 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: Re: Subject: PFAS testing question

Thank you and have a great day!

Jan

Jan Childs
Education Correspondent
Melbourne Beachsider
cell: Ex. 6 Personal Privacy (PP)

On Wednesday, September 12, 2018, 4:43:26 PM EDT, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Correct.

On Sep 12, 2018, at 4:43 PM, Jan Wesner Childs <Ex. 6 Personal Privacy (PP)> wrote:

So just I'm clear, no lab is certified in this type of testing because the EPA does not regulate it, right?

Thanks!

Jan Childs
Education Correspondent
Melbourne Beachsider
cell: Ex. 6 Personal Privacy (PP)

On Wednesday, September 12, 2018, 2:44:49 PM EDT, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Jan,

On background: Under UCMR 3, EPA approved Pace (Ormond Beach) to provide UCMR 3 analytical support using EPA Method 537 to monitor for six PFAS (PFOA, PFOA, PFNA, PFHxS, PFHpA, and PFBS) in drinking water. UCMR 3 ended more than two years ago and EPA has since discontinued the UCMR 3 lab approval program. Since PFAS are unregulated, EPA is not currently certifying labs for PFAS monitoring using any method. To confirm Pace's current capabilities or state certifications/accreditations, we recommend contacting the company.

From: Jan Wesner Childs [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Wednesday, September 12, 2018 12:39 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Re: Fwd: Subject: PFAS testing question

Thanks!

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: Ex. 6 Personal Privacy (PP)

On Wednesday, September 12, 2018, 11:56:38 AM EDT, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Jan, I'm checking.

Begin forwarded message:

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: September 12, 2018 at 11:55:19 AM EDT
To: Jan Wesner Childs < Ex. 6 Personal Privacy (PP) >
Cc: "Jones, Enesta" <Jones.Enesta@epa.gov>
Subject: RE: RE: Subject: PFAS testing question

Nope. Those are mine alone. But she's super-responsive, so you should be hearing from her very soon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) **(M)**

From: Jan Wesner Childs [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, September 12, 2018 11:54 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: RE: Subject: PFAS testing question

Great! Is she at the phone number listed in your signature line? Thanks again!

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: Ex. 6 Personal Privacy (PP)

On Wednesday, September 12, 2018, 11:49:22 AM EDT, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning and thanks, Jan,

My colleague Enesta, who is now back in the office, will be able to help you with your follow-up question.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) **(M)**

From: Jan Wesner Childs [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, September 12, 2018 11:41 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Subject: PFAS testing question

Thanks, Robert. I'm trying to determine if a particular lab, Pace Analytical of Ormond Beach, Fla., and Minneapolis Minn., was fully certified in testing for all 19 components that, as I understand it, make up the PFAS "family," to include PFBA. Do either of the certifications you mention include that capability?

Thank you,

Jan

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: Ex. 6 Personal Privacy (PP)

On Monday, September 10, 2018, 5:22:43 PM EDT, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Jan,

For attribution to U.S. EPA, please:

EPA has a list of labs previously approved under the UCMR3 **to test water samples using EPA Method 537 (PFAS method) posted on the Agency's website. Other organizations, like DOD and The NELAC Institute (TNI), maintain websites with active lists of laboratories accredited by their respective organizations to analyze various sample types for PFAS. EPA will continue its efforts to make stakeholders and the certification/accreditation community aware of the ongoing interest in PFAS analyses.**

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) **(M)**

From: Jan Wesner Childs [mailto Ex. 6 Personal Privacy (PP)]
Sent: Friday, September 07, 2018 3:06 PM
To: Latham, Michelle <Latham.Michelle@epa.gov>
Subject: PFAS testing question

Hello,

I'm a reporter in Brevard County, Florida. I'm doing a story on water testing that was done in our local schools. I just have a couple of general questions about PFAS testing.

Would you be able to answer those or tell me who can?

Thank you,

Jan

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: Ex. 6 Personal Privacy (PP)

Message

From: Hopkins, Jamie [jhopkins@publicintegrity.org]
Sent: 8/20/2018 1:57:35 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: Re: Media query -- methylene chloride

I'm updating a previous story about retailers pulling the product from shelves to note that Walmart is now part of that group. If you can give me an answer this morning, I'll include that with the update.

Thanks!

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Monday, August 20, 2018 9:55 AM
To: Hopkins, Jamie
Subject: Re: Media query -- methylene chloride

Jamie, Robert is out today. What's your firm deadline?

On Aug 20, 2018, at 7:55 AM, Hopkins, Jamie <jhopkins@publicintegrity.org> wrote:

Hi, Robert, I'm re-upping this question because Walmart is announcing today that it will be removing methylene chloride paint strippers from its shelves. When does the EPA plan to forward its methylene chloride paint stripper rule to OMB?

Many thanks.

Best,

Jamie

From: Hopkins, Jamie
Sent: Monday, July 23, 2018 11:26:02 AM
To: Daguillard, Robert
Cc: Press
Subject: Re: Media query -- methylene chloride

OK, thank you, but you're unable to share any sense of when that rulemaking will be sent to OMB? Will it be this summer? By the end of the year?

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Monday, July 23, 2018 11:24:56 AM
To: Hopkins, Jamie
Cc: Press
Subject: RE: Media query -- methylene chloride

Hullo again Jamie,

EPA is working to send the finalized methylene chloride rulemaking to OMB. That document will contain actions that the Agency will take, including timeframes. – **EPA Spokesperson.**

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Hopkins, Jamie [mailto:jhopkins@publicintegrity.org]
Sent: Monday, July 23, 2018 7:52 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Media query -- methylene chloride

Good morning. Can EPA give an update on where things stand with the methylene chloride rule? The agency said on May 10 that it would send a final version to OMB shortly, but it has yet to show up on that agency's dashboard of regulatory actions under review (https://www.reginfo.gov/public/jsp/EO/eoDashboard.jsp). What is the EPA's expected timeline?

Best,

Jamie

From: Hopkins, Jamie
Sent: Thursday, March 29, 2018 3:18 PM
To: Daguillard, Robert
Cc: Press
Subject: RE: Media query -- methylene chloride

OK, thanks for the speedy response!

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, March 29, 2018 3:18 PM
To: Hopkins, Jamie <jhopkins@publicintegrity.org>
Cc: Press <Press@epa.gov>
Subject: RE: Media query -- methylene chloride

Hullo Jamie,

For attribution to "an EPA spokesperson," please:

We will respond to the letter through appropriate channels.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Hopkins, Jamie [mailto:jhopkins@publicintegrity.org]
Sent: Thursday, March 29, 2018 3:00 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Media query -- methylene chloride

Hi, Robert, I'm working on a quick-turnaround piece about South Carolina's senators and one congressman calling on EPA to act on the proposed methylene chloride rule. (I've attached the letter in case you haven't seen it.)

Would the EPA like to comment? My deadline is **today at 4 p.m.**

Can't recall now if I sent you the link to the story we corresponded about earlier – here it is: https://www.publicintegrity.org/2018/03/26/21626/epa-planned-ban-deadly-paint-stripping-chemical-will-it-follow-through (and here's the version Slate co-published: https://slate.com/technology/2018/03/will-the-epa-ban-methylene-chloride.html)

Best,

Jamie

From: Hopkins, Jamie
Sent: Thursday, March 22, 2018 9:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Media query -- methylene chloride

Good morning, just wanted to make sure you saw these questions from Tuesday:

From: Hopkins, Jamie
Sent: Tuesday, March 20, 2018 1:26 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Media query -- methylene chloride

Thanks! Could you clarify two things:

1) Does the EPA still intend to finalize the current NMP/methylene chloride rule at some point?

2) How long does the EPA currently expect the NMP/methylene chloride rule will take to finalize?

Many thanks.

Jamie

From: Daguillard, Robert <Daguillard.Robert@epa.gov>
Sent: Tuesday, March 20, 2018 1:21:12 PM
To: Hopkins, Jamie
Cc: Press
Subject: RE: Media query -- methylene chloride

Jamie, for attribution to "an EPA spokesperson," please:

1. I see that the NMP/methylene chloride rule, which was a "proposed rule" in the spring 2017 regulatory agenda, was changed to a "Long-term Action" in the most recent regulatory agenda. Does this mean the proposal has been shelved?
Response: The Regulatory Plan of the Unified Agenda contains the regulatory priority actions that agencies expect to take in the coming year. The status changed because the Agency felt that more time was needed to consider how best to analyze and address any risks from these chemicals. Given that these actions were not anticipated to finalize within 12 months, they were removed from the Unified Agenda. The agency is currently considering the comments received in response to the proposal.
2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I'm not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete"

Response: We plan to finalize the risk evaluations by late 2019. If at the end of the risk evaluation process, EPA determines that a chemical presents an unreasonable risk to health or the environment, the chemical must immediately move to risk management action under TSCA. Read more.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Hopkins, Jamie [mailto:jhopkins@publicintegrity.org]
Sent: Friday, March 16, 2018 10:46 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Media query -- methylene chloride

Couple things I should add to the question pile:

1. I see that the NMP/methylene chloride rule, which was a "proposed rule" in the spring 2017 regulatory agenda, was changed to a "Long-term Action" in the most recent regulatory agenda. Does this mean the proposal has been shelved?

2. Methylene chloride is one of the 10 chemicals on the list for the first risk evaluations under the revised TSCA law. I'm not sure if I quite understand the timeline requirements – could you explain when the risk evaluation for methylene chloride must be completed, when the EPA expects to be done (if that timing is different than the deadline) and what happens after the risk evaluation is complete?

Thank you!

Jamie

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Friday, March 16, 2018 10:36 AM
To: Hopkins, Jamie <jhopkins@publicintegrity.org>
Subject: Re: Media query -- methylene chloride

Kewl. Thanks.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Mar 16, 2018, at 10:31 AM, Hopkins, Jamie <jhopkins@publicintegrity.org> wrote:

> Yup, my deadline is Monday at 3 p.m.
>
> Thanks!
>
> ---
>
> **From:** Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
> **Sent:** Friday, March 16, 2018 10:30 AM
> **To:** Hopkins, Jamie <jhopkins@publicintegrity.org>
> **Subject:** Re: Media query -- methylene chloride
>
> Hey Jamie, I'm afraid you're right. My bad.
>
> Deadline? Are you writing for publication soon?
>
> Robert Daguillard
> U.S. EPA
> Office of Media Relations
> Washington D.C.
> Ex. 6 Personal Privacy (PP) (M)

202-564-6618 (O)

On Mar 16, 2018, at 10:24 AM, Hopkins, Jamie <jhopkins@publicintegrity.org> wrote:

Hi, I'm re-upping this request because it probably got lost in the shuffle earlier this week:

From: Hopkins, Jamie
Sent: Wednesday, March 14, 2018 10:53 AM
To: 'daguillard.robert@epa.gov' <daguillard.robert@epa.gov>
Subject: Media query -- methylene chloride

Hi, hope you're well. Could you update me on the status and expected timeline of the proposed TSCA rulemaking for methylene chloride and NMP? Also, has there been action on this proposal since the extension of the comment deadline last April?

Many thanks.

Best,

Jamie

Jamie Smith Hopkins
Reporter
The Center for Public Integrity
910 17th Street NW, 7th Floor
Washington, DC 20006
Office: 202-481-1231
Follow me @jsmithhopkins
Read our journalism at www.publicintegrity.org

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 9/12/2018 3:51:53 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: FW: Subject: PFAS testing question

My bad. I should have cc'ed you in, rather than the whole press box.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert
Sent: Wednesday, September 12, 2018 11:49 AM
To: 'Jan Wesner Childs' < Ex. 6 Personal Privacy (PP) >
Cc: Press <Press@epa.gov>
Subject: RE: Subject: PFAS testing question

Good morning and thanks, Jan,

My colleague Enesta, who is now back in the office, will be able to help you with your follow-up question.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Jan Wesner Childs [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, September 12, 2018 11:41 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Subject: PFAS testing question

Thanks, Robert. I'm trying to determine if a particular lab, Pace Analytical of Ormond Beach, Fla., and Minneapolis Minn., was fully certified in testing for all 19 components that, as I understand it, make up the PFAS "family," to include PFBA. Do either of the certifications you mention include that capability?

Thank you,

Jan

Jan Childs
Education Correspondent
Melbourne Beachsider

cell: Ex. 6 Personal Privacy (PP)

On Monday, September 10, 2018, 5:22:43 PM EDT, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Jan,

For attribution to U.S. EPA, please:

EPA has a list of labs previously approved under the UCMR3 to test water samples using EPA Method 537 (PFAS method) posted on the Agency's website. Other organizations, like DOD and The NELAC Institute (TNI), maintain websites with active lists of laboratories accredited by their respective organizations to analyze various sample types for PFAS. EPA will continue its efforts to make stakeholders and the certification/accreditation community aware of the ongoing interest in PFAS analyses.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) **(M)**

From: Jan Wesner Childs [mailto: Ex. 6 Personal Privacy (PP)
Sent: Friday, September 07, 2018 3:06 PM
To: Latham, Michelle <Latham.Michelle@epa.gov>
Subject: PFAS testing question

Hello,

I'm a reporter in Brevard County, Florida. I'm doing a story on water testing that was done in our local schools. I just have a couple of general questions about PFAS testing.

Would you be able to answer those or tell me who can?

Thank you,

Jan

Jan Childs

Education Correspondent

Melbourne Beachsider

cell: Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/17/2018 9:24:23 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: JIM: Your questions on "How's My Waterway."

Ah, OK. Thanks.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Jones, Enesta
Sent: Friday, August 17, 2018 5:23 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: JIM: Your questions on "How's My Waterway."

Pls send this response to the correct email: Elliott Mest [mailto:emest@questex.com]
I handled the How's My Waterway inquiry already for Tricia, tnx.

From: Daguillard, Robert
Sent: Friday, August 17, 2018 5:20 PM
To: Ex. 6 Personal Privacy (PP)
Cc: Press <Press@epa.gov>
Subject: JIM: Your questions on "How's My Waterway."

Good afternoon,

For attribution to "an EPA spokesperson,"

1. What are the dangers of improperly disposing of TV-related waste to the environment, and what are the legal ramifications?
Electronics are complex devices, which are made of a wide variety of material components. These components can include lead, nickel, cadmium and mercury, and could pose risks to human health and the environment if mismanaged at their end-of-life.

Electronics also are made of valuable materials such as precious metals, copper, glass and engineered plastics. Recycling recovers valuable materials for future use while reducing greenhouse gas emissions and pollution, conserving energy and promoting source reduction by extracting fewer raw materials from the earth.

While there are no Federal requirements to recycle e-waste in the United States, EPA encourages the reuse and recycling of used electronics. Furthermore, 25 states and the District of Columbia have instituted mandatory electronics collection and recycling programs and 18 states ban certain electronics from landfills. Visit this section of

our page for more information and links to other sources: https://www.epa.gov/smm-electronics/regulations-initiatives-and-research-electronics-stewardship#02.

The Resource Conservation and Recovery Act (RCRA) is the federal statute that applies to waste, both hazardous and nonhazardous. Certain e-waste may be regulated as hazardous waste, which means its management and disposal is more stringently regulated. Under RCRA, the generator of the waste is responsible for determining whether their waste is hazardous. More information concerning hazardous waste identification and management is available online at https://www.epa.gov/hw/criteria-definition-solid-waste-and-solid-and-hazardous-waste-exclusions and at https://www.epa.gov/hwgenerators.

For example, older TVs and computer monitors used cathode ray tubes (CRT), which are generally hazardous waste due to the levels of lead in the glass. EPA encourages the recycling of CRTs and has a specific exclusion for recycling CRTs. Read more about the federal RCRA requirements for managing CRTs here: https://www.epa.gov/hw/cathode-ray-tubes-crts-0 and here: https://www.epa.gov/hw/frequent-questions-about-regulation-used-cathode-ray-tubes-crts-and-crt-glass.

In addition to federal requirements, it is important to also contact your state, local, and/or tribal government and check specific state regulations.

2. How are hotels recommended to dispose of electronic waste?

EPA encourages the reuse, donation, and/or recycling of used electronics such as TVs, computers, printers, copiers and mobile phones. If recycling, EPA encourages all electronics to be recycled by a certified electronics recycler through the available electronics recycler certification programs: https://www.epa.gov/smm-electronics/certified-electronics-recyclers.

Certified electronics recyclers have demonstrated through audits and other means that they continually meet specific high environmental standards, safely manage and remove personal data from the used electronic equipment. Once certified, continual oversight by the independent accredited certification body holds the recycler to the particular standard. To find certified recyclers in your area go to: https://sustainableelectronics.org/recyclers or http://e-stewards.org/find-a-recycler/. Both programs provide zip code locaters to find recyclers convenient to you. Disclaimer: This is for informational purposes only. EPA does not endorse these entities nor their services.

This EPA page goes into detail on Electronics Stewardship, and has helpful information on reuse and donation: https://www.epa.gov/smm-electronics/basic-information-about-electronics-stewardship. It explains how to make eco-friendly choices on electronics at each life cycle stage, about proper disposal and recommended purchasing, and about the benefits of electronics stewardship.

Because some states have instituted bans on the disposal of e-waste, we recommend you check with your state agency for information about state requirements.

3. What should hotel operators know about the process before they begin?

Hotel operators should check with their state and/or local environmental agency to determine if there are specific requirements that would apply to them (e.g., ban on sending to landfills) or if there are collection or other events in their area (e.g. donations) that they could participate in.

Individual operators may check with their corporate office to see if there are any "sustainability" goals or policies that govern their operations.

Hotels operators can make sure that the electronics recycler they choose is certified to one of the available electronics recycling standards, the Responsible Recycling (R2) or the e-Stewards programs.

Recyclers in the United States have different specialties, so hotel operators should find a recycler that is able to provide the specific services that the hotel deems necessary (e.g., packing, transportation, reuse, data sanitization, etc) to ensure the safe and proper management of those devices.

4. What are some common mistakes that hotel operators make during the disposal process?

This is not an area that EPA collects information on.

5. How can hotels go above and beyond during this process?
When purchasing new electronics, consider products that are registered to the Electronic Product Environmental Assessment Tool (EPEAT) or have been certified to the ENERGY STAR standard.

- EPEAT is an easy-to-use resource to find electronic products with positive environmental attributes (e.g., manufactured with less toxic materials and more recycled materials, use less energy). EPEAT is an international standard for green electronics that, as of 2015, was available in 43 countries with over 124 million registered products. Read more about EPEAT here: https://www.epa.gov/greenerproducts/electronic-product-environmental-assessment-tool-epeat and see more about buying greener products here: https://www.epa.gov/greenerproducts

- ENERGY STAR is an EPA voluntary program that helps businesses and individuals save money and protect our climate through superior energy efficiency. Learn more about ENERGY STAR.

Hotels could consider calculating their environmental benefits using the Electronics Environmental Benefits Calculator (EEBC), which can be found at: https://www.epa.gov/fec/using-electronics-environmental-benefits-calculator-eebc-7252012

In addition to these tips about managing electronics, hotel operators can examine the hotel's operations (dining, meetings, laundry, etc.) to make them more sustainable.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Message

From: Konkus, John [konkus.john@epa.gov]
Sent: 8/17/2018 9:01:18 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]
Subject: RE: Inquiry ?

Anything Dr. Beck approved is gtg.

From: Daguillard, Robert
Sent: Friday, August 17, 2018 5:00 PM
To: Konkus, John <konkus.john@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Subject: RE: Inquiry ?

Yes, she's signed off on this one, as well as on all the pesticides inquiries you have pending.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Konkus, John
Sent: Friday, August 17, 2018 4:50 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Subject: Inquiry ?

Did Nancy Beck sign off on this one? If so, GTG

From: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Date: August 16, 2018 at 4:34:31 PM EDT
To: Press <Press@epa.gov>
Subject: For Review:: Reuters News inquiry - dicamba

From the program. OK to send for attribution?

Incoming #1: Can you please confirm that EPA plans to announce this month its decision on whether to extend the registration for dicamba? That is what Mike Goodis said in this DTN article:https://www.dtnpf.com/agriculture/web/ag/news/crops/article/2018/08/09/epa-listens-dicamba-discussion

Response #1: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #2: I am planning to report that EPA officials including Reuben Baris visited farms in Tennessee, Missouri and Arkansas in July for a first-hand look at damage from dicamba moving off target. Can you please tell me why EPA wanted to take that tour?

Response #2: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #3: Can you please explain how EPA will make its decision about whether to extend the registration for dicamba?

Response #3: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #4: Does the agency have any comment on states such as Illinois, Indiana and North Dakota receiving more complaints this year than last year on dicamba damage?

Response #4: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **(M)**

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/10/2018 10:16:42 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: AO OPA Media Relations [AO_OPA_Media_Relations@epa.gov]
Subject: Re: ROBERT: Open Inquiries, 10 August 2018

Yes. Thanks for the reminder.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Aug 10, 2018, at 6:07 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> Hey Robert, since you are on tap to do this again on Monday, here's a refresher on who gets it (**not the press box**):
>
> **Recipients of Open Inquiries: John, Molly, Mike and James only; cc Nancy, Enesta, Robert and Tricia**
>
> **From:** "Daguillard, Robert" <Daguillard.Robert@epa.gov>
> **Date:** August 10, 2018 at 4:02:59 PM EDT
> **To:** Press <Press@epa.gov>
> **Subject: Open Inquiries, 10 August 2018**
>
> Waiting for approval:
>
> Adirondack Explorer, Downtown Publications
>
> No acknowledgment:
>
> WBNG, AP
>
> Cheers, R.
>
> Robert Daguillard
> Office of Media Relations
> U.S. Environmental Protection Agency
> Washington, DC
> +1 (202) 564-6618 (O)
> Ex. 6 Personal Privacy (PP) (M)
>
> DOWNTOWN PUBLICATIONS:
>
> The reporter writes for a newspaper based in suburban Detroit. R5 is already aware of this inqiury. OCSPP answered Q1, ORD the rest. Good to send for attribution to a spokesperson? kevinelliott@downtownpublications.com

Q1: In regard to TSCA, will formaldehyde undergo any assessment?

Ex. 5 Deliberative Process (DP)

Q2: Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?

Ex. 5 Deliberative Process (DP)

Q3: Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?

Ex. 5 Deliberative Process (DP)

Q4: What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this [cancer issue?

Ex. 5 Deliberative Process (DP)

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Robert,

We go to press next week, so I do have some flexibility. The story will need to be turned in end of the day Friday, with a little room for edits until Monday morning. After that it goes to production.

On Tue, Aug 7, 2018 at 9:26 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

On Aug 6, 2018, at 10:17 PM, Kevin Elliott <kevinelliott@downtownpublications.com> wrote:

Robert,

I'm working on a story about formaldehyde for our September edition of Downtown Newsmagazine in suburban Detroit. The story is focusing on the health risk of formaldehyde, the EPA's ongoing IRIS assessment of formaldehyde, and the next steps that would occur after the IRIS assessment process is complete.

Could you provide some general information on where the current IRIS assessment of formaldehyde is at, and when that may be released for public comment?

I understand that the assessment was revamped after several years ago after the NAS reviewed IRIS's assessment and critiqued the processes that were used. Could you speak to the changes that were undertaken at IRIS in regard to the way assessments are done, including the formaldehyde assessment and others since 2014?

What is EPA's current position on formaldehyde risks, particularly as it relates to carcinogens. Is it known or suspected as a carcinogen? Is there consensus yet as to what cancer(s) that includes. Will the IRIS assessment speak to this issue?

What steps will take place after the assessment is released?

In regard to TSCA, will formaldehyde undergo any assessment?

Finally, is it possible that Nancy Beck, EPA Deputy Assistant Administrator with the Office of chemical Safety and Pollution Prevention might be available for any comments or a brief phone interview? I believe her experience under three different administrations and work in the industry gives her a unique perspective on toxics and the direction the EPA will be taking in regard to their regulation.

As I stated, I'm hoping to wrap up some basic questions early this week, but I could go later in the week or perhaps beyond for anything more extensive. As Michigan is the home to a major chemical manufacturer (Dow), I believe this topic will be of great interest to our readers, and hope we can offer some unique insight.

Thank you,

Kevin Elliott

Reporter

Downtown Publications

248.792.6464 ext. 701

Ex. 6 Personal Privacy (PP) (cell)

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++

OAR drafted response, with Region 2's review and concurrence. Ok to send?

(Pls. review this version, slightly edited) On background:

2. Will EPA's proposed budget include funds to continue acid rain and other pollution monitoring in the Adirondacks and/or the Northeast?

Ex. 5 Deliberative Process (DP)

2. Will EPA's proposed budget include funds to continue acid rain and other pollution monitoring in the Adirondacks and/or the Northeast?

Ex. 5 Deliberative Process (DP)

From: Block, Molly
Sent: Friday, August 10, 2018 2:21 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>

Subject: RE: For Review: Adirondack Explorer (Brandon Loomis) re acid rain budget (DDL: 2:30 p.m., 8/10)

Ok

From: Jones, Enesta
Sent: Friday, August 10, 2018 2:05 PM
To: Press <Press@epa.gov>
Subject: For Review: Adirondack Explorer (Brandon Loomis) re acid rain budget (DDL: 2:30 p.m., 8/10)

OCFO input below. Awaiting OAR's for #1. Suggest we give it in piecemeal since his DDL time is firm.

On background:

2. Will EPA's proposed budget include funds to continue acid rain and other pollution monitoring in the Adirondacks and/or the Northeast?

Ex. 5 Deliberative Process (DP)

From: brandon@adirondackexplorer.org
Date: August 10, 2018 at 11:28:16 AM EDT
To: "Jones, Enesta" <Jones.Enesta@epa.gov>
Cc: "Lynn, Tricia" <lynn.tricia@epa.gov>
Subject: Re: media request on acid rain

2:30 Eastern. I need to leave to get to this news conference by then, and I don't think I'll have mobile service out there.

Thanks,

Brandon

Quoting "Jones, Enesta" <Jones.Enesta@epa.gov>:

Hi Brandon, we are looking into your inquiry. What's your hard deadline time today?

On Aug 10, 2018, at 11:04 AM, "brandon@adirondackexplorer.org" <brandon@adirondackexplorer.org> wrote:

Enesta,

I'm a reporter with the Adirondack Explorer in New York and I'm covering a news conference today in which Sen. Schumer will discuss acid rain recovery and fears that the administration's failure to control pollution from Midwestern power plant will result in renewed acid rain problems in the Adirondacks.

I'm hoping to get a response to two questions from EPA today:

1. Why is the agency not requiring Midwestern power plants to turn on controls for nitrogen pollution this summer?

2. Will EPA's proposed budget include funds to continue acid rain and other pollution monitoring in the Adirondacks and/or the Northeast?

Thanks,

Brandon Loomis
The Adirondack Explorer
518-891-9352 ext. 22

NO ACKNOWLEDGMENT

From: Michael Schwartz [mailto:mischwartz@wbng.com]
Sent: Friday, August 10, 2018 11:01 AM
To: Press <Press@epa.gov>
Subject: Media Inquiry Regarding Train Derailment

Good Morning,

My name is Michael Schwartz from WBNG-TV in Binghamton. On Thursday morning a New York, Susquehanna Western Railway Train, that was headed from New Jersey to Binghamton, derailed in Deposit, which is in Delaware County NY. It dumped thousands of gallons of diesel fuel into the river.

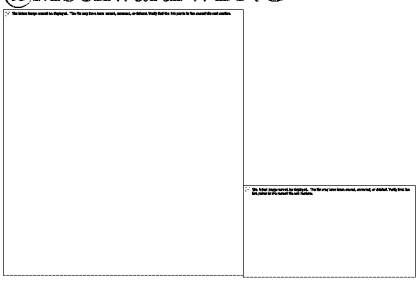
According to the DEC it was carrying "Sulfuric acid, radioactive soils containing low levels of alpha radiation, and non-radioactive contaminated soil."

A recent article (http://www.philly.com/philly/health/epa-to-dig-up-tons-of-toxic-soil-in-south-jersey-superfund-cleanup-20180731.html) sites that the EPA was digging up a Superfund site in South Jersey.

Administrator Lopez is quoted in that article talking about the EPA's dedication to clean up the site there. Where did those toxic soil go? Was it planning on being dumped in Binghamton? Were the soils dug up in South Jersey the same ones being brought to Binghamton?

This area of New York already has air quality and water issues already. Whether it was the same soil cited in that article or not we feel the public has a right to know what the plan was for these contaminants once in Binghamton. Hope you can clarify, thank you and I look forward to speaking with you soon.

Michael Schwartz
News Anchor
(607) 584-7277
@MSchwartzWBNG



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From: Knickmeyer, Ellen [mailto:EKnickmeyer@ap.org]
Sent: Friday, August 10, 2018 9:57 AM
To: Press <Press@epa.gov>
Subject: Pruitt termination report, 2017 financial disclosure

Hi, there – I just filed a Form 201 with the OGE for those two financial disclosure reports for Scott Pruitt from the EPA. The online form didn't actually have a place for me to request those two particular forms, but I see it says on there I can request these other forms as well with Form 201.

Interested in seeing as soon as possible once they're filed. One of them is due Monday – can you tell me when it will be made public?

Thanks much
Ellen
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,

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++

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Message

From: Mark Halsall [Ex. 6 Personal Privacy (PP)]
Sent: 7/6/2018 4:02:22 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Ok, I'll go with 'EPA spokesperson' for the article. Thanks for your help Enesta.

Mark

On Fri, Jul 6, 2018 at 11:00 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:
US EPA is fine, Mark.

On Jul 6, 2018, at 11:59 AM, Mark Halsall <[Ex. 6 Personal Privacy (PP)] wrote:

Thank you Enesta. For my article, whom should I attribute this information to?

Mark

On Fri, Jul 6, 2018 at 10:49 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Mark,

On background:

1. What is the significance of this agreement between the EPA and North Dakota?

The action authorizes North Dakota, instead of EPA, to implement and enforce its Underground Injection Control Class VI program. Additionally, North Dakota is the first state to receive Class VI Program Primacy. More information.

2. Why did the EPA agree to grant this authority to North Dakota?

After a review of the North Dakota application, EPA determined that the state is capable of administering a Class VI UIC program in a manner consistent with the terms and purposes of Safe Drinking WwaterAct and all applicable regulations.

3. Why is carbon capture and sequestration (CCS) important? What is the EPA doing to promote this technology?

Carbon capture and sequestration (CCS) is developing technology that can be used to significantly reduce emissions of carbon dioxide (CO_2) from coal-fired power plants and ethanol production facilities.

EPA's Underground Injection Control Program establishes requirements to ensure protection of underground sources of drinking water where technologies such as CCS are being deployed. The EPA is not promoting the technology. However, the Department of Energy is sponsoring CCS efforts – from small-scale innovative research to large-scale demonstration projects – to promote the development and implementation of the technology

4. What are the potential benefits of CCS technology for the C02 producers (i.e. coal-fired power plants and ethanol production facilities)? What are the potential benefits for C02 users (i.e. oil and gas wells)?

CCS technology might allow coal-fired power plants, ethanol production facilities, and other CO_2 producers to capture CO_2 as a salable byproduct of the combustion process. Captured CO_2 can be utilized in oil and gas production using "enhanced oil recovery" or other enhanced extractive recovery methods. Captured CO_2 can also be used in the production of building materials such as cement.

5. EPA Administrator Scott Pruitt has been quoted as saying that handing regulation over to the state would help advance carbon capture and sequestration technology How will this agreement help advance CCS technology?

The Final Class VI Rule Preamble (75 FR 77242): "EPA believes that States are in the best position to implement UIC–GS [geological sequestration] programs, and by allowing for independent Class VI primacy, EPA encourages States to take responsibility for implementation of Class VI regulations. The Agency's UIC program believes that this may, in turn, help provide for a more comprehensive approach to managing GS projects by promoting the integration of GS activities under SDWA into a broader framework for States managing issues related to CCS that may lie outside the scope of the UIC program or other EPA programs. This would harness the unique efficiencies States can offer to promote adoption of GS technology that incorporates issues in the broader scope of CCS, while ensuring that USDWs are protected through the UIC regulatory framework."

6. What does this agreement mean for the coal and ethanol industries in North Dakota (and/or the US in general)?

EPA ensures that regulations are in place to enable permitting of projects to ensure protection of environmental resources (e.g., Underground Sources of Drinking Water) and public health. EPA's Office of Water has not studied the benefits to various industries under the UIC program.

With CCS, the coal and ethanol industries in North Dakota, and in the U.S. in general, can demonstrate one approach to operating with significant reductions of CO2 emissions and turning a pollutant stream into a revenue stream.

7. **What does it mean for the oil and gas industry in North Dakota (and/or the US in general)?**

See response #6.

From: Mark Halsall <Ex. 6 Personal Privacy (PP)>

Date: June 27, 2018 at 11:13:14 AM EDT
To: "Jones, Enesta" <Jones.Enesta@epa.gov>
Subject: Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Thanks Enesta. I am writing this article for Basin Bits, a trade magazine published by the Western Dakota Energy Association.

Mark

On Wed, Jun 27, 2018 at 10:04 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Who are you writing for?

Hi Mark, I'm now looking into your questions.

From: Mark Halsall [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, June 27, 2018 10:32 AM
To: Lynn, Tricia <lynn.tricia@epa.gov>

Subject: Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Hi Lynn.

Here are those questions for the carbon capture and sequestration article I'm writing, as promised:

- North Dakota is the first state in the U.S. to be given authority to regulate underground wells used for long-term storage of waste carbon dioxide captured from industrial sources. What is the significance of this agreement between the EPA and North Dakota?

- Why did the EPA agree to grant this authority to North Dakota?

- Why is carbon capture and sequestration (CCS) important? What is the EPA doing to promote this technology?

What are the potential benefits of CCS technology for the C02 producers (i.e. coal-fired power plants and ethanol production facilities)? What are the potential benefits for C02 users (i.e. oil and gas wells)?

- EPA Administrator Scott Pruitt has been quoted as saying that handing regulation over to the state would help advance carbon capture and sequestration technology How will this agreement help advance CCS technology?

- What does this agreement mean for the coal and ethanol industries in North Dakota (and/or the US in general)? What does it mean for the oil and gas industry in North Dakota (and/or the US in general)?

That's about it. As previously indicated, July 6 is when I need to have either conducted a phone interview or received written responses in order to make my deadline. If a phone interview is the route the EPA chooses to go, appreciate it if you could let me know as soon as you can so we can set this up.

Thanks for help, Lynn.

Regards,

Mark Halsall

Ex. 6 Personal Privacy (PP)

On Wed, Jun 20, 2018 at 1:30 PM, Mark Halsall < Ex. 6 Personal Privacy (PP) wrote:

Thanks for getting back to me Tricia - much appreciated. I will get you a list of questions early next week. The hard deadline for the piece is July 6.

Mark

On Wed, Jun 20, 2018 at 1:23 PM, Lynn, Tricia <lynn.tricia@epa.gov> wrote:

Hi Mark—

Thanks for your inquiry.

I'm happy to check into the possibility of an interview, but please be aware that they're not always available. If not, we can typically respond in writing. Any response is more likely to come from our subject matter experts than the Administrator. Even then, we may not be able to provide a specific source for attribution.

In any case, to begin I'll need a list of your specific questions and hard deadline. Can you please supply those at your earliest convenience?

Thanks so much,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Mark Halsall [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, June 20, 2018 1:24 PM
To: Press <Press@epa.gov>
Subject: Fwd: Article on Regulation of Carbon Dioxide Storage in North Dakota

Hello. I just sent an interview request to Richard Mylott, but he's suggested I contact the EPA national press office at this email address instead. If you could get back to me about request at your earliest convenience, I'd really appreciate it.

Regards,

Mark Halsall

Ex. 6 Personal Privacy (PP)

---------- Forwarded message ----------
From: **Mylott, Richard** <Mylott.Richard@epa.gov>
Date: Wed, Jun 20, 2018 at 12:14 PM
Subject: Re: Article on Regulation of Carbon Dioxide Storage in North Dakota
To: Mark Halsall < Ex. 6 Personal Privacy (PP)

Thanks for this Mark. Folks in our national press office should be able to help with this. Best is 202-564-4355 or press@epa.gov.

Rich Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Jun 20, 2018, at 11:11 AM, Mark Halsall < Ex. 6 Personal Privacy (PP) > wrote:

Hello Rich,

My name is Mark Halsall, and I'm writing an article on the move by the EPA to give North Dakota the power to regulate carbon dioxide storage wells within the state for Basin Bits, a trade magazine put out by the Western Dakota Energy Association. It would be great if I could include a comment or two from EPA Administrator Scott Pruitt in the article, and I am contacting you in the hopes we can make arrangements for interview (either via phone or email). If you could get back to me at your earliest convenience to let me know if this is doable, I'd really appreciate it.

Thanks - hope to hear back from you soon.

Mark Halsall

Ex. 6 Personal Privacy (PP)

Message

From: Mark Halsall [Ex. 6 Personal Privacy (PP)]
Sent: 7/5/2018 7:27:58 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: Re: Article on Regulation of Carbon Dioxide Storage in North Dakota

Sounds good... thanks Enesta!

On Thu, Jul 5, 2018 at 11:56 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:
Hi Mark, I'll have written responses for you tomorrow.

On Jul 5, 2018, at 12:56 PM, Mark Halsall <Ex. 6 Personal Privacy (PP)> wrote:

Hi Enesta.

Just following up on our email conversation last week. Appreciate it if you could let me know if you are making arrangements for me to interview someone on those questions I sent you back on June 27 or if you will be providing written responses to the questions. I had indicated to Tricia that my deadline for an interview (or getting written responses) was July 6, so if you could let me know if things are on track for that as well, I'd really appreciate it.

Thanks!

Mark Halsall
Ex. 6 Personal Privacy (PP)

On Wed, Jun 27, 2018 at 10:14 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:
Thanks Mark.

On Jun 27, 2018, at 11:13 AM, Mark Halsall <Ex. 6 Personal Privacy (PP)> wrote:

Thanks Enesta. I am writing this article for Basin Bits, a trade magazine published by the Western Dakota Energy Association.

Mark

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What are the potential benefits of CCS technology for the C02 producers (i.e. coal-fired power plants and ethnol production facilities)? What are the potential benefits for C02 users (i.e. oil and gas wells)?

- EPA Administrator Scott Pruitt has been quoted as saying that handing regulation over to the state would help advance carbon capture and sequestration technology How will this agreement help advance CCS technology?

- What does this agreement mean for the coal and ethanol industries in North Dakota (and/or the US in general)? What does it mean for the oil and gas industry in North Dakota (and/or the US in general)?

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Mark Halsall

Ex. 6 Personal Privacy (PP)

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Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

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Subject: Fwd: Article on Regulation of Carbon Dioxide Storage in North Dakota

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Mark Halsall

Ex. 6 Personal Privacy (PP)

---------- Forwarded message ----------
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To: Mark Halsall < Ex. 6 Personal Privacy (PP) >

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Sent from my iPhone

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Thanks - hope to hear back from you soon.

Mark Halsall

Ex. 6 Personal Privacy (PP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/16/2018 8:08:43 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]; Lynn, Tricia [lynn.tricia@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: OMR: Draft Open inquiries list

Fantastic. Thanks, Enesta.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Jones, Enesta
Sent: Thursday, August 16, 2018 4:08 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: OMR: Draft Open inquiries list

Robert,
You should include:

Eric Lipton, NYT, 11:12 and 11:54
Paul Muschick, Morning Call, 11:29

These were not acknowledged or responded to by 3.

From: Daguillard, Robert
Sent: Thursday, August 16, 2018 4:01 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: OMR: Draft Open inquiries list

Tricia and Enesta, I'm running this list by you first to make sure I haven't left out any of your open inquiries, or any left open for 3rd floor action for whatever reason. Please note, I'm not including WOTUS queries, as we now have a green light to send our statement. Also, Sean Reilly's EFAB is here out of an abundance of caution, as 3F have not acknowledged receipt, or confirmed they'll take action.

- The Intercept: Chemours & HFCs
- Waterways Journal: How's My Waterway?
- E&E News: EFAB
- ABC News: DDE & Autism
- NY Times: Glyphosate & Oats (follow-up questions on EWG report)
- Financial Times: RVO

- Undark: OPP/ORD conversations on glyphosate

++++++++++++++++++++++++++++

Good to send?

From: "Jones, Enesta" <Jones.Enesta@epa.gov>
Date: August 15, 2018 at 4:45:39 PM EDT
To: Press <Press@epa.gov>
Subject: For Review: The Intercept (Sharon Lerner) re Chemours and HFCs (DDL: 8/15)

OAR-drafted response:

On background: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

From: Sharon Lerner <sharon.lerner@theintercept.com>
Date: August 13, 2018 at 10:58:01 AM EDT
To: Press <Press@epa.gov>
Subject: question about Chemours meeting

Hi EPA Press office -

I'm writing about a meeting between Chemours CEO Mark Vergnano and several EPA officials that took place in May of 2017. According to the record of the meeting, which was noted in Scott Pruitt's public calendar and was also requested in a letter from Vergnano that was included in EPA's production to the Sierra Club, Chemours asked EPA to "help protect U.S. leadership in [the refrigerant] space and protect significant new U.S. investments the company has made." The company also asked for EPA to help ensure a "level playing field" against natural refrigerants.

I'm seeking a comment on what if anything the EPA has done to help protect Chemours investment and level the playing field against natural refrigerants. Also, I'd welcome any comments about how EPA generally sets policy around which refrigerant chemicals will be used to replace HFCs.

My deadline is 5 pm on Wednesday.

Thank you,
Sharon

Sharon Lerner
Reporter

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++++++++++++++++++++++

Reporter is asking about the "How's My Waterway" web app. Jim Meyers, Waterways DC.

Suggested Response:
On background:

Ex. 5 Deliberative Process (DP)

From: Jim Myers [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, August 15, 2018 12:27 PM
To: Press <Press@epa.gov>
Subject: Media inquiry on EPA link

Hello,

I received the link below as part of one of my news alerts. Not sure what to make of it? Is it a new link now open to the public? Any other information?

Thanks,

Jim Myers
The Waterways Journal

cell: Ex. 6 Personal Privacy (PP)

https://watersgeo.epa.gov/mywaterway/

++

Michael, third floor, I reached out to get the specificity of his request. I am now turning this over to you based on his line of questioning.

From: Sean Reilly <sreilly@eenews.net>
Date: August 16, 2018 at 11:10:25 AM EDT
To: "Jones, Enesta" <Jones.Enesta@epa.gov>
Subject: RE: EFAB

Hi Enesta:

No questions about coal ash at this point. Regarding EFAB, I'm working on an article on the extent to which EPA has fully implemented the requirements of Scott Pruitt's Oct. 31, 2017 directive titled "Strengthening and Improving Membership on EPA Federal Advisory Committees, " to all of the agency's 22 committees. In announcing this directive, Mr. Pruitt singled out three (the SAB, CASAC, and BOSC), but the directive makes clear (and Michael Abboud confirmed at the time) that the directive's requirements apply to all 22. After speaking to numerous members of the EFAB and other committees, however, I've been unable to find any evidence that EPA has sought to substantively implement the directive to any FACs beyond the three mentioned by Mr. Pruitt.

My specific questions at this point are:

1) Has EPA implemented the directive's requirements, including the ban on federal advisory committee service by active EPA grant recipients, to any of the other 19 advisory committees and, if so, which ones? Have any members been required to resign from their respective committees because they declined to give up their EPA grants, and if, so how many?

2) If EPA has not applied the directive's requirements to any of the 19 committees, why not, given that almost ten months have passed since Mr. Pruitt issued it?

My deadline is 4 p.m. tomorrow; I will need on-the-record, for-attribution responses if they're going to be used.

Thanks,
Sean

Sean Reilly
Reporter
E&E News
202-446-0433 (Desk)
Ex. 6 Personal Privacy (PP) (Cell)
sreilly@eenews.net
Twitter: @SeanatGreenwire

-----Original Message-----
From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Thursday, August 16, 2018 7:41 AM
To: Sean Reilly <sreilly@eenews.net>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: EFAB

Sean, I understand you have questions about EFAB and coal ash. Please share along with your firm deadline.

++++++++++++++++

Ex. 5 Deliberative Process (DP). The reporter said she'd accept general information along those lines, as she's on a tight deadline and plans to file her story by the end of the day. OK to send?

Ex. 5 Deliberative Process (DP)

Learn more: https://www.epa.gov/pesticide-registration/about-pesticide-registration

From: Vyas, Aditi X. -ND [mailto:Aditi.X.Vyas.-ND@abc.com]
Sent: Thursday, August 16, 2018 9:20 AM
To: Mears, Mary <Mears.Mary@epa.gov>
Subject: Requesting an interview an expert

Hi Mary,

Hope this email finds you well. My name is Aditi Vyas and I'm a physician on the medical unit for ABC News. We are doing a digital story on a recent study that came out saying DDE (insecticide) is related to autism. (I've attached the study to this email).

I was wondering if you could put me in touch with an expert who might be able to give me some comments regarding pesticides in general?

Thank you so much and I look forward to hearing from you,

Aditi

Aditi Vyas MD, MHA | Resident Physician, Resident ABC NEWS Medical Unit | 47 West 66th Street, 2nd floor | New York, NY 10023 | **O. 630-234-2108**| Aditi.X.Vyas.-ND@abc.com | avyas07@gmail.com

++++++++

Ex. 5 Deliberative Process (DP)

Do we **Ex. 5 Deliberative Process (DP)**?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]
Sent: Wednesday, August 15, 2018 3:09 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Glyphosate and cereals, oats

Hello -- I'd like to add one more question, so both questions together:

-- Would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?
-- What do you think about the Environmental Working Group in general? Do they present fair arguments or counterpoints?

Mihir

On Wed, Aug 15, 2018 at 2:39 PM Mihir Zaveri <mihir.zaveri@nytimes.com> wrote:
Hi, would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?

On Wed, Aug 15, 2018 at 1:22 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
Hullo Mihir,

For attribution to "an EPA Spokesperson," please:

As stated in our December 2017 announcement, EPA's draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency's scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA's human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Aug 15, 2018, at 11:35 AM, Mihir Zaveri <mihir.zaveri@nytimes.com> wrote:

Thank you -- appreciate your acknowledgement!

Mihir

On Wed, Aug 15, 2018 at 11:34 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning Mihir,

A quick work to acknowledge receipt. We'll be in touch soon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]
Sent: Wednesday, August 15, 2018 11:26 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Glyphosate and cereals, oats

Hello, this is Mihir Zaveri, I'm a reporter with The New York Times. I'm working on a story today about this new report from the Environmental Working Group that shows certain levels of the chemical "glyphosate" in cereal, granola, and other food products.

I'm sure you have been over these points before, but the report suggests that glyphosate is linked to cancer, and supports that notion with a WHO agency designation and California state designation as well as the recent settlement in California earlier this month. The report further suggests that the levels of glyphosate that they found could particularly put children at risk.

Hoping to get an answer to some questions:

-- It's my understanding that the federal government does not consider glyphosate to be linked to cancer, is this true?

-- Are there any risks associated with glyphosate for parents, or general population, to be concerned about?

-- Why is there this dissonance between what federal regulators say and what, for example, the state of California says regarding Glyphosate?

-- How would EPA respond to the public who might read this EWG report and be scared that their children might not be safe if they eat these foods? Or others?

-- The EWG scientists assert that glyphosate applied later in a crop cycle reflects an increased risk compared to that applied earlier in the cycle. Is there any reason to challenge this notion?

-- When do the draft risk assessments published in December become final and what more is there to do in that process?

Thank you, I am writing this story today and it will go online later this afternoon.

Thank you,
Mihir

++++++++++++++++++++++++++=

Third Floor, please advise on next steps.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

Begin forwarded message:

From: Gregory Meyer <gregory.meyer@ft.com>
Date: August 15, 2018 at 12:53:23 PM EDT
To: daguillard.robert@epa.gov
Subject: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Dear Mr. Daguillard:

I am a reporter at the Financial Times, writing with a query about the RFS.

The 2019 RVO proposed rulemaking states that EPA evaluated "petitions for exemption from 20 small refineries for the 2016 RFS standards (3 of which were owned by a small refiner) and 29 small refineries for the 2017 RFS standards (8 of which were owned by a small refiner)."

How many exemptions were granted for 2016 and 2017? Industry sources say all of the petitions were granted, and I would like to confirm this with EPA.

My deadline is today.

Thanks and regards,

Gregory Meyer
Markets reporter

Financial Times
Work phone: +1 917 551 5133
Mobile phone: Ex. 6 Personal Privacy (PP)
gregory.meyer@ft.com

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++++++++++++++++++++++++++++++++

Now with Rich Yamada's edits. Please advise if this is OK to send.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Konkus, John
Sent: Tuesday, August 14, 2018 3:55 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

You can Ex. 5 Deliberative Process (DP)

Everything else is good to go.

Thank you Enesta!

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/16/2018 8:07:44 PM
To: Lynn, Tricia [lynn.tricia@epa.gov]; Jones, Enesta [Jones.Enesta@epa.gov]
CC: Grantham, Nancy [Grantham.Nancy@epa.gov]
Subject: RE: OMR: Draft Open inquiries list

Thanks Tricia. Yes, I know you sent it up yesterday. Unless I misunderstood SOP, I don't see a problem in seeking approval once again.

I suppose that leaves it up to our judgment to stop sending prompts? I'd set it at three requests/reminders, personally.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Lynn, Tricia
Sent: Thursday, August 16, 2018 4:05 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: OMR: Draft Open inquiries list

Robert—

I also sent up Hotel Management Magazine regarding TV recycling. I sent it yesterday and today, so maybe it doesn't belong on the list. Still, it's nothing controversial, I'd say, so I'm thinking they've just missed it in the flurry. Dunno.

Thanks!

--Tricia

From: Daguillard, Robert
Sent: Thursday, August 16, 2018 4:01 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: OMR: Draft Open inquiries list

Tricia and Enesta, I'm running this list by you first to make sure I haven't left out any of your open inquiries, or any left open for 3rd floor action for whatever reason. Please note, I'm not including WOTUS queries, as we now have a green light to send our statement. Also, Sean Reilly's EFAB is here out of an abundance of caution, as 3F have not acknowledged receipt, or confirmed they'll take action.

- The Intercept: Chemours & HFCs
- Waterways Journal: How's My Waterway?

- E&E News: EFAB
- ABC News: DDE & Autism
- NY Times: Glyphosate & Oats (follow-up questions on EWG report)
- Financial Times: RVO
- Undark: OPP/ORD conversations on glyphosate

++++++++++++++++++++++++++++

Good to send?

From: "Jones, Enesta" <Jones.Enesta@epa.gov>
Date: August 15, 2018 at 4:45:39 PM EDT
To: Press <Press@epa.gov>
Subject: For Review: The Intercept (Sharon Lerner) re Chemours and HFCs (DDL: 8/15)

OAR-drafted response:

On background: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

From: Sharon Lerner <sharon.lerner@theintercept.com>
Date: August 13, 2018 at 10:58:01 AM EDT
To: Press <Press@epa.gov>
Subject: question about Chemours meeting

Hi EPA Press office -

I'm writing about a meeting between Chemours CEO Mark Vergnano and several EPA officials that took place in May of 2017. According to the record of the meeting, which was noted in Scott Pruitt's public calendar and was also requested in a letter from Vergnano that was included in EPA's production to the Sierra Club, Chemours asked EPA to "help protect U.S. leadership in [the refrigerant] space and protect significant new U.S. investments the company has made." The company also asked for EPA to help ensure a "level playing field" against natural refrigerants.

I'm seeking a comment on what if anything the EPA has done to help protect Chemours investment and level the playing field against natural refrigerants. Also, I'd welcome any comments about how EPA generally sets policy around which refrigerant chemicals will be used to replace HFCs.

My deadline is 5 pm on Wednesday.

Thank you,
Sharon

Sharon Lerner
Reporter
The Intercept
mobile/signal Ex. 6 Personal Privacy (PP)
@fastlerner
Click here (and scroll down) to read recent stories:
https://theintercept.com/staff/sharon-lerner/
Subscribe @ http://sharonlerner.com/

PGP:
CB29 D9FF 9285 3205 087E 83A1 0C30 2F39 4F30 8BFE

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Reporter is asking about the "How's My Waterway" web app. Jim Meyers, Waterways DC.

Suggested Response:
On background:

Ex. 5 Deliberative Process (DP)

From: Jim Myers [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, August 15, 2018 12:27 PM
To: Press <Press@epa.gov>
Subject: Media inquiry on EPA link

Hello,

I received the link below as part of one of my news alerts. Not sure what to make of it? Is it a new link now open to the public? Any other information?

Thanks,

Jim Myers
The Waterways Journal

cell: Ex. 6 Personal Privacy (PP)

https://watersgeo.epa.gov/mywaterway/

++

Michael, third floor, I reached out to get the specificity of his request. I am now turning this over to you based on his line of questioning.

From: Sean Reilly <sreilly@eenews.net>
Date: August 16, 2018 at 11:10:25 AM EDT
To: "Jones, Enesta" <Jones.Enesta@epa.gov>
Subject: RE: EFAB

Hi Enesta:

No questions about coal ash at this point. Regarding EFAB, I'm working on an article on the extent to which EPA has fully implemented the requirements of Scott Pruitt's Oct. 31, 2017 directive titled "Strengthening and Improving Membership on EPA Federal Advisory Committees, " to all of the agency's 22 committees. In announcing this directive, Mr. Pruitt singled out three (the SAB, CASAC, and BOSC), but the directive makes clear (and Michael Abboud confirmed at the time) that the directive's requirements apply to all 22. After speaking to numerous members of the EFAB and other committees, however, I've been unable to find any evidence that EPA has sought to substantively implement the directive to any FACs beyond the three mentioned by Mr. Pruitt.

My specific questions at this point are:

1) Has EPA implemented the directive's requirements, including the ban on federal advisory committee service by active EPA grant recipients, to any of the other 19 advisory committees and, if so, which ones? Have any members been required to resign from their respective committees because they declined to give up their EPA grants, and if, so how many?

2) If EPA has not applied the directive's requirements to any of the 19 committees, why not, given that almost ten months have passed since Mr. Pruitt issued it?

My deadline is 4 p.m. tomorrow; I will need on-the-record, for-attribution responses if they're going to be used.

Thanks,
Sean

Sean Reilly
Reporter
E&E News
202-446-0433 (Desk)
Ex. 6 Personal Privacy (PP) (Cell)
sreilly@eenews.net
Twitter: @SeanatGreenwire

-----Original Message-----
From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Thursday, August 16, 2018 7:41 AM
To: Sean Reilly <sreilly@eenews.net>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>
Subject: EFAB

Sean, I understand you have questions about EFAB and coal ash. Please share along with your firm deadline.

++++++++++++++++

Ex. 5 Deliberative Process (DP) The reporter said she'd accept general information along those lines, as she's on a tight deadline and plans to file her story by the end of the day. OK to send?

Ex. 5 Deliberative Process (DP)

From: Vyas, Aditi X. -ND [mailto:Aditi.X.Vyas.-ND@abc.com]
Sent: Thursday, August 16, 2018 9:20 AM
To: Mears, Mary <Mears.Mary@epa.gov>
Subject: Requesting an interview an expert

Hi Mary,

Hope this email finds you well. My name is Aditi Vyas and I'm a physician on the medical unit for ABC News. We are doing a digital story on a recent study that came out saying DDE (insecticide) is related to autism. (I've attached the study to this email).

I was wondering if you could put me in touch with an expert who might be able to give me some comments regarding pesticides in general?

Thank you so much and I look forward to hearing from you,

Aditi

Aditi Vyas MD, MHA | Resident Physician, Resident ABC NEWS Medical Unit | 47 West 66th Street, 2nd floor | New York, NY 10023 | **O. 630-234-2108**| Aditi.X.Vyas.-ND@abc.com | avyas07@gmail.com

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Ex. 5 Deliberative Process (DP)

Do we Ex. 5 Deliberative Process (DP)?

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]
Sent: Wednesday, August 15, 2018 3:09 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>

Cc: Press <Press@epa.gov>
Subject: Re: Glyphosate and cereals, oats

Hello -- I'd like to add one more question, so both questions together:

-- Would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?
-- What do you think about the Environmental Working Group in general? Do they present fair arguments or counterpoints?

Mihir

On Wed, Aug 15, 2018 at 2:39 PM Mihir Zaveri <mihir.zaveri@nytimes.com> wrote:
Hi, would the EWG report today make you question any of the findings that glyphosate is not likely carcinogenic to humans?

On Wed, Aug 15, 2018 at 1:22 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
Hullo Mihir,

For attribution to "an EPA Spokesperson," please:

As stated in our December 2017 announcement, EPA's draft human health risk assessment concluded that glyphosate is not likely to be carcinogenic to humans. Our assessment found no other meaningful risks to human health when the product is used according to the pesticide label. The Agency's scientific findings are consistent with other countries and regulatory authorities including the Canadian Pest Management Regulatory Agency, Australian Pesticide and Veterinary Medicines Authority, European Food Safety Authority, the European Chemicals Agency, German Federal Institute for Occupational Safety and Health, the Joint FAO/WHO Meeting on Pesticide Residues, the New Zealand Environmental Protection Authority, and Food Safety Commission of Japan.

EPA's human health review evaluated dietary, residential/non-occupational, aggregate, and occupational exposures. Additionally, the Agency performed an in-depth review of the glyphosate cancer database, including data from epidemiological, animal carcinogenicity, and genotoxicity studies.

We are currently reviewing public comments received on the draft assessment and plan to publish the proposed interim registration review decision for glyphosate in 2019. The proposed interim registration review decision will outline any proposed mitigation measures to reduce risk, if any are needed.

For more information read our Revised Glyphosate Issue Paper: Evaluation of Carcinogenic Potential.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Aug 15, 2018, at 11:35 AM, Mihir Zaveri <mihir.zaveri@nytimes.com> wrote:

Thank you -- appreciate your acknowledgement!

Mihir

On Wed, Aug 15, 2018 at 11:34 AM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good morning Mihir,

A quick work to acknowledge receipt. We'll be in touch soon.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Mihir Zaveri [mailto:mihir.zaveri@nytimes.com]
Sent: Wednesday, August 15, 2018 11:26 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Glyphosate and cereals, oats

Hello, this is Mihir Zaveri, I'm a reporter with The New York Times. I'm working on a story today about this new report from the Environmental Working Group that shows certain levels of the chemical "glyphosate" in cereal, granola, and other food products.

I'm sure you have been over these points before, but the report suggests that glyphosate is linked to cancer, and supports that notion with a WHO agency designation and California state designation as well as the recent settlement in California earlier this month. The report further suggests that the levels of glyphosate that they found could particularly put children at risk.

Hoping to get an answer to some questions:

-- It's my understanding that the federal government does not consider glyphosate to be linked to cancer, is this true?

-- Are there any risks associated with glyphosate for parents, or general population, to be concerned about?

-- Why is there this dissonance between what federal regulators say and what, for example, the state of California says regarding Glyphosate?

-- How would EPA respond to the public who might read this EWG report and be scared that their children might not be safe if they eat these foods? Or others?

-- The EWG scientists assert that glyphosate applied later in a crop cycle reflects an increased risk compared to that applied earlier in the cycle. Is there any reason to challenge this notion?

-- When do the draft risk assessments published in December become final and what more is there to do in that process?

Thank you, I am writing this story today and it will go online later this afternoon.

Thank you,
Mihir

++++++++++++++++++++++++++=

Third Floor, please advise on next steps.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

Begin forwarded message:

From: Gregory Meyer <gregory.meyer@ft.com>
Date: August 15, 2018 at 12:53:23 PM EDT
To: daguillard.robert@epa.gov
Subject: Press Inquiry about Fuel: ethanol, RFS, fuel efficiency

Dear Mr. Daguillard:

I am a reporter at the Financial Times, writing with a query about the RFS.

The 2019 RVO proposed rulemaking states that EPA evaluated "petitions for exemption from 20 small refineries for the 2016 RFS standards (3 of which were owned by a small refiner) and 29 small refineries for the 2017 RFS standards (8 of which were owned by a small refiner)."

How many exemptions were granted for 2016 and 2017? Industry sources say all of the petitions were granted, and I would like to confirm this with EPA.

My deadline is today.

Thanks and regards,

Gregory Meyer
Markets reporter
Financial Times
Work phone: +1 917 551 5133
Mobile phone: Ex. 6 Personal Privacy (PP)
gregory.meyer@ft.com

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++++++++++++++++++++++++++++++++

Now with Rich Yamada's edits. Please advise if this is OK to send.

Ex. 5 Deliberative Process (DP)

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Konkus, John
Sent: Tuesday, August 14, 2018 3:55 PM
To: Jones, Enesta <Jones.Enesta@epa.gov>; Block, Molly <block.molly@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Daguillard, Robert <Daguillard.Robert@epa.gov>; Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Open Inquiries, 8/14/18

Who in ORD approved this response: Response: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Everything else is good to go.

Thank you Enesta!

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 10/8/2018 8:59:00 PM
To: Grant, Peter [peter.grant@wsj.com]
CC: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: Re: fact check for WSJ story

Thanks, Peter. Duly noted.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

On Oct 8, 2018, at 4:43 PM, Grant, Peter <peter.grant@wsj.com> wrote:

> Hi Robert,
>
> Thanks for getting back to me (especially on a holiday!) The story is scheduled to be published online tomorrow at 7 am.
>
> I double checked the wording w/ other sources and tweaked it a bit. I thing we're good to go.
>
> Peter
>
> On Mon, Oct 8, 2018 at 4:30 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> Good afternoon and thanks, Peter,
>
> Happy to double-check on this for you. Just a reminder our offices were closed today due to the federal holiday, so we won't be responding to you before tomorrow, if that's all right.
>
> Robert Daguillard
> U.S. EPA
> Office of Media Relations
> Washington D.C.
> Ex. 6 Personal Privacy (PP) (M)
> 202-564-6618 (O)
>
> On Oct 8, 2018, at 10:16 AM, Grant, Peter <peter.grant@wsj.com> wrote:
>
> > Hi Robert,
> >
> > The story is on the launchpad.
> >
> > One final (I hope) follow up question:
> >
> > We're planning to say that in August, the EPA gave landlords the data and tools to compute their new Energy Star ratings. Could we say that

the new ratings were expected to go into effect immediately? If not when were they originally expected to go into effect?

Thanks,

Peter

Peter Grant
Real Estate Group
The Wall Street Journal
212-416-2693
peter.grant@wsj.com

On Fri, Oct 5, 2018 at 2:23 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Peter,

On background, please – AKA, for attribution to U.S. EPA. Please note our edits in red as part of our review of your fact check.

We're closed on Monday, a federal holiday, but Enesta will be back in the office on Tuesday. Feel free to follow up with her if needed.

FOLLOW UP QUESTION #1

Does the EPA have an estimate of how many industrial and commercial buildings participate in the Energy Star program?

ANSWER TO QUESTION #1

There are more than 275,000 commercial buildings (including industrial properties) that actively use ENERGY STAR Portfolio Manager to benchmark their energy performance. More than 34,000 of these buildings have been certified as ENERGY STAR for superior energy performance.

FOLLOW UP QUESTION #2

From the WSJ reporter: Here is the time line that I plan to include in the story. Please holler if any of this is inaccurate:

ANSWER TO #2

Thank you for giving us an opportunity to review your timeline. It looks very good, we are offering a few minor points of clarification below in red:

-- The EPA launched the Energy Star program in 1992. It is best known to consumers for rating appliances like refrigerators and air conditioners. The voluntary program also rates office and industrial buildings.

-- The EPA bases its commercial building ratings on statistical models developed using publicly available data mostly provided by the EIA. That data typically is updated every four years. Ratings are also updated to reflect the new data.

-- In August, the EPA gave landlords the data and tools to compute their new Energy Star ratings.

-- The Real Estate Roundtable and some landlords expressed concern that certain buildings--particularly large building in major cities that use steam--would wind up with inaccurate scores, that would be too low.

-- The EPA is responding to these concerns. While the EPA discusses the issue with the industry, it has put on hold the process of certifying buildings with top Energy Star ratings.

-- The most recent data on building energy usage that the EIA provided used 2012 as its reference year.

-- The most recent prior EIA survey data, which used 2007 as a reference year, was not released by EIA.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)

Ex. 6 Personal Privacy (PP) (M)

From: Grant, Peter [mailto:peter.grant@wsj.com]
Sent: Thursday, October 04, 2018 12:02 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: fact check for WSJ story

Hi Robert,

We're still looking to publish the story early next week.

Here is the time line that I plan to include in the story. Please holler if any of this is inaccurate:

-- The EPA launched the Energy Star program in 1992. It is best known to consumers for rating appliances like refrigerators and air conditioners. The voluntary program also rates office and industrial buildings.

-- The EPA bases its commercial building ratings on data provided by the EIA. That data typically is updated every four years. Ratings are also updated to reflect the new data.

-- In August, the EPA gave landlords the data and tools to compute their new Energy Star ratings.

-- The Real Estate Roundtable and some landlords expressed concern that certain buildings--particularly large building in major cities that use steam--would wind up with inaccurate scores, that would be too low.

-- The EPA is responding to these concerns. Whlie the EPA discusses the issue with the industry, it has put on hold the process of updating Energy Star ratings.

-- The most recent data on building energy usage that the EIA provided used 2012 as its reference year.

-- The prior EIA survey, which used 2007 as a reference year, was unuseable.

Thanks again for you help.

Peter

Peter Grant

Real Estate Group

The Wall Street Journal

212-416-2693

peter.grant@wsj.com

Message

From: Grant, Peter [peter.grant@wsj.com]
Sent: 10/8/2018 2:48:59 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: Re: fact check for WSJ story

Sorry, we just revised it to say:

The EPA gave landlords the data and tools to compute their new Energy Star ratings in August. The EPA had planned to start certifying buildings ***with top ratings*** *under the new system immediately*

On Mon, Oct 8, 2018 at 10:44 AM Grant, Peter <peter.grant@wsj.com> wrote:
Here's the current wording we're planing to use:

The EPA gave landlords the data and tools to compute their new Energy Star ratings in August. The EPA had planned to start certifying buildings under the new system immediately.

On Mon, Oct 8, 2018 at 10:18 AM Grant, Peter <peter.grant@wsj.com> wrote:
Hi Enesta,
Hope you enjoyed your time off. I just got Robert's out of office email in response to the below. Can you handle? We're planning to publish 7 am tomorrow morning. Thanks,
Peter

---------- Forwarded message ---------
From: **Grant, Peter** <peter.grant@wsj.com>
Date: Mon, Oct 8, 2018 at 10:16 AM
Subject: Re: fact check for WSJ story
To: <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>

Hi Robert,

The story is on the launchpad.

One final (I hope) follow up question:

We're planning to say that in August, the EPA gave landlords the data and tools to compute their new Energy Star ratings. Could we say that the new ratings were expected to go into effect immediately? If not when were they originally expected to go into effect?

Thanks,

Peter

Peter Grant

Real Estate Group
The Wall Street Journal
212-416-2693
peter.grant@wsj.com

On Fri, Oct 5, 2018 at 2:23 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Good afternoon Peter,

On background, please – AKA, for attribution to U.S. EPA. Please note our edits in red as part of our review of your fact check.

We're closed on Monday, a federal holiday, but Enesta will be back in the office on Tuesday. Feel free to follow up with her if needed.

FOLLOW UP QUESTION #1

Does the EPA have an estimate of how many industrial and commercial buildings participate in the Energy Star program?

ANSWER TO QUESTION #1

There are more than 275,000 commercial buildings (including industrial properties) that actively use ENERGY STAR Portfolio Manager to benchmark their energy performance. More than 34,000 of these buildings have been certified as ENERGY STAR for superior energy performance.

FOLLOW UP QUESTION #2

From the WSJ reporter: Here is the time line that I plan to include in the story. Please holler if any of this is inaccurate:

ANSWER TO #2

Thank you for giving us an opportunity to review your timeline. It looks very good, we are offering a few minor points of clarification below in red:

-- The EPA launched the Energy Star program in 1992. It is best known to consumers for rating appliances like refrigerators and air conditioners. The voluntary program also rates office and industrial buildings.

-- The EPA bases its commercial building ratings on statistical models developed using publicly available data mostly provided by the EIA. That data typically is updated every four years. Ratings are also updated to reflect the new data.

-- In August, the EPA gave landlords the data and tools to compute their new Energy Star ratings.

-- The Real Estate Roundtable and some landlords expressed concern that certain buildings--particularly large building in major cities that use steam--would wind up with inaccurate scores, that would be too low.

-- The EPA is responding to these concerns. While the EPA discusses the issue with the industry, it has put on hold the process of certifying buildings with top Energy Star ratings.

-- The most recent data on building energy usage that the EIA provided used 2012 as its reference year.

-- The most recent prior EIA survey data, which used 2007 as a reference year, was not released by EIA.

Cheers, R.

Robert Daguillard

Office of Media Relations

U.S. Environmental Protection Agency

Washington, DC

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Ex. 6 Personal Privacy (PP) (M)

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Thanks again for you help.

Peter

Peter Grant

Real Estate Group

The Wall Street Journal

212-416-2693

peter.grant@wsj.com

Message

From: Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Sent: 8/20/2019 3:59:32 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
Subject: RE: citrus greening. again.

Thank you...

From: Jones, Enesta <Jones.Enesta@epa.gov>
Sent: Tuesday, August 20, 2019 11:59 AM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Fwd: citrus greening. again.

We did. Here's the thread.

Begin forwarded message:

Resent-From: <Press@epa.gov>
From: Andrew Jacobs <jacobsa@nytimes.com>
Date: August 19, 2019 at 4:25:31 PM EDT
To: "Daguillard, Robert" <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: citrus greening. again.

Thanks for this.

On Aug 19, 2019, at 3:35 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Andrew, with apologies for the late response, and for attribution to "an EPA Spokesperson," please:

Incoming

I'm doing a short story about a recent study that found foliar spraying of oxytetracycline had little impact on the bacteria that causes citrus greening, the disease killing orange and grapefruit trees in Florida.

Does anyone at the EPA want to have a look at the study? I realize it's just one study but I'm wondering if the EPA might be having second thoughts about the expanded approval of these drugs, and also -- given that the study's authors found some decent results with injecting the drugs into the trees -- whether the EPA might entertain that route for applying the drugs in the future.

Response

EPA is currently in the process of registration review for oxytetracycline. EPA reviews each registered pesticide at least every 15 years to determine whether it continues to meet the federal standards for registration. We are currently reviewing public comments that were submitted for the Proposed Interim Decision during the public comment period that closed on May 17, 2019. The Agency plans to complete the Interim Decision by spring 2020. EPA will consider the recently published study cited by the New York Times as well as other information from public comments when preparing the Interim Decision.

The public docket for the registration review of oxytetracycline is available here: https://www.regulations.gov/docket?D=EPA-HQ-OPP-2008-0686.

Background

In making its 2018 registration decision for the new use on citrus, EPA reviewed documents and data submitted by the registrant regarding the effectiveness of oxytetracycline to control citrus greening. The Agency concluded that the submitted data showed that citrus growers would benefit from the availability of oxytetracycline to help manage citrus greening and citrus canker. The benefits assessment for this decision took into account available information on the effectiveness of oxytetracycline through spraying and injection.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Jacobs, Andrew <jacobsa@nytimes.com>
Sent: Friday, August 16, 2019 4:08 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: citrus greening. again.

So we're getting ready to publish. I guess we'll say the usual "declined to comment."?

On Fri, Aug 16, 2019 at 12:44 PM Jacobs, Andrew <jacobsa@nytimes.com> wrote:

> I'd say by 3 pm
>
> On Fri, Aug 16, 2019 at 12:40 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:
>
> > Still working on a response.
> >
> > What's the latest we could get back to you?
> >
> > Thanks for your patience.
> >
> > **Robert Daguillard**
> > **Communications Officer (Detail)**
> > **Office of Chemical Safety**
> > **and Pollution Prevention**
> > **U.S. Environmental Protection Agency**
> > **Washington, DC**
> > **+1 (202) 564-6618 (O)**
> > Ex. 6 Personal Privacy (PP) **(M)**

On Aug 16, 2019, at 12:25 PM, Jacobs, Andrew <jacobsa@nytimes.com> wrote:

Any thoughts on this? Story will run later today.

On Thu, Aug 15, 2019 at 4:25 PM Jacobs, Andrew <jacobsa@nytimes.com> wrote:

Thanks.

On Thu, Aug 15, 2019 at 4:13 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Possibly. I'll circle back and let you know.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)

Office of Chemical Safety
and Pollution Prevention

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Jacobs, Andrew <jacobsa@nytimes.com>
Sent: Thursday, August 15, 2019 4:09 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: citrus greening. again.

Hey Robert,

The story isn't going to run until tomorrow so we have an extra day but it would be great to get some response by the morning tomorrow.

You think that's doable?

Andrew

On Wed, Aug 14, 2019 at 5:32 PM Jacobs, Andrew <jacobsa@nytimes.com> wrote:

Sounds good.

On Wed, Aug 14, 2019 at 5:27 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Thanks, Andrew. It's unlikely we'll respond today. Thursday OK?

Robert Daguillard

Communications Officer (Detail)

Office of Chemical Safety

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U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **(M)**

On Aug 14, 2019, at 4:54 PM, Jacobs, Andrew <jacobsa@nytimes.com> wrote:

Oh, thanks. Just realized that link gets you to a paywall.

Here's a PDF of the study, for what it's worth.

Let me know if that doesn't work.

On Wed, Aug 14, 2019 at 4:53 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Hullo Andrew. Quick word to acknowledge receipt.

Cheers, R.

Robert Daguillard

Communications Officer (Detail)

Office of Chemical Safety

and Pollution Prevention

U.S. Environmental Protection Agency

Washington, DC

+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **(M)**

On Aug 14, 2019, at 4:29 PM, Jacobs, Andrew <jacobsa@nytimes.com> wrote:

Hi Robert,

I'm doing a short story about a recent study that found foliar spraying of oxytetracycline had little impact on the bacteria that causes citrus greening, the disease killing orange and grapefruit trees in Florida.

Does anyone at the EPA want to have a look at the study? I realize it's just one study but I'm wondering if the EPA might be having second thoughts about the expanded approval of these drugs, and also -- given that the study's authors found some decent results with injecting the drugs into the trees -- whether the EPA might entertain that route for applying the drugs in the future.

Thanks.

best,

Andrew

Message

From: Rikardy Tooge [rikardy.tooge@tvglobo.com.br]
Sent: 8/16/2019 9:22:29 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Press [Press@epa.gov]
Subject: RE: Subject: [Request from Brazil] Pesticides in USA

Yes, I saw. But I want to know the exactly number. The answer says "roughly 500". Is it possible to know that exaclty number of active ingredients registered in USA?

Thanks again.
Best regards,

--
Rikardy Tooge
Repórter — G1 Agro
Ex. 6 Personal Privacy (PP)
JORNALISMO GLOBO
Rua Evandro Carlos de Andrade, 160 | M3, 1º andar
Vila Cordeiro - São Paulo (SP)

De: Daguillard, Robert <Daguillard.Robert@epa.gov>
Enviado: sexta-feira, 16 de agosto de 2019 18:18
Para: Rikardy Tooge <rikardy.tooge@tvglobo.com.br>
Cc: Press <Press@epa.gov>
Assunto: Re: Subject: [Request from Brazil] Pesticides in USA

Our response is what we sent you.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **(M)**

On Aug 16, 2019, at 5:16 PM, Rikardy Tooge <rikardy.tooge@tvglobo.com.br> wrote:

> Thanks for the answers.
>
> About the 'Response 2', is it possible to precisely which is the number of active ingredients registered in USA?
>
> --
> **Rikardy Tooge**
> Repórter — G1 Agro
> Ex. 6 Personal Privacy (PP)
> <Outlook-cid_e17519.png>

Rua Evandro Carlos de Andrade, 160 | M3, 1º andar
Vila Cordeiro - São Paulo (SP)

De: Daguillard, Robert <Daguillard.Robert@epa.gov>
Enviado: sexta-feira, 16 de agosto de 2019 18:10
Para: Rikardy Tooge <rikardy.tooge@tvglobo.com.br>
Cc: Press <Press@epa.gov>
Assunto: Re: Subject: [Request from Brazil] Pesticides in USA

Rikardy, for attribution to "an EPA Spokesperson," please:

Question 1: I'm writing about the pesticides registrations in Brazil and compare that with EU and USA. One of the points of the story is which is the most used active substances in each place. I've saw informations about the most used active substances in 2012, but do you have more recent data about that?
Response 1: EPA's Pesticide Industry Sales and Usage report that came out in January 2017 and covers the period 2008-2012 is our most recent report.
Question 2: The last but not the least, I'd like to confirm the number of active substances for pesticides registered in USA. In the EPA's database I've the number is 508 active substances authorized in agriculture use, is that correct?
Response 2: There are roughly 500 active ingredients registered for agricultural use in the United States.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **(M)**

On Aug 8, 2019, at 11:17 AM, Rikardy Tooge <rikardy.tooge@tvglobo.com.br> wrote:

> My deadline is as soon as possible, but I can wait. This friday is that possible? If not, I'll wait for next week. I need these informations to finish my story.
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> Thanks for the answer.
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> <Outlook-cid_e17519.png>
> Rua Evandro Carlos de Andrade, 160 | M3, 1º andar
> Vila Cordeiro - São Paulo (SP)

De: Daguillard, Robert <Daguillard.Robert@epa.gov>
Enviado: quinta-feira, 8 de agosto de 2019 12:11
Para: Rikardy Tooge <rikardy.tooge@tvglobo.com.br>
Cc: Press <Press@epa.gov>
Assunto: Subject: [Request from Brazil] Pesticides in USA

Good morning and thanks for reaching out,

Are you on deadline?

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Resent-From: <Press@epa.gov>
From: Rikardy Tooge <rikardy.tooge@tvglobo.com.br>
Date: August 8, 2019 at 10:25:25 AM EDT
To: Press <Press@epa.gov>
Subject: [Request from Brazil] Pesticides in USA

My name is Rikardy and I'm a agriculture reporter for G1, the major Brazilian news website.

First of all, Sorry for my English knowledge.

I'm writting about the pesticides registrations in Brazil and compare that with EU and USA. One of the point of the story is wich is the most used active substances in each place. I've saw informations about the most used active substances in 2012, but have you the recently data about that?

The last but not the least, I'd like to confirm the number of active substances for pesticides registered in USA. In the EPA's database I've the number is 508 active substances autorized in agriculture use, is that correct?

Looking forward to hear from you soon.

Kind regards,
--

Rikardy Tooge
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Vila Cordeiro - São Paulo (SP)

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Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/16/2019 9:18:00 PM
To: Rikardy Tooge [rikardy.tooge@tvglobo.com.br]
CC: Press [Press@epa.gov]
Subject: Re: Subject: [Request from Brazil] Pesticides in USA

Our response is what we sent you.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
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Ex. 6 Personal Privacy (PP) **(M)**

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****

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/16/2019 9:10:21 PM
To: Rikardy Tooge [rikardy.tooge@tvglobo.com.br]
CC: Press [Press@epa.gov]
Subject: Re: Subject: [Request from Brazil] Pesticides in USA

Rikardy, for attribution to "an EPA Spokesperson," please:

Question 1: I'm writing about the pesticides registrations in Brazil and compare that with EU and USA. One of the points of the story is which is the most used active substances in each place. I've saw informations about the most used active substances in 2012, but do you have more recent data about that?
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Ex. 6 Personal Privacy (PP) **(M)**

On Aug 8, 2019, at 11:17 AM, Rikardy Tooge <rikardy.tooge@tvglobo.com.br> wrote:

> My deadline is as soon as possible, but I can wait. This friday is that possible? If not, I'll wait for next week. I need these informations to finish my story.
>
> Thanks for the answer.
>
> Best regards,
>
> --
>
> **Rikardy Tooge**
> Repórter — G1 Agro
> Ex. 6 Personal Privacy (PP)
> <Outlook-cid_e17519.png>
> Rua Evandro Carlos de Andrade, 160 | M3, 1º andar
> Vila Cordeiro - São Paulo (SP)
>
> ---
>
> **De:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Enviado:** quinta-feira, 8 de agosto de 2019 12:11
> **Para:** Rikardy Tooge <rikardy.tooge@tvglobo.com.br>

Cc: Press <Press@epa.gov>
Assunto: Subject: [Request from Brazil] Pesticides in USA

Good morning and thanks for reaching out,

Are you on deadline?

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Resent-From: <Press@epa.gov>
From: Rikardy Tooge <rikardy.tooge@tvglobo.com.br>
Date: August 8, 2019 at 10:25:25 AM EDT
To: Press <Press@epa.gov>
Subject: [Request from Brazil] Pesticides in USA

My name is Rikardy and I'm a agriculture reporter for G1, the major Brazilian news website.

First of all, Sorry for my English knowledge.

I'm writting about the pesticides registrations in Brazil and compare that with EU and USA. One of the point of the story is wich is the most used active substances in each place. I've saw informations about the most used active substances in 2012, but have you the recently data about that?

The last but not the least, I'd like to confirm the number of active substances for pesticides registered in USA. In the EPA's database I've the number is 508 active substances autorized in agriculture use, is that correct?

Looking forward to hear from you soon.

Kind regards,
--

Rikardy Tooge
Repórter — G1 Agro
Ex. 6 Personal Privacy (PP)
<Outlook-cid_e17519.png>
Rua Evandro Carlos de Andrade, 160 | M3, 1º andar
Vila Cordeiro - São Paulo (SP)

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/14/2019 7:46:35 PM
To: Geoffrey.Mohan@latimes.com
CC: Press [Press@epa.gov]
Subject: RE: Subject: state pesticide bans/Wednesday deadline

Good afternoon,

For attribution to "an EPA Spokesperson," please:

Q. I'm interested in knowing what recourse EPA can take in response to several states banning chlorpyrifos? Is there a federal pre-emption issue, or is each state free to do as it sees fit, on the issue?

FIFRA allows states to regulate pesticides in addition to federal registration. After EPA approves a pesticide for use, the state can either approve or disapproved that same pesticide for use in their own state. States may pass their own pesticide regulations if they are at least as stringent as federal pesticide regulations. Pesticide applicators are subject to the laws and regulations set by their own states as well as the requirements set forth on EPA-approved product labeling.

What is the current status of EPA's review of the safety of chlorpyrifos?

In regard to our July 18 action on chlorpyrifos, EPA denied all objections to the agency's denial of a 2007 petition on chlorpyrifos. EPA determined that the petitioners objections must be denied because the data available are not sufficiently valid, complete or reliable to meet petitioners' burden to present evidence demonstrating that the tolerances are not safe.

In response to requests from the public, EPA confirmed in its July 18 action that it is expediting the agency's review of chlorpyrifos, with a proposed interim decision incorporating the scientific assessments in question for public availability and comment by October 2020 – enabling EPA to make a final determination on chlorpyrifos well before the 2022 statutory deadline. Registration review is a comprehensive, scientific and transparent process that will further evaluate the potential effects of chlorpyrifos. EPA has also been engaged in discussions with the chlorpyrifos registrants that could result in further use limitations affecting the outcome of EPA's assessment.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Daguillard, Robert
Sent: Tuesday, August 13, 2019 4:48 PM
To: Geoffrey.Mohan@latimes.com
Cc: Press <Press@epa.gov>
Subject: Subject: state pesticide bans/Wednesday deadline

Good afternoon Geoffrey,

We'll be in touch soon.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

Resent-From: <Press@epa.gov>
From: "Mohan, Geoffrey" <Geoffrey.Mohan@latimes.com>
Date: August 13, 2019 at 4:39:16 PM EDT
To: Press <Press@epa.gov>
Subject: state pesticide bans/Wednesday deadline
For a Wednesday a.m. web story, I'm interested in knowing what recourse EPA can take in response to several states banning chlorpyrifos? Is there a federal pre-emption issue, or is each state free to do as it sees fit, on the issue?

What is the current status of EPA's review of the safety of chlorpyrifos?

Covering Food and Agriculture for the Los Angeles Times
Ex. 6 Personal Privacy (PP) (mobile)
Twitter: @LATgeoffmohan

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 8/14/2019 4:17:15 PM
To: Robin Suttell Ex. 6 Personal Privacy (PP)
CC: Press [Press@epa.gov]
Subject: RE: Subject: Building Operating Management Magazine Article Info Request - Safer Choice/Deicers

And here they are. For attribution to "an EPA Spokesperson," please:

Answer: Safer Choice has product-level requirements that the finished product must meet (i.e. pH, VOC's, residuals etc.) and ingredient level criteria that is specific to each component. Ice-melt products, in particular, have additional product level criteria that can be found on the Safer Choice website at https://www.epa.gov/saferchoice/standard#icemelt. From this page, click on "Safer Choice Product-Class Criteria" and then on "Ice-Melt Products." This link shows the properties of an ice-melt product that would meet Safer Choice criteria.

A list of Safer Choice-certified deicers can be found by typing "deicers" into the search bar on our product finder page.

Product manufacturers who are interested in Safer Choice may apply to become a partner by submitting their products for review. A description of this process is available at epa.gov/saferchoice/steps-get-safer-choice-label-your-product.

Background: The Safer Choice product review approach, briefly, is to look at each ingredient in a formulation within its distinct functional class (e.g., solvents, colorants) and to compare toxicity and fate profiles to identify the safest ingredients. You can find criteria for all products in the Safer Choice Standard.

Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Robin Suttell <Ex. 6 Personal Privacy (PP)>
Sent: Wednesday, August 14, 2019 8:13 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Subject: Building Operating Management Magazine Article Info Request - Safer Choice/Deicers

Thank you for your reply. Looking forward to receiving your responses.

On Mon, Aug 12, 2019 at 8:15 PM Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Good evening and thanks for sharing your deadline. We'll be in touch.
>
> Cheers, R.

Robert Daguillard
Communications Officer (Detail)
Office of Chemical Safety
and Pollution Prevention
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) **(M)**

Resent-From: <Press@epa.gov>
From: Robin Suttell <Ex. 6 Personal Privacy (PP)>
Date: August 12, 2019 at 7:04:57 PM EDT
To: Press <Press@epa.gov>
Subject: Building Operating Management Magazine Article Info Request - Safer Choice/Deicers

Good evening,
I'm a writer with Building Operating Management magazine, a journal for the facilities management industry. We are putting together a piece looking at sustainability in ice and snow removal.

I understand the EPA's Safer Choice program has a deicer category. I am curious to know how, in general terms, ice-melt products qualify for this list.
And, for those that do qualify, why are they better for the environment?

We also are interested in learning how manufacturers get on this Safer Choice category list. Do they apply for consideration?

Please feel free to address these questions in a return email. Or, if you prefer, we can do a quick phone interview. Either way, I need to have responses in hand no later than Friday, Aug. 24.

Thanks in advance for your time and consideration.
All the best,
Robin Suttell for Building Operating Management magazine
Ex. 6 Personal Privacy (PP)

--
Sent from Ex. 6 Personal Privacy (PP)

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 8/12/2019 12:00:06 PM
To: Jones, Enesta [Jones.Enesta@epa.gov]
CC: Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Press [Press@epa.gov]
Subject: Re: For Review: Questions regarding the CASAC's use of consultants for the ozone and PM NAAQS

Sure.

Sent from my iPhone

On Aug 12, 2019, at 7:36 AM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

> The DDL isn't until COB today, but have we landed on using Michael's name for attribution?
>
> On Aug 9, 2019, at 2:50 PM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:
>
> Michael…you want this under your name?
>
> ---
>
> **From:** Jones, Enesta <Jones.Enesta@epa.gov>
> **Sent:** Friday, August 9, 2019 2:40 PM
> **To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>
> **Cc:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
> **Subject:** Re: For Review: Questions regarding the CASAC's use of consultants for the ozone and PM NAAQS
>
> Much appreciated. Sean requested a name for attribution. May I give yours or Michael?
>
> On Aug 9, 2019, at 2:39 PM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:
>
> Thank you. Clean up the edits and it is good…
>
> ---
>
> **From:** Jones, Enesta <Jones.Enesta@epa.gov>
> **Sent:** Friday, August 9, 2019 2:37 PM
> **To:** Schiermeyer, Corry <schiermeyer.corry@epa.gov>
> **Cc:** Sauerhage, Maggie <Sauerhage.Maggie@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
> **Subject:** Re: For Review: Questions regarding the CASAC's use of consultants for the ozone and PM NAAQS
>
> Hello Corry, Maggie passed this one to me for shepherding with OAR & SAB. OAR had edits, which are below. SAB signed off on them; no comments. Please let me know the next steps.

Has the CASAC and/or EPA (today's FR notice notwithstanding) already reached out to consultants to serve in this SME pool and encouraged them to self-nominate or otherwise have themselves nominated? If so, what are their names and affiliations?

Ex. 5 Deliberative Process (DP)

How large will the consultant pool be and does EPA/CASAC have any assurance that all of the areas of expertise listed in the FR notice will be represented? If not, how does EPA/CASAC plan to fill any gaps?

Ex. 5 Deliberative Process (DP)

Why has it been deemed necessary that all questions from CASAC members be routed in writing through Dr. Cox (as opposed, for example, to holding a public meeting in which CASAC members could address their questions directly to the consultant pool)? What is the value added?

Ex. 5 Deliberative Process (DP)

Will EPA comply with FACA transparency requirements in its use of these consultants? Will CASAC members' questions be made public upon submission to the consultants? Will the consultants' answers be made public as soon as they are provided to the respective CASAC member? If not, why not?

Ex. 5 Deliberative Process (DP)

Will the consultants will be Special Government Employees subject to federal ethics regulations?

Ex. 5 Deliberative Process (DP)

Will the SAB Staff Office vet them for potential conflicts-of-interest in regard to either the PM or ozone NAAQS reviews?

Ex. 5 Deliberative Process (DP)

How much money has been set aside overall out of EPA's budget to fund this new process? If they are not SGEs, will each consultant be working under contract to EPA? If so, what will be the expected length of the contract, what will they be paid and what are the expected deliverables?

Ex. 5 Deliberative Process (DP)

On Aug 8, 2019, at 9:11 PM, Schiermeyer, Corry <schiermeyer.corry@epa.gov> wrote:

I am and will have edits

Sent from my iPhone

On Aug 8, 2019, at 5:14 PM, Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:

> Think Corry is running these by David as well.
>
> Maggie Sauerhage
> Office of Public Affairs
> U.S. Environmental Protection Agency
> Office: (202) 564-0443
> Cell: Ex. 6 Personal Privacy (PP)
>
> On Aug 8, 2019, at 5:06 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:
>
>> Ok.
>>
>> Sent from my iPhone
>>
>> On Aug 8, 2019, at 3:03 PM, Sauerhage, Maggie <Sauerhage.Maggie@epa.gov> wrote:
>>
>>> From Tom Brennan, ok to send?
>>>
>>> **Has the CASAC and/or EPA (today's FR notice notwithstanding) already reached out to consultants to serve in this SME pool and**

encouraged them to self-nominate or otherwise have themselves nominated? If so, what are their names and affiliations?

Ex. 5 Deliberative Process (DP)

How large will the consultant pool be and does EPA/CASAC have any assurance that all of the areas of expertise listed in the FR notice will be represented? If not, how does EPA/CASAC plan to fill any gaps?

Ex. 5 Deliberative Process (DP)

Why has it been deemed necessary that all questions from CASAC members be routed in writing through Dr. Cox (as opposed, for example, to holding a public meeting in which CASAC members could address their questions directly to the consultant pool)? What is the value added?

Ex. 5 Deliberative Process (DP)

Will EPA comply with FACA transparency requirements in its use of these consultants? Will CASAC members' questions be made public upon submission to the consultants? Will the consultants' answers be made public as soon as they are provided to the respective CASAC member? If not, why not?

Ex. 5 Deliberative Process (DP)

Will the consultants will be Special Government Employees subject to federal ethics regulations?

Ex. 5 Deliberative Process (DP)

Will the SAB Staff Office vet them for potential conflicts-of-interest in regard to either the PM or ozone NAAQS reviews?

Ex. 5 Deliberative Process (DP)

How much money has been set aside overall out of EPA's budget to fund this new process? If they are not SGEs, will each consultant be working under contract to EPA? If so, what will be the expected length of the contract, what will they be paid and what are the expected deliverables?

Ex. 5 Deliberative Process (DP)

Maggie Sauerhage
Office of Public Affairs
U.S. Environmental Protection Agency
Office: (202) 564-0443
Cell: Ex. 6 Personal Privacy (PP)

From: Sean Reilly <sreilly@eenews.net>
Sent: Wednesday, August 07, 2019 2:09 PM
To: Press <Press@epa.gov>
Cc: Yeow, Aaron <Yeow.Aaron@epa.gov>; tcoxdenver@aol.com
Subject: Questions regarding the CASAC's use of consultants for the ozone and PM NAAQS

Hi folks:

CASAC Chairman Tony Cox referred these questions to Aaron Yeow of the SAB Staff Office who referred them to you. My deadline is COB Monday; on-the-record responses, please. If Administrator Wheeler is by chance available to discuss these issues directly, I would welcome the chance to do so.

Thanks,
Sean

1) Has the CASAC and/or EPA (today's FR notice notwithstanding) already reached out to consultants to serve in this SME pool and encouraged them to self-nominate or otherwise have themselves nominated? If so, what are their names and affiliations?
2) How large will the consultant pool be and does EPA/CASAC have any assurance that all of the areas of expertise listed in the FR notice will be represented? If not, how does EPA/CASAC plan to fill any gaps?
3) Why has it been deemed necessary that all questions from CASAC members be routed in writing through Dr. Cox (as opposed, for example, to holding a public meeting in which CASAC members could address their questions directly to the consultant pool)? What is the value added?
4) Will EPA comply with FACA transparency requirements in its use of these consultants? Will CASAC members' questions be made public upon submission to the consultants? Will the consultants' answers be made public as soon as they are provided to the respective CASAC member? If not, why not?
5) Will the consultants will be Special Government Employees subject to federal ethics regulations? Will the SAB Staff Office vet them for potential conflicts-of-interest in regard to either the PM or ozone NAAQS reviews?
6) How much money has been set aside overall out of EPA's budget to fund this new process? If they are not SGEs, will each consultant be working under contract to

EPA? If so, what will be the expected length of the contract, what will they be paid and what are the expected deliverables?

Sean Reilly
Reporter
E&E News
Ex. 6 Personal Privacy (PP) (Cell)
202-446-0433 (Desk)
Skype: Sreilly_69
sreilly@eenews.net
Twitter: @SeanatGreenwire

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EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

Message

From: Erin McPike [mcpike@ijr.com]
Sent: 4/5/2017 12:30:04 AM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Re: Hey Skatell

yep

On Tue, Apr 4, 2017 at 7:53 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:
Yeah. Can I call you tomorrow?

Sent from my iPhone

On Apr 4, 2017, at 7:32 PM, "mcpike@ijr.com" <mcpike@ijr.com> wrote:

Did you just call

202-247-0478

On Apr 4, 2017, at 7:17 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Sure or we can talk tomorrow too

Sent from my iPhone

On Apr 4, 2017, at 7:04 PM, "mcpike@ijr.com" <mcpike@ijr.com> wrote:

See below - can we talk in like a half hour?

202-247-0478

On Apr 4, 2017, at 6:06 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

What is your number?

In regards to the budget cuts and how people here are unhappy with them, I have some not-for-attribution research regarding some of the employee spending here at the EPA.

From: Erin McPike [mailto:mcpike@ijr.com]
Sent: Monday, April 3, 2017 5:22 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Alex Skatell Ex. 6 Personal Privacy (PP)
Subject: Re: Hey Skatell

Jahan, I always need things! Have a scoop? I'll take one right now.

On Mon, Apr 3, 2017 at 5:19 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Thanks Alex.

Hi Erin, if you need anything from us please let me know and I'll be sending you items as well.

Jahan

From: Alex Skatell [mailto: Ex. 6 Personal Privacy (PP)
Sent: Monday, April 3, 2017 5:17 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Erin McPike <mcpike@ijr.com>
Subject: Re: Hey Skatell

Thanks Jahan, that's great and yes adding Erin who covers the administration and agen EPA beat reporter but connecting you guys now.

Alex

On Mon, Apr 3, 2017 5:04 PM, Wilcox, Jahan wilcox.jahan@epa.gov wrote:

I just started at the EPA. Is there anyone at IJ that I should connect with?

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: Ex. 6 Personal Privacy (PP)
Work Email: wilcox.jahan@epa.gov

--

Erin McPike

White House Correspondent, IJR

202-247-0478

--
Erin McPike
White House Correspondent, IJR
202-247-0478

Message

From: Graham, Amy [graham.amy@epa.gov]
Sent: 6/5/2017 4:29:12 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: Question from Washington Post about 50,000 coal job claim

Ex. 5 Deliberative Process (DP)

From: Bowman, Liz
Sent: Monday, June 5, 2017 12:22 PM
To: Graham, Amy <graham.amy@epa.gov>
Subject: FW: Question from Washington Post about 50,000 coal job claim

This is what I sent to WaPo – I think **Ex. 5 Deliberative Process (DP)**
Ex. 5 Deliberative Process (DP)

From: Bowman, Liz
Sent: Monday, June 5, 2017 6:18 AM
To: Grandoni, Dino <Dino.Grandoni@washpost.com>
Cc: Press <Press@epa.gov>
Subject: Re: Question from Washington Post about 50,000 coal job claim

Hi Dino,

For background (not for attribution), he mean to say "mining" and the number is from BLS.

Administrator Pruitt was referring to mining jobs, which includes coal, and estimating about 50,000 from the statistic below on the June 2, 2017 jobs report, which explains that employment in mining has risen 47,000 jobs since last October. Thanks – Liz

"Mining added 7,000 jobs in May. Employment in mining has risen by 47,000 since reaching a recent low point in October 2016, with most of the gain in support activities for mining."

https://www.bls.gov/news.release/pdf/empsit.pdf

Sent from my iPhone

On Jun 5, 2017, at 12:07 AM, Grandoni, Dino <Dino.Grandoni@washpost.com> wrote:

> Hi all,
>
> Hope you're well. This is Dino Grandoni with The Washington Post. I had a question about a comment Administrator Pruitt made on Meet the Press on Sunday.

He said: "Since the fourth quarter of last year to most recently, [the United States] added almost 50,000 jobs in the coal sector. In the month of May alone, almost 7,000 jobs."

But the Environmental Defense Fund looked at Bureau of Labor Statistics data that shows there is a total of 51,000 coal mining jobs in the U.S.

http://www.huffingtonpost.com/entry/scott-pruitts-big-coal-lie_us_59343cc5e4b0649fff211a35?ncid=engmodushpmg00000004

https://twitter.com/Save_EPA/status/871424058704973824

Can you explain the discrepancy? If not BLS, do you know where the administrator is getting his data?

Thanks a bunch,

Dino

To: Graham, Amy[graham.amy@epa.gov]; Ringel, Aaron[ringel.aaron@epa.gov]; Bowman, Liz[Bowman.Liz@epa.gov]; Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Lyons, Troy[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=15E4881C95044AB49C6C35A0F5EEF67E-LYONS, TROY]
Sent: Fri 6/9/2017 9:34:07 PM (UTC)
Subject: RE: GQ piece

It gets old telling them no

From: Graham, Amy
Sent: Friday, June 9, 2017 5:34 PM
To: Lyons, Troy <lyons.troy@epa.gov>; Ringel, Aaron <ringel.aaron@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: GQ piece

Lol subtle

From: Lyons, Troy
Sent: Friday, June 9, 2017 5:16 PM
To: Ringel, Aaron <ringel.aaron@epa.gov>; Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: GQ piece

GQ always wants to interview me

From: Ringel, Aaron
Sent: Friday, June 9, 2017 5:14 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Lyons, Troy <lyons.troy@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Fwd: GQ piece

Sent from my iPhone
Begin forwarded message:

> **From:** Elaina Plott <Ex. 6 Personal Privacy (PP)
> **Date:** June 9, 2017 at 4:52:13 PM EDT
> **To:** ringel.aaron@epa.gov
> **Subject: GQ piece**
>
> Hi Aaron!
> My friends Tom and Jeff over in Gosar's office put me in touch with you. I'm writing a piece for GQ about Trump's relationship with the Cabinet - I'd love to chat with you (not for attribution!) about a few things EPA-related. Could you give me a call? 205.242.9164.
>
> Yours,
> Elaina

Message

From: Victoria Nolte [victoria_nolte@policybrand.com]
Sent: 6/29/2018 1:31:38 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: Requesting your expert opinion

Hi Jahan,

I hope this message finds you well! My name is Victoria Nolte, I am an Analyst at Policy Brand Research, and my team is studying advocacy in Washington. Specifically, we're looking at how advocates can engage more constructively with government departments and agencies.

If you have 20 minutes to chat with someone from my team, please either let me know what times work for you or schedule a time through our bookings page. Your participation in our research is in a personal capacity and will not reflect the views of your office. Your participation will not be up for attribution and will remain confidential, as well.

Thank you so much in advance!
Victoria
(202) 266-7504

--
Victoria Nolte | Analyst, Policy Brand Research | An affiliate of National Journal Research

PRIVACY AND CONFIDENTIALITY: This study is conducted by National Journal Research. National Journal Research maintains a strict firewall between its research and newsroom; journalists do not enjoy access to these data. If you participate, your identity and responses will remain confidential. If you wish to no longer participate in Policy Brand Research studies, please reply "Unsubscribe".

Message

From: Ferguson, Lincoln [ferguson.lincoln@epa.gov]
Sent: 8/16/2017 5:49:43 PM
To: Wilcox, Jahan [wilcox.jahan@epa.gov]
Subject: FW: Comment on 10th circuit decision on RFS exemptions?

What does she mean this comes too late?

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, August 16, 2017 11:56 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>; jarrett.renshaw@thomsonreuters.com
Subject: RE: Comment on 10th circuit decision on RFS exemptions?

Hi Robert,

Sorry, but this comes too late.

Best,

Emily

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, August 16, 2017 11:56 AM
To: Flitter, Emily R. (Reuters News); Press; Renshaw, Jarrett (Reuters News)
Subject: RE: Comment on 10th circuit decision on RFS exemptions?

Emily, with apologies for the late response, and for attribution to "an EPA spokesperson," please:

We are reviewing the decision.

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, August 15, 2017 12:39 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>; jarrett.renshaw@thomsonreuters.com
Subject: RE: Comment on 10th circuit decision on RFS exemptions?

Sending to you now separately – We'd of course love a comment ASAP, but can update the story until 5pm.

Best,

Emily

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 15, 2017 12:38 PM
To: Flitter, Emily R. (Reuters News); Press; Renshaw, Jarrett (Reuters News)
Subject: RE: Comment on 10th circuit decision on RFS exemptions?

Good afternoon Emily,

Do you have a copy of the ruling – which I assume the court returned today?

Also, what's your deadline and how late will you be updating your story?

Thanks, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, August 15, 2017 12:35 PM
To: Press <Press@epa.gov>; jarrett.renshaw@thomsonreuters.com
Subject: Comment on 10th circuit decision on RFS exemptions?

Hi,

My colleague Jarett Renshaw and I are working on a story today about this ruling in the petition to the 10th Circuit:

"In an amendment to the Clean Air Act (CAA), Congress directed the EPA to operate a Renewable Fuel Standards Program (the RFS Program) to increase oil refineries' use of renewable fuels. But for small refineries that would suffer a "disproportionate economic hardship" in complying with the RFS Program, the statute required the EPA to grant exemptions on a case-by-case basis.

"We conclude the EPA has exceeded its statutory authority under the CAA in interpreting the hardship exemption to require a threat to a refinery's survival as an ongoing operation. That interpretation is outside the range of permissible interpretations of the statute and therefore inconsistent with Congress's statutory mandate. Because we find that the EPA exceeded its statutory authority, we vacate the EPA's decisions and remand to the EPA for further proceedings."

Do you have a comment, please?

Thanks and best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

Message

From: Laing, Keith [klaing@detroitnews.com]
Sent: 9/17/2019 5:28:44 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: Revoking California's right to set mpg rules announcement?

Hi Michael,

I'm chasing down the reports that the EPA is going to announce its is moving to revoke California's right to set its own mpg rules tomorrow. Can you confirm that for me and share anything you can, either for attribution or on background? Thanks as always!

Keith Laing
Washington Correspondent
The Detroit News
1100 13th St. NW, Suite 500
Washington, DC 20005
Office: 202-662-8735
Fax: 313-222-4006

www.twitter.com/Keith_Laing

Message

From: Letendre, Daisy [letendre.daisy@epa.gov]
Sent: 5/17/2018 5:24:18 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: FW: ACTION: E&E News inquiry regarding EPA rulemaking

Ex. 5 Deliberative Process (DP)

Daisy C. Letendre
Letendre.Daisy@epa.gov

From: Germann, Sandy
Sent: Tuesday, May 15, 2018 6:44 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Cc: McGartland, Al <McGartland.Al@epa.gov>; Nickerson, William <Nickerson.William@epa.gov>
Subject: Fwd: ACTION: E&E News inquiry regarding EPA rulemaking

FYI

Sent from my iPhone

Begin forwarded message:

> **From:** "Jones, Enesta" <Jones.Enesta@epa.gov>
> **Date:** May 15, 2018 at 5:53:26 PM EDT
> **To:** "Germann, Sandy" <Germann.Sandy@epa.gov>
> **Subject: ACTION: E&E News inquiry regarding EPA rulemaking**
>
> Nvm. Response just sent by third floor:

Ex. 5 Deliberative Process (DP)

> +++
>
> Sandy, this is OP's.
>
> Hello,
>
> I'm a reporter for E&E News who is doing a story about an EPA proposal sent to the Office of Management and Budget titled "Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process": https://www.reginfo.gov/public/do/eom12866SearchResults?pubId=201710&rin=2010-AA12&viewRule=true
>
> I was hoping someone on EPA's press team could answer the following questions:

-What is the goal of this proposal? Is it simply to improve the consistency and transparency of the agency's cost-benefit analyses of major regulations?
-I understand that this is in the prerule stage. When will a formal proposed rule be published in the Federal Register?
-According to the site reginfo.gov, EPA has held meetings about this proposal with the National Association of Manufacturers, American Petroleum Institute and American Forest & Paper Association. What was discussed at those meetings?
-How does this proposal relate to EPA Administrator Scott Pruitt's "secret science" plan, if at all?

My deadline is Thursday at noon. Please don't hesitate to give me a call at 202-737-4369 if you would like to discuss this off the record before providing comments for attribution to an EPA spokesperson. Thanks for your consideration and looking forward to hearing back.

Sincerely,
Maxine
--
Maxine Joselow
E&E News reporter
202-737-4369
@maxinejoselow

E&E NEWS
122 C Street NW 7th Floor Washington, DC 20001
www.eenews.net | @EENewsUpdates
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

From: Maxine Joselow [mjoselow@eenews.net]
Sent: 5/17/2018 1:39:23 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: E&E News inquiry regarding reg reform task force

Michael, I know you're busy. Just a reminder that my deadline is noon today, and I'm still hoping to get a comment from you. Thanks.

From: Maxine Joselow
Sent: Wednesday, May 16, 2018 2:56 PM
To: 'Abboud, Michael' <abboud.michael@epa.gov>
Subject: RE: E&E News inquiry regarding reg reform task force

And I am also still hoping to get a comment/statement from you about the lack of an RRO after Dravis' departure. Thanks.

From: Maxine Joselow
Sent: Wednesday, May 16, 2018 2:18 PM
To: 'Abboud, Michael' <abboud.michael@epa.gov>
Subject: RE: E&E News inquiry regarding reg reform task force

Hey Michael,

Thanks so much for giving me a call this morning. Hope your day hasn't been too hectic with the hearings.

I am not doing a story on Justina and the names of the regulatory reform task force members. However, I *am* doing a story for tomorrow on the FOIA documents that were released by EPA yesterday to the Southern Environmental Law Center, available here: https://foiaonline.regulations.gov/foia/action/public/view/record?objectId=090004d281925cea

I plan on mentioning the fact that the National Association of Manufacturers made several suggestions to the task force, including for a proposal similar to EPA Administrator Scott Pruitt's "secret science" plan (page 188). And I plan on noting that on page 167, EPA's Patrick Davis wrote to colleagues, "I found these recommendations from NAM to be helpful."

Would you be able to provide a comment from EPA on this? My deadline for this story is **noon tomorrow (Thursday).** As always, feel free to call if you'd prefer to discuss on background first.

Thanks again.

From: Maxine Joselow
Sent: Tuesday, May 15, 2018 5:39 PM
To: 'Abboud, Michael' <abboud.michael@epa.gov>
Subject: RE: E&E News inquiry regarding reg reform task force

Sure thing.

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, May 15, 2018 5:38 PM
To: Maxine Joselow <mjoselow@eenews.net>
Subject: Re: E&E News inquiry regarding reg reform task force

Yeah I actually just got in touch with her, can I call you tomorrow morning?

Sent from my iPhone

On May 15, 2018, at 4:49 PM, Maxine Joselow <mjoselow@eenews.net> wrote:

> Hey Michael,
>
> Thanks so much for giving me a call yesterday. Have you gotten in touch with Justina yet about this? No worries if not; my deadline is tomorrow. Just figured I'd check in.
>
> Maxine
>
> ---
>
> **From:** Maxine Joselow
> **Sent:** Monday, May 14, 2018 3:50 PM
> **To:** 'Abboud, Michael' <abboud.michael@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** RE: E&E News inquiry regarding reg reform task force
>
> Hey Michael, one other related request – I was also hoping you could provide an update on who will become regulatory reform officer of the task force now that Samantha Dravis has left the agency. Thanks again.
>
> ---
>
> **From:** Maxine Joselow
> **Sent:** Monday, May 14, 2018 2:50 PM
> **To:** 'Abboud, Michael' <abboud.michael@epa.gov>
> **Cc:** Press <Press@epa.gov>
> **Subject:** E&E News inquiry regarding reg reform task force
>
> Hi Michael,
>
> I hope this email finds you well. I'm currently looking through documents obtained by the Southern Environmental Law Center under Freedom of Information Act litigation. I'm particularly interested in the attached email from EPA's senior counsel for ethics, Justina Fugh, about whether members of EPA's regulatory reform task force had received ethics training.
>
> I was hoping you could provide a comment or statement addressing why Fugh didn't know all the task force members' names, and whether this was unusual or posed an ethical problem, etc. If you'd prefer to discuss this on background before providing a comment or statement on the record for attribution from an EPA spokesman, please don't hesitate to give me a call. This may potentially turn into a story that would be published no earlier than this Wednesday.
>
> Thank you for your consideration and looking forward to hearing back.
>
> Best,
> Maxine
> --
> Maxine Joselow
> E&E News reporter
> 202-737-4369
> @maxinejoselow

E&E NEWS
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www.eenews.net | @EENewsUpdates
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

From: Anne Emerson [atemerson@sbgtv.com]
Sent: 5/8/2018 6:25:52 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: Subject: methylene Chloride

Understood thanks-

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, May 8, 2018 2:25 PM
To: Anne Emerson <atemerson@sbgtv.com>
Subject: RE: Subject: methylene Chloride

"The Agency is currently considering the comments received in response to the 2016 proposals, including comments suggesting that EPA quickly finalize these actions and comments suggesting that these actions be evaluated as part of the group of the first ten chemicals undergoing initial risk evaluations under the Lautenberg amendments to TSCA." **– EPA Spokesperson**

From: Anne Emerson [mailto:atemerson@sbgtv.com]
Sent: Tuesday, May 8, 2018 2:22 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Subject: methylene Chloride

Can you add any information about the EPA stance on the proposed ban?
Thank you!

Best,
Anne T Emerson
ABC News4
WCIV Reporter
C. Ex. 6 Personal Privacy (PP)

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, May 8, 2018 2:18 PM
To: Anne Emerson <atemerson@sbgtv.com>; Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Daniell, Kelsi <daniell.kelsi@epa.gov>
Subject: RE: Subject: methylene Chloride

Hey Anne, on background I can confirm that the meeting did take place.

From: Anne Emerson [mailto:atemerson@sbgtv.com]
Sent: Tuesday, May 8, 2018 1:49 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Subject: methylene Chloride

Hi Robert,

Just checking back in. Do you know who will be responding?
Thanks-

Best,
Anne T Emerson
ABC News4
WCIV Reporter
C. Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, May 8, 2018 10:49 AM
To: Anne Emerson <atemerson@sbgtv.com>
Cc: Press <Press@epa.gov>
Subject: RE: Subject: methylene Chloride

Thanks, Anne. Someone will get back to you.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Anne Emerson [mailto:atemerson@sbgtv.com]
Sent: Tuesday, May 08, 2018 10:39 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Subject: methylene Chloride
Importance: High

Hi Robert,
I'm reaching out to you about the story below that we covered in March regarding the proposed ban of Methylene Chloride.
I understand that Scott Pruitt is meeting with the Wynne Family and Wendy Hartley who lost their sons to exposure to the chemical.
Please let me know if you can help fecillitate a statement regarding this meeting in DC. It was planned for 10 am today.
Thank you,

Best,
Anne T Emerson
ABC News4
WCIV Reporter
C. Ex. 6 Personal Privacy (PP)

From: Anne Emerson
Sent: Thursday, March 29, 2018 3:42 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Subject: methylene Chloride

Thank you for your timely response. Does this mean that the EPA is moving forward and it's no longer on a "long term" action plan?

Best,
Anne T Emerson
ABC News4
WCIV Reporter
C. Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, March 29, 2018 3:20 PM
To: Anne Emerson <atemerson@sbgtv.com>
Cc: Press <Press@epa.gov>
Subject: Subject: methylene Chloride

Dear Ms. Emerson, for attribution to "an EPA spokesperson," please:

The Agency is currently considering the comments received in response to the 2016 proposals, including comments suggesting that EPA quickly finalize these actions and comments suggesting that these actions be evaluated as part of the group of the first ten chemicals undergoing initial risk evaluations under the Lautenberg amendments to TSCA.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Anne Emerson [mailto:atemerson@sbgtv.com]
Sent: Thursday, March 29, 2018 1:42 PM
To: Lovett, Queen <Lovett.Queen@epa.gov>
Subject: methylene Chloride

Hi,
I'm a reporter with ABC News 4 WCIV TV in Charleston, SC- I'm working on a story about a young man who died after inhaling fumes from Methylene Chloride- an ingredient listed in popular paint strippers like Goof Off. What is the EPA's position on this chemical's use right now? Is it considered safe to use and is the EPA considering banning it? Please let me know if there is someone in the Atlanta office who can provide a statement- my deadline is today at 5pm thanks so much-

Thank you,
Anne Emerson

C. Ex. 6 Personal Privacy (PP)

Message

From: Mooney, Chris [Chris.Mooney@washpost.com]
Sent: 10/26/2017 5:13:02 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Hi Michael,

I'm working on another piece on the new EPA RIA for the Clean Power Plan repeal. I wanted to seek comment from the agency, but we would have to request that it be for attribution.

Anyway, I've come across something interesting and seemingly surprising in the RIA. To be brief, researchers who have now had some time to go through the document are telling me that although the RIA is part of the proposed repeal of the Clean Power Plan, it actually calculates that the plan would save an even larger number of lives by reducing air pollution than the agency thought that it would in 2015, during the last administration.

The reason for the change is the use of the EIA's Annual Energy Outlook 2017 which finds even greater cuts to sulfur emissions in 2030 if the Clean Power Plan were to go into effect (Comparing Table 1-2 with Table 1-10). That translates into a larger estimate of deaths in 2030 if the plan is not adopted (comparing table 3-10 with table 7-4), and a larger estimate of benefits if it is adopted/foregone benefits if it is not (comparing table 3-11 with table 7-5). In all these cases, I'm comparing numbers based on the AEO2017 with numbers produced in 2015 using a rate based and mass based approach, and am looking at the resulting outcome for SO2, pollution deaths, or costs in 2030.

Would you have any comment on how this happened or what it means? It appears to mean that the agency is raising its assessment of the health benefits of the Clean Power Plan. I'd appreciate any help in understanding what this means or how the calculation came out this way.

Thanks

cm

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Mooney, Chris
Sent: Tuesday, October 10, 2017 5:56 PM
To: 'Abboud, Michael' <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Ok thank you

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 5:42 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

It's attributable to an EPA spokesman.

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Tuesday, October 10, 2017 5:36 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Thanks! any way we could use a name for attribution?

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 5:34 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Hey Chris, you can attribute this to an EPA spokesman. Let me know if you have any more questions, thanks for being flexible on the timeline.

"The facts are that the Obama administration's estimates and analysis of costs and benefits was, in multiple areas, highly uncertain and/or controversial.

The previous administration compared domestic costs against its estimate of global climate benefits. The proposed repeal also presents a scenario looking specifically at domestic climate impacts. EPA is tasked with protecting the environment and human health of this nation, and our alternative analysis reflects that. This administration also returns to longstanding OMB practice by using appropriate discount rates to compare apples to apples when estimating the current value of future scenarios.

EPA welcomes any and all public feedback on its proposal and the accompanying RIA. As indicated in the 175-page RIA, EPA presented a wide range of analysis and scenarios that are consistent with Presidential executive orders and long-standing Office of Management and Budget guidance on regulatory cost-benefit analyses. EPA also committed in the RIA to conduct further analysis and inform the public as necessary to get its feedback on any new modeling results or other information as part of this process."

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Tuesday, October 10, 2017 5:12 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

sure

Chris Mooney
The Washington Post

@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 5:11 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: Re: EPA Proposes Repeal Of Clean Power Plan

We're still working on them. Can we get them to you by 5:45?

Sent from my iPhone

On Oct 10, 2017, at 5:08 PM, Mooney, Chris <Chris.Mooney@washpost.com> wrote:

> Do you think you'll have the response soon?
>
> Chris Mooney
> The Washington Post
> @chriscmooney
> Chris.mooney@washpost.com
> 202-334-9374
>
> **From:** Abboud, Michael [mailto:abboud.michael@epa.gov]
> **Sent:** Tuesday, October 10, 2017 3:39 PM
> **To:** Mooney, Chris <Chris.Mooney@washpost.com>
> **Subject:** RE: EPA Proposes Repeal Of Clean Power Plan
>
> Correct.
>
> **From:** Mooney, Chris [mailto:Chris.Mooney@washpost.com]
> **Sent:** Tuesday, October 10, 2017 3:30 PM
> **To:** Abboud, Michael <abboud.michael@epa.gov>
> **Subject:** RE: EPA Proposes Repeal Of Clean Power Plan
>
> Also, I guess the RIA is a proposed document, nonfinal, just like the federal register repeal proposal?
>
> Chris Mooney
> The Washington Post
> @chriscmooney
> Chris.mooney@washpost.com
> 202-334-9374
>
> **From:** Abboud, Michael [mailto:abboud.michael@epa.gov]
> **Sent:** Tuesday, October 10, 2017 2:52 PM
> **To:** Mooney, Chris <Chris.Mooney@washpost.com>
> **Subject:** RE: EPA Proposes Repeal Of Clean Power Plan
>
> Saw that email. We're working on getting you a comment now, do you have a deadline you are working on?

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Tuesday, October 10, 2017 2:50 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Thanks!

I summarized some criticisms of the new approach to the social cost of carbon and health benefits analysis in other emails – let me know if there's a reaction to those.

cm

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 2:27 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Hey Chris, the proposed rule and RIA is attached above. They should be available online soon as well.

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Tuesday, October 10, 2017 1:41 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Thanks!

Is the Regulatory Impact Analysis available somewhere?

cm

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 1:04 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: FW: EPA Proposes Repeal Of Clean Power Plan

Hey Chris, wanted to make sure you saw this.

CONTACT: press@epa.gov

EPA Takes Another Step To Advance Presi
First Strategy, Proposes Repeal Of "C

WASHINGTON (October 10, 2017) - Today, U.S. Environme
Administrator Scott Pruitt issued a Notice of Proposed Rul
repeal the so-called "Clean Power Plan (CPP)." After revi
proposed to determine that the Obama-era regulation exc
authority. Repealing the CPP will also facilitate the develo
resources and reduce unnecessary regulatory burdens asso
of those resources, in keeping with the principles establish
Executive Order on Energy Independence.

"The Obama administration pushed the bounds of their au
that the Supreme Court issued a historic stay of the rule, p
effects to be imposed on the American people while the ru
court," **said EPA Administrator Scott Pruitt**. "We are co
of the Obama administration by cleaning the regulatory sl
will be done carefully, properly, and with humility, by list
the rule."

CPP Appears to be Inconsistent with the Clean Air Act

The CPP, issued by the Obama administration, was premis
view of Agency authority that the Trump administration n
inconsistent with the Clean Air Act. In fact, the CPP was p
when the U.S. Supreme Court issued an unprecedented, hi

"EPA will respect the limits of statutory authority. The CP
and eroded longstanding and important partnerships that a
achieving positive environmental outcomes. We can now a
regulatory action is warranted; and, if so, what is the mos
consistent with the Clean Air Act and principles of coopera
Administrator Pruitt.

The CPP was issued pursuant to a novel and expansive vie
111 of the Clean Air Act (CAA). The CPP required regulate
"outside the fence line." Traditionally, EPA Section 111 ru

that could be applied to, for, and at a particular facility, a
fence line" measures. Prior to the CPP being issued, every
books, including a handful of existing source rules and aro
obeyed this limit. As the CPP departed from this traditiona
under an "inside the fence line" interpretation, EPA is pro

EPA has now sent the NPRM to the Federal Register for pul
the public will have 60 days to submit comments.

The repeal package includes:

1. The "preamble," which lays out the proposed legal int
implications, and a summary of the cost-benefits analy
and
2. The "Regulatory Impact Analysis (RIA)," an in-depth co

CPP Repeal Saves up to $33 Billion in Avoided Costs in 2

The proposed repeal both examines the Obama administra
well as provides insights to support an updated analysis of
and economic effects of the proposed repeal. The Trump a
proposed repeal could provide up to $33 billion in avoided

The previous administration's estimates and analysis of th
multiple areas, highly uncertain and/or controversial. Spe
and/or uncertainty in the Obama administration's analysis

- **Domestic versus global climate benefits**: The previou
U.S. costs to an estimate of supposed global benefits,
established economic procedures in estimating those b

- **"Co-benefits" from non-greenhouse-gas pollutants**:
relied heavily on reductions in other pollutants emitte
hiding the true net cost of the CPP by claiming benefit
that had nothing to do with the rule's stated purpose.

- **Energy cost and savings accounting**: The Obama adm
efficiency" results of their rule as an avoided cost, res
considerably lower than it would have been if they use
considering these effects as benefits, rather than subt
the Obama administration used the Office of Managem
requirements and accounted cost and savings accordin
more accurate accounting of the total cost of the CPP.

In this proposed repeal and its accompanying technical do
is, in a robust, open, and transparent way, presenting a w
to the public.

As part of the notice-and-comment process for this propos
this analysis and inform the public, as necessary, to get fe
other information. The final action on this proposed repea
this ongoing work.

Forthcoming is an Advanced Notice of Proposed Rulemakin
reflective of a thoughtful and responsible approach to reg
the authority provided by the statute.

"With this action, the Trump administration is respecting
transparency into how we protect our environment," **said**

Background:

On March 28, President Trump signed an Executive Order
establishing a national policy in favor of energy independe
the rule of law. The purpose of the Executive Order (EO) i
development of U.S. energy resources and to reduce unne
associated with the development of those resources. That
Scott Pruitt signed four Federal Register notices in respons
formal announcement of review of the Clean Power Plan.
Agency has proposed to determine that the Clean Power P

<image002.png>

[usenvironmentalprotectionagency.cmail20.com] [usenvironmentalprotectionagency.cmail20.com] [usenviron

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

Unsubscribe[usenvironmentalprotectionagency.cmail20.com]

Message

From: Mooney, Chris [Chris.Mooney@washpost.com]
Sent: 10/27/2017 12:14:34 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Great thank you

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Friday, October 27, 2017 8:14 AM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Chris, you can use the statement below. You can attribute it to Michael Abboud, EPA spokesman.

"In keeping with Administrator Pruitt's commitment to a heightened level of transparency, the Agency provided a vast series of scenarios of the potential effects of the proposed rule, including those based on EIA's 2017 Energy Outlook; and we welcome any public comments on the RIA."

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Thursday, October 26, 2017 1:43 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Can you get me something by tomorrow?

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Thursday, October 26, 2017 1:35 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Hey Chris, let me see if I can get you a response. Do you have a deadline on this?

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Thursday, October 26, 2017 1:13 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Hi Michael,

I'm working on another piece on the new EPA RIA for the Clean Power Plan repeal. I wanted to seek comment from the agency, but we would have to request that it be for attribution.

Anyway, I've come across something interesting and seemingly surprising in the RIA. To be brief, researchers who have now had some time to go through the document are telling me that although the RIA is part of the proposed repeal of the Clean Power Plan, it actually calculates that the plan would save an even larger number of lives by reducing air pollution than the agency thought that it would in 2015, during the last administration.

The reason for the change is the use of the EIA's Annual Energy Outlook 2017 which finds even greater cuts to sulfur emissions in 2030 if the Clean Power Plan were to go into effect (Comparing Table 1-2 with Table 1-10). That translates into a larger estimate of deaths in 2030 if the plan is not adopted (comparing table 3-10 with table 7-4), and a larger estimate of benefits if it is adopted/foregone benefits if it is not (comparing table 3-11 with table 7-5). In all these cases, I'm comparing numbers based on the AEO2017 with numbers produced in 2015 using a rate based and mass based approach, and am looking at the resulting outcome for SO2, pollution deaths, or costs in 2030.

Would you have any comment on how this happened or what it means? It appears to mean that the agency is raising its assessment of the health benefits of the Clean Power Plan. I'd appreciate any help in understanding what this means or how the calculation came out this way.

Thanks

cm

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Mooney, Chris
Sent: Tuesday, October 10, 2017 5:56 PM
To: 'Abboud, Michael' <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Ok thank you

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 5:42 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

It's attributable to an EPA spokesman.

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Tuesday, October 10, 2017 5:36 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Thanks! any way we could use a name for attribution?

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 5:34 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Hey Chris, you can attribute this to an EPA spokesman. Let me know if you have any more questions, thanks for being flexible on the timeline.

"The facts are that the Obama administration's estimates and analysis of costs and benefits was, in multiple areas, highly uncertain and/or controversial.

The previous administration compared domestic costs against its estimate of global climate benefits. The proposed repeal also presents a scenario looking specifically at domestic climate impacts. EPA is tasked with protecting the environment and human health of this nation, and our alternative analysis reflects that. This administration also returns to longstanding OMB practice by using appropriate discount rates to compare apples to apples when estimating the current value of future scenarios.

EPA welcomes any and all public feedback on its proposal and the accompanying RIA. As indicated in the 175-page RIA, EPA presented a wide range of analysis and scenarios that are consistent with Presidential executive orders and long-standing Office of Management and Budget guidance on regulatory cost-benefit analyses. EPA also committed in the RIA to conduct further analysis and inform the public as necessary to get its feedback on any new modeling results or other information as part of this process."

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Tuesday, October 10, 2017 5:12 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

sure

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 5:11 PM

To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: Re: EPA Proposes Repeal Of Clean Power Plan

We're still working on them. Can we get them to you by 5:45?

Sent from my iPhone

On Oct 10, 2017, at 5:08 PM, Mooney, Chris <Chris.Mooney@washpost.com> wrote:

> Do you think you'll have the response soon?
>
> Chris Mooney
> The Washington Post
> @chriscmooney
> Chris.mooney@washpost.com
> 202-334-9374
>
> ---
>
> **From:** Abboud, Michael [mailto:abboud.michael@epa.gov]
> **Sent:** Tuesday, October 10, 2017 3:39 PM
> **To:** Mooney, Chris <Chris.Mooney@washpost.com>
> **Subject:** RE: EPA Proposes Repeal Of Clean Power Plan
>
> Correct.
>
> ---
>
> **From:** Mooney, Chris [mailto:Chris.Mooney@washpost.com]
> **Sent:** Tuesday, October 10, 2017 3:30 PM
> **To:** Abboud, Michael <abboud.michael@epa.gov>
> **Subject:** RE: EPA Proposes Repeal Of Clean Power Plan
>
> Also, I guess the RIA is a proposed document, nonfinal, just like the federal register repeal proposal?
>
> Chris Mooney
> The Washington Post
> @chriscmooney
> Chris.mooney@washpost.com
> 202-334-9374
>
> ---
>
> **From:** Abboud, Michael [mailto:abboud.michael@epa.gov]
> **Sent:** Tuesday, October 10, 2017 2:52 PM
> **To:** Mooney, Chris <Chris.Mooney@washpost.com>
> **Subject:** RE: EPA Proposes Repeal Of Clean Power Plan
>
> Saw that email. We're working on getting you a comment now, do you have a deadline you are working on?
>
> ---
>
> **From:** Mooney, Chris [mailto:Chris.Mooney@washpost.com]
> **Sent:** Tuesday, October 10, 2017 2:50 PM
> **To:** Abboud, Michael <abboud.michael@epa.gov>
> **Subject:** RE: EPA Proposes Repeal Of Clean Power Plan
>
> Thanks!

I summarized some criticisms of the new approach to the social cost of carbon and health benefits analysis in other emails – let me know if there's a reaction to those.

cm

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 2:27 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Hey Chris, the proposed rule and RIA is attached above. They should be available online soon as well.

From: Mooney, Chris [mailto:Chris.Mooney@washpost.com]
Sent: Tuesday, October 10, 2017 1:41 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: EPA Proposes Repeal Of Clean Power Plan

Thanks!

Is the Regulatory Impact Analysis available somewhere?

cm

Chris Mooney
The Washington Post
@chriscmooney
Chris.mooney@washpost.com
202-334-9374

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, October 10, 2017 1:04 PM
To: Mooney, Chris <Chris.Mooney@washpost.com>
Subject: FW: EPA Proposes Repeal Of Clean Power Plan

Hey Chris, wanted to make sure you saw this.

CONTACT: press@epa.gov

EPA Takes Another Step To Advance Presi
First Strategy, Proposes Repeal Of "C

WASHINGTON (October 10, 2017) - Today, U.S. Environme
Administrator Scott Pruitt issued a Notice of Proposed Rul
repeal the so-called "Clean Power Plan (CPP)." After revi
proposed to determine that the Obama-era regulation exc
authority. Repealing the CPP will also facilitate the develo
resources and reduce unnecessary regulatory burdens asso
of those resources, in keeping with the principles establish
Executive Order on Energy Independence.

"The Obama administration pushed the bounds of their au
that the Supreme Court issued a historic stay of the rule, p
effects to be imposed on the American people while the ru
court," **said EPA Administrator Scott Pruitt**. "We are co
of the Obama administration by cleaning the regulatory sl
will be done carefully, properly, and with humility, by list
the rule."

CPP Appears to be Inconsistent with the Clean Air Act

The CPP, issued by the Obama administration, was premis
view of Agency authority that the Trump administration n
inconsistent with the Clean Air Act. In fact, the CPP was p
when the U.S. Supreme Court issued an unprecedented, hi

"EPA will respect the limits of statutory authority. The CP
and eroded longstanding and important partnerships that a
achieving positive environmental outcomes. We can now a
regulatory action is warranted; and, if so, what is the mos
consistent with the Clean Air Act and principles of coopera
Administrator Pruitt.

The CPP was issued pursuant to a novel and expansive vie
111 of the Clean Air Act (CAA). The CPP required regulate
"outside the fence line." Traditionally, EPA Section 111 ru
that could be applied to, for, and at a particular facility, a
fence line" measures. Prior to the CPP being issued, every
books, including a handful of existing source rules and aro

obeyed this limit. As the CPP departed from this traditiona
under an "inside the fence line" interpretation, EPA is pro

EPA has now sent the NPRM to the Federal Register for pul
the public will have 60 days to submit comments.

The repeal package includes:

1. The "preamble," which lays out the proposed legal int
implications, and a summary of the cost-benefits analy
and
2. The "Regulatory Impact Analysis (RIA)," an in-depth co

CPP Repeal Saves up to $33 Billion in Avoided Costs in 2

The proposed repeal both examines the Obama administra
well as provides insights to support an updated analysis of
and economic effects of the proposed repeal. The Trump a
proposed repeal could provide up to $33 billion in avoided

The previous administration's estimates and analysis of th
multiple areas, highly uncertain and/or controversial. Spe
and/or uncertainty in the Obama administration's analysis

- **Domestic versus global climate benefits**: The previou
U.S. costs to an estimate of supposed global benefits,
established economic procedures in estimating those b

- **"Co-benefits" from non-greenhouse-gas pollutants**:
relied heavily on reductions in other pollutants emitte
hiding the true net cost of the CPP by claiming benefit
that had nothing to do with the rule's stated purpose.

- **Energy cost and savings accounting**: The Obama adm
efficiency" results of their rule as an avoided cost, res
considerably lower than it would have been if they use
considering these effects as benefits, rather than subt
the Obama administration used the Office of Managem
requirements and accounted cost and savings accordin
more accurate accounting of the total cost of the CPP.

In this proposed repeal and its accompanying technical do
is, in a robust, open, and transparent way, presenting a w
to the public.

As part of the notice-and-comment process for this propos
this analysis and inform the public, as necessary, to get fe
other information. The final action on this proposed repea
this ongoing work.

Forthcoming is an Advanced Notice of Proposed Rulemakin
reflective of a thoughtful and responsible approach to reg
the authority provided by the statute.

"With this action, the Trump administration is respecting
transparency into how we protect our environment," **said**

Background:

On March 28, President Trump signed an Executive Order
establishing a national policy in favor of energy independe
the rule of law. The purpose of the Executive Order (EO) i
development of U.S. energy resources and to reduce unne
associated with the development of those resources. That
Scott Pruitt signed four Federal Register notices in respons
formal announcement of review of the Clean Power Plan.
Agency has proposed to determine that the Clean Power P

<image002.png>

[usenvironmentalprotectionagency.cmail20.com] [usenvironmentalprotectionagency.cmail20.com] [usenviron

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

Unsubscribe[usenvironmentalprotectionagency.cmail20.com]

Message

From: Daniell, Kelsi [daniell.kelsi@epa.gov]
Sent: 12/4/2017 10:20:53 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: FW: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Doesn't normally??

From: Daguillard, Robert
Sent: Monday, December 4, 2017 5:19 PM
To: Sean Reilly <sreilly@eenews.net>; Press <Press@epa.gov>
Subject: RE: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Sean, it was good seeing you this morning.

For attribution to "an EPA spokesperson," please: The agency doesn't normally comment on pending litigation.

Regards, R.

From: Sean Reilly [mailto:sreilly@eenews.net]
Sent: Monday, December 04, 2017 5:15 PM
To: Press <Press@epa.gov>
Subject: Lawsuit over delay in remaining attainment designations for 2015 ozone NAAQS

Hi folks;

Let me know if you have any comment on the suit filed today that's referenced in this release. Apart from the suit, does EPA have a timetable for making the remaining designations? My deadline is 11:30 a.m. tomorrow.

Thanks,
Sean

Sean Reilly
Reporter
E&E News
202-446-0433 (Desk)
Ex. 6 Personal Privacy (PP) (Cell)
sreilly@eenews.net
Twitter: @SeanatGreenwire

E&E NEWS
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www.eenews.net • www.eenews.tv
EnergyWire, ClimateWire, E&E Daily, Greenwire, E&ENews PM

NEWS RELEASE

Contact:
Sharyn Stein, 202-572-3396, sstein@edf.org

EDF, Allies Sue EPA over Failure to Implement Smog Standard, Protect the Health of 100 Million Americans

(Washington, D.C. – December 4, 2017) A broad coalition of public health, environmental, and community groups – including Environmental Defense Fund (EDF) – filed a lawsuit against Environmental Protection Agency (EPA) Administrator Scott Pruitt today to compel him to carry out his duties under the law and implement America's health-protective smog standard.

"Smog is a dangerous pollutant that causes or exacerbates a wide array of serious heart and lung diseases," said EDF Senior Attorney Graham McCahan. "EPA is failing to protect more than 100 million Americans from smog. For the EPA Administrator to blatantly ignore that responsibility is legally unacceptable and morally unconscionable. American families and communities deserve cleaner, safer air to breathe."

The Clean Air act requires EPA to establish health-based standards to limit the amount of ground-level ozone – more commonly known as smog – in the air. Areas with smog levels that violate the health-based standards must clean up their air, and areas whose pollution contributes to poor air quality in downwind communities must reduce that pollution.

EPA strengthened America's smog standard in 2015 based on an extensive scientific record showing that earlier standards were inadequate to protect public health and welfare. EPA estimates that when communities meet the 2015 smog standard it will save hundreds of lives each year, prevent 230,000 asthma attacks in children each year, and prevent 160,000 missed school days for kids each year.

EPA faced a legal deadline of October 1, 2017, to identify the areas that have unhealthy pollution levels and must clean up their air because they violate the 2015 smog standard –
formally known as finalizing the initial area designations.

In June 2017, Administrator Pruitt announced that he intended to delay finalizing the initial area designations. EPA later withdrew its plan to delay and reinstated the October 1, 2017 deadline in response to a legal challenge filed by EDF, numerous state Attorneys General, and others.

The October 1 deadline has now passed, however, and EPA has not acted. So today the coalition of health, community and environmental groups filed suit in the U.S. District Court for the Northern District of California:

> "All areas of the country are legally entitled to healthy, clean air. Not all areas have it … More than 100 million of the roughly 323 million people in the United States live in the hundreds of counties that remain as of this date without designations under the 2015 standards." (*Complaint, pages 1 and 11*)

The American Lung Association, American Public Health Association, American Thoracic Society, Appalachian Mountain Club, Earthjustice, Environmental Law & Policy Center, National Parks Conservation Association, Natural Resources Defense Council, Sierra Club and West Harlem Environmental Action joined EDF in filing today's lawsuit. Collectively, the groups represent more than two million Americans in all 50 states and Washington D.C.

###

Environmental Defense Fund *(edf.org), a leading national nonprofit organization, creates transformational solutions to the most serious environmental problems. EDF links science, economics, law and innovative private-sector partnerships. Connect with us on EDF Voices, Twitter and Facebook.*

If you would rather not receive future communications from Environmental Defense Fund, let us know by clicking here.
Environmental Defense Fund, 257 Park Avenue South, New York, NY 10010 United States

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 8/1/2017 5:50:44 PM
To: Graham, Amy [graham.amy@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: Dicamba story - lots of questions - Reuters

Thank you!

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Graham, Amy
Sent: Tuesday, August 01, 2017 12:28 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Fine to provide my name

From: Valentine, Julia
Sent: Tuesday, August 1, 2017 10:59 AM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters
Importance: High

Amy and Michael – Lynn Peeples at Ensia has been asking me the same question (attribution). This is the fourth email I've sent requesting this: I need to give them one of your names for attribution. Thanks

From: Valentine, Julia
Sent: Monday, July 31, 2017 11:52 AM
To: Abboud, Michael <abboud.michael@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: FW: (Re-sending) For Review: RE: Reporting for Ensia Magazine

Hi Amy and Michael, Reporter has emailed yet again. May I use one of your names for attribution, please?

Thanks

From: Valentine, Julia
Sent: Monday, July 24, 2017 11:19 AM
To: Press <Press@epa.gov>
Subject: (Re-sending) For Review: RE: Reporting for Ensia Magazine

Reporter emailed again requesting attribution. Ok to use, Amy, Jahan, or Michael? Thanks.

From: Valentine, Julia
Sent: Friday, July 21, 2017 3:13 PM
To: Press <Press@epa.gov>
Subject: RE: Reporting for Ensia Magazine

Ok to use Amy's or Jahan's name for this attribution? This was approved by Jahan 7/7.
Thanks!

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Friday, July 21, 2017 2:50 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Hi Julia,

My editor got back to me and just wanted to double-check to see if it would be ok if we attribute (the attributable material) to you, as an agency spokesperson? Thanks!

Lynne

On Mon, Jul 10, 2017 at 10:12 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:
Thank you. Much appreciated!

Lynne

On Fri, Jul 7, 2017 at 8:03 AM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi Lynne,

We apologize for the delay. Thanks for your patience. Christie is out today so I am sending along on her behalf.

Thanks!

Off the record: Three different offices work on vapor intrusion sites: the Brownfield office, the Superfund office, and The Office of Resource Conservation and Recovery (ORCR). Each has a very different approach, as you'll see below from each office's individual response.

For attribution to an agency spokesperson:

Based upon readily available data sources, EPA has identified 91 existing Superfund National Priorities List (NPL) and Superfund Alternative Approach sites where a response action was taken to mitigate unacceptable human health risks associated with vapor intrusion. As a result of revisions to EPA's Hazard Ranking System (EPA's system for evaluating sites for possible inclusion on the NPL) in 2017, EPA expects to evaluate potential new sites for placement on the NPL based on vapor intrusion.

Other contaminated sites are regulated under the Resource Conservation and Recovery Act (RCRA). This universe of sites includes many cleanups that are overseen by States. EPA does not have a current estimate of how many of the 3,778 RCRA sites have vapor intrusion concerns. EPA estimates from 2000 and 2002 found that about ¼ of RCRA sites were likely to have some possible vapor intrusion.

Brownfields make up a third category of sites with potential vapor intrusion concerns. The US EPA does not track the occurrence of vapor intrusion, or any other specific contaminant pathways, at brownfield sites. The US EPA encourages recipients of brownfield grant funding for assessment, area-wide planning and cleanup grants to consider vapor intrusion and vapor encroachment as part of property assessments and pre-acquisition due diligence, as well as within cleanup activities at brownfields sites.

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Monday, June 26, 2017 11:43 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Good morning,

I've hit my deadline. I'm hoping you might still be able to share any estimates today? I really appreciate it.

Lynne

On Fri, Jun 23, 2017 at 3:38 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Possible to still get this to me today? Thanks.

On Fri, Jun 23, 2017 at 9:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Great. Thanks!

On Fri, Jun 23, 2017 at 8:56 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Working on it!

Sent from my iPhone

On Jun 23, 2017, at 11:10 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Checking back on these estimates. Wrapping up the story now -- possible to get them today? Thanks again.

Lynne

On Thu, Jun 22, 2017 at 10:13 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Just following up on this. Possible to point me to any estimates by end of the day today? Tomorrow would still be ok, if necessary. Thanks again.

Lynne

On Tue, Jun 20, 2017 at 7:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thanks, Christie. I've been assigned to take a broad look at vapor intrusion -- e.g., the extent of the problem across the U.S., related health concerns and what we're doing to assess and mitigate it.

Lynne

On Tue, Jun 20, 2017 at 5:11 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Lynne, I'll see what I can find for you. Can you tell me what your story is about?

Christie

Christie St. Clair

EPA Public Affairs

C: Ex. 6 Personal Privacy (PP)

On Jun 19, 2017, at 6:33 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thanks for the quick response! I'm looking more broadly than Superfund, since it was only recently that vapor intrusion -- as I understand -- became a consideration for Superfund status. So brownfields, etc, too.

Lynne

On Mon, Jun 19, 2017 at 3:22 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Lynne,

Are you looking at Superfund sites? Christie St. Clair is back tomorrow and will assist you.

Enesta Jones

U.S. EPA

Office of Media Relations

Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jun 19, 2017, at 6:13 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Good afternoon,

I'm reporting on vapor intrusion for Ensia Magazine and looking for an estimate of the number of sites in the U.S. impacted by vapor intrusion. Please let me know if one of you might be able to point me to any relevant figures -- by Thursday. Thanks so much for your time and help.

Lynne

--

LYNNE PEEPLES | Science, Health and Environment Reporter

w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) www.lynnepeeples.com

Julia P. Valentine
Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations
202.564.2663 direct
Ex. 6 Personal Privacy (PP) m/txt

From: Graham, Amy
Sent: Tuesday, August 01, 2017 10:45 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

yes

From: Daguillard, Robert
Sent: Tuesday, August 1, 2017 10:44 AM
To: Graham, Amy <graham.amy@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Re: Dicamba story - lots of questions - Reuters

Amy, OK to attribute all previous responses for this story to you?

On Aug 1, 2017, at 10:37 AM, "Emily.Flitter@thomsonreuters.com" <Emily.Flitter@thomsonreuters.com> wrote:

> Ok – does that go for everything you've sent me so far on this story?

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 01, 2017 10:33 AM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks, Emily. Actually, can you please attribute to Amy Graham, EPA spokesperson?

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, August 01, 2017 10:23 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

Thanks for this. I have to attribute all this stuff to you by name, OK? My editors are insisting.

Emily

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 01, 2017 10:21 AM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

The studies submitted by the registrant were conducted both in the laboratory and in the field. All testing methods (protocols) used to generate studies for all pesticide registrations must be approved by EPA. More information on EPA data requirements https://www.epa.gov/pesticide-registration/data-requirements-pesticide-registration.

We did receive the raw data, as required, and the information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to set labeling restrictions to limit off-site movement of dicamba.

To obtain access to the data, a FOIA request could be filed. The final registration decision and supporting documents are available in www.regulations.gov in docket number EPA-HQ-OPP-2016-0187.

We issued a 2-year registration to allow us to reevaluate if there appear to be drift problems.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Monday, July 31, 2017 10:51 AM
To: Emily.Flitter@thomsonreuters.com; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Enesta,

Just following up on this. My deadline is the end of the day today. I'm told by a former member of Arkansas' plant board that Monsanto provided the EPA with data on XtendiMax testing that had been conducted by contractors in New Mexico, Illinois, Alabama, and one or two other states but had all been syntheisized by Monsanto. Is this true? Did EPA scientists get any raw data, or did they just get complete reports from Monsanto when considering the labels for XtendiMax with VaporGrip?

Thanks and best,

Emily

From: Flitter, Emily R. (Reuters News)
Sent: Friday, July 28, 2017 4:22 PM
To: 'Daguillard, Robert'
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hi,

Some follow-up questions with a deadline of Monday at 3pm:

1. **Who** conducted testing on volatility for new dicamba formulations? EPA scientists? Monsanto? A private contractor?
2. **Can we see the data from these tests?**
3. Were the tests independent from Monsanto?
4. Does the EPA's two-year registration, which is an unusually short period of time, mean someone inside the agency suspected there might be problems?

Best,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 4:49 PM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Again, for attribution to "an agency spokesperson," please.

EPA placed time limits on the registration to allow the Agency to either let it expire or to easily make the necessary changes in the registration if there are problems with resistant weeds or pesticide drift.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 3:48 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks Robert these are helpful answers. One more question: Why did EPA only approve registration for the new dicamba formulations for 2 years? Did the decision relate at all to concerns about the products' volatility?

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 3:46 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

1. INCOMING/Follow- up Q: "I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba?"

ANSWER: We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year.

2. INCOMING: Is there someone at the EPA who can describe to me the EPA's involvement in this situation? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

ANSWER: EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states. We are working with the states and the registrants to better understand the issue. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

3. INCOMING: What testing did EPA do on the latest formulations of Dicamba before they were approved?

ANSWER: EPA's analysis of the data has shown reduced volatility potential with newer formulations. EPA's risk assessment included the evaluation of studies that measured the deposition and movement of dicamba after application. These studies were conducted both in the laboratory and in the field. The information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to determine buffers and other labeling restrictions to limit off-site movement of dicamba.

4. INCOMING: Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations?

ANSWER: Before pesticides can be manufactured, distributed, or sold in the United States, they first undergo a rigorous registration process. EPA requires many different scientific studies from applicants wishing to register new pesticides. These studies come from all kinds of sources – pesticide companies, other governments, academia, or the published scientific literature – and help us ensure that our decisions are informed by the best science available. EPA scientists and analysts carefully review these data to determine whether to register (license) a pesticide product or use and whether specific restrictions are necessary. EPA goes through an intensive evaluation process, looking at the human health and environmental risks.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 10:51 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

This is getting very urgent. I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba? I need to press you very urgently for answers to these and the other questions I sent earlier today. I am trying to get a story out as soon as possible.

Thanks and best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:40 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Roger.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 4:37 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

That's OK – I appreciate the update and I look forward to talking tomorrow. Happy to discuss more about what I'm working on with you if it helps you gather the answers to the questions, so please feel free to call me anytime. I'm at Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:36 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Hullo again Emily,

We're working on these questions for you. Let's touch base tomorrow to see where things stand if OK.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Many thanks, Robert. I'll look forward to hearing from you again soon.

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 12:45 PM
To: Flitter, Emily R. (Reuters News); Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hey Emily,

A quick word to acknowledge receipt. I'll circle back.

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:34 PM
To: Press <Press@epa.gov>
Subject: Dicamba story - lots of questions - Reuters

Hi,

I'm working on a story about Dicamba. Broadly, it appears Monsanto has released a new formulation (for 2017 season) of its Dicamba product Xtend that was never tested for volatility and its potential to migrate to nearby crops. A similar situation has occurred with BASF and its new formulation. The 2017 growing season has given rise to a wave of complaints of crop damage resulting from the use of Dicamba on other crops nearby. Arkansas has now completely banned Dicamba and never approved its 2017 formulation because of the volatility potential and the lack of testing. Several lawsuits have been filed now against Monsanto over this issue. There are at least two class action suits.

Is there someone at the EPA who can describe to me the EPA's involvement in this situation? What testing did EPA do on the latest formulations of Dicamba before they were approved? Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be

done before approval? If so, where did the testing come from that the EPA used in considering these new formulations? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

This story's deadline isn't for a few days, but if there's any way we can start discussing this as soon as today, that would be great. I'd love to get on the phone with someone and talk more about what my story is and who the best people would be to interview. Can you please give me a call as soon as you can? Thank you!

Best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

Message

From: Emily.Flitter@thomsonreuters.com [Emily.Flitter@thomsonreuters.com]
Sent: 7/31/2017 10:33:35 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: Dicamba story - lots of questions - Reuters

Michael,

I'd rather have on the record answers to the questions I asked than be given a massive amount of information I can't use. Does that make sense?

Emily

Sent from my iPhone

On Jul 31, 2017, at 6:02 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

> Hi Emily – Nancy is happy to walk you through the background of the issue and the pesticide registration process, which is vital to understanding the dicamba issue. If there is something in particular you want to quote Nancy on, we can discuss, but the interview as a whole would need to be on background.
>
> **From:** Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
> **Sent:** Monday, July 31, 2017 5:59 PM
> **To:** Abboud, Michael <abboud.michael@epa.gov>
> **Subject:** Re: Dicamba story - lots of questions - Reuters
>
> Sure, although I am going to need to ask my questions on the record.
>
> Sent from my iPhone
>
> On Jul 31, 2017, at 5:56 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:
>
>> Sorry I just heard back. Could we push this back till tomorrow. We're working to get a policy person to do a background call with you if that works.
>>
>> **From:** Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
>> **Sent:** Monday, July 31, 2017 4:04 PM
>> **To:** Abboud, Michael <abboud.michael@epa.gov>
>> **Subject:** RE: Dicamba story - lots of questions - Reuters
>>
>> Yes – how much time do you need?
>>
>> **From:** Abboud, Michael [mailto:abboud.michael@epa.gov]
>> **Sent:** Monday, July 31, 2017 3:20 PM
>> **To:** Flitter, Emily R. (Reuters News)
>> **Subject:** RE: Dicamba story - lots of questions - Reuters
>>
>> Hey Emily, were still pulling together all the facts on your inquiry. We want to make sure we get you all the information you need on this, is there anyway can move back your deadline?

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Monday, July 31, 2017 10:51 AM
To: Emily.Flitter@thomsonreuters.com; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Enesta,

Just following up on this. My deadline is the end of the day today. I'm told by a former member of Arkansas' plant board that Monsanto provided the EPA with data on XtendiMax testing that had been conducted by contractors in New Mexico, Illinois, Alabama, and one or two other states but had all been syntheisized by Monsanto. Is this true? Did EPA scientists get any raw data, or did they just get complete reports from Monsanto when considering the labels for XtendiMax with VaporGrip?

Thanks and best,

Emily

From: Flitter, Emily R. (Reuters News)
Sent: Friday, July 28, 2017 4:22 PM
To: 'Daguillard, Robert'
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hi,

Some follow-up questions with a deadline of Monday at 3pm:

1. **Who** conducted testing on volatility for new dicamba formulations? EPA scientists? Monsanto? A private contractor?
2. **Can we see the data from these tests?**
3. Were the tests independent from Monsanto?
4. Does the EPA's two-year registration, which is an unusually short period of time, mean someone inside the agency suspected there might be problems?

Best,

Emily

Emily Flitter
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From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 4:49 PM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Again, for attribution to "an agency spokesperson," please.

EPA placed time limits on the registration to allow the Agency to either let it expire or to easily make the necessary changes in the registration if there are problems with resistant weeds or pesticide drift.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 3:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks Robert these are helpful answers. One more question: Why did EPA only approve registration for the new dicamba formulations for 2 years? Did the decision relate at all to concerns about the products' volatility?

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From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 3:46 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

1. INCOMING/Follow- up Q: "I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba?"

ANSWER: We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year.

2. INCOMING: Is there someone at the EPA who can describe to me the EPA's involvement in this situation? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

ANSWER: EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states. We are working with the states and the registrants to better understand the issue. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

3. INCOMING: What testing did EPA do on the latest formulations of Dicamba before they were approved?

ANSWER: EPA's analysis of the data has shown reduced volatility potential with newer formulations. EPA's risk assessment included the evaluation of studies that measured the deposition and movement of dicamba after application. These studies were conducted both in the laboratory and in the field. The information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to determine buffers and other labeling restrictions to limit off-site movement of dicamba.

4. INCOMING: Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations?

ANSWER: Before pesticides can be manufactured, distributed, or sold in the United States, they first undergo a rigorous registration process. EPA requires many different scientific studies from applicants wishing to register new pesticides. These studies come from all kinds of sources – pesticide companies, other governments, academia, or the published scientific literature – and help us ensure that our decisions are informed by the best science available. EPA scientists and analysts carefully review these data to determine whether to register (license) a pesticide product or use and whether specific restrictions are necessary. EPA goes through an intensive evaluation process, looking at the human health and environmental risks.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 10:51 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

This is getting very urgent. I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba? I need to press you very urgently for answers to these and the other questions I sent earlier today. I am trying to get a story out as soon as possible.

Thanks and best regards,

Emily

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Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:40 PM

To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Roger.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 4:37 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

That's OK – I appreciate the update and I look forward to talking tomorrow. Happy to discuss more about what I'm working on with you if it helps you gather the answers to the questions, so please feel free to call me anytime. I'm at 646 281 6056.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:36 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Hullo again Emily,

We're working on these questions for you. Let's touch base tomorrow to see where things stand if OK.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Many thanks, Robert. I'll look forward to hearing from you again soon.

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 12:45 PM
To: Flitter, Emily R. (Reuters News); Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hey Emily,

A quick word to acknowledge receipt. I'll circle back.

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:34 PM

To: Press <Press@epa.gov>
Subject: Dicamba story - lots of questions - Reuters

Hi,

I'm working on a story about Dicamba. Broadly, it appears Monsanto has released a new formulation (for 2017 season) of its Dicamba product Xtend that was never tested for volatility and its potential to migrate to nearby crops. A similar situation has occurred with BASF and its new formulation. The 2017 growing season has given rise to a wave of complaints of crop damage resulting from the use of Dicamba on other crops nearby. Arkansas has now completely banned Dicamba and never approved its 2017 formulation because of the volatility potential and the lack of testing. Several lawsuits have been filed now against Monsanto over this issue. There are at least two class action suits.

Is there someone at the EPA who can describe to me the EPA's involvement in this situation? What testing did EPA do on the latest formulations of Dicamba before they were approved? Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

This story's deadline isn't for a few days, but if there's any way we can start discussing this as soon as today, that would be great. I'd love to get on the phone with someone and talk more about what my story is and who the best people would be to interview. Can you please give me a call as soon as you can? Thank you!

Best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

Message

From: StClair, Christie [StClair.Christie@epa.gov]
Sent: 10/10/2017 7:04:39 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

I can only imagine.

From: Abboud, Michael
Sent: Tuesday, October 10, 2017 3:03 PM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

Thanks, sorry been caught up in other stuff!

From: StClair, Christie
Sent: Tuesday, October 10, 2017 3:01 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

Nancy ok'd me to use her name for attribution. ☺

From: StClair, Christie
Sent: Tuesday, October 10, 2017 1:44 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: RE: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

OK to use your name?

From: Abboud, Michael
Sent: Tuesday, October 10, 2017 11:10 AM
To: StClair, Christie <StClair.Christie@epa.gov>; Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

Good to send.

From: StClair, Christie
Sent: Tuesday, October 10, 2017 11:04 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Automotive Engineering, Re: PEMS auto emissions testing (Deadline ASAP)

Background: The reporter is covering portable emission measurement systems (PEMS), an on-road tool the agency uses to in addition to in-lab testing to be sure manufacturers' fuel economy claims are accurate. Reporter had hoped to file the story yesterday, so looking for a response quickly if possible. Reporter: Kami Buchholz, SAE's Automotive Engineering, mailto:kamibuchholz@me.com

Draft response:

Ex. 5 Deliberative Process (DP)

-----Original Message-----
From: Kami Buchholz [mailto: Ex. 6 Personal Privacy (PP)
Sent: Wednesday, October 04, 2017 2:09 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Subject: Media

Hi Julia,

I'm working on an article about portable emissions measurement systems (PEMS). As such, please have the appropriate EPA representative answer the following questions:

1) How does the EPA presently use PEMS for on-road light-duty passenger vehicle testing (surveillance monitoring, something else)? Please answer in 1-2 sentences.

2) Does the EPA anticipate that PEMS could be used for light-duty passenger vehicle certification (in tandem with lab testing) as Europe started doing in Sept. 2017? Please answer in 1-2 sentences.

I'd appreciate responses via return email by end of day, Thursday, Oct. 5. Be sure to include the name and job title of the person who provides the responses.

Many thanks for your time.

Kind regards,

Kami Buchholz
Detroit Editor
Automotive Engineering
an SAE publication
Ex. 6 Personal Privacy (PP)

Message

From: Emily.Flitter@thomsonreuters.com [Emily.Flitter@thomsonreuters.com]
Sent: 7/25/2017 6:46:22 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: Chlorpyrifos quote

No problem. I'm always happy to talk about this stuff, and as I told Amy when she emailed this morning, I should have reached out to you the second the embargo was lifted at 10. It was an oversight on my part. Thanks so much for reaching out.

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, July 25, 2017 1:43 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Chlorpyrifos quote

Thank you for explaining that Emily, that works for us. Sorry once again for getting the wires crossed on the quotes.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, July 25, 2017 1:34 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Chlorpyrifos quote

Thanks, Michael. We decided not to include the "statutory deadline" part of the quote. Often, when people send us quotes for a story, we use the parts of the quotes that are relevant rather than the entire statement. For instance, you should have seen what Sen. Udall sent for this story. I put in a tiny fraction of it. My editors did not think the "statutory deadline" piece of the quote was relevant to the story. What matters is that the EPA is still reviewing the registration. No one, anywhere in the story, suggested or said EPA was dragging its feet on the review or in any other way might fail to meet a deadline. The deadline isn't described to readers. They don't know what it is. The time frame isn't discussed at all. Our judgment was there was no reason to include those words. Please feel free to let me know if you think that was the wrong call, and why.

Best,

Emily

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, July 25, 2017 1:28 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Chlorpyrifos quote

Looks like there was a mix up on the story we were alerted and we had not seen the updated version that included Amy's quote.

However the quote Amy sent you earlier included the segment about the statutory deadline that you didn't include in the story. The email from Amy was sent to you at 10:30. So we did not provide incorrect information, but we would like the quote updated to accurately reflect what Amy provided you then.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, July 25, 2017 1:20 PM

To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Chlorpyrifos quote

Hi Michael,

There's an EPA comment in the story from Amy Graham – it's the same statement you emailed. It's been there since 11:07am. We did not include the phrase about the "statutory deadline." Are you asking me to issue an official correction – one that explains that your agency is claiming it provided incorrect information – and change the attribution of the statement from Amy to Liz? I can look into doing that immediately if that's what you're asking. Please let me know.

Best,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Abboud, Michael [mailto:abboud.michael@epa.gov]
Sent: Tuesday, July 25, 2017 1:16 PM
To: Flitter, Emily R. (Reuters News)
Subject: Chlorpyrifos quote

Hey Emily saw your story about Senators pushing to ban chlorpyrifos, could you update with the quote below attributable to Liz Bowman, EPA spokeswoman.

EPA will continue to evaluate the potential risks posed by chlorpyrifos as part of the ongoing registration review, and intends to complete our assessment by the statutory deadline.

Thank you!

Michael Abboud
U.S. Environmental Protection Agency
Office of Public Affairs
M: Ex. 6 Personal Privacy (PP)

Message

From: Valentine, Julia [Valentine.Julia@epa.gov]
Sent: 7/31/2017 3:51:41 PM
To: Abboud, Michael [abboud.michael@epa.gov]; Graham, Amy [graham.amy@epa.gov]
Subject: FW: (Re-sending) For Review: RE: Reporting for Ensia Magazine

Hi Amy and Michael, Reporter has emailed yet again. May I use one of your names for attribution, please?

Thanks

From: Valentine, Julia
Sent: Monday, July 24, 2017 11:19 AM
To: Press <Press@epa.gov>
Subject: (Re-sending) For Review: RE: Reporting for Ensia Magazine

Reporter emailed again requesting attribution. Ok to use, Amy, Jahan, or Michael? Thanks.

From: Valentine, Julia
Sent: Friday, July 21, 2017 3:13 PM
To: Press <Press@epa.gov>
Subject: RE: Reporting for Ensia Magazine

Ok to use Amy's or Jahan's name for this attribution? This was approved by Jahan 7/7.
Thanks!

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Friday, July 21, 2017 2:50 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Hi Julia,

My editor got back to me and just wanted to double-check to see if it would be ok if we attribute (the attributable material) to you, as an agency spokesperson? Thanks!

Lynne

On Mon, Jul 10, 2017 at 10:12 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> Thank you. Much appreciated!
>
> Lynne
>
> On Fri, Jul 7, 2017 at 8:03 AM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:
>
> > Hi Lynne,

We apologize for the delay. Thanks for your patience. Christie is out today so I am sending along on her behalf.

Thanks!

Off the record: Three different offices work on vapor intrusion sites: the Brownfield office, the Superfund office, and The Office of Resource Conservation and Recovery (ORCR). Each has a very different approach, as you'll see below from each office's individual response.

For attribution to an agency spokesperson:

Based upon readily available data sources, EPA has identified 91 existing Superfund National Priorities List (NPL) and Superfund Alternative Approach sites where a response action was taken to mitigate unacceptable human health risks associated with vapor intrusion. As a result of revisions to EPA's Hazard Ranking System (EPA's system for evaluating sites for possible inclusion on the NPL) in 2017, EPA expects to evaluate potential new sites for placement on the NPL based on vapor intrusion.

Other contaminated sites are regulated under the Resource Conservation and Recovery Act (RCRA). This universe of sites includes many cleanups that are overseen by States. EPA does not have a current estimate of how many of the 3,778 RCRA sites have vapor intrusion concerns. EPA estimates from 2000 and 2002 found that about ¼ of RCRA sites were likely to have some possible vapor intrusion.

Brownfields make up a third category of sites with potential vapor intrusion concerns. The US EPA does not track the occurrence of vapor intrusion, or any other specific contaminant pathways, at brownfield sites. The US EPA encourages recipients of brownfield grant funding for assessment, area-wide planning and cleanup grants to consider vapor intrusion and vapor encroachment as part of property assessments and pre-acquisition due diligence, as well as within cleanup activities at brownfields sites.

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Monday, June 26, 2017 11:43 AM

To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Good morning,

I've hit my deadline. I'm hoping you might still be able to share any estimates today? I really appreciate it.

Lynne

On Fri, Jun 23, 2017 at 3:38 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> Possible to still get this to me today? Thanks.

> On Fri, Jun 23, 2017 at 9:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> > Great. Thanks!

> > On Fri, Jun 23, 2017 at 8:56 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

> > > Working on it!
> > >
> > > Sent from my iPhone

> > > On Jun 23, 2017, at 11:10 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> > > > Checking back on these estimates. Wrapping up the story now -- possible to get them today? Thanks again.
> > > >
> > > > Lynne

> > > > On Thu, Jun 22, 2017 at 10:13 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Just following up on this. Possible to point me to any estimates by end of the day today? Tomorrow would still be ok, if necessary. Thanks again.

Lynne

On Tue, Jun 20, 2017 at 7:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thanks, Christie. I've been assigned to take a broad look at vapor intrusion -- e.g., the extent of the problem across the U.S., related health concerns and what we're doing to assess and mitigate it.

Lynne

On Tue, Jun 20, 2017 at 5:11 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Lynne, I'll see what I can find for you. Can you tell me what your story is about?

Christie

Christie St. Clair

EPA Public Affairs

C: Ex. 6 Personal Privacy (PP)

On Jun 19, 2017, at 6:33 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thanks for the quick response! I'm looking more broadly than Superfund, since it was only recently that vapor intrusion -- as I understand -- became a consideration for Superfund status. So brownfields, etc, too.

Lynne

On Mon, Jun 19, 2017 at 3:22 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:

Hi Lynne,

Are you looking at Superfund sites? Christie St. Clair is back tomorrow and will assist you.

Enesta Jones

U.S. EPA

Office of Media Relations

Office: 202.564.7873

Cell: Ex. 6 Personal Privacy (PP)

"The root of all joy is gratefulness."

On Jun 19, 2017, at 6:13 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> Good afternoon,
>
> I'm reporting on vapor intrusion for Ensia Magazine and looking for an estimate of the number of sites in the U.S. impacted by vapor intrusion. Please let me know if one of you might be able to point me to any relevant figures -- by Thursday. Thanks so much for your time and help.
>
> Lynne

--

LYNNE PEEPLES | Science, Health and Environment Reporter

w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) | www.lynnepeeples.com

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w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) www.lynnepeeples.com

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 10/31/2017 7:40:39 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: FOR REVIEW: CT. Investigative Health TEam - chlorpyrifos use in New England/CT - DDL Flex.

FYI: He says he'll submit story for review and publishing tomorrow.

From: Abboud, Michael
Sent: Tuesday, October 31, 2017 2:21 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: Re: FOR REVIEW: CT. Investigative Health TEam - chlorpyrifos use in New England/CT - DDL Flex.

Hold on responding because we have more information to give him.

Sent from my iPhone

On Oct 31, 2017, at 1:47 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Thanks, Michael. The reporter is asking for a name for attribution. Should we oblige?
>
> ---
>
> **From:** Abboud, Michael
> **Sent:** Tuesday, October 31, 2017 12:24 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
> **Subject:** RE: FOR REVIEW: CT. Investigative Health TEam - chlorpyrifos use in New England/CT - DDL Flex.
>
> Good to send.
>
> ---
>
> **From:** Daguillard, Robert
> **Sent:** Tuesday, October 31, 2017 12:00 PM
> **To:** Press <Press@epa.gov>
> **Subject:** FOR REVIEW: CT. Investigative Health TEam - chlorpyrifos use in New England/CT - DDL Flex.
>
> BACKGROUND
>
> Ex. 5 Deliberative Process (DP) Garry Stoller – Ct. Investigative Health Team – DDL Flexible
>
> RESPONSE
>
> Ex. 5 Deliberative Process (DP)

From: Deegan, Dave
Sent: Wednesday, October 25, 2017 10:09 AM
To: Press <Press@epa.gov>; regionalpress <regionalpress@epa.gov>
Cc: Deegan, Dave <Deegan.Dave@epa.gov>; Bender, Emily <Bender.Emily@epa.gov>; Gutro, Doug <Gutro.Doug@epa.gov>
Subject: FW: Media Question re. chlorpyrifos use in New England/CT

Hi All, Please see below inquiry. I will check but am not aware that our office has this kind of pesticide use data available.

Thanks!
Dave

~~~~~~~~~~~~~~~~

Dave Deegan
U.S. EPA, New England Regional Office
Media Relations | Social Media | Web Content
phone: 617.918.1017 | mobile: Ex. 6 Personal Privacy (PP)
email: *deegan.dave@epa.gov*

From: Gary Stoller [mailto: Ex. 6 Personal Privacy (PP)]
Sent: Wednesday, October 25, 2017 9:59 AM
To: Szaro, Deb <Szaro.Deb@epa.gov>
Subject: Media Question

Hi Deborah: I am a journalist researching chlorpyrifos for the Connecticut Health Investigative Team, which publishes health-related info for consumers.

USGS data shows that use of chlorpryifos by farmers has declined in recent years. I am trying to determine why its use has declined among Connecticut and New England farmers.

Thank you.

Gary Stoller
Journalist
Connecticut Health Investigative Team
15 Old Purdy Station
Newtown, CT 06470
203-270-6971
~~~~~~~~~~~~~~~~

Message

From: John Siciliano [jsiciliano@washingtonexaminer.com]
Sent: 6/17/2019 8:53:33 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: media question

Can you give me a sense of when the RFS 2020 RVOs and the 2021 biomass-based diesel standards will be released this week? Purely for logistical purposes and not for attribution or to report. Industry says they are expecting that to occur as soon as this week.

On Mon, Jun 17, 2019 at 3:06 PM Abboud, Michael <abboud.michael@epa.gov> wrote:

They are FOIA'd documents so you'll have to search there. Here's are response to the report.

On the record: "The administration has considered a wide variety of improvements to the RFS program. The package described in the documents was rejected. Instead, we recently issued a rule that expands the availability of E15 and makes important improvements to the RFS trading program." - EPA spokesman

On background: Over a year ago, President Trump directed his Administration to discuss a variety of options regarding the RFS. The White House, EPA, USDA, members of Congress and other stakeholders considered options which were evaluated by policy and legal staff in the Administration. Many options were discussed, but were not given final authorization or a definitive legal and policy analysis. The documents referenced represent one of many deliberations during the process and were ultimately not acted upon by EPA, nor included in the final decision made by the President.

EPA continues to implement the Renewable Fuel Standard program in accordance with the Clean Air Act, taking into consideration additional direction from Congress, recommendations from Department of Energy, and relevant court decisions. Many aspects of the decisions for exempting individual refineries are based on confidential business information. Publicly available information can be found at our website.

From: John Siciliano <jsiciliano@washingtonexaminer.com>
Sent: Monday, June 17, 2019 3:00 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: media question

Can I get these documents? They were cited by Reuters on Friday, but didn't seem to say they were exclusive to the news group.

Also, did you guys have a response to the report?

Third, what's the latest on where EPA is on approving the 39 pending small refinery exemption petitions now before the agency?

I am looking to write something in the am.

Message

From: Iulia Gheorghiu [igheorghiu@morningconsult.com]
Sent: 8/2/2017 4:56:09 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: Reporter seeking clarification: methane emissions enforcement

Thank you, Michael.

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu
MORNING CONSULT
Brands | Washington | Intelligence
Energy | Finance | Health | Tech

On Wed, Aug 2, 2017 at 12:49 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:
Hey Iulia, off the record due to the broad scope of the allegations. Your questions would be better addressed by the White House.

Sent from my iPhone

On Aug 2, 2017, at 12:22 PM, Iulia Gheorghiu <igheorghiu@morningconsult.com> wrote:

Many are involved with green NGO's - Erik Schaeffer for instance at the Environmental Integrity Project.

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu
MORNING CONSULT
Brands | Washington | Intelligence
Energy | Finance | Health | Tech

On Wed, Aug 2, 2017 at 12:18 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Hey Iulia, wanted to connect with you on this request and see if I could help you out. Could you provide the former EPA officials who made the allegations?

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Tuesday, August 01, 2017 6:27 PM
To: Lynn, Tricia <lynn.tricia@epa.gov>
Subject: RE: Reporter seeking clarification: methane emissions enforcement

Hoped to follow up- former EPA officials said the Trump administration is trying to make "quick work" of dismantling environmental regulations that will "likely slow down after courts have proven that more work goes into it" as far as crafting a proposal to replace existing rules and researching the basis for the replacement.

Can the EPA respond to those allegations? I want to make sure I am representing the agency fairly in my reporting. My deadline is 1 p.m. tomorrow.

Thank you,

Iulia Gheorghiu

On Aug 1, 2017 5:34 PM, "Lynn, Tricia" <lynn.tricia@epa.gov> wrote:

Hi Iulia—

For attribution to "an EPA spokesperson:"

EPA may elect to exercise its enforcement discretion on a case-by-case basis with respect to the fugitive emissions monitoring requirements.

Best,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Monday, July 31, 2017 12:10 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Subject: Reporter seeking clarification: methane emissions enforcement

Hello,

I am an energy reporter for Morning Consult and I hoped to speak to somebody from the air quality enforcement office of the EPA about the Obama-era methane regulation that the EPA had sought to put on hold.

Following the Appeals Court of the D.C. Circuit's ruling that EPA Chief Scott Pruitt does not have the authority to order a 90 day stay on the regulation, is the regulation of methane emissions being nominally enforced right now, as of July 28?

I appreciate any help you can give - to point me in the right direction.

Thank you for your time,

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu

Brands | Washington | Intelligence
Energy | Finance | Health | Tech

Message

From: Iulia Gheorghiu [igheorghiu@morningconsult.com]
Sent: 8/2/2017 4:20:18 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: Re: Reporter seeking clarification: methane emissions enforcement

Many are involved with green NGO's - Erik Schaeffer for instance at the Environmental Integrity Project.

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu
MORNING CONSULT
Brands | Washington | Intelligence
Energy | Finance | Health | Tech

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Sent: Tuesday, August 01, 2017 6:27 PM
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Thank you,

Iulia Gheorghiu

On Aug 1, 2017 5:34 PM, "Lynn, Tricia" <lynn.tricia@epa.gov> wrote:

Hi Iulia—

For attribution to "an EPA spokesperson:"

EPA may elect to exercise its enforcement discretion on a case-by-case basis with respect to the fugitive emissions monitoring requirements.

Best,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Monday, July 31, 2017 12:10 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Subject: Reporter seeking clarification: methane emissions enforcement

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I appreciate any help you can give - to point me in the right direction.

Thank you for your time,

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu

MORNING CONSULT

Brands | Washington | Intelligence
Energy | Finance | Health | Tech

Message

From: Daguillard, Robert [Daguillard.Robert@epa.gov]
Sent: 3/18/2019 3:02:26 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: MIKE: Pat Rizzuto - Questions for requested interview with Alex Dunn
Attachments: Dunn Questions.docx; rizzuto TSCA staff budget.docx

Mike, let me know if you'd like to discuss further, since you and I had chatted about this reporter's interview request a couple of weeks back.

Cheers, R.

Robert Daguillard
Office of Media Relations
U.S. Environmental Protection Agency
Washington, DC
+1 (202) 564-6618 (O)
Ex. 6 Personal Privacy (PP) (M)

From: Strauss, Linda
Sent: Monday, March 18, 2019 10:54 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Subject: FW: Pat Rizzuto - Questions for requested interview with Alex Dunn

Robert, Alex will take this interview but at a time after the budget hearings. We could shoot for 2nd or 3rd week of April.

Linda

From: Strauss, Linda
Sent: Tuesday, March 12, 2019 5:14 PM
To: Dunn, Alexandra <dunn.alexandra@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Baptist, Erik <baptist.erik@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>; Altieri, Sonia <Altieri.Sonia@epa.gov>; Hanley, Mary <Hanley.Mary@epa.gov>; Tyler, Tom <Tyler.Tom@epa.gov>; Keller, Kaitlin <keller.kaitlin@epa.gov>
Subject: Pat Rizzuto - Questions for requested interview with Alex Dunn

These are interview Q's that Pat would like to ask you. The date of the interview is flexible, and she would like an in-person. OPA wants a reasonable time in March for the interview. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

For staff prior to interview

1. How many full time equivalent employees did OPPT have in June 2016 (or close to that month) before the Lautenberg Chemical Safety Act became law?
2. How many do you have as of now (or most recent available figure)?
3. Can you break those OPPT staff down into rough areas of expertise e.g. chemists, risk assessors, economists, industrial hygienists?

4. Alex Dunn said OPPT was hiring. How many more people do you plan/hope to hire? What expertise are you seeking?
5. How many contractor firms are working with OPPT? What are their broad areas of support?

For Dunn regarding chemicals

1. What do you bring from your work at NACWA, ECOS, Region 1, and the Chemistry Council that you see yourself using as assistant administrator for chemical safety and pollution prevention?
2. Would your work with NACWA, for example, give you a perspective on, familiarity with, contacts to help with the provision of Lautenberg that requires EPA to consider a chemical's storage near drinking water as part of the criteria for prioritizing it?
3. The chemicals office has a lot on its plate with Lautenberg deadlines this year even before the House went Democratic. Now you've still got the full plate and questions to answer and hearings to prep for from the Hill. What's on your front burner?
4. The peer reviews for the first 10 risk evaluations may not take place until late spring or during the summer, according to what agency staff said at GlobalChem. Yet EPA has said it will complete all 10 risk evaluations by December. Does that risk the EPA being accused of ignoring both public comments and peer review recommendations in a rush to meet the statutory deadline?
5. Similarly, the agency has only 9 months to prioritize 40 chemicals, and 6 months of that will be for public comments. Does the EPA risk being accused of ignoring public comments?
6. Would EPA consider "grouping" chemicals in its selection of high priority compounds for risk evaluation, i.e. focusing on solvents at once so substitutes can be intelligently selected?

For Dunn regarding pesticides

1. Do you think the current allowed uses of chlorpyrifos and other organophosphates are protective enough of human health?
2. Do you agree that the EPA should reassess the registration of chlorpyrifos in 2022 rather than imposing immediate restrictions?
3. EPA announced new restrictions on dicamba herbicides last October, but state regulators continue to receive a high number of drift complaints this summer. How much further can EPA go in taking steps to protect farmers from drift?
4. Would you consider taking dicamba off the market altogether if drift complaints persist or grow?
5. The EPA is facing a number of court-ordered deadlines to assess the risks of pesticides to endangered species. Should there be more money in the budget for ESA consultations? How much?
6. You spoke at length at AAPCO about the emergence of biostimulants in the marketplace, is there some confusion about which regulatory bucket biostimulants are put in? USDA or EPA?
7. Does the proposed guidance that OMB recently approved clarify a pathway currently exists for companies to register their products?

From: Daguillard, Robert
Sent: Tuesday, March 12, 2019 4:08 PM
To: Strauss, Linda <Strauss.Linda@epa.gov>; Dunton, Cheryl <Dunton.Cheryl@epa.gov>
Cc: Ortiz, Julia <Ortiz.Julia@epa.gov>; Pierce, Alison <Pierce.Alison@epa.gov>; Han, Kaythi <Han.Kaythi@epa.gov>; Sisco, Debby <Sisco.Debby@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>
Subject: LINDA/OCSPP: Pat Rizzuto - Questions for requested interview with Alex Dunn

PAT RIZZUTO
DDL FLEX

Good afternoon all,

Here are Pat's interview questions for Alex – and for OCSPP comms. Let me know when you want to discuss, and what dates would work best for Alex.

Thanks as always, R.

++++++++++++++++++++++++++++++++++

Hi Robert,

Attached please find a menu of questions for Alex Dunn and a few I'm hoping staff could answer before we interview her. Naturally we may not ask all of these questions; the exact ones will depend on what Alex says and shares with us. But, they give you a sense of what we hope to learn from our time with her.

We'd like a sit down, person to person interview. Alex is an engaging person and an excellent communicator. Conversations have three elements: words, tone of those words, and body language. If Alex says something and we don't quite understand it, I know she'll see that on our faces—something not possible by phone.

I'm sharing this with you first in case you have any suggestions of how to work with the broader press office to get this interview. Alex told both Adam Allington and myself that she's interested. Please let me know whether you can proceed with this request at this point, or let me know if I need to do something before you formally submit the request.

: : : : : : : : : : : : : : : : : :

Pat Rizzuto
Chemicals Reporter

Bloomberg Environment

(703) 341-3741
prizzuto@bloombergenvironment.com

From: Daguillard, Robert
Sent: Thursday, December 06, 2018 9:20 AM
To: Strauss, Linda <[HYPERLINK "mailto:Strauss.Linda@epa.gov"]>; Dunton, Cheryl <[HYPERLINK "mailto:Dunton.Cheryl@epa.gov"]>; Ortiz, Julia <[HYPERLINK "mailto:Ortiz.Julia@epa.gov"]>; Pierce, Alison <[HYPERLINK "mailto:Pierce.Alison@epa.gov"]>
Subject: OPPT: Pat Rizzuto - Morris Interview follow-up - New Chemicals Program

PAT RIZZUTO
DDL FRIDAY 12/7

Good afternoon team,

Please take a look at the query and advise on next steps. Thanks, R.

++++++++++++++++++++++++++++++++++++

For attribution to Jeff Morris please:

Incoming #1: Clearly OPPT has a lot of TSCA-mandated deadlines in 2019.

Response #1: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #2: How many staff does OPPT have for its new chemicals program, for its existing chemicals prioritization and risk evaluation activities—and, of course, how does that number compare to normal staffing levels?

Response #2: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #3: EPA's talked about using lean management. Can it give me any specific examples of how it's using that for OPPT's workload?

Response #3: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #4: With the Democrats having taken the House, lots of oversight hearings are expected—including on TSCA. Will prepping for and angering questions from some hearings add to the challenges the agency faces in 2019?

Response #4: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Incoming #5: Any other comments on OPPT's intentions for 2019 welcome.

Response #5: Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) (M)
202-564-6618 (O)

Message

From: Eilperin, Juliet [Juliet.Eilperin@washpost.com]
Sent: 7/21/2019 3:53:34 PM
To: Abboud, Michael [abboud.michael@epa.gov]
Subject: RE: following up on our conversation

I hear you. And there's a chance it won't be in print, which would provide a little more time. Thanks.

From: Abboud, Michael <abboud.michael@epa.gov>
Sent: Sunday, July 21, 2019 11:53 AM
To: Eilperin, Juliet <Juliet.Eilperin@washpost.com>
Subject: RE: following up on our conversation

CAUTION: EXTERNAL SENDER

Working on it.

From: Eilperin, Juliet <Juliet.Eilperin@washpost.com>
Sent: Sunday, July 21, 2019 11:38 AM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: following up on our conversation

Just flagging that there's a chance this story could run in print tomorrow. So if there's a way to get a statement as soon as possible, that would be great. Thanks.

From: Eilperin, Juliet
Sent: Friday, July 19, 2019 12:57 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: following up on our conversation

Dear Michael,
As we discussed, I just wanted to circle back on the ethics story that I am writing, which I will finish today and will run online Monday morning. While it will mainly focus on the IG inquiry I mentioned, it will also address congressional Democrats' ongoing investigations of both Bill Wehrum and David Harlow. While my piece will only mention David Harlow in passing, Senate Democrats are arguing that he, along with Bill Wehrum, improperly weighed in on the DTE memo back in December 2017, and may have failed to fully list all his former clients on his recusal letter because they assert that the individual members of the Utility Air Regulatory Group were also individual clients of UARG. (For what it is worth, when Bill was questioned on this point during a House Energy and Commerce hearing, he replied, "That's not my understanding.") More broadly, these lawmakers are arguing that both of them advanced their former clients' interests while serving at EPA.

I also had one factual question I was hoping you could answer: I believe David Harlow was a partner at Hunton & Williams before joining EPA, but I am not positive because I can't find that listed online. So if you could clarify that, not for attribution, it would be helpful.

If there is either any specific response you'd like to provide from Mr. Harlow, or if there's a general statement you'd like to make, just let me know.
Thanks, Juliet

Juliet Eilperin
Senior National Affairs Correspondent
The Washington Post
(O) 202-334-7774
(C) Ex. 6 Personal Privacy (PP)
juliet.eilperin@washpost.com
@eilperin

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 5/16/2018 6:45:25 PM
To: Fugh, Justina [Fugh.Justina@epa.gov]
Subject: RE: E&E News inquiry regarding reg reform task force

Perfect thanks!

From: Fugh, Justina
Sent: Wednesday, May 16, 2018 2:39 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: E&E News inquiry regarding reg reform task force

Hi,
Oh, if you make me review something, then I'm going to edit it:

Ex. 5 Deliberative Process (DP)

Justina

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: Abboud, Michael
Sent: Wednesday, May 16, 2018 1:35 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: RE: E&E News inquiry regarding reg reform task force

Justina thanks for this it was very helpful. I talked with the reporter and she doesn't think they'll go forward with any story on this email back and forth.

She did ask for a statement just to have in case they went forward, and I wanted to run this by you to see if it was accurate and if there was anything else to add.

DRAFT: **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

From: Fugh, Justina
Sent: Tuesday, May 15, 2018 5:13 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: E&E News inquiry regarding reg reform task force

Hi Mike,
I am SO SORRY to be tardy in answering your email! I was unexpectedly out of the office yesterday afternoon, and then today was full of public financial disclosure questions and extension requests.

YOU ASKED: why didn't you know who was on the task force at the time?

JUSTINA: Because serving on the task force is "other duties as assigned" and is based on their type of appointment. If the people on the task force were all EPA political or AD employees, then I can assure you that they had new employee ethics training. Why? Because my staff and I personally provided new employee ethics training to all of the politicals and ADs. And if the members of the team were career employees, then they are similarly required to have had new employee training (though, for those people, that can be done by their local ethics official or by taking our online training course) and, in many cases, have to have annual ethics training).

Let's use an example that the reporter may understand: she is hired as a reporter, her friend Jane is hired as an editor, and Bruce is their secretary. All of them are on the E&E News' softball team. Only editors and reporters take the softball training. From my perspective, I know who the reporters are and who the secretaries and editors are, but I have no way of knowing who is on the softball team. So I can say that any editor and any reporter took the softball training, but I can't tell you which people on the softball team did so because I don't what their positions are.
Justina

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: Abboud, Michael
Sent: Monday, May 14, 2018 4:25 PM
To: Fugh, Justina <Fugh.Justina@epa.gov>
Subject: FW: E&E News inquiry regarding reg reform task force

Hey Justina I just talked with the reporter about her inquiry.

In the full email chain (page 266 below) on the FOIA release you gave Liz a sign off that all the Reg Reform Task Force members had completed their ethics training and that they were good to go.

I explained that since all four of the members had been at the agency long before the question from NYTimes was asked, they would have all received ethics training. She had a question as to why you didn't know who was on the task force at the time, and I told her I would talk to you and get back to her.

Feel free to call me back or email whichever is easier. Just want to get some clarity on this issue.

Page 266:

Ex. 6 internal URL (PP)

Mike Abboud
Ex. 6 Personal Privacy (PP)

From: Maxine Joselow [mailto:mjoselow@eenews.net]
Sent: Monday, May 14, 2018 2:50 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Press <Press@epa.gov>
Subject: E&E News inquiry regarding reg reform task force

Hi Michael,

I hope this email finds you well. I'm currently looking through documents obtained by the Southern Environmental Law Center under Freedom of Information Act litigation. I'm particularly interested in the attached email from EPA's senior counsel for ethics, Justina Fugh, about whether members of EPA's regulatory reform task force had received ethics training.

I was hoping you could provide a comment or statement addressing why Fugh didn't know all the task force members' names, and whether this was unusual or posed an ethical problem, etc. If you'd prefer to discuss this on background before providing a comment or statement on the record for attribution from an EPA spokesman, please don't hesitate to give me a call. This may potentially turn into a story that would be published no earlier than this Wednesday.

Thank you for your consideration and looking forward to hearing back.

Best,
Maxine
--
Maxine Joselow
E&E News reporter
202-737-4369
@maxinejoselow

E&E NEWS
122 C Street NW 7th Floor Washington, DC 20001
www.eenews.net | @EENewsUpdates
Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 10/27/2017 3:08:17 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
Subject: RE: FOR REVIEW: Reuters (Thomas Polansek) dicamba assistance - DDL 10/27

Sounds good to me. Thanks Robert.

From: Daguillard, Robert
Sent: Friday, October 27, 2017 11:08 AM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: FOR REVIEW: Reuters (Thomas Polansek) dicamba assistance - DDL 10/27

Sorry. For the ***remainder,*** not "reminder."

From: Daguillard, Robert
Sent: Friday, October 27, 2017 11:06 AM
To: Abboud, Michael <abboud.michael@epa.gov>; Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Reuters (Thomas Polansek) dicamba assistance - DDL 10/27

Thanks. He apparently wants to publish today – and I don't know if we'll meet his noon deadline for the reminder.

I'll send him what you've just approved now and wait for the rest, if that works for you.

Cheers, R.

From: Abboud, Michael
Sent: Friday, October 27, 2017 11:04 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>; Press <Press@epa.gov>
Subject: RE: FOR REVIEW: Reuters (Thomas Polansek) dicamba assistance - DDL 10/27

This is fine to send. Unless you want to send them all at once.

From: Daguillard, Robert
Sent: Friday, October 27, 2017 8:05 AM
To: Press <Press@epa.gov>
Subject: FOR REVIEW: Reuters (Thomas Polansek) dicamba assistance - DDL 10/27

BACKGROUND

This is a partial response to the reporter's latest set of questions on dicamba. The program hope to have the remainder ready by mid-day. Tom Polansek – Reuter – thomas.polansek@thomsonreuters.com

RESPONSE

Incoming: Tom Polansek (Reuters) My story about dicamba investigations is going into its final round of editing. Also, my story is going to reference the 2-year registration given to dicamba herbicide products. Can you please explain why the EPA said the registrations will expire unless the agency determines that offsite

incidents are not occurring at unacceptable frequencies or levels? What justifies an unacceptable frequency or level or offsite incidents?

Response:

Ex. 5 Deliberative Process (DP)

What would be an unacceptable frequency or levels of offsite incidents?

Ex. 5 Deliberative Process (DP)

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 26, 2017 12:35 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Reuters follow-up on dicamba assistance

Thanks for your email Robert. I will use this information for my description of the EPA grants.
I am hoping to publish my story tomorrow on states investigating dicamba complaints. Do you think you can please answer these last questions for me by noon on Friday?

From Wednesday: Can you please explain why the EPA said the registrations for dicamba herbicides will expire in 2018 unless the agency determines that offsite incidents are not occurring at unacceptable frequencies or levels? What justifies an unacceptable frequency or level of offsite incidents?
New: When will the EPA do the review to decide whether to renew the dicamba herbicide registrations? When will the EPA decide whether to renew the registrations? On what does the extension of the registrations depend?

I just left you a voicemail to check in. It would be great if you can please give me a quick call at 312-408-8556.
Thanks!
Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, October 25, 2017 1:38 PM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: RE: Reuters follow-up on dicamba assistance

Tom, for attribution, as usual, to "an EPA spokesperson," please. We're working on the questions you sent earlier today.

Cheers, R.

Incoming: Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA?

Response: It is not an accurate statement that States are doing work on behalf of EPA through our grants. Under certain circumstances that are defined by the statute, FIFRA conveys primary enforcement responsibility (primacy) for use violations to the states. Where a state has primacy, use investigations are generally conducted under state law.

FIFRA also authorizes EPA to enter into cooperative agreements with states to further cooperation on the enforcement of pesticide law, amongst other things. EPA provides funding to states to investigate allegations of pesticide misuse and funding for programmatic activities such as decision implementation. More information can be found in the FIFRA Cooperative Agreement Guidance.

More information: Each state has a lead agency (often the state department of agriculture) with primary responsibility for investigating and enforcing incidents involving the use of pesticides in the state. For more information about enforcement in a state, contact the state lead agency.

From: Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
Sent: Thursday, October 19, 2017 3:01 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: Re: Reuters follow-up on dicamba assistance

Tomorrow morn is ok. I am finishing a draft of my story but it won't be published today. Thanks Robert.
Tom

Sent from my iPhone

On Oct 19, 2017, at 1:59 PM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

> Tom, a quick follow-up. How firm is your deadline? Asking as we may have a couple of different offices working on a response.
>
> Is it OK to get back to you tomorrow, if it comes to that?
>
> ---
>
> **From:** Daguillard, Robert
> **Sent:** Thursday, October 19, 2017 1:53 PM
> **To:** 'Thomas.Polansek@thomsonreuters.com' <Thomas.Polansek@thomsonreuters.com>
> **Subject:** RE: Reuters follow-up on dicamba assistance
>
> Got it. Let me talk to the appropriate folks and get back to you.
>
> Cheers, R.
>
> ---
>
> **From:** Thomas.Polansek@thomsonreuters.com [mailto:Thomas.Polansek@thomsonreuters.com]
> **Sent:** Thursday, October 19, 2017 1:49 PM
> **To:** Daguillard, Robert <Daguillard.Robert@epa.gov>
> **Subject:** RE: Reuters follow-up on dicamba assistance
>
> Thanks Robert. Wondering if you can please help me understand the relationship between the EPA and states that are investigating dicamba complaints filed by farmers. Is it accurate to say this: The EPA gives grants to states to perform investigations into the potential misuse of pesticides, such as dicamba, and to do other work on behalf of the EPA. ?
> I do not need to quote you on this. I'm just looking for confirmation that I understand the system correctly.

On the record, can you please tell me whether the EPA doing any of its own investigations into dicamba use? Or is that work only being done by the states?
Please get back to me by the end of the day today if possible. Thanks!
Tom

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, October 17, 2017 5:06 PM
To: Polansek, Tom (Reuters)
Cc: Press
Subject: Re: Reuters follow-up on dicamba assistance

Tom, for attribution to "an EPA spokesperson," please:

Q1: I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. **Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?**

A1: EPA provided laboratory assistance to Missouri to help analyze dicamba samples from the 2016 season. We have offered additional laboratory assistance to all states to help with sample analysis for 2017 dicamba incidents, as indicated in the documents you have provided. At this time, Minnesota and Illinois have submitted their samples for analysis, and we have asked the Regions to coordinate additional requests.

Q2: On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. **Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?**

EPA again was in a position to offer Missouri laboratory assistance during this past summer, but the state has so far not requested the support. EPA has offered laboratory assistance to 35 affected states, including Missouri. The agency has set aside resources needed to analyze up to 1,500 samples of dicamba. If needed, EPA can consider expanding this number.

Robert Daguillard
U.S. EPA
Office of Media Relations
Washington D.C.
Ex. 6 Personal Privacy (PP) M)
202-564-6618 (O)

On Oct 16, 2017, at 3:57 PM, "Thomas.Polansek@thomsonreuters.com" <Thomas.Polansek@thomsonreuters.com> wrote:

Hi Robert and Ernesta, Hope you're well. I am following up with a few questions about the EPA offering help to states with investigations into dicamba moving off target. I previously asked you whether the EPA had offered help to states handle investigations into dicamba. You said the EPA was "coordinating with states as they work to address these issues."

I am following up for more information because I've come across the attached documents that show the EPA offered to provide states with lab assistance in analyzing dicamba. Can you please confirm that the EPA offered this help to states? Which states asked for and received help from the EPA?

On a related matter, the Missouri Department of Agriculture said the EPA helped Missouri cover the costs of some lab tests in dicamba investigations last year. Missouri said the EPA declined to help with lab fees in 2017 because the EPA expected it would receive too many requests from states for assistance. Would the EPA like to comment on that?

Please get back to me by the end of the day on Tuesday. I am working to make sure that my story is accurate.

Thank you, Tom

Tom Polansek
Reporter

Thomson Reuters

Phone: 312-408-8556
Mobile: Ex. 6 Personal Privacy (PP)

thomas.polansek@thomsonreuters.com

Tweet me: @tpolansek

<procedures_analytical-support_dicamba-090717.pdf>

<addendum-to-the-guidance-for-requesting-analytical-suport-on-dicamba-091517.pdf>

Message

From: Abboud, Michael [abboud.michael@epa.gov]
Sent: 8/1/2017 2:31:42 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
CC: Graham, Amy [graham.amy@epa.gov]; Valentine, Julia [Valentine.Julia@epa.gov]
Subject: Re: Dicamba story - lots of questions - Reuters

Attribute to Amy.

Sent from my iPhone

On Aug 1, 2017, at 10:31 AM, Daguillard, Robert <Daguillard.Robert@epa.gov> wrote:

Amy, Michael, OK to attribute to either of you?

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Tuesday, August 01, 2017 10:23 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

Thanks for this. I have to attribute all this stuff to you by name, OK? My editors are insisting.

Emily

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Tuesday, August 01, 2017 10:21 AM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

The studies submitted by the registrant were conducted both in the laboratory and in the field. All testing methods (protocols) used to generate studies for all pesticide registrations must be approved by EPA. More information on EPA data requirements https://www.epa.gov/pesticide-registration/data-requirements-pesticide-registration.

We did receive the raw data, as required, and the information from these studies was used to model the off-target movement of dicamba after application. Modeling results were then used to set labeling restrictions to limit off-site movement of dicamba.

To obtain access to the data, a FOIA request could be filed. The final registration decision and supporting documents are available in www.regulations.gov in docket number EPA-HQ-OPP-2016-0187.

We issued a 2-year registration to allow us to reevaluate if there appear to be drift problems.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Monday, July 31, 2017 10:51 AM
To: Emily.Flitter@thomsonreuters.com; Jones, Enesta <Jones.Enesta@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Enesta,

Just following up on this. My deadline is the end of the day today. I'm told by a former member of Arkansas' plant board that Monsanto provided the EPA with data on XtendiMax testing that had been conducted by contractors in New Mexico, Illinois, Alabama, and one or two other states but had all been syntheisized by Monsanto. Is this true? Did EPA scientists get any raw data, or did they just get complete reports from Monsanto when considering the labels for XtendiMax with VaporGrip?

Thanks and best,

Emily

From: Flitter, Emily R. (Reuters News)
Sent: Friday, July 28, 2017 4:22 PM
To: 'Daguillard, Robert'
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hi,

Some follow-up questions with a deadline of Monday at 3pm:

1. **Who** conducted testing on volatility for new dicamba formulations? EPA scientists? Monsanto? A private contractor?
2. **Can we see the data from these tests?**
3. Were the tests independent from Monsanto?
4. Does the EPA's two-year registration, which is an unusually short period of time, mean someone inside the agency suspected there might be problems?

Best,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 4:49 PM
To: Flitter, Emily R. (Reuters News)
Cc: Press
Subject: RE: Dicamba story - lots of questions - Reuters

Again, for attribution to "an agency spokesperson," please.

EPA placed time limits on the registration to allow the Agency to either let it expire or to easily make the necessary changes in the registration if there are problems with resistant weeds or pesticide drift.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 3:48 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Thanks Robert these are helpful answers. One more question: Why did EPA only approve registration for the new dicamba formulations for 2 years? Did the decision relate at all to concerns about the products' volatility?

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 27, 2017 3:46 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Emily, for attribution to "an EPA spokesperson," please:

1. INCOMING/Follow- up Q: "I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba?"

ANSWER: We are reviewing the current use restrictions on the labels for these dicamba formulations in light of the incidents that have been reported this year.

2. INCOMING: Is there someone at the EPA who can describe to me the EPA's involvement in this situation? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

ANSWER: EPA is very concerned about the recent reports of crop damage related to the use of dicamba in Missouri, Arkansas and other states. We are working with the states and the registrants to better understand the issue. The underlying causes of the various damage incidents are not yet clear, but EPA is reviewing the available information carefully. We will rely on the best information available to inform our assessment, but we do not yet have enough information to consider an appropriate response.

3. INCOMING: What testing did EPA do on the latest formulations of Dicamba before they were approved?

ANSWER: EPA's analysis of the data has shown reduced volatility potential with newer formulations. EPA's risk assessment included the evaluation of studies that measured the deposition and movement of dicamba after application. These studies were conducted both in the laboratory and in the field. The information from these studies was used to model the off-target movement of dicamba after

application. Modeling results were then used to determine buffers and other labeling restrictions to limit off-site movement of dicamba.

4. INCOMING: Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations?

ANSWER: Before pesticides can be manufactured, distributed, or sold in the United States, they first undergo a rigorous registration process. EPA requires many different scientific studies from applicants wishing to register new pesticides. These studies come from all kinds of sources – pesticide companies, other governments, academia, or the published scientific literature – and help us ensure that our decisions are informed by the best science available. EPA scientists and analysts carefully review these data to determine whether to register (license) a pesticide product or use and whether specific restrictions are necessary. EPA goes through an intensive evaluation process, looking at the human health and environmental risks.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Thursday, July 27, 2017 10:51 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Hi Robert,

This is getting very urgent. I have learned the EPA is looking into the dicamba problems and had a conference call with state regulators and scientists from several Midwestern universities on July 13. Is the EPA formally reviewing the registration for Monsanto's and BASF's formulations of dicamba? Is the EPA formally reviewing ANY aspect of its approval of dicamba? I need to press you very urgently for answers to these and the other questions I sent earlier today. I am trying to get a story out as soon as possible.

Thanks and best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:40 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Roger.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 4:37 PM

To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

That's OK – I appreciate the update and I look forward to talking tomorrow. Happy to discuss more about what I'm working on with you if it helps you gather the answers to the questions, so please feel free to call me anytime. I'm at Ex. 6 Personal Privacy (PP)

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 4:36 PM
To: Flitter, Emily R. (Reuters News)
Subject: RE: Dicamba story - lots of questions - Reuters

Hullo again Emily,

We're working on these questions for you. Let's touch base tomorrow to see where things stand if OK.

Regards, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:46 PM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: Dicamba story - lots of questions - Reuters

Many thanks, Robert. I'll look forward to hearing from you again soon.

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Wednesday, July 26, 2017 12:45 PM
To: Flitter, Emily R. (Reuters News); Press
Subject: RE: Dicamba story - lots of questions - Reuters

Hey Emily,

A quick word to acknowledge receipt. I'll circle back.

Thanks, R.

From: Emily.Flitter@thomsonreuters.com [mailto:Emily.Flitter@thomsonreuters.com]
Sent: Wednesday, July 26, 2017 12:34 PM
To: Press <Press@epa.gov>
Subject: Dicamba story - lots of questions - Reuters

Hi,

I'm working on a story about Dicamba. Broadly, it appears Monsanto has released a new formulation (for 2017 season) of its Dicamba product Xtend that was never tested for volatility and its potential to migrate to nearby crops. A similar situation has occurred with BASF and its new formulation. The 2017 growing season has given rise to a wave of complaints of crop damage resulting from the use of

Dicamba on other crops nearby. Arkansas has now completely banned Dicamba and never approved its 2017 formulation because of the volatility potential and the lack of testing. Several lawsuits have been filed now against Monsanto over this issue. There are at least two class action suits.

Is there someone at the EPA who can describe to me the EPA's involvement in this situation? What testing did EPA do on the latest formulations of Dicamba before they were approved? Is it true that Monsanto and BASF supply the testing data and dictate what testing can be done and what can't be done before approval? If so, where did the testing come from that the EPA used in considering these new formulations? Is the situation on the ground in Arkansas, western Tennessee, Missouri and Illinois right now causing anyone at EPA to rethink the agency's stance on Dicamba?

This story's deadline isn't for a few days, but if there's any way we can start discussing this as soon as today, that would be great. I'd love to get on the phone with someone and talk more about what my story is and who the best people would be to interview. Can you please give me a call as soon as you can? Thank you!

Best regards,

Emily

Emily Flitter
Correspondent
Thomson Reuters
Phone: 1 646 223 6310
@FlitterOnFraud
thomsonreuters.com

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 9/28/2017 8:51:36 PM
To: Kery Murakami [kMurakami@cnhi.com]
Subject: Re: renewable fuel standard

Hey Kery, we have nothing more to provide at this point.

Sent from my iPhone

On Sep 28, 2017, at 4:49 PM, Kery Murakami <kMurakami@cnhi.com> wrote:

> Hi Mike,, so on background and not for attribution. I'm trying to understand the concerns raised in the API. It talks about rising prices to blenders. in explaining this to regular people, is it accurate to say EPA is concerned about rising biofuel costs for consumers at the pump?
>
> > On Sep 28, 2017, at 3:49 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:
> >
> > Hey Kery, you can attribute this statement to an EPA spokesman.
> >
> > "EPA is currently seeking input from all stakeholders involved. Nothing has been finalized at this time."
> >
> > **From:** Kery Murakami [mailto:kMurakami@cnhi.com]
> > **Sent:** Thursday, September 28, 2017 3:44 PM
> > **To:** Press <Press@epa.gov>
> > **Subject:** renewable fuel standard
> >
> > Hi, I'm not on deadline today but could use a response by around noon tomorrow. I'm working on a story about the notice on potentially lowering the renewable fuel standards. I have a bunch of papers in Iowa and renewable fuel industry people there say the president had promised to support renewable fuels. They say the secretary being from Oklahoma, is going against the president's wishes in support of the oil industry. I also contacted the WHO press office but wanted to see if you wanted to weigh in.
> >
> > Kery Murakami
> > CNHI Washington DC Bureau
> > 1100 Vermont Ave. NW, Suite 900
> > Washington, DC 20005
> >
> > 202-824-8256 (desk)
> > Ex. 6 Personal Privacy (PP) (cell)
> >
> > *Community Newspaper Holdings Inc. is a chain of* 68 daily newspapers *in 23 states with a combined daily circulation of 550,000*

Kery Murakami
CNHI Washington DC Bureau
1100 Vermont Ave. NW, Suite 900
Washington, DC 20005

202-824-8256 (desk)
Ex. 6 Personal Privacy (PP) (cell)

Community Newspaper Holdings Inc. is a chain of 68 daily newspapers *in 23 states with a combined daily circulation of 550,000*

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 7/20/2017 3:29:01 PM
To: Daguillard, Robert [Daguillard.Robert@epa.gov]
Subject: RE: BNA (Pat Rizzuto); Lautenberg rulemaking

Whoops my mistake. And thanks for handling!

From: Daguillard, Robert
Sent: Thursday, July 20, 2017 11:27 AM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: BNA (Pat Rizzuto); Lautenberg rulemaking

Hey Michael,

Yes, I've already sent the program that question. Pat is a "she," incidentally.

From: Abboud, Michael
Sent: Thursday, July 20, 2017 11:25 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Subject: RE: BNA (Pat Rizzuto); Lautenberg rulemaking

Robert do you want to check on the other part he's asking about? If he's just not able to search these properly we might as well provide him the link.

From: prizzuto@bna.com [mailto:prizzuto@bna.com]
Sent: Thursday, July 20, 2017 11:08 AM
To: Daguillard, Robert <Daguillard.Robert@epa.gov>
Cc: Press <Press@epa.gov>
Subject: RE: BNA (Pat Rizzuto); Lautenberg rulemaking

Great. Thanks for clarifying it was in a different section or somewhere other than under the tab I was searching. Look forward to hearing about the TCE Section 6 aerosol, spot cleaner rule. Again I'm not seeing it on the primary part of the reg. agenda YET it's still listed under Regulatory Development and Retrospective Review Tracker. It may be somewhere, but I'm not finding it.

Pat

Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

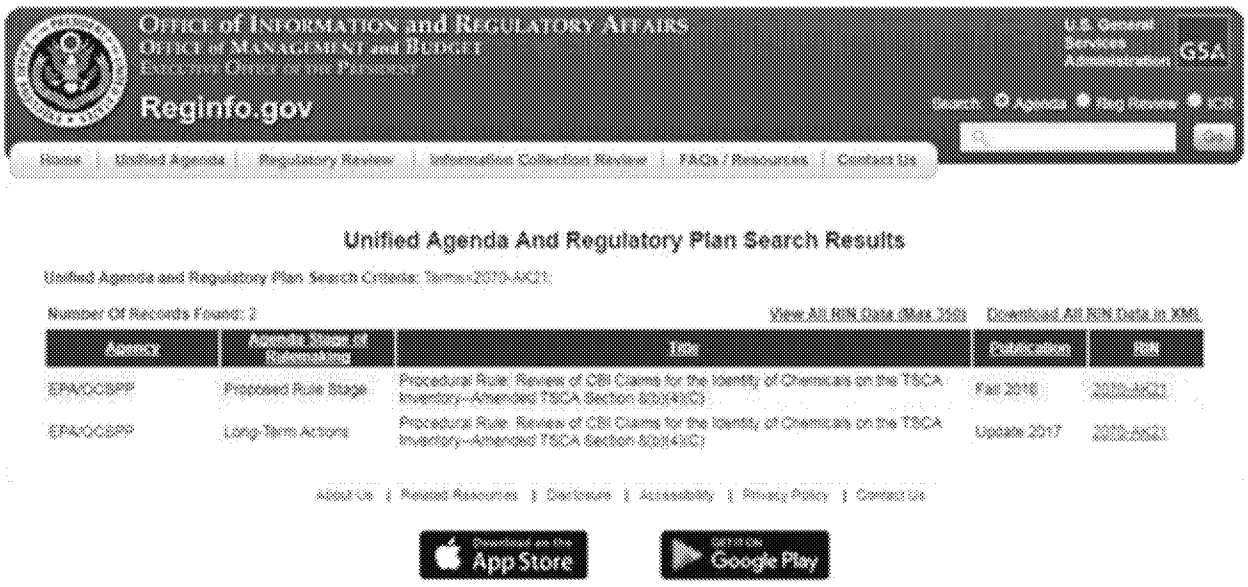
Direct: (703) 341-3741
Fax: (703) 341-1678
email: prizzuto@bna.com

Please consider the environment before printing this email.

From: Daguillard, Robert [mailto:Daguillard.Robert@epa.gov]
Sent: Thursday, July 20, 2017 11:03 AM
To: Rizzuto, Denise Pat <prizzuto@bna.com>
Cc: Press <Press@epa.gov>
Subject: BNA (Pat Rizzuto); Lautenberg rulemaking

Pat, for attribution to "an EPA spokeperson," please:

The proposed rule has not disappeared from the Regulatory Agenda. In the 2017 update that OMB just released online, this action appears in the long-term action category. You can access the current Regulatory Agenda entry at https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201704&RIN=2070-AK21.



From: prizzuto@bna.com [mailto:prizzuto@bna.com]
Sent: Thursday, July 20, 2017 9:32 AM
To: Press <Press@epa.gov>
Subject: Urgent question as to whether there's an error--a missing Lautenberg rulemaking--in the regulatory agenda for OCSPP
Importance: High

Unless I'm blind (which is possible), today's updated regulatory agenda for OCSPP no longer includes work on the procedural rule: **Review of CBI Claims for the Identity of Chemicals on the TSCA Inventory (2070-AK21).**

That seems odd as that rulemaking is required under the Lautenberg Chemical Safety Act. Can you confirm whether work on that rulemaking has been stopped? If so, why? If not, can you help by explaining why it's not in the reg agenda?

DEADLINE: ASAP as I'm working on a breaking story. NO LATER THAN 11 a.m.

Pat

>>>>>>>>>>>>>>>>>>>>>>>>>>>>>>

Pat Rizzuto
Chemicals Reporter
Bloomberg BNA, Inc.

Direct: (703) 341-3741
Fax: (703) 341-1678
email: prizzuto@bna.com

Please consider the environment before printing this email.

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 7/24/2017 4:12:23 PM
To: Graham, Amy [graham.amy@epa.gov]
Subject: FW: (Re-sending) For Review: RE: Reporting for Ensia Magazine

Are you fine with this being attributed to you? Looks like it's from 7/7

For attribution to an agency spokesperson:

Based upon readily available data sources, EPA has identified 91 existing Superfund National Priorities List (NPL) and Superfund Alternative Approach sites where a response action was taken to mitigate unacceptable human health risks associated with vapor intrusion. As a result of revisions to EPA's Hazard Ranking System (EPA's system for evaluating sites for possible inclusion on the NPL) in 2017, EPA expects to evaluate potential new sites for placement on the NPL based on vapor intrusion.

Other contaminated sites are regulated under the Resource Conservation and Recovery Act (RCRA). This universe of sites includes many cleanups that are overseen by States. EPA does not have a current estimate of how many of the 3,778 RCRA sites have vapor intrusion concerns. EPA estimates from 2000 and 2002 found that about ¼ of RCRA sites were likely to have some possible vapor intrusion.

Brownfields make up a third category of sites with potential vapor intrusion concerns. The US EPA does not track the occurrence of vapor intrusion, or any other specific contaminant pathways, at brownfield sites. The US EPA encourages recipients of brownfield grant funding for assessment, area-wide planning and cleanup grants to consider vapor intrusion and vapor encroachment as part of property assessments and pre-acquisition due diligence, as well as within cleanup activities at brownfields sites.

From: Valentine, Julia
Sent: Monday, July 24, 2017 11:19 AM
To: Press <Press@epa.gov>
Subject: (Re-sending) For Review: RE: Reporting for Ensia Magazine

Reporter emailed again requesting attribution. Ok to use, Amy, Jahan, or Michael? Thanks.

From: Valentine, Julia
Sent: Friday, July 21, 2017 3:13 PM
To: Press <Press@epa.gov>
Subject: RE: Reporting for Ensia Magazine

Ok to use Amy's or Jahan's name for this attribution? This was approved by Jahan 7/7.
Thanks!

From: Ex. 6 Personal Privacy (PP) mailto: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Friday, July 21, 2017 2:50 PM
To: Valentine, Julia <Valentine.Julia@epa.gov>

Cc: Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Hi Julia,

My editor got back to me and just wanted to double-check to see if it would be ok if we attribute (the attributable material) to you, as an agency spokesperson? Thanks!

Lynne

On Mon, Jul 10, 2017 at 10:12 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thank you. Much appreciated!

Lynne

On Fri, Jul 7, 2017 at 8:03 AM, Valentine, Julia <Valentine.Julia@epa.gov> wrote:

Hi Lynne,

We apologize for the delay. Thanks for your patience. Christie is out today so I am sending along on her behalf.

Thanks!

Off the record: Three different offices work on vapor intrusion sites: the Brownfield office, the Superfund office, and The Office of Resource Conservation and Recovery (ORCR). Each has a very different approach, as you'll see below from each office's individual response.

For attribution to an agency spokesperson:

Based upon readily available data sources, EPA has identified 91 existing Superfund National Priorities List (NPL) and Superfund Alternative Approach sites where a response action was taken to mitigate unacceptable human health risks associated with vapor intrusion. As a result of revisions to EPA's Hazard Ranking System (EPA's system for evaluating sites for possible inclusion on the NPL) in 2017, EPA expects to evaluate potential new sites for placement on the NPL based on vapor intrusion.

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EPA encourages recipients of brownfield grant funding for assessment, area-wide planning and cleanup grants to consider vapor intrusion and vapor encroachment as part of property assessments and pre-acquisition due diligence, as well as within cleanup activities at brownfields sites.

Julia P. Valentine

Assoc. Dir./Acting Dir.
U.S. EPA, Ofc of Media Relations

202.564.2663 direct

Ex. 6 Personal Privacy (PP) m/txt

From: Ex. 6 Personal Privacy (PP) [mailto: Ex. 6 Personal Privacy (PP) **On Behalf Of** Lynne Peeples
Sent: Monday, June 26, 2017 11:43 AM
To: StClair, Christie <StClair.Christie@epa.gov>
Cc: Jones, Enesta <Jones.Enesta@epa.gov>; Press <Press@epa.gov>
Subject: Re: Reporting for Ensia Magazine

Good morning,

I've hit my deadline. I'm hoping you might still be able to share any estimates today? I really appreciate it.

Lynne

On Fri, Jun 23, 2017 at 3:38 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> Possible to still get this to me today? Thanks.
>
> On Fri, Jun 23, 2017 at 9:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:
>
> > Great. Thanks!

On Fri, Jun 23, 2017 at 8:56 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Working on it!

Sent from my iPhone

On Jun 23, 2017, at 11:10 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Checking back on these estimates. Wrapping up the story now -- possible to get them today? Thanks again.

Lynne

On Thu, Jun 22, 2017 at 10:13 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Just following up on this. Possible to point me to any estimates by end of the day today? Tomorrow would still be ok, if necessary. Thanks again.

Lynne

On Tue, Jun 20, 2017 at 7:30 AM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Thanks, Christie. I've been assigned to take a broad look at vapor intrusion -- e.g., the extent of the problem across the U.S., related health concerns and what we're doing to assess and mitigate it.

Lynne

On Tue, Jun 20, 2017 at 5:11 AM, StClair, Christie <StClair.Christie@epa.gov> wrote:

Hi Lynne, I'll see what I can find for you. Can you tell me what your story is about?

Christie

Christie St. Clair

EPA Public Affairs

C: Ex. 6 Personal Privacy (PP)

On Jun 19, 2017, at 6:33 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

> Thanks for the quick response! I'm looking more broadly than Superfund, since it was only recently that vapor intrusion -- as I understand -- became a consideration for Superfund status. So brownfields, etc, too.
>
> Lynne
>
> On Mon, Jun 19, 2017 at 3:22 PM, Jones, Enesta <Jones.Enesta@epa.gov> wrote:
>
> > Hi Lynne,
> >
> > Are you looking at Superfund sites? Christie St. Clair is back tomorrow and will assist you.
> >
> > **Enesta Jones**
> >
> > **U.S. EPA**
> >
> > **Office of Media Relations**
> >
> > **Office: 202.564.7873**
> >
> > **Cell:** Ex. 6 Personal Privacy (PP)
> >
> > **"The root of all joy is gratefulness."**

On Jun 19, 2017, at 6:13 PM, Lynne Peeples <lpeeples@post.harvard.edu> wrote:

Good afternoon,

I'm reporting on vapor intrusion for Ensia Magazine and looking for an estimate of the number of sites in the U.S. impacted by vapor intrusion. Please let me know if one of you might be able to point me to any relevant figures -- by Thursday. Thanks so much for your time and help.

Lynne

--

LYNNE PEEPLES | Science, Health and Environment Reporter

w: 646-233-3217 | c: Ex. 6 Personal Privacy (PP) www.lynnepeeples.com

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Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 8/3/2017 4:46:41 PM
To: Iulia Gheorghiu [igheorghiu@morningconsult.com]
Subject: RE: Reporter seeking clarification: methane emissions enforcement

Hey Iulia, just talked with my boss about this and she wanted me to highlight a sentence from the FR notice that will help answer your questions.

"The EPA has continued to discuss and work with states concerning designations, and now understands that the information gaps that formed the basis of the extension may not be as expansive as we previously believed."

From: Abboud, Michael
Sent: Thursday, August 3, 2017 12:31 PM
To: 'Iulia Gheorghiu' <igheorghiu@morningconsult.com>
Subject: RE: Reporter seeking clarification: methane emissions enforcement

Hey Iulia, I can't provide you any more information than what was listed in the press release. I provided a link of that below, as well as a link to what EPA has provided to the Federal Register to post.

https://www.epa.gov/ozone-designations/withdrawal-extension-deadline-promulgating-designations-2015-ozone-national

https://www.epa.gov/newsreleases/epa-continues-work-states-2015-ozone-designations

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Thursday, August 3, 2017 12:16 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: Re: Reporter seeking clarification: methane emissions enforcement

Michael,

I really appreciated your note - and have followed up with the White House. I wanted to ask you about another matter - the recent smog pollution rule. Can you tell me if the decision to walk back the delay was influenced by litigation? Will the EPA stick to the October '17 deadline to issue their analysis of the areas that comply to the smog pollution rule?

Thank you,

Iulia

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu
MORNING CONSULT
Brands | Washington | Intelligence
Energy | Finance | Health | Tech

On Wed, Aug 2, 2017 at 12:49 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

Hey Iulia, off the record due to the broad scope of the allegations. Your questions would be better addressed by the White House.

Sent from my iPhone

On Aug 2, 2017, at 12:22 PM, Iulia Gheorghiu <igheorghiu@morningconsult.com> wrote:

> Many are involved with green NGO's - Erik Schaeffer for instance at the Environmental Integrity Project.
>
> **Iulia Gheorghiu** | Energy Reporter
> igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu
> MORNING CONSULT
> Brands | Washington | Intelligence
> Energy | Finance | Health | Tech
>
> On Wed, Aug 2, 2017 at 12:18 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:
>
> > Hey Iulia, wanted to connect with you on this request and see if I could help you out. Could you provide the former EPA officials who made the allegations?
> >
> > **From:** Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
> > **Sent:** Tuesday, August 01, 2017 6:27 PM
> > **To:** Lynn, Tricia <lynn.tricia@epa.gov>
> > **Subject:** RE: Reporter seeking clarification: methane emissions enforcement
> >
> > Hoped to follow up- former EPA officials said the Trump administration is trying to make "quick work" of dismantling environmental regulations that will "likely slow down after courts have proven that more work goes into it" as far as crafting a proposal to replace existing rules and researching the basis for the replacement.
> >
> > Can the EPA respond to those allegations? I want to make sure I am representing the agency fairly in my reporting. My deadline is 1 p.m. tomorrow.
> >
> > Thank you,
> >
> > Iulia Gheorghiu

On Aug 1, 2017 5:34 PM, "Lynn, Tricia" <lynn.tricia@epa.gov> wrote:

Hi Iulia—

For attribution to "an EPA spokesperson:"

EPA may elect to exercise its enforcement discretion on a case-by-case basis with respect to the fugitive emissions monitoring requirements.

Best,

Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

From: Iulia Gheorghiu [mailto:igheorghiu@morningconsult.com]
Sent: Monday, July 31, 2017 12:10 PM
To: Porter, Amy <Porter.Amy@epa.gov>
Subject: Reporter seeking clarification: methane emissions enforcement

Hello,

I am an energy reporter for Morning Consult and I hoped to speak to somebody from the air quality enforcement office of the EPA about the Obama-era methane regulation that the EPA had sought to put on hold.

Following the Appeals Court of the D.C. Circuit's ruling that EPA Chief Scott Pruitt does not have the authority to order a 90 day stay on the regulation, is the regulation of methane emissions being nominally enforced right now, as of July 28?

I appreciate any help you can give - to point me in the right direction.

Thank you for your time,

Iulia Gheorghiu | Energy Reporter
igheorghiu@morningconsult.com | 847-401-3739 | @IMGheorghiu

Brands | Washington | Intelligence
Energy | Finance | Health | Tech

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 7/22/2019 12:12:59 AM
To: Eilperin, Juliet [Juliet.Eilperin@washpost.com]
Subject: Re: following up on our conversation

Thanks for the patience Juliet, see below. You can attribute to me.

"As is well documented, Mr. Wehrum provided general regulatory advice, but – consistent with his ethical obligations – did not participate in particular matters where DTE is a party. Since Mr. Wehrum and Mr. Harlow started at EPA they have both been recused from all particular matters where DTE is a party." **– EPA spokesman**

Sent from my iPhone

On Jul 21, 2019, at 1:42 PM, Eilperin, Juliet <Juliet.Eilperin@washpost.com> wrote:

> Just FYI, I think we are back to the old plan, where it will post Monday morning and run Tuesday in print.
> J.
>
> **From:** Abboud, Michael <abboud.michael@epa.gov>
> **Sent:** Sunday, July 21, 2019 11:53 AM
> **To:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>
> **Subject:** RE: following up on our conversation
>
> **CAUTION: EXTERNAL SENDER**
>
> Working on it.
>
> **From:** Eilperin, Juliet <Juliet.Eilperin@washpost.com>
> **Sent:** Sunday, July 21, 2019 11:38 AM
> **To:** Abboud, Michael <abboud.michael@epa.gov>
> **Subject:** RE: following up on our conversation
>
> Just flagging that there's a chance this story could run in print tomorrow. So if there's a way to get a statement as soon as possible, that would be great. Thanks.
>
> **From:** Eilperin, Juliet
> **Sent:** Friday, July 19, 2019 12:57 PM
> **To:** Abboud, Michael <abboud.michael@epa.gov>
> **Subject:** following up on our conversation
>
> Dear Michael,
> As we discussed, I just wanted to circle back on the ethics story that I am writing, which I will finish today and will run online Monday morning. While it will mainly focus on the IG inquiry I mentioned, it will also address congressional Democrats' ongoing investigations of both Bill Wehrum and David Harlow. While my piece will only mention David Harlow in passing, Senate Democrats are arguing that

he, along with Bill Wehrum, improperly weighed in on the DTE memo back in December 2017, and may have failed to fully list all his former clients on his recusal letter because they assert that the individual members of the Utility Air Regulatory Group were also individual clients of UARG. (For what it is worth, when Bill was questioned on this point during a House Energy and Commerce hearing, he replied, "That's not my understanding.") More broadly, these lawmakers are arguing that both of them advanced their former clients' interests while serving at EPA.

I also had one factual question I was hoping you could answer: I believe David Harlow was a partner at Hunton & Williams before joining EPA, but I am not positive because I can't find that listed online. So if you could clarify that, not for attribution, it would be helpful.

If there is either any specific response you'd like to provide from Mr. Harlow, or if there's a general statement you'd like to make, just let me know.
Thanks, Juliet

Juliet Eilperin
Senior National Affairs Correspondent
The Washington Post
(O) 202-334-7774
(C) Ex. 6 Personal Privacy (PP)
juliet.eilperin@washpost.com
@eilperin

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 7/21/2019 3:52:39 PM
To: Eilperin, Juliet [Juliet.Eilperin@washpost.com]
Subject: RE: following up on our conversation

Working on it.

From: Eilperin, Juliet <Juliet.Eilperin@washpost.com>
Sent: Sunday, July 21, 2019 11:38 AM
To: Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: following up on our conversation

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If there is either any specific response you'd like to provide from Mr. Harlow, or if there's a general statement you'd like to make, just let me know.
Thanks, Juliet

Juliet Eilperin
Senior National Affairs Correspondent
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juliet.eilperin@washpost.com
@eilperin