The EPA Blog

Hello world!

Posted on April 10, 2017

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Complying with President Trump's Executive Order on Energy Independence

Text explaining to people that this site replaces the CPP site.

On March 28, President Donald Trump signed the Executive Order on Energy Independence, which calls for a review of the Clean Power Plan. The event signaled a commitment to the rule of law, cooperative federalism, and sound scientific rulemaking at EPA. We will continue to post updates as available as we implement this executive order. Read more:

- News release
- Executive order

In order to comply with the president's action, EPA Administrator Scott Pruitt issued the following Federal Register notices:

- Review of the Clean Power Plan
- Review of the 2016 Oil and Gas New Source Performance Standards for New, Reconstructed, and Modified Sources
- Review of the Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Generating Units
- Withdrawal of Proposed Rules: Federal Plan Requirements for Greenhouse Gas Emissions From Electric Utility Generating Units Constructed on or Before January 8, 2014; Model Trading Rules; Amendments to Framework Regulations; and Clean Energy Incentive Program Design Details

Administrator Pruitt also sent a letter informing governors that EPA does not expect the states to dedicate resources to complying with a rule that has been stayed by the Supreme Court of the United States. Read more:

- News release
- Letter to governors

This website and other areas of epa.gov will continue to be updated as progress is made to comply with President Trump's executive order.

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Contact Us to ask a question, provide feedback, or report a problem.

SierraClubvEPA_3:18-cv-02372_N.D.Cal. ED_001518_00004234-00001

EPA Undertaking Review of Clean Power Plan

Complying with President Trump's Executive Order on Energy Independence

On March 28, President Donald Trump signed an executive order calling for a review of the Clean Power Plan, called the Executive Order on Energy Independence. The event signaled a commitment to the rule of law, cooperative federalism, and sound scientific rulemaking at the Environmental Protection Agency. We will continue to post updates as available as we implement this executive order.

Read the news release and the executive order.

In order to comply with the President's action, EPA Administrator Scott Pruitt issued notices of entry into the Federal Register. You can read those FR notices here.

Administrator Pruitt sent a letter informing governors that EPA does not expect the states to dedicate resources to complying with a rule that has been stayed by the Supreme Court of the United States. Read EPA's March 30, 2017 news release about the letter. Read the letter.

This page and other areas of EPA.gov will continue to be updated as progress is made to comply with President Trump's executive order.

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EPA Selects 12 Projects to Apply for Water Infrastructure Loans

Loans will help improve water quality for 20 million Americans in rural, urban communities

WASHINGTON – The U.S. Environmental Protection Agency (EPA) is inviting 12 projects in nine states to apply for Water Infrastructure Finance and Innovation Act (WIFIA) loans. These potential applicants were selected from a group of projects that represent large and small communities from across the United States that submitted letters of interest to EPA in April 2017.

In FY2017, the WIFIA program received $25 million in funding, including an additional $8 million in the Consolidated Appropriations Act of 2017 that President Donald Trump signed into law on May 5, 2017. This year's projects will also leverage more than a billion dollars in private capital and other funding sources including EPA's State Revolving Fund (SRF) loans, to help finance a total of $5.1 billion in water infrastructure investments. The selected projects demonstrate the broad range of project types that the WIFIA program can finance including wastewater, drinking water, stormwater, and water recycling projects.

"Rebuilding America's infrastructure is a critical pillar of the President's agenda," said EPA Administrator Scott Pruitt. "These large-scale projects will improve water quality for 20 million Americans, especially those communities that need it the most – such as rural and urban communities."

EPA received 43 letters of interest from both public and private entities in response to the 2017 WIFIA Notice of Funding Availability (NOFA). After a robust, statutorily required review process, the WIFIA Selection Committee chose the following 12 prospective borrowers projects to submit applications for loans:

1. Miami-Dade County, Florida - Ocean Outfall Discharge Reduction and Resiliency Enhancement Project.
2. San Francisco Public Utilities Commission, California - Southeast Water Pollution Control Plant Biosolids Digester Facilities Project.
3. Metropolitan St. Louis Sewer District, Missouri - Deer Creek Sanitary Tunnel and Sanitary Relief.
4. City of Omaha, Nebraska - Saddle Creek Combined Sewer Overflow Retention Treatment Basin.
5. Orange County Water District, California - Groundwater Replenishment System Final Expansion.
6. City of San Diego, California - Pure Water San Diego.
7. Indiana Finance Authority, Indiana - Indiana Finance Authority FY 2017.
8. King County, Washington - Georgetown Wet Weather Treatment Station.
9. Baltimore City Department of Public Works, Maryland - Comprehensive Infrastructure Repair, Rehabilitation and Replacement Program.
10. Maine Water Company, Maine - Saco River Water Treatment Facility. (*Private*)
11. City of Morro Bay, California - Water Reclamation Facility Project. (*Small Community*)
12. City of Oak Ridge, Tennessee - Water Treatment Plant Design and Construction.

The Water Infrastructure Finance and Innovation Act established by Congress in 2014 requires EPA to follow a selection framework that includes an assessment of letters of interest by performing an eligibility screening, a preliminary creditworthiness assessment, and an evaluation of the selection criteria. The WIFIA program selection criteria and respective weights are available in the WIFIA Handbook (Appendix C, page 53).

Established by the Water Infrastructure Finance and Innovation Act of 2014, the WIFIA program is a new federal loan and guarantee program at EPA that aims to accelerate investment in our nation's water infrastructure by providing long-term, low-cost supplemental credit assistance for regionally and nationally significant projects. The WIFIA program's funding in President Trump's FY18 budget is $20 million, an amount that should fund approximately $1 billion in loans. For more information about the WIFIA program, visit: https://www.epa.gov/wifia

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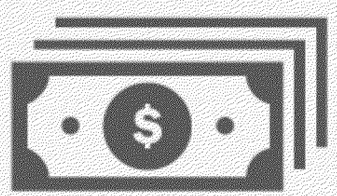
#WIFIA

EPA's 2017 WIFIA LOANS ARE HELPING TO REBUILD AMERICA'S WATER INFRASTRUCTURE

The Water Infrastructure Finance and Innovation Act (WIFIA) program accelerates investment in our nation's water infrastructure. Here's how WIFIA is transforming America in 2017:

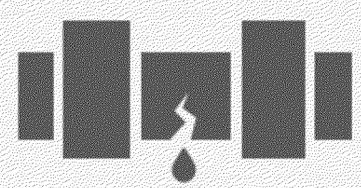
$2.3 B

IN WIFIA LOANS



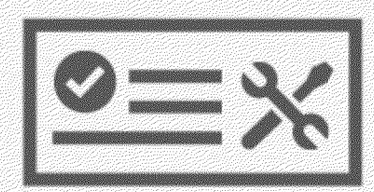
$5.1 B

IN PROJECT COSTS



12

PROJECTS SELECTED



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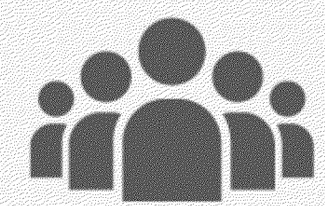
PEOPLE IMPACTED



EPA

Learn more: epa.gov/WIFIA

#WIFIA

Review Process for Clean Power Plan

American Energy Independence

On March 28, President Donald Trump signed an executive order calling for a review of the Clean Power Plan, called the Executive Order on Energy Independence. The event signaled a commitment to the rule of law, cooperative federalism, and sound scientific rulemaking at the Environmental Protection Agency. The process by which this executive order goes into effect is laid out here. **[link leading to a plain English explainer blogpost with the steps.]**

Read the news release and the executive order.

In order to comply with the President's action, EPA Administrator Scott Pruitt issued notices of entry into the Federal Register. You can read those here. **[link to announcement text of FR notices]**

Administrator Pruitt sent a letter informing governors that EPA does not expect the states to dedicate resources to complying with a that has been stayed by the Supreme Court of the United States. Read EPA's March 30, 2017 news release about the letter. Read the letter.

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Review Process for Clean Power Plan

American Energy Independence

On March 28, President Donald Trump signed an executive order calling for a rollback of the Clean Power Plan, called the Executive Order on Energy Independence. The event signaled the restoration of the rule of law, cooperative federalism, and sound scientific rulemaking at the Environmental Protection Agency.

- Read about the process by which this executive order goes into effect.[NEED LINK]
- Read EPA's March 28, 2017 news release announcing the executive order.
- Read the executive order, the White House website. EXIT
- In order to comply with the President's action, EPA Administrator Scott Pruitt issued notices of entry into the Federal Registry. Read the FR notices. [NEED LINK]
- Administrator Pruitt sent a letter informing governors that EPA does not expect the states to dedicate resources to complying with the rule as it undergoes review. Read EPA's March 30, 2017 news release about the letters. Read the letter.

This page and other areas of EPA.gov will continue to be updated as progress is made to comply with President Trump's executive order.

Contact Us to ask a question, provide feedback, or report a problem.

SierraClubvEPA_3:18-cv-02372_N.D.Cal.

ED_001518_00004285-00001

From: Shimmin, Kaitlyn
Location: 1154 WJC East (Judges Chambers)
Importance: Normal
Subject: Mock Senator Holding Room (9:45 AM)
Start Date/Time: Fri 9/15/2017 1:45:00 PM
End Date/Time: Fri 9/15/2017 2:00:00 PM

Please meet in the Judges' Chambers prior to the start of the hearing.

WORKING CONTACT:

Kaitlyn Shimmin

Shimmin.kaitlyn@epa.gov

C: (202) 760-0546

From: Shimmin, Kaitlyn
Location: 1152 WJC East
Importance: Normal
Subject: Mock Hearing Debrief and Feedback (12:15 PM)
Start Date/Time: Fri 9/15/2017 4:15:00 PM
End Date/Time: Fri 9/15/2017 5:15:00 PM

This will be a debrief by the political staff to the nominees on their mock hearing performance.

WORKING CONTACT:

Kaitlyn Shimmin

Shimmin.kaitlyn@epa.gov

C: (202) 760-0546

From: Lyons, Troy
Location: 1152 WJC East
Importance: Normal
Subject: Mock Hearing Debrief and Feedback (12:15 PM)
Start Date/Time: Fri 9/15/2017 4:15:00 PM
End Date/Time: Fri 9/15/2017 5:15:00 PM

This will be a debrief by the political staff to the nominees on their mock hearing performance.

WORKING CONTACT:

Kaitlyn Shimmin

Shimmin.kaitlyn@epa.gov

C: (202) 760-0546

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Miller, Will
Sent: Mon 7/31/2017 2:20:07 PM
Subject: RE: Today

4043726558. Try me after 7. Thanks, and sorry!

-----Original Message-----
From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 31, 2017 9:32 AM
To: Miller, Will
Subject: RE: Today

I can give you a call later the afternoon/evening. What's the best # for ya?

-----Original Message-----
From: Miller, Will [mailto:Will.Miller@mail.house.gov]
Sent: Monday, July 31, 2017 7:48 AM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Today

Hey Daisy,

I just found out that I am getting looped in on some political stuff all afternoon. Is there any way we could move our meeting up to before 12? Or we could catch up on the phone tonight. Sorry for the last minute change!

Will

Sent from my iPhone

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Miller, Will
Sent: Mon 7/31/2017 11:47:53 AM
Subject: Today

Hey Daisy,

I just found out that I am getting looped in on some political stuff all afternoon. Is there any way we could move our meeting up to before 12? Or we could catch up on the phone tonight. Sorry for the last minute change!

Will

Sent from my iPhone

To: Letendre, Daisy[letendre.daisy@epa.gov]
Cc: Wickiser, Tory[Tory.Wickiser@mail.house.gov]
From: Miller, Will
Sent: Wed 7/26/2017 10:07:39 AM
Subject: Re: Contract info for Secretary Pruitt

Thanks, Daisy

Sent from my iPhone

On Jul 26, 2017, at 6:02 AM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

> Let me check on that for you.
>
> Sent from my iPhone
>
> On Jul 25, 2017, at 6:20 PM, Miller, Will <Will.Miller@mail.house.gov> wrote:
>
>> Hey Daisy,
>>
>> We are updating our contact info (Tory Wickiser, our Director of Scheduling is CC'd) in the speaker's office. What is the best number for Secretary Pruitt in an emergency situation?
>>
>> Thanks!
>>
>> Will Miller
>>
>> Special Assistant to the Speaker
>>
>> The Honorable Paul D. Ryan
>>
>> 202.225.5550 (office)
>>
>> 202.317.2010 (cell)

To: Letendre, Daisy[letendre.daisy@epa.gov]
Cc: Wickiser, Tory[Tory.Wickiser@mail.house.gov]
From: Miller, Will
Sent: Tue 7/25/2017 10:19:25 PM
Subject: Contract info for Secretary Pruitt

Hey Daisy,

We are updating our contact info (Tory Wickiser, our Director of Scheduling is CC'd) in the speaker's office. What is the best number for Secretary Pruitt in an emergency situation?

Thanks!

Will Miller

Special Assistant to the Speaker

The Honorable Paul D. Ryan

202.225.5550 (office)

202.317.2010 (cell)

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Miller, Will
Sent: Mon 7/24/2017 11:17:19 PM
Subject: RE: RE: RE:

Perfect.

From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 24, 2017 7:17 PM
To: Miller, Will
Subject: Re: RE: RE:

I'm by the Mt Vernon metro - I could come to the hill, let's tentatively say 1:00pm?

Sent from my iPhone

On Jul 24, 2017, at 7:15 PM, Miller, Will <Will.Miller@mail.house.gov> wrote:

> Seriously any time. Do you want to meet on the Hill? Where are you living now? (Weird question, I know)
>
> **From:** Letendre, Daisy [mailto:letendre.daisy@epa.gov]
> **Sent:** Monday, July 24, 2017 7:10 PM
> **To:** Miller, Will
> **Subject:** RE: RE:
>
> There's a chance I'll be traveling with SP but when works for you Monday?
>
> **From:** Miller, Will [mailto:Will.Miller@mail.house.gov]
> **Sent:** Monday, July 24, 2017 4:23 PM
> **To:** Letendre, Daisy <letendre.daisy@epa.gov>
> **Subject:** RE: RE:
>
> I've got unlimited time next week. What works for you?

From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 24, 2017 4:16 PM
To: Miller, Will
Subject: RE: RE:

Sorry this totally slipped my radar – could we aim for some time next week?

From: Miller, Will [mailto:Will.Miller@mail.house.gov]
Sent: Friday, July 21, 2017 12:44 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Re: RE:

Actually...maybe Monday morning. Do you ever come down to the Hill?

Sent from my iPhone

On Jul 21, 2017, at 11:36 AM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

> Understandable. I am traveling with the administrator Wed-Fri next week so I've really only got Monday or Tuesday but can be flexible. My boss is traveling Monday so that would work best, I could make something work after work if you're available?
>
> **From:** Miller, Will [mailto:Will.Miller@mail.house.gov]
> **Sent:** Friday, July 21, 2017 11:06 AM
> **To:** Letendre, Daisy <letendre.daisy@epa.gov>
> **Subject:** Re:
>
> Hey Daisy! I saw you moved to EPA -- congratulations!
>
> It is pretty much impossible for me to get away while we are in session, but I'm interested in meeting up, not only to hear about what you have to say, but to catch up

too. Next week is going to be pretty rough as far as scheduling is concerned given our need to pass the mini security omnibus.

How flexible is your schedule?

Sent from my iPhone

On Jul 21, 2017, at 10:11 AM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

> Hey Will – apologies for the out of the blue email but I wanted to reach out as I'm over at EPA on the political team now and there's an opportunity that you came to mind for. I can tell you more in person over coffee next week if you have a moment? I could make something work on Monday or Tuesday.
>
> Hope to chat soon!

Daisy C. Letendre

Senior Advisor for Policy and Strategic Communications

U.S. Environmental Protection Agency

Office of the Administrator

Office of Policy

(202) 564-0410 – office

(202) 603-6231 – cell

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Miller, Will
Sent: Mon 7/24/2017 11:14:04 PM
Subject: RE: RE:

Seriously any time. Do you want to meet on the Hill? Where are you living now? (Weird question, I know)

From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 24, 2017 7:10 PM
To: Miller, Will
Subject: RE: RE:

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Subject: RE: RE:

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(202) 603-6231 – cell

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Miller, Will
Sent: Mon 7/24/2017 8:23:22 PM
Subject: RE: RE:

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From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 24, 2017 4:16 PM
To: Miller, Will
Subject: RE: RE:

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> **Daisy C. Letendre**
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> *Senior Advisor for Policy and Strategic Communications*
>
> U.S. Environmental Protection Agency
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> Office of the Administrator
>
> Office of Policy
>
> (202) 564-0410 – office
>
> (202) 603-6231 – cell

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Miller, Will
Sent: Fri 7/21/2017 4:43:54 PM
Subject: Re: RE:

Actually...maybe Monday morning. Do you ever come down to the Hill?

Sent from my iPhone

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To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Miller, Will
Sent: Fri 7/21/2017 3:06:08 PM
Subject: Re:

Hey Daisy! I saw you moved to EPA -- congratulations!

It is pretty much impossible for me to get away while we are in session, but I'm interested in meeting up, not only to hear about what you have to say, but to catch up too. Next week is going to be pretty rough as far as scheduling is concerned given our need to pass the mini security omnibus.

How flexible is your schedule?

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> (202) 603-6231 – cell

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: Timothy Cama
Sent: Tue 10/3/2017 8:23:23 PM
Subject: Re: Smart Sectors

Ok thanks. So the contacts aren't assigned to specific sectors?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

On Tue, Oct 3, 2017 at 4:00 PM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

Hi Tim!! The staff contacts are on the website (epa.gov/smartsectors) and this is a voluntary partnership program

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, October 3, 2017 3:49 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Letendre, Daisy <letendre.daisy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: Re: Smart Sectors

Cool, thanks. Hi Daisy! Long time no see.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

On Tue, Oct 3, 2017 at 3:48 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Cool. Will have Daisy get back to you on this.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, October 3, 2017 3:46 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Re: Smart Sectors

These are in addition. Unless they were answered and I missed it? I saw the list of leads but not which sectors they're assigned to.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

On Tue, Oct 3, 2017 at 3:44 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Did you not get the release? Or are these questions in addition to the release?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, October 3, 2017 3:39 PM
To: Press <Press@epa.gov>
Subject: Smart Sectors

Hi-

I've got a couple questions on Smart Sectors:

- Who are the sector leads? (Or are they yet to be named?)

- Is the program organized under the Federal Advisory Committee Act, or some other formal structure?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Letendre, Daisy[letendre.daisy@epa.gov]
From: Timothy Cama
Sent: Tue 10/3/2017 7:45:53 PM
Subject: Re: Smart Sectors

These are in addition. Unless they were answered and I missed it? I saw the list of leads but not which sectors they're assigned to.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

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Timothy Cama, Staff writer

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Secure: timothy.cama@protonmail.com

To: Timothy Cama[tcama@thehill.com]
Cc: Letendre, Daisy[letendre.daisy@epa.gov]
From: Wilcox, Jahan
Sent: Tue 10/3/2017 7:44:56 PM
Subject: RE: Smart Sectors

Did you not get the release? Or are these questions in addition to the release?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, October 3, 2017 3:39 PM
To: Press <Press@epa.gov>
Subject: Smart Sectors

Hi-

I've got a couple questions on Smart Sectors:

- Who are the sector leads? (Or are they yet to be named?)

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Thanks.

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Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: John Siciliano
Sent: Mon 10/2/2017 3:42:58 PM
Subject: Smart Sectors

Is tomorrow's event still happening?

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: John Siciliano
Sent: Thur 9/28/2017 7:42:36 PM
Subject: Re: EPA Smart sectors

cell 301-661-0312

On Thu, Sep 28, 2017 at 1:41 PM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

Hi John can you give me a call when you have a sec?

202-603-6231

Sent from my iPhone

To: Timothy Cama[tcama@thehill.com]
From: Letendre, Daisy
Sent: Tue 10/3/2017 8:29:51 PM
Subject: Re: Smart Sectors

They will be we're just not sure who's going to take who yet

Sent from my iPhone

On Oct 3, 2017, at 4:24 PM, Timothy Cama <tcama@thehill.com> wrote:

Ok thanks. So the contacts aren't assigned to specific sectors?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

On Tue, Oct 3, 2017 at 4:00 PM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

Hi Tim!! The staff contacts are on the website (epa.gov/smartsectors) and this is a voluntary partnership program

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, October 3, 2017 3:49 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Letendre, Daisy <letendre.daisy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Hewitt, James <hewitt.james@epa.gov>; Graham, Amy <graham.amy@epa.gov>
Subject: Re: Smart Sectors

Cool, thanks. Hi Daisy! Long time no see.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

On Tue, Oct 3, 2017 at 3:48 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Cool. Will have Daisy get back to you on this.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, October 3, 2017 3:46 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Re: Smart Sectors

These are in addition. Unless they were answered and I missed it? I saw the list of leads but not which sectors they're assigned to.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

On Tue, Oct 3, 2017 at 3:44 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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From: Timothy Cama [mailto:tcama@thehill.com]

Sent: Tuesday, October 3, 2017 3:39 PM
To: Press <Press@epa.gov>
Subject: Smart Sectors

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Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: John Siciliano[jsiciliano@washingtonexaminer.com]
From: Letendre, Daisy
Sent: Mon 10/2/2017 3:46:36 PM
Subject: RE: Smart Sectors

Yes ☺

From: John Siciliano [mailto:jsiciliano@washingtonexaminer.com]
Sent: Monday, October 2, 2017 11:43 AM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Smart Sectors

Is tomorrow's event still happening?

To: jsiciliano@washingtonexaminer.com[jsiciliano@washingtonexaminer.com]
From: Letendre, Daisy
Sent: Thur 9/28/2017 5:41:50 PM
Subject: EPA Smart sectors

Hi John can you give me a call when you have a sec?

202-603-6231

Sent from my iPhone

To: Miller, Will[Will.Miller@mail.house.gov]
From: Letendre, Daisy
Sent: Mon 7/31/2017 5:02:27 PM
Subject: RE: Today

Totally fine!

-----Original Message-----
From: Miller, Will [mailto:Will.Miller@mail.house.gov]
Sent: Monday, July 31, 2017 10:20 AM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: RE: Today

4043726558. Try me after 7. Thanks, and sorry!

-----Original Message-----
From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 31, 2017 9:32 AM
To: Miller, Will
Subject: RE: Today

I can give you a call later the afternoon/evening. What's the best # for ya?

-----Original Message-----
From: Miller, Will [mailto:Will.Miller@mail.house.gov]
Sent: Monday, July 31, 2017 7:48 AM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Today

Hey Daisy,

I just found out that I am getting looped in on some political stuff all afternoon. Is there any way we could move our meeting up to before 12? Or we could catch up on the phone tonight. Sorry for the last minute change!

Will

Sent from my iPhone

To: Miller, Will[Will.Miller@mail.house.gov]
From: Letendre, Daisy
Sent: Mon 7/31/2017 1:31:30 PM
Subject: RE: Today

I can give you a call later the afternoon/evening. What's the best # for ya?

-----Original Message-----
From: Miller, Will [mailto:Will.Miller@mail.house.gov]
Sent: Monday, July 31, 2017 7:48 AM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Today

Hey Daisy,

I just found out that I am getting looped in on some political stuff all afternoon. Is there any way we could move our meeting up to before 12? Or we could catch up on the phone tonight. Sorry for the last minute change!

Will

Sent from my iPhone

To: Miller, Will[Will.Miller@mail.house.gov]
Cc: Wickiser, Tory[Tory.Wickiser@mail.house.gov]
From: Letendre, Daisy
Sent: Wed 7/26/2017 10:02:51 AM
Subject: Re: Contract info for Secretary Pruitt

Let me check on that for you.

Sent from my iPhone

On Jul 25, 2017, at 6:20 PM, Miller, Will <Will.Miller@mail.house.gov> wrote:

Hey Daisy,

We are updating our contact info (Tory Wickiser, our Director of Scheduling is CC'd) in the speaker's office. What is the best number for Secretary Pruitt in an emergency situation?

Thanks!

Will Miller

Special Assistant to the Speaker

The Honorable Paul D. Ryan

202.225.5550 (office)

202.317.2010 (cell)

To: Miller, Will[Will.Miller@mail.house.gov]
From: Letendre, Daisy
Sent: Mon 7/24/2017 11:16:56 PM
Subject: Re: RE: RE:

I'm by the Mt Vernon metro - I could come to the hill, let's tentatively say 1:00pm?

Sent from my iPhone

On Jul 24, 2017, at 7:15 PM, Miller, Will <Will.Miller@mail.house.gov> wrote:

Seriously any time. Do you want to meet on the Hill? Where are you living now? (Weird question, I know)

From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 24, 2017 7:10 PM
To: Miller, Will
Subject: RE: RE:

There's a chance I'll be traveling with SP but when works for you Monday?

From: Miller, Will [mailto:Will.Miller@mail.house.gov]
Sent: Monday, July 24, 2017 4:23 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: RE: RE:

I've got unlimited time next week. What works for you?

From: Letendre, Daisy [mailto:letendre.daisy@epa.gov]
Sent: Monday, July 24, 2017 4:16 PM
To: Miller, Will
Subject: RE: RE:

Sorry this totally slipped my radar – could we aim for some time next week?

From: Miller, Will [mailto:Will.Miller@mail.house.gov]
Sent: Friday, July 21, 2017 12:44 PM
To: Letendre, Daisy <letendre.daisy@epa.gov>
Subject: Re: RE:

Actually...maybe Monday morning. Do you ever come down to the Hill?

Sent from my iPhone

On Jul 21, 2017, at 11:36 AM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

> Understandable. I am traveling with the administrator Wed-Fri next week so I've really only got Monday or Tuesday but can be flexible. My boss is traveling Monday so that would work best, I could make something work after work if you're available?
>
> **From:** Miller, Will [mailto:Will.Miller@mail.house.gov]
> **Sent:** Friday, July 21, 2017 11:06 AM
> **To:** Letendre, Daisy <letendre.daisy@epa.gov>
> **Subject:** Re:
>
> Hey Daisy! I saw you moved to EPA -- congratulations!
>
> It is pretty much impossible for me to get away while we are in session, but I'm interested in meeting up, not only to hear about what you have to say, but to catch up too. Next week is going to be pretty rough as far as scheduling is concerned given our need to pass the mini security omnibus.
>
> How flexible is your schedule?
>
> Sent from my iPhone
>
> On Jul 21, 2017, at 10:11 AM, Letendre, Daisy <letendre.daisy@epa.gov> wrote:

Hey Will – apologies for the out of the blue email but I wanted to reach out as I'm over at EPA on the political team now and there's an opportunity that you came to mind for. I can tell you more in person over coffee next week if you have a moment? I could make something work on Monday or Tuesday.

Hope to chat soon!

Daisy C. Letendre

Senior Advisor for Policy and Strategic Communications

U.S. Environmental Protection Agency

Office of the Administrator

Office of Policy

(202) 564-0410 – office

(202) 603-6231 – cell

To: Miller, Will[Will.Miller@mail.house.gov]
From: Letendre, Daisy
Sent: Mon 7/24/2017 11:10:30 PM
Subject: RE: RE:

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> **Daisy C. Letendre**
>
> *Senior Advisor for Policy and Strategic Communications*
>
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Daisy C. Letendre

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U.S. Environmental Protection Agency

Office of the Administrator

Office of Policy

(202) 564-0410 – office

(202) 603-6231 – cell

To: Miller, Will[Will.Miller@mail.house.gov]
From: Letendre, Daisy
Sent: Fri 7/21/2017 3:36:21 PM
Subject: RE:

Understandable. I am traveling with the administrator Wed-Fri next week so I've really only got Monday or Tuesday but can be flexible. My boss is traveling Monday so that would work best, I could make something work after work if you're available?

From: Miller, Will [mailto:Will.Miller@mail.house.gov]
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Daisy C. Letendre

Senior Advisor for Policy and Strategic Communications

U.S. Environmental Protection Agency

Office of the Administrator

Office of Policy

(202) 564-0410 – office

(202) 603-6231 – cell

To: will.miller@mail.house.gov[will.miller@mail.house.gov]
From: Letendre, Daisy
Sent: Fri 7/21/2017 2:11:50 PM

Hey Will – apologies for the out of the blue email but I wanted to reach out as I'm over at EPA on the political team now and there's an opportunity that you came to mind for. I can tell you more in person over coffee next week if you have a moment? I could make something work on Monday or Tuesday.

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Daisy C. Letendre

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U.S. Environmental Protection Agency

Office of the Administrator

Office of Policy

(202) 564-0410 – office

(202) 603-6231 – cell

To: Letendre, Daisy[letendre.daisy@epa.gov]
Cc: thomas_hutchins@kindermorgan.com[thomas_hutchins@kindermorgan.com]; dave_conover@kindermorgan.com[dave_conover@kindermorgan.com]
From: Sandra Snyder
Sent: Tue 10/31/2017 9:08:09 PM
Subject: RE: EPA Smart Sectors program
INGAA EPA Office of Water Comments-5-15-17.pdf
INGAA_EPA_OAR_Comments_5-15-17.pdf

Hi Daisy,

It's nice to meet you. Attached please find copies of the two comments that INGAA filed in May 2017 – one addressing our concerns about Section 401 of the CWA and the other providing recommendations regarding several air issues.

Please let me know if you have any questions or if INGAA can be of any other assistance.

Regards,

Sandra Y. Snyder

Regulatory Attorney, Environment and Personnel Safety

Interstate Natural Gas Association of America

20 F St., N.W., Suite 450

Washington, D.C. 20001

(202) 216-5955

(202) 216-0874 (fax)

ssnyder@ingaa.org

From: Conover, Dave [mailto:Dave_Conover@kindermorgan.com]
Sent: Tuesday, October 31, 2017 4:59 PM
To: Sandra Snyder <Ssnyder@ingaa.org>; Letendre, Daisy <letendre.daisy@epa.gov>
Cc: thomas_hutchins@kindermorgan.com
Subject: EPA Smart Sectors program

Hello Sandra, allow me to introduce Daisy Letendre, who leads the oil and gas sector engagement for EPA's Smart Sectors program within EPA's policy office. She will be interested in seeing INGAA's submission to EPA on potential regulatory reform initiatives. Best wishes, Dave

Dave Conover

Vice President, Corporate Communications & Public Affairs

KINDER MORGAN

1001 Louisiana St.

Houston, TX 77002

(713) 369-9407 - direct

(202) 445-5340 mobile

dave_conover@kindermorgan.com

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Interstate Natural Gas Association of America

Submitted via *www.regulations.gov*

May 15, 2017

U.S. Environmental Protection Agency
Office of Regulatory Policy and Management
Office of Policy
1200 Pennsylvania Ave. N.W.
Mail Code 1803A
Washington, D.C. 20460

Re: Docket ID No. EPA-HQ-OA-2017-0190
Evaluation of Existing Regulations, 82 Fed. Reg. 17,793 (Apr. 13, 2017) – Water Issues

The Interstate Natural Gas Association of America (INGAA), a trade association that represents members of the interstate natural gas pipeline industry, respectfully submits these comments in response to the United States Environmental Protection Agency's (EPA) request for input on its review of existing regulations "to alleviate unnecessary regulatory burdens" on the American people.

INGAA member companies transport more than 85 percent of the nation's natural gas, through some 190,000 miles of interstate natural gas pipelines. Pipelines operate in a highly competitive market, which affects service offerings and prices, including competition between gas supply basins, competition among pipelines, and increased competition with firm shippers that can sell their excess capacity on a secondary market. Across the United States, INGAA member companies operate over 6,000 stationary natural gas-fired spark ignition RICE and over 1,000 stationary natural gas-fired combustion turbines installed at compressor stations along the pipelines to transport natural gas to local gas distribution companies, industrial users, gas marketers, and gas-fired electric generators.

These comments summarize INGAA's concerns with EPA's existing water quality certification regulations and policies that may impose "regulatory burdens." INGAA appreciates your consideration of these comments and welcomes additional dialogue. Please contact me at 202-216-5955 or ssnyder@ingaa.org if you have any questions. Thank you.

Sincerely,

Sandra Y. Snyder

Sandra Y. Snyder
Regulatory Attorney for Environment & Personnel Safety
Interstate Natural Gas Association of America

In response to the United States Environmental Protection Agency's (EPA's) request for input on its review of existing regulations "to alleviate unnecessary regulatory burdens" on the U.S. economy and the American people, the Interstate Natural Gas Association of America (INGAA) respectfully submits these comments to the Office of Water.

EXECUTIVE SUMMARY

To reduce the regulatory burdens on interstate pipeline and other infrastructure projects created by the uncertainties in the Clean Water Act (CWA) Section 401 certification process, INGAA recommends that EPA amend its regulations implementing CWA Section 401 to ensure that states comply with the statutory requirement to act on water quality certification requests "within a reasonable period of time (which shall not exceed one year)." Amendments are needed to address states' actions that result in delays when acting on requests for water quality certification beyond "a reasonable period of time (which shall not exceed one year)." These clarifications would effectively enable federally-approved natural gas infrastructure projects to proceed on schedules established by the lead federal agencies such as Federal Energy Regulatory Commission ("FERC") or US Army Corp of Engineers ("USACE").

DETAILED COMMENTS

The CWA Section 401 requires an applicant for a federal license or permit involving activities that may result in discharges to navigable waters to provide the federal licensing or permitting agency a certification from the state in which the discharge originates that the discharge will comply with state water quality standards.[1] The state's certification may set forth appropriate limitations or place appropriate additional requirements upon the applicant, which become conditions on the federal license or permit.[2] This certification requirement is waived, however, if the state "fails or refuses to act on a request for certification, within a reasonable period of time (which shall not exceed one year) after the state's receipt of a request for certification"[3]

In some cases, obtaining state water quality certifications prevent or delay the execution of projects that are supported by customer demand and have overall federal approval from FERC, the lead environmental review agency under the National Environmental Policy Act ("NEPA") for construction and operation. The criteria and processes for evaluating water quality certification applications vary by state, subjecting interstate pipelines to a patchwork of inconsistent and unpredictable procedures and timelines. Many states routinely delay, and more recently, have denied, issuance of Section 401 certification for a variety of political, administrative, or other reasons.

---

[1] 33 U.S.C. § 1341(a)(1).

[2] 33 U.S.C. § 1341(d).

[3] *Id.* Most commonly, the Section 401 certification requirement is triggered when a pipeline project applies for a CWA Section 404 dredge and fill permit from the U.S. Army Corps of Engineers (USACE or the Corps). USACE regulations governing the Section 404 permitting process set forth the applicable procedures where the Corps determines that Section 401 certification is required. Under these regulations, a state waives certification if it fails or refuses to act on a request for certification "within 60 days after receipt of such a request unless the district engineer determines a shorter or longer period is reasonable for the state to act." 33 C.F.R. § 325.2(b)(1)(ii). According to Corps regulations, the waiver period commences when a project proponent makes a "valid request" for certification to the state certifying agency. *Id.*

Many states implement state-specific standards for what constitutes receipt of a "request" for certification sufficient to start the statutory review period under CWA Section 401.[4] In some cases, states use their water quality certification authority in what in effect is a "veto" of interstate projects routed within their jurisdiction.[5] This has the potential to derail the development of critical interstate pipeline projects unless immediate changes are made to the CWA and its implementing regulations to require states to apply the CWA Section 401 requirements in a more transparent and even-handed manner.

More commonly, states, through the Section 401 certification process, impose costly delays by postponing consideration of a project's application well beyond the statutory deadline. These delays can be compounded by administrative appeals once the Section 401 certification is issued. In some states (*e.g.*, Massachusetts) a Section 401 certification is not effective until the administrative appeal is complete. Others (*e.g.*, Georgia) stay the effectiveness of the certification if an administrative appeal is brought.

EPA regulations implementing CWA Section 401 were promulgated in 1971 and have not been updated since 1979. The regulations provide only minimal criteria for state-issued water quality certifications, and they do little to clarify what constitutes receipt of a "request" for certification, which is the triggering event for starting the statutory waiver period.[6] 40 C.F.R. § 121.16, for example, provides little specificity in describing the timeframe for a state to act on a water quality certification application before the requirement will be deemed waived. The regulation provides for waiver either upon: (1) written notification from the certifying agency that it expressly waives certification; or (2) written notification from the federal licensing or permitting agency to the EPA Regional Administrator that the certifying agency failed to act on the certification request "within a reasonable period of time after such request, as determined by the licensing or permitting agency[7] (which period shall generally be considered to be 6 months, but in any event shall not exceed one year)."[8] The regulations do not, however, specify what

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[4] For example, New Jersey has taken the position that a Section 401 certification application is not "complete" until a project has finished 100% of its required surveying *and* can demonstrate a property interest (either through condemnation or execution of voluntary easement agreements) in all of the needed parcels along the route. This means that New Jersey will not start the one-year clock until the condemnation process is complete.

[5] As a case in point, the Constitution Pipeline was shelved when in April 2016 the New York Department of Environmental Conservation (NYDEC) denied a water quality certification requested by the project, ending a multi-year standoff between the state and project sponsors. The process began in August 2013, when Constitution Pipeline first submitted its joint application for Section 401 water quality certification and a Section 404 permit to the State. At the State's request, the project's application was subsequently withdrawn and re-submitted on May 9, 2014 and again on April 27, 2015, each time extending the one-year timeframe for the Department's review. Even though the Constitution Pipeline received full construction and operation authorization from the Federal Energy Regulatory Commission (FERC) in December 2014, the NYDEC ultimately denied Constitution's request for water quality certification in April 22, 2016. Likewise, on April 7, 2017, NYDEC denied a water quality certification to National Fuel Gas Supply Corporation and Empire Pipeline, Inc. in connection with the Northern Access 2016 Project. The Northern Access 2016 Project was approved by FERC on February 3. 2017. These outcomes reflect the extent to which a state can exercise veto power over an interstate project in a manner inconsistent with FERC's exclusive authority over interstate natural gas pipelines under the federal Natural Gas Act.

[6] *See* 40 C.F.R. § 121.1 *et seq.*

[7] Both FERC and the USACE set a shorter deadline (*i.e.* the "reasonable period of time") for the certifying agency's review than one year from receipt of the request. As noted herein, the applicable USACE regulations set the "reasonable period of time" as within 60 days of receipt of a "valid request", unless such period is shortened or lengthened based on notice from the USACE District Engineer to the certifying agency. FERC sets the "reasonable period of time" for the certifying agency's action on a Section 401 certification request as within 90 days of FERC's issuance of a final NEPA document, in accordance with its Notice of Schedule for Environmental Review for the project.

[8] 40 C.F.R. § 121.16.

constitutes receipt of a "request" for certification, nor do they emphasize that one year from receipt of a request for a Section 401 certification is *outside* time limit for certification decisions—including the resolution of any state administrative appeal or adjudicatory processes to review a certification once issued.[9]

This lack of clarity about the deadline for states to act on water quality certification requests has compelled project sponsors to resort to litigation to obtain a definitive determination on waiver.[10]

In order to reduce the regulatory burdens on interstate pipeline and other infrastructure projects created by the uncertainties in the CWA Section 401 certification process, INGAA recommends that EPA amend its regulations to prescribe more clearly how the CWA statutory deadline applies to state certification decisions.[11] Specifically, EPA could:

- Prescribe standardized criteria for the states consistent with CWA Section 401 language that the statutory clock begins to run upon the state's "receipt" of an application for a water quality certification;
- Specify that the period for determining whether a waiver has occurred includes the time necessary to resolve any state administrative review of a water quality certification;
- Specify that, where federal permitting agencies, such as FERC or USACE, set "federal authorization deadlines," such deadline becomes the "reasonable period of time" set forth in CWA Section 401 for purposes of such federal permitting agency's determination as to waiver; and

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[9] *C.f., Airport Communities Coalition v. Graves,* 280 F. Supp. 2d 1207 (W.D. Wash. 2003) (holding that the Corps, as the federal permitting agency, was required to incorporate into a Section 404 permit only those conditions included in a state's certification that were issued within the CWA one-year statutory deadline, and that it had no obligation to include those conditions imposed as a result of a state administrative challenge that was not resolved until after the one-year statutory period for certification had concluded).

[10] *See, e.g., Millenium Pipeline Company v. Seggos*, Case No. 16-1415 (D.C. Cir. Dec. 5, 2016) (pipeline company petition seeking judicial review of NYDEC failure to act on Millenium's application for Section 401 water quality certification and a court determination that the state agency had waived certification); *Berkshire Environmental Action Team, Inc. et al. v. Tennessee Gas Pipeline Co. et al.,* Case No. 16-2100, Respondent's Response Brief (Doc. No. 00117080472) (1st Cir. Nov. 14, 2016) (arguing among other things that if the court determined that a certification issued by the state agency was not yet "final" because it was subject to ongoing state administrative review proceedings, that the state had waived certification because the review had not been completed within one year); *Constitution Pipeline Co. v. NYDEC et al.,* Case No. 16-1568 (2d Cir. May 5, 2016) (pipeline company petition seeking judicial review of NYDEC denial of water quality certification, arguing among other things that the state agency waived certification by issuing its denial outside of the statutory deadline); *AES Sparrows Point LNG, LLC v. Wilson*, 589 F.3d 721, 725 (4th Cir. 2009) (pipeline company petition seeking judicial review of State of Maryland's denial of Section 401 water quality certification, also arguing that the denial was untimely); *National Fuel Gas Supply Corp*, Docket No. CP15-115-002 (FERC 2017) (pipeline company request in connection with FERC Order Issuing Certificates of Public Convenience and Necessity seeking clarification, or in the alternative, rehearing as to NYDEC's waiver of Section 401 water quality certification via NYDEC's failure to act by the end of the 90-day federal authorization deadline set in FERC's Notice of Schedule for Environmental Review for the project).

[11] For example, EPA regulations governing the certification of federally-issued CWA Section 402 NPDES permits allow states sixty days to issue certification, specifying that the period runs "from the date the draft [federal] permit is mailed to the certifying State agency." 40 C.F.R. § 124.53(a)(3).

- Prohibit state agency practices intended to prolong the certification process, such as requiring an applicant to withdraw and re-submit a certification application in order to re-start the statutory clock.

Interstate Natural Gas Association of America

Submitted via *www.regulations.gov*

May 15, 2017

U.S. Environmental Protection Agency
Office of Regulatory Policy and Management
Office of Policy
1200 Pennsylvania Ave. N.W.
Mail Code 1803A
Washington, D.C. 20460

Re: Docket ID No. EPA-HQ-OA-2017-0190
Evaluation of Existing Regulations, 82 Fed. Reg. 17,793 (Apr. 13, 2017) – Air Issues

The Interstate Natural Gas Association of America (INGAA), a trade association that represents members of the interstate natural gas pipeline industry, respectfully submits these comments in response to the United States Environmental Protection Agency's (EPA) request for input on its review of existing regulations "to alleviate unnecessary regulatory burdens" on the American people.

INGAA member companies transport more than 85 percent of the nation's natural gas, through some 190,000 miles of interstate natural gas pipelines. Pipelines operate in a highly competitive market, which affects service offerings and prices, including competition between gas supply basins, competition among pipelines, and increased competition with firm shippers that can sell their excess capacity on a secondary market. Across the United States, INGAA member companies operate over 6,000 stationary natural gas-fired spark ignition RICE and over 1,000 stationary natural gas-fired combustion turbines installed at compressor stations along the pipelines to transport natural gas to local gas distribution companies, industrials, gas marketers, and gas-fired electric generators.

These comments summarize INGAA's concerns with existing EPA air regulations and policies that may impose "regulatory burdens." INGAA appreciates your consideration of these comments and welcomes additional dialogue Please contact me at 202-216-5955 or ssnyder@ingaa.org if you have any questions. Thank you.

Sincerely,

Sandra Y. Snyder

Sandra Y. Snyder
Regulatory Attorney for Environment & Personnel Safety
Interstate Natural Gas Association of America

INGAA's COMMENTS
ON
EPA'S EVALUATION OF
EXISTING REGULATIONS
82 Fed. Reg. 17,793 (Apr. 13, 2017)

(AIR COMMENTS)

Submitted: May 15, 2017

In response to the United States Environmental Protection Agency's (EPA's) request for input on its review of existing regulations "to alleviate unnecessary regulatory burdens" on the U.S. economy and the American people, the Interstate Natural Gas Association of America (INGAA) respectfully submits these comments to the Office of Air and Radiation.

EXECUTIVE SUMMARY

Over the years, INGAA has commented on many EPA rulemakings and provided technical data and other content to facilitate the development of better federal regulations and policies. In these comments, INGAA raises many of these same concerns to EPA's attention in order to identify issues that warrant regulatory review. These issues are as follows:

- The 2010 one-hour NO_2 National Ambient Air Quality Standard (NAAQS) introduces technical complications and unnecessary costs when modeling near-field impacts for new or existing sources (e.g., Title V permits) using AERMOD, EPA's preferred and regulator-approved dispersion model. EPA should pursue AERMOD updates to address short-term averaging times and near-field impacts consistent with numerous comments and suggestions from industry. In the interim, EPA should identify alternatives to performing one-hour dispersion modeling and encourage the acceptance of these alternatives throughout the regulatory community.
- EPA should develop and implement a streamlined plan to implement the most current and best science into the regulatory process. For example, the latest information and data should be used to update emission factors and dispersion models, and there should be a better process to approve new or alternative emission test methods, monitoring techniques, and standards.
- EPA should withdraw the startup, shutdown, malfunction (SSM) SIP Call. Alternatively, EPA should revisit its actions taken in response to a 2008 Court decision,[1] and broadly implement work practice standards for startup and shutdown events. If not, EPA will need to revise numerous regulations that include emission standards based solely on emissions data from high load, steady state operation (i.e., normal operations).
- EPA should address New Source Performance Standard (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs) implementation issues that INGAA has discussed with EPA. Examples of these issues include:
  - Amendments to the transmission and storage NESHAP (40 C.F.R., Part 63, Subpart HHH) in 2012 introduced errors, omissions, and unclear regulatory requirements. Rule revisions are warranted to address errors and clearly identify compliance obligations.
  - For the spark ignition engine NSPS (40 C.F.R., Part 60, Subpart JJJJ): (1) initial notification should not be required when an engine is ordered because its location may not be known, and (2) compliance test requirements for volatile organic compounds (VOCs) should be streamlined by identifying the list of hydrocarbons to be included for natural gas-fired engines; other related engine test requirements should also be addressed.

[1] *Sierra Club v. Envtl. Prot. Agency*, 551 F.3d 1019, 1021 (D.C. Cir. 2008).

- For the reciprocating internal combustion engine (RICE) NESHAP (40 C.F.R., Part 63, Subpart ZZZZ), EPA should simplify categorization of "remote" engines and compliance testing requirements. The latter were negatively impacted by a 2016 "test methods" rule.
- Proposed amendments to the Turbine NSPS (40 C.F.R., Part 60, Subpart KKKK) would introduce definitions and new requirements regarding routine maintenance that unnecessarily affect applicability of existing simple cycle turbines. The proposed rule should be withdrawn.
- Definitions should be consistent across NSPS and NESHAP regulations

- The once-in-always-in (OIAI) policy: A 1995 EPA memorandum[2] discourages companies from installing additional controls to reduce emissions from existing major Hazardous Air Pollutant (HAP) sources because the OIAI policy does not allow a major source to become an area source. EPA proposed a rule in 2007 that, if adopted, would have reversed that policy[3], but EPA did not issue a final rule. The 1995 memo should be withdrawn and replaced with a new policy or final rule that allows a major source to become an area source at any time that HAP emissions have been reduced to minor source levels.
- Routine Maintenance, Repair and Replacement (RMRR) for simple cycle industrial turbines: Manufacturers of industrial turbines utilize a modular design to facilitate maintenance and this practice has been employed in the natural gas transmission and storage (T&S) sector for over forty years. EPA should issue guidance to clearly indicate this routine practice is RMRR to avoid confusion for New Source Review (NSR), NSPS, and other regulatory interpretations of "routine maintenance."
- EPA should reconsider the issue of "common control" as it applies to source determinations for emission units in the oil and natural gas sector.

DETAILED COMMENTS

The following comments identify existing regulations or policies that cause unnecessary regulatory burden. In general, these items are narrowly focused on implementation issues that provide little or no benefit but impose significant and unnecessary burdens on INGAA member companies. INGAA has previously presented these issues to EPA in various rulemaking comments, follow-up communications regarding rule implementation, and during technical discourse on air regulatory requirements. In many cases, EPA staff have agreed that INGAA's proposed changes are warranted, but the Agency has not taken the steps needed to make these changes. While these comments provide an overview of several key issues, INGAA has cited various documents in the public record for additional detail.

(1) EPA should allow the use of alternatives other than dispersion modeling when permitting new or existing equipment or facilities until EPA's technical tools (i.e.,

[2] Memo from John S. Seitz, Director, EPA OAQPS, to Regional Offices, regarding Potential to Emit for MACT Standards -- Guidance on Timing Issues (May 16, 1995), *available at* https://www.epa.gov/sites/production/files/2015-08/documents/pteguid.pdf
[3] 72 Fed. Reg. 69 (Jan. 3, 2007).

AERMOD) can more adequately address near-field impacts and shorter averaging times.

The 2010 one-hour NO_2 NAAQS has introduced technical challenges and costs associated with modeling near-field impacts for new and existing sources using the AERMOD dispersion model. AERMOD was simply not designed to model short-term concentrations. EPA should update AERMOD so that it can better accommodate short-term averaging times and near-field impacts from sources with shorter stacks, which are common at natural gas transmission compressor stations.

The natural gas transmission industry understands that dispersion models are important technical tools, and has funded a multi-year, multi-million dollar program to gather a robust dataset from a compressor station that can be used to assess AERMOD performance and potentially identify areas when improvements could be pursued. The Pipeline Research Council International (PRCI) is managing a collaborative research project to study potential improvements to AERMOD. INGAA is co-funding this research project and PRCI and INGAA member companies have discussed the status of this project with EPA technical staff. INGAA expects that the PRCI project will provide insight into the likelihood of model over-prediction for near-field impacts from compressor station combustion sources. The field dataset should be available later this year. The data may also provide the opportunity to pursue AERMOD improvements. In addition to the technical performance of AERMOD, this project may also provide insight into process bias (i.e., over-prediction) that is due to data deficiencies, such as the lack of local meteorology data and the use of conservative estimates for background NO_2 and ozone because local data are not available.

The lack of data availability and problematic model performance has caused numerous permitting delays and led to inaccurate conclusions that emissions mitigation is warranted. Until these issues are better understood and addressed, EPA should implement alternatives to modeling for the 1-hour NO_2 standard for state and local environmental agencies to use. These alternatives might include:

- In the near-term, in the absence of a dispersion model designed for sub-hourly iterations, modeling demonstrations should not be required for hourly standards. Instead, compliance demonstrations could be based on modeling performed for longer NAAQS period (e.g., annual NO_2 NAAQS).
- For the mid-range time period, EPA could address issues with AERMOD and related input data gaps that likely result in over-estimates for one hour modeling demonstrations. The PRCI project may provide some insight into potential improvements. In addition, EPA should allow the use of probabilistic modeling as an alternative or supplement to deterministic models where appropriate.
- Over the longer term, EPA should pursue and implement AERMOD advancements or a new air dispersion model that accommodates sub-hourly data and implements best science practices.

(2) EPA should develop and implement a streamlined process for identifying and incorporating the current best science into the regulatory process.

EPA's regulatory processes to update technical tools or data sources (e.g., emission factors) are burdened by significant technical, timing, and cost hurdles that effectively negate their access. Similarly, pursuing alternative standards for emissions, monitoring or compliance testing within the NSPS or NESHAP programs are burdensome, inaccessible processes. EPA should develop streamlined processes to significantly reduce schedule and technical hurdles for integrating current best science into the regulatory process.

By way of example, EPA should update its AP-42 emission factors for particulate matter (PM) to reflect results that were published over ten years ago. Additionally, EPA needs to improve its approval process for new portable analyzer methods. Further details are provided below.

Natural Gas Combustion Particulate Emission Factors

Delegated state and local agencies often rely on EPA AP-42 emission factors for permits, especially for pollutants that aren't commonly associated with the affected emission source. For example, natural *gas* combustion produces trivial amounts of PM, but little PM data are available and EPA AP-42 emission factors are used to estimate PM. These emission factors were developed based on very limited data and include method biases associated with "measuring" a pollutant at levels commensurate with the method detection limit. In other words, emission factors are based on the assumption that emissions are just below the detection limit, even though there is reason to believe that they are much lower. For larger natural gas combustion sources (e.g., a large turbine), the AP-42 emission factors result in particulate emission estimates above *de minimis* levels, which can introduce additional permitting challenges, such as whether compliance tests are required. Such testing does not result in any environmental benefits when measuring levels at or below detection limits with conventional methods.

Other particulate emission factors are available from a limited test program conducted by the California Energy Commission (CEC), New York State Energy Research and Development Authority (NYSERDA), Department of Energy (DOE), Gas Technology Institute (GTI), American Petroleum Institute (API) and others.[4] This research project used state of the art methodology and demonstrated results over ten times lower for natural gas-fired turbines, boilers, and process heaters. These results were published over ten years ago, but it is often difficult to get state or local agencies to accept the emission factors for permitting. EPA should update the PM AP-42 emission factors for natural gas combustion sources in the near term and also create a streamlined process for updating other AP-42 emission factors to reflect new data. A streamlined EPA process to update or supplement AP-42 for identifying alternative emission factors would facilitate permitting and eliminate unnecessary burden.

Portable Analyzer Alternative Test Method

Portable analyzer technology for exhaust emissions measurements has advanced technically over the last two decades, but regulatory implementation has been fraught with uncertainty. Ultimately, an ASTM test method[5] was included in NSPS and NESHAP regulations for natural

[4] Results available at CEC and NYSERDA websites include test reports, and project summary and technical reports. *See, e.g.*, http://www.energy.ca.gov/pier/project_reports/CEC500-2005-032_to_44.html

[5] ASTM Method D6522-00 (and subsequent re-approvals).

gas fired combustion sources, and EPA also adopted a method as Appendix A[6] to the RICE NESHAP. Regarding the latter method, the RICE NESHAP includes an oversight that should be addressed, as discussed in Comment 4. A seminal contribution to development of the ASTM method was the research conducted by the Gas Research Institute (GRI) in the mid-1990s, which was communicated to EPA and resulted in the EPA Emission Measurement Center posting a conditional test method (CTM-30[7]) on its website. CTM-30 served as the technical foundation for the ASTM method approved in 2000 and has been subsequently cited in EPA regulations. The years of extensive effort required to achieve a portable analyzer method serve as an example of the need to develop a streamlined process to ensure that regulations keep up with technology.

Despite past approvals, this problem is likely to persist if EPA does not change its processes. PRCI is conducting a project that builds on the GRI research to demonstrate that additional improvements of approved portable analyzer methods are warranted. The research results and a revised method derived from the ASTM method will likely be shared with EPA later this year. Streamlining the approval process for alternatives is warranted, and it should not require several years of dedicated effort to gain acceptance of an alternative portable analyzer method.

(3) EPA should withdraw the startup, shutdown, malfunction (SSM) SIP Call. Or EPA should allow for implementation of work practices for start-up and shutdown events. Alternatively, EPA should revisit numerous regulations that include emissions standards based on data applicable to steady state, high load operation.

In response to a 2008 Court decision,[8] EPA changed its policy and regulations for startup, shutdown and malfunction (SSM) events, including related requirements in many NSPS and NESHAP regulations. EPA's response (requiring sources to meet standards that can only be met when they are operating at full load) did not adequately consider the resulting implications for operators. Many emission standards were developed with limited emission data, resulting in standards and compliance requirements (e.g., periodic emission tests) that are narrowly defined to a specific operating regime – typically "full load" steady state operation. Even well-controlled sources cannot meet these standards during SSM events. In fact, EPA has acknowledged that emissions differ at other conditions (e.g., reduced load for combustion sources) or during startup and shutdown.

The SIP Call was not based on a finding of air quality impacts or that the removal of the SSM exemption would enable meeting air quality standards. Under the Clean Air Act (CAA), States have the responsibility for revising SIPs, as needed to meet air quality standards. This SIP Call is not consistent with the system of cooperative federalism and interferes with States' authority to implement their programs. INGAA recommends that EPA withdraw the SIP Call.

Alternatively, to address these concerns, EPA should develop regulations that broadly implement work practices during SSM events for NSPS and NESHAPs for combustion sources. EPA should also document the emission standard compliance limitations associated with the original rulemaking for NSPS and NESHAPs. If EPA does not establish work practices during SSM, the

[6] 78 Fed. Reg. 6,721 (Jan. 30, 2013).
[7] EMC Conditional Test Method (CTM-030). Determination of Nitrogen Oxides, Carbon Monoxide, and Oxygen Emissions from Natural Gas-Fired Engines, Boilers and Process Heaters Using Portable Analyzers (Oct. 1997).
[8] *Sierra Club v. Envtl. Prot. Agency*, 551 F.3d 1019, 1021 (D.C. Cir. 2008).

Agency should amend the regulations to define emission standards that can be achieved during an SSM event.

The following emission performance test requirements for natural gas-fired reciprocating engines and combustion turbines, which are common at natural gas transmission compressor stations, serve as examples of how EPA based on emissions data that reflected near full load conditions and did not reflect what can be achieved during SSM periods:

- The RICE NESHAP (40 C.F.R., Part 63, Subpart ZZZZ) requires that the "…test must be conducted at any load condition within plus or minus 10 percent of 100 percent load . . . ."[9]
- The spark ignition engine NSPS (40 C.F.R., Part 60, Subpart JJJJ) requires that "Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load . . . ."[10]
- The Turbine NSPS (40 C.F.R., Part 60, Subpart KKKK) requires that "The performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load . . . ."[11]

For each rule, comments in the regulatory record show that these load requirements for performance tests are based on the data EPA used to develop the standard,[12] and that emissions may differ at lower loads or during events such as startup or shutdown. INGAA also discussed these issues in its comments on the proposed SSM SIP call rule.[13]

(4) EPA should address NSPS and NESHAP implementation issues.

INGAA has discussed a number of NSPS and NESHAP implementation issues with EPA, and EPA has frequently agreed that guidance or rule revisions are warranted. Even so, EPA has not taken steps to make these revisions. A few examples are presented below.

- Transmission and Storage NESHAP – Subpart HHH: 2012 amendments to the transmission and storage NESHAP (40 C.F.R., Part 63, Subpart HHH) introduced errors, omissions, and vague regulatory requirements. Several revisions should be made to the rule to clarify the compliance obligations. For example, INGAA requested that EPA clarify the applicability of exemptions, the control equipment requirements for dehydrators, and parameter monitoring requirements. INGAA also suggested that EPA fix the recordkeeping cross-reference and present the compliance obligations and control options in a tabular format. INGAA documented these problems in a petition for reconsideration,[14] its comments,[15] and in other communications with EPA OAQPS staff, including letters and meetings that are not included

[9] 40 C.F.R. §63.6620(b).
[10] 40 C.F.R. §60.4244(a).
[11] 40 C.F.R. §60.4400(b).
[12] INGAA submitted Subpart ZZZZ comments to EPA Docket Number EPA-HQ-OAR-2002-0059 on February 19, 2003. The complete comments are not posted in the docket, but a correction letter is posted (EPA Docket ID EPA-HQ-OAR-2002-0059-0587). *See also* EPA Docket ID EPA-HQ-OAR-2004-0490-0211 (INGAA comments on Subpart KKKK proposed rule (Apr. 18, 2005)); EPA Docket ID EPA-HQ-OAR-2005-0030-0157 (INGAA comments on Subpart JJJJ proposed rule and proposed Subpart ZZZZ amendments (Oct. 11, 2006)).
[13] EPA Docket ID EPA-HQ-OAR-2012-0322-0477 (INGAA comments on proposed SSM SIP Call rule (May 13, 2013)).
[14] EPA Docket ID EPA-HQ-OAR-2010-0505-4104 (Nov. 22, 2011).
[15] EPA Docket ID EPA-HQ-OAR-2010-0505-4593 (Sept. 14, 2012).

in the docket. INGAA reiterated these concerns again in its comments submitted to EPA in association with an information collection request for Subpart HHH.[16]

- Spark ignition engine NSPS (40 C.F.R., Part 60, Subpart JJJJ) implementation issues:

  (1) An initial notification must be provided for certain engines within 30 days of commencing construction.[17] Per the rule, construction commences on the date the engine is ordered.[18] Operators often order multiple units at a time, so the site where a particular engine will be located might not be known at the time the order is placed (or the location might change). Furthermore, the serial number and manufacture date are typically not available at the time of purchase, but this information must be reported. As a result, the operator must submit multiple notifications (upon initial purchase and again upon siting at a facility). EPA has acknowledged that this problem could be corrected, but the rule has not been revised.

  (2) Compliance test requirements should be streamlined. For volatile organic compounds (VOCs), EPA should identify the list of hydrocarbons to be included for natural gas-fired engines. EPA has initiated a working group to review this issue in response to comments submitted on a final 2016 "test method" revisions rule[19] that complicated testing. This process should be expedited and a reasonable list of hydrocarbon species should be developed. In addition, EPA should revise certain parts of the test method rule that add unnecessary stratification tests, fuel sampling, etc., for reciprocating engine tests. Further details are provided in INGAA's comments on the proposed test methods rule.[20]

- For the RICE NESHAP (40 C.F.R., Part 63, Subpart ZZZZ):

  i. EPA should simplify categorization of "remote" engines and compliance testing requirements. EPA added source testing requirements in the final 2016 test methods rule which have no significant environmental benefit. The revisions that are applicable to Subpart ZZZZ should be withdrawn. In addition, EPA should address an anomaly related to defining engines in the "remote" subcategory.

     Subpart ZZZZ requires determining the status of an engine based on its location on a specific date (October 19, 2013).[21] This arbitrary date has resulted in unintended outcomes, such setting an engine's location based on the shop where the engine was undergoing maintenance. This issue (and others), are addressed in INGAA's August 30, 2013, letter to EPA OAQPS. INGAA also discussed these issues with EPA in a meeting held on September 12, 2013. EPA should revisit these issues.

  ii. EPA added a portable analyzer method as Appendix A to the RICE NESHAP. Unfortunately, when adding Appendix A, EPA did not appropriately amend the RICE NESHAP (§ 63.6630(e) and § 63.6640(c)) to reference the Appendix A method, which implies that an additional and more costly method (from Table 4 of the RICE NESHAP) is required to measure oxygen. In addition, the Appendix A method includes a measurement phase specification in section 13.1 that is not appropriate for

[16] EPA Docket ID EPA–HQ–OAR–2015–0747-0023 (Mar. 11, 2016).
[17] 40 C.F.R. §60.4245(c) and §60.7(a)(1).
[18] 40 C.F.R. §60.4230(a).
[19] 81 Fed. Reg. 59,800 (Aug. 30, 2016).
[20] EPA Docket ID EPA-HQ–OAR–2014–0292-0050 (Dec. 9, 2015).
[21] 40 C.F.R. §63.6603(f) (the status of a "remote stationary RICE" is based on its location on October 19, 2013)

reciprocating engines because there is a natural cyclic response when measuring RICE exhaust (i.e., a "stable" measurement likely includes a characteristic "sine wave" response rather than a flat line). Technical corrections should be made to address these issues.

- EPA proposed revisions to the Turbine NSPS[22] (40 C.F.R., Part 60, Subpart KKKK) which would introduce definitions and new requirements regarding routine maintenance that unnecessarily affect applicability of existing simple cycle turbines. The proposed rule should be withdrawn. INGAA explained the issues related to these new definitions and requirements for offsite overhaul in its comments.[23] INGAA also discussed these issues with EPA in a November 19, 2012, meeting, where EPA acknowledged that the proposed amendments would result in unintended consequences for simple cycle turbines. EPA has not issued a final rule, and INGAA recommends that EPA withdraw the proposed rule to eliminate any uncertainty about the status of Subpart KKKK obligations
- Definitions should be consistent across regulations, such as definitions of equipment and sources in the oil and gas NSPS (40 C.F.R., Part 60, Subparts OOOO and OOOOa) and the greenhouse gas reporting program (40 C.F.R., Part 98, Subpart W).

(5) The once-in-always-in (OIAI) policy should be revised to allow a major source to become an area source at any time.

EPA established a policy through a 1995 memorandum[24] which discourages owners and operators from reducing HAP emissions from existing sources because a major HAP source retains major source status even if emissions are decreased below major source thresholds. In other words, under the OIAI policy, when a source reduces its HAP emissions to area source status, it continues to be subject to *all* of the requirements of the specific NESHAP rule that applies to major sources in its source category (i.e., it continues to be major for that specific NESHAP rule). Specifically, major HAP sources that have reduced their emissions to area source levels continue to be subject to MACT HAP standards as major sources. This creates burdens for those sources because a Part 70 permit is required to comply with Subpart HH and there are not any permitting exemptions.[25] Such facilities also have requirements for Title V reporting, recordkeeping, must submit an annual emission inventory (and fees), and need to renew their permits every five years.

EPA proposed to codify an alternative approach in January 2007,[26] but did not issue a final rule. INGAA submitted comments[27] that supported the proposed 2007 rule. The 1995 memo should be withdrawn and replaced with a new policy that allows a major source to become an area source at any time.

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[22] 77 Fed. Reg. 52,554 (Aug. 29, 2012).
[23] EPA Docket ID EPA-HQ-OAR-2004-0490-0365 (Dec. 21, 2012).
[24] Memo from John S. Seitz, Director, EPA OAQPS, to Regional Offices, regarding Potential to Emit for MACT Standards -- Guidance on Timing Issues (May 16, 1995), *available at* https://www.epa.gov/sites/production/files/2015-08/documents/pteguid.pdf
[25] 40 C.F.R. §63.760(h).
[26] 72 Fed. Reg. 69 (Jan. 3, 2007).
[27] EPA Docket ID EPA-HQ-OAR-2004-0094-0077 (Mar. 2, 2007).

INGAA's comments highlighted the various positive aspects of EPA's proposed rule. INGAA supported the following

- EPA's decision to replace the 1995 memo with clear requirements that simplify major source versus area status and codify criteria in the Part 63 General Provisions.
- EPA's conclusion that the CAA supports proposed provisions that allow a major HAP source to become an area source at any time.
- The opportunity to become an area source provides an incentive for companies to reduce HAP emissions, as major source requirements add considerable reporting and recordkeeping burden. Owners and operators could avoid additional regulatory burdens by opting into area source status by reducing HAPs. This option would provide a major incentive for installing pollution prevention projects because area source status not only minimizes NESHAP administrative burden, but also reduces burdens associated with Title V and compliance assurance monitoring requirements.

(6) EPA should provide guidance documenting that longstanding component exchange programs for industrial scale turbines qualifies as Routine Maintenance, Repair and Replacement (RMRR).

Manufacturers of industrial turbines utilize a modular design to facilitate efficient maintenance practices. The practice of centralized maintenance via engine exchanges has been employed successfully for over forty years in the T&S sector, making this a routine practice in this industry. When EPA was considering NSR reform, gas transmission companies and one manufacturer (Solar Turbines) provided site and manufacturing location visits to educate EPA on this standard practice. EPA used this experience to identify offsite overhaul associated with "component exchange" as an example of standard, routine maintenance in the October 2003 NSR regulation[28] that was subsequently over-turned for reasons unrelated to turbine component exchange. Since the 2006 Court decision,[29] there has been uncertainty regarding how states and local agencies interpret this standard maintenance practice for industrial scale combustion turbines.

EPA should clarify its position by issuing guidance to clearly recognize that this routine practice in the industry is RMRR. This will avoid permitting and regulatory applicability confusion regarding NSR, NSPS, and other regulatory interpretations of "routine maintenance" for combustion turbines.

(7) EPA Should Reconsider the "Common Control" Prong of the Source Determination Analysis for Emission Units in the Oil and Natural Gas Sector

EPA's CAA regulations provide three criteria that must each be satisfied before distinct sources of air emissions can be treated as a single source. The sources must: (i) belong to the same industrial grouping; (ii) be located on one or more contiguous or adjacent properties; and (iii) be under common control.

[28] 68 Fed. Reg. 61,248 (Oct. 27, 2003).
[29] *New York v. Envtl. Prot. Agency*, 443 F.3d 880 (D.C. Cir. 2006).

Aggregation is a concern to INGAA member companies because midstream companies and producers may have closely located facilities to those of INGAA member companies. Triggering major source requirements, and the attendant time and expense of major source permitting and compliance, can determine whether a particular project moves forward.

The phrase "common control" is not defined in the CAA or in EPA's regulations. When EPA conducts a common control determination, the agency *presumes* that a common control relationship exists simply because one company locates equipment on another's property. The undefined "common control" prong of the analysis leads to uninformed and *ad hoc* body of corporate governance law for air emission source determinations, whereby permit engineers can arbitrarily pick whatever facts they subjectively believe to establish corporate "control" without regard to established law. EPA should reconsider 81 Fed. Reg. 35622 (June 3, 2016) and provide an opportunity for to comment on the common control prong of the source determination analysis.

To: Letendre, Daisy[letendre.daisy@epa.gov]
From: White House Press Office
Sent: Sat 10/7/2017 10:01:05 PM
Subject: Travel Pool Report #1
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image002.jpg
image004.jpg

From: Francesca Chambers [mailto:Francesca.Chambers@mailonline.com]
Sent: Saturday, October 7, 2017 5:51 PM
Subject: Travel Pool Report #1

On a shockingly gorgeous Saturday evening, the president exited Marine One at Joint Base Andrews at 5:43 pm for his flight to Greensboro, North Carolina.

President Trump paused as he walked from the helicopter to the plane to wave at onlookers.

The president did not stop to talk to press before boarding Air Force One, although he waved several times in acknowledgement of reporters beckoning him over.

At the top of the stairs the president gave another wave, looked at press and waved again in our direction, and stepped into the plane.

We expect to be in the air for just over an hour.

You may recall that President Trump won the Tar Heel State in the 2016 election. This will be his first trip back since taking office.

Previously distributed guidance indicates that President Trump will participate in a Republican National Committee roundtable, then give remarks at an RNC dinner. The fundraiser is taking place at a private residence, and the functions are entirely closed press.

Francesca Chambers
White House Correspondent

Daily Mail | 51 Astor Place, 9th Floor, New York, NY 10003

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[cid:1B9B73EA-D6E8-4333-8EAD-98E24A75B563]
M: +1 913 755 8280
E: francesca.chambers@mailonline.com<mailto:francesca.chambers@mailonline.com>

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mailto:wilcox.jahan@epa.gov

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X-MICROSOFT-DISALLOW-COUNTER
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:17-cv-1552

UNITED STATES OF AMERICA, and
THE STATE OF COLORADO,

Plaintiffs,

v.

PDC ENERGY, INC.,

Defendant.

COMPLAINT

Plaintiffs, the United States of America, by authority of the Attorney General of the United States and acting at the request of the Administrator of the United States Environmental Protection Agency ("EPA"), and the State of Colorado, on behalf of the Colorado Department of Public Health and Environment, Air Pollution Control Division ("CDPHE"), file this Complaint and allege as follows:

NATURE OF ACTION

1. This is a civil action against PDC Energy, Inc. ("PDC" or "Defendant") pursuant to Section 113(b) of the Clean Air Act (the "Act"), 42 U.S.C. § 7413(b), and Sections 121 and 122 of the Colorado Air Pollution Prevention and Control Act (the "Colorado Act"), C.R.S. §§ 25-7-121 and 122.

2. Plaintiffs seek injunctive relief and civil penalties for violations of the Act, the

Colorado Act, Colorado's federally approved State Implementation Plan ("SIP"), and Colorado Air Quality Control Commission Regulation Number 7 ("Regulation 7"), for unlawful emissions of volatile organic compounds ("VOC") from storage tanks that are, or until recently were, part of PDC's oil and natural gas production system in the Denver-Julesburg Basin ("D-J Basin") located in Adams and Weld Counties, Colorado. Plaintiff CDPHE also seeks injunctive relief and civil penalties for violations of the Colorado Act and certain state-only requirements of Regulation 7, over which this Court has supplemental jurisdiction.

3. Most of PDC's storage tanks store hydrocarbon liquids known as "condensate" prior to sale. Condensate is separated from natural gas near the well-head in a device known as a "separator." The condensate is emptied in batches ("dumped") from the separator into storage tanks kept at or near atmospheric pressure. As the condensate is dumped into these tanks, the pressure drops and vapors, which include VOC and other pollutants, are released or "flashed" into a gaseous state. Additional vapors are released from the condensate due to liquid level changes and temperature fluctuations. PDC also has some tanks that store crude oil or produced water.

4. The storage tanks are grouped in "tank batteries," which PDC has certified to CDPHE as being controlled to meet the "system-wide" emission reduction requirements of Colorado's state implementation plan ("SIP"). The system-wide emission reduction requirements mandate at least a specific percentage reduction of all emissions across PDC's tank batteries with uncontrolled VOC emissions of at least 2 tons per year.

5. In order to meet the system-wide requirements, each of the condensate storage tanks that is the subject of this Complaint is required to control emissions through the use of air

pollution control equipment. Generally, to meet this requirement, PDC routes tank vapors by vent lines to emission control devices known as "combustors." Combustors are required to have a control efficiency of at least 95%.

6. PDC owns or operates approximately 600 tank batteries in the D-J Basin that PDC has certified as being controlled to comply with Regulation 7's system-wide VOC reduction requirements. At least at the 86 tank batteries listed on Appendix A (the "86 Tank Batteries"), and potentially at hundreds more, PDC has violated numerous requirements in Regulation 7 intended to address VOC emissions from storage tanks.

7. PDC's failure to comply with these requirements has resulted in significant excess VOC emissions, a precursor to ground-level ozone. PDC operates in an area where air quality does not meet the National Ambient Air Quality Standards ("NAAQS") for ground-level ozone. PDC's unlawful emissions contribute to this exceedance of the ozone NAAQS.

JURISDICTION AND VENUE

8. This Court has jurisdiction over the claims arising under the Act pursuant to Section 113(b) of the Act, 42 U.S.C. § 7413(b), and pursuant to 28 U.S.C. §§ 1331, 1345, and 1355.

9. This Court has supplemental jurisdiction over the state law claims asserted by CDPHE pursuant to 28 U.S.C. § 1367.

10. Venue is proper in this District under Section 113(b) of the Act, 42 U.S.C. § 7413(b), and 28 U.S.C. §§ 1391(b) and 1395(a), because the violations that are the basis of this Complaint occurred in this District, and the facilities at issue are operated by Defendant in this District.

NOTICES

11. In a May 2016 meeting and in subsequent discussions, Plaintiffs informed PDC of its noncompliance with the Act, the Colorado Act, and Regulation 7.

12. Notice has been given to PDC and the appropriate air pollution control agency in the State of Colorado as required by Section 113 of the Act, 42 U.S.C. § 7413.

DEFENDANT

13. PDC is a publicly-traded company engaged in domestic oil and natural gas production and exploration. PDC is incorporated in Delaware and maintains its principal executive offices in Denver, Colorado.

14. PDC has oil and natural gas production operations in the D-J Basin, primarily in the Wattenberg Field in Adams and Weld Counties, Colorado. In 2016, PDC's operations in the D-J Basin produced approximately 8.2 million barrels of oil and over 48.8 billion cubic feet of natural gas.

15. PDC is a "person" as defined in Section 302(e) of the Act, 42 U.S.C. § 7602(e).

FACILITIES

16. PDC owns and operates hundreds of oil and natural gas production facilities in the D-J Basin.

17. These facilities produce a mixture of oil (both condensate and crude oil), natural gas, and water. This mixture flows up the well under pressure to the well-head at the surface and then to a device called a separator.

18. The purpose of a separator is to separate the effluent from the well into its constituent parts: oil, natural gas, and water (also known as "produced water").

19. The oil and produced water, once separated from the natural gas, are temporarily held under pressure in the separator until the liquids reach a set level, at which point valves open and the liquids flow into storage tanks kept at or near atmospheric pressure. This is commonly referred to as a "dump." During a dump, the oil flows to an oil tank, and the water flows to a produced water tank.

20. When pressurized oil is transferred from a separator to an atmospheric storage tank, the pressure of the oil drops. This causes some of the hydrocarbons in the oil, including VOC, to vaporize in a phenomenon known as "flashing." After flashing occurs, the oil continues to emit vapors due to liquid level changes and temperature fluctuations. These are known as "working" and "breathing" (also known as "standing") losses.

21. The tops of the storage tanks have openings called "thief hatches." Thief hatches are equipped with gaskets that are supposed to seal tight when closed.

22. Thief hatches serve two primary purposes. First, they provide access to the contents of the tank for taking samples and measuring the level of the tank (known as "gauging"). Second, they provide a means of (a) relieving pressure from the tank to prevent over-pressurization and (b) eliminating excessive vacuum to prevent tank collapse.

23. To prevent over-pressurization, thief hatches are designed to open (or vent) when the pressure inside the tank exceeds the pressure setting of the thief hatch. Thief hatches should not vent emissions during normal operations.

24. Thief hatches may also emit vapors to the atmosphere if thief hatch gaskets are worn or otherwise not properly maintained or if the thief hatch is not properly sealed.

25. In addition to thief hatches, the storage tanks may also be equipped with separate

pressure relief valves ("PRVs"), which are also designed to vent at set pressures to prevent over-pressurization. Like thief hatches, PRVs should not vent emissions during normal operations.

26. The storage tanks, vent lines from storage tanks to a combustor, and all connections, fittings, relief valves (including PRVs and thief hatches), combustors and any other appurtenance used to contain and collect vapors, and to transport or convey the vapors to the combustor, are referred to herein as a "Vapor Control System." PDC may use a single Vapor Control System to transmit vapors from more than one tank to more than one combustor.

27. The specific tank batteries that are the subject of the violations alleged in this Complaint are set forth in Appendix A, incorporated herein by reference.

STATUTORY AND REGULATORY BACKGROUND

28. As set forth in Section 101(b)(1) of the Act, 42 U.S.C. § 7401(b)(1), the purpose of the Clean Air Act is to protect and enhance the quality of the nation's air, so as to promote the public health and welfare and the productive capacity of its population.

A. National Ambient Air Quality Standards for Ozone

29. Section 108 of the Act, 42 U.S.C. § 7408, directs EPA to identify air pollutants that "may reasonably be anticipated to endanger public health or welfare" and to issue air quality criteria for those pollutants based on "the latest scientific knowledge" about their effects on public health and the environment. These pollutants are known as "criteria pollutants."

30. Section 109 of the Act, 42 U.S.C. § 7409, requires EPA to establish NAAQS for criteria pollutants. The primary standard must be set at the level "requisite to protect the public health" with an adequate margin of safety, and the secondary standard is intended to protect "the public welfare." According to Section 302(h) of the Act, 42 U.S.C. § 7602(h), public welfare

effects are "effects on soils, water, crops, vegetation" and other environmental impacts including, but not limited to, effects on animals, wildlife, property, and "effects on economic values."

31. Ground-level ozone, commonly known as "smog," is one of six criteria pollutants for which EPA has promulgated national standards, due to its adverse effects on human health and the environment. Short-term exposures (1 to 3 hours) to ground-level ozone can cause acute health effects observed even at low concentrations, including temporary pulmonary inflammation. Long-term exposure (months to years) may cause permanent damage to lung tissue. Children and adults who are active outdoors are particularly susceptible to the adverse effects of exposure to ozone. *See* 73 Fed. Reg. 16,436 (Mar. 27, 2008).

32. Ozone is not emitted directly from sources of air pollution. Ozone is a photochemical oxidant, formed when certain chemicals react with oxygen in the presence of sunlight. These chemicals – VOC and nitrogen oxides ("NOx") – are called "ozone precursors." Sources that emit ozone precursors are regulated to reduce ground-level ozone. *See* 62 Fed. Reg. 38,856 (July 18, 1997).

33. In 2008, EPA established an ozone NAAQS of 0.075 ppm (measured as an 8-hour average). *See* 73 Fed. Reg. 16,436 (Mar. 27, 2008).

B. <u>Colorado SIP</u>

34. Pursuant to Section 107(a) of the Act, 42 U.S.C. § 7407(a), states are primarily responsible for ensuring attainment and maintenance of the NAAQS. States implement the NAAQS on a region-by-region basis, within air quality control regions (or "areas") throughout the state. An area with ambient air concentrations that meets the NAAQS for a particular pollutant is an "attainment" area. An area with ambient air concentrations that exceed the

NAAQS is a "nonattainment" area. And an area that cannot be classified due to insufficient data is "unclassifiable."

35. EPA has designated the "Denver-Boulder-Greeley-Ft. Collins-Loveland Area" (the "Denver Nonattainment Area") as being in nonattainment with the ozone NAAQS. *See* 77 Fed. Reg. 30,088 (May 21, 2012).

36. In June 2016, EPA reclassified the Denver Nonattainment Area from "marginal" to the more severe nonattainment status of "moderate" for the ozone NAAQS. 81 Fed. Reg. 26,697 (May 4, 2016).

37. Pursuant to Section 110(a) of the Act, 42 U.S.C. § 7410(a), each state must adopt and submit to EPA for approval a plan that provides for the implementation, maintenance, and enforcement of the NAAQS for each criteria pollutant in each air quality control region within the state. This plan is known as a state implementation plan or "SIP." Section 110(a)(2)(A) of the Act, 42 U.S.C. § 7410(a)(2)(A), requires that each SIP include enforceable emissions limitations and other "control measures, means, or techniques" to ensure attainment of the NAAQS.

38. After enforceable state emission limitations are approved by EPA, these SIP provisions are federally enforceable under Sections 113(a) and (b) of the Act, 42 U.S.C. §§ 7413(a) and (b).

39. As required by Section 110(a) of the Act, 42 U.S.C. § 7410(a), Colorado has periodically adopted regulations to provide for the implementation, maintenance and enforcement of the ozone NAAQS.

40. Initially adopted by Colorado's Air Quality Control Commission ("AQCC") in the 1970s, Regulation 7, as subsequently amended, includes control measures to reduce VOC

emissions from condensate storage tanks. *See* Colo. Code Regs. 1001-9. The State of Colorado relies on Regulation 7 to attain the NAAQS for ozone.[1] *See* 40 C.F.R. § 52.320.

41. Among other things, Regulation 7, Sec. XII requires each owner or operator to select which of its condensate tanks to control in order to achieve a required, system-wide percentage VOC emissions reduction.

42. At all times relevant to this action, most of PDC's oil and natural gas production system in the D-J Basin, including all of the tank batteries that are specifically at issue in this action, have been located within the Denver Nonattainment Area. *See* 72 Fed. Reg. 53,952 (Sept. 21, 2007) and 77 Fed. Reg. 28,424 (May 14, 2012).

C. Applicable Provisions of the Colorado SIP

43. Regulation 7, Sec. XII applies to all oil and gas exploration and production operations "that collect, store, or handle condensate in the 8-hour Ozone Control Area," located upstream of a natural gas plant, and for which "the owner or operator filed, or was required to file, an APEN [Air Pollutant Emission Notice] pursuant to Regulation 3." *See* SIP-Approved Reg. 7, Sec. XII.A.1 (State-Approved Reg. 7, Sec. I.A.1.d).

44. Pursuant to SIP-Approved Regulation 7, the term "8-Hour Ozone Control Area" means Adams, Arapahoe, Boulder, Douglas, and Jefferson Counties; the Cities of Denver and Broomfield; and portions of Larimer and Weld Counties.

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[1] Colorado Regulation 7 has been periodically revised. The latest version was approved by EPA on February 13, 2008, with an effective date of April 14, 2008. *See* 73 Fed. Reg. 8,194 (Feb. 13, 2008). Since then, Colorado has revised Regulation 7 several times. Not all of Colorado's revisions have been approved into the SIP by EPA. For clarity and completeness, where appropriate, the Complaint cites both versions, designated as "SIP-Approved Reg. 7" and "State-Approved Reg. 7."

45. SIP-Approved Regulation 7 sets deadlines and requirements for system-wide VOC emission reduction requirements for oil and gas operations. In meeting these requirements, emission reductions "shall not be required for each and every unit, but instead shall be based on overall reductions in uncontrolled actual emissions from all the atmospheric storage tanks associated with the affected operations for which the owner or operator filed, or was required to file, an APEN pursuant to Regulation 3." SIP-approved Reg. 7, Sec. XII.A.2 (State-Approved Reg. 7, Sec. XII.D).

46. As set forth in SIP-Approved Reg. 7, Sec. XII.A.2.c (State-Approved Reg. 7, Sec. XII.D.2.a), for the months of May 1 through September 30 of each year from 2007 through 2011, "such emissions shall be reduced by 75% from uncontrolled actual emissions on a weekly basis." As set forth in SIP-Approved Reg. 7, Sec. XII.A.2.d (State-Approved Reg. 7, Sec. XII.D.2.a), for the ozone season of each year beginning with 2012, "such emissions shall be reduced by 78% from uncontrolled actual emissions on a weekly basis." As set forth in SIP-Approved Reg. 7, Sec. XII.A.2.h (State-Approved Reg. 7, Sec. XII.D.2.a(vii)), beginning with the year 2008, and for each year thereafter, emissions during the non-ozone season (January 1 through April 30 and October 1 through December 31) "shall be reduced by 70% from uncontrolled actual emissions, calculated as an average of the emission reduction achieved during the seven months covered by the two periods."[2]

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[2] The State of Colorado has amended these provisions requiring greater system-wide emission reductions. This amendment has not yet been approved by EPA so as to become part of the Colorado SIP and, therefore, is not federally enforceable. The current version of the State-approved Regulation 7, codified at 5 Colo. Code Regs. § 1001-9, is available at https://www.colorado.gov/pacific/sites/default/files/5-CCR-1001-9_1.pdf. For the summer ozone season, from May 1 through September 30, VOC emissions must now be reduced by 90% on a system-wide basis.

47. Each operator must designate which condensate storage tanks it has chosen to control in order to meet the system-wide emission reduction requirements. *See* SIP-Approved Reg. 7, Secs. XII.A.4. & XII.A.5 (State-Approved Reg. 7, Sec. XII.D).

48. Regulation 7, Sec. XII contains the following general requirements for affected condensate storage tanks:

a. "All air pollution control equipment required by this section XII shall be operated and maintained consistent with manufacturer specifications and good engineering and maintenance practices. The owner or operator shall keep manufacturer specifications on file." SIP-Approved Reg. 7, Sec. XII.D.2.a (State-Approved Reg. 7, Sec. XII.C.1.a).

b. "[A]ll such air pollution control equipment shall be adequately designed and sized to achieve the control efficiency rates required by this Section XII and to handle reasonably foreseeable fluctuations in emissions of volatile organic compounds. Fluctuations in emissions that occur when the separator dumps into the tank are reasonably foreseeable." *Id.*

c. "All condensate collection, storage, processing and handling operations, regardless of size, shall be designed, operated and maintained so as to minimize leakage of volatile organic compounds to the atmosphere to the maximum extent practicable." SIP-Approved Reg. 7, Sec. XII.D.2.b (State-Approved Reg. 7, Sec. XII.C.1.b).

These provisions became federally enforceable on April 14, 2008, when EPA's rule approving the provisions as part of the Colorado SIP took effect. *See* 73 Fed. Reg. 8,194 (Feb. 13, 2008).

D. Regulation 7: Applicable State-Only Provisions

49. In addition to the requirements in the SIP, Colorado has adopted other requirements in Regulation 7 that apply to oil and natural gas exploration and production activities.

50. Colorado has revised the system-wide control requirements to require a 90% reduction in VOC emissions across PDC's system of condensate tanks. This provision has not yet been approved into Colorado's SIP. Reg. 7, Sec. XII.D.2a.(x).

51. In February 2014, Colorado amended Regulation 7, Sec. XVII to provide for further control measures on oil and gas operations on a state-wide basis (i.e. not just in the Denver Nonattainment Area). These provisions are not enforceable by EPA because they are not part of the Colorado SIP.

52. Regulation 7, Sec. XVII.B.1.b provides that "[a]t all times, including periods of start-up and shutdown, the facility and air pollution control equipment must be maintained and operated in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether or not acceptable operation and maintenance procedures are being used will be based on information available to the Division, which may include, but is not limited to, monitoring results, opacity observations, review of operation and maintenance procedures, and inspection of the source."

53. Regulation 7, Sec. XVII.C.2.a provides that "[o]wners or operators of storage tanks must route all hydrocarbon emissions to air pollution control equipment, and must operate without venting hydrocarbon emissions from the thief hatch (or other access point to the tank) or pressure relief device during normal operation, unless venting is reasonably required for

maintenance, gauging, or safety of personnel and equipment. Compliance must be achieved in accordance with the schedule in Section XVII.C.2.b.(ii)."

54. Regulation 7, Sec. XVII.C.2.b provides, in relevant part, that "[o]wners or operators of storage tanks subject to the control requirements of Sections XII.D.2, XVII.C.1.a, or XVII.C.1.b must develop, certify, and implement a documented Storage Tank Emission Management System ("STEM") plan to identify, evaluate, and employ appropriate control technologies, monitoring practices, operational practices, and/or other strategies designed to meet the requirements set forth in Section XVII.C.2.a . . . ."

FACTUAL BACKGROUND

A. PDC's Oil and Natural Gas Operations

55. At all times relevant to this Complaint, PDC conducted oil and natural gas production operations in the 8-hour Ozone Control Area that are located upstream of a natural gas plant and for which PDC was required to file, and did file, Air Pollution Emission Notices ("APENs") pursuant to AQCC Regulation No. 3, 5 Code Colo. Regs. § 1001-5.

56. PDC filed APENs with CDPHE for each of the 86 Tank Batteries that are the subject of this action.

57. PDC has also filed APENs with CDPHE for hundreds of other tank batteries not specifically identified in Appendix A, but that are also subject to the requirements of Regulation 7 referenced in this Complaint.

B. Inspections and Follow-Up Investigation

58. Between September 2013 and April 2015 inspectors from CDPHE's Air Pollution Control Division conducted inspections of PDC tank batteries in the 8-hour Ozone Control Area.

Using an optical gas imaging infra-red camera ("IR camera"), CDPHE inspectors observed VOC emissions from 64 tank batteries.

59. In December 2015, CDPHE issued a Compliance Advisory to PDC, Case No. 2015-109 (the "2015 Compliance Advisory"). The 2015 Compliance Advisory identifies violations of Regulation 7 at 64 PDC tank batteries (all of which are included in the 86 Tank Batteries listed on Appendix A).

60. Following the issuance of the 2015 Compliance Advisory, CDPHE inspectors conducted additional inspections of PDC tank batteries in the 8-hour Ozone Control Area. Using an IR camera, CDPHE inspectors observed VOC emissions from several of the same tank batteries covered by the 2015 Compliance Advisory. CDPHE inspectors also observed VOC emissions from 14 other PDC tank batteries not covered by the 2015 Compliance Advisory.

61. In May 2017, CDPHE issued a Notice of Violation to PDC, Case No. 2017-015 (the "2017 NOV"). The 2017 NOV identifies violations of Regulation 7 at 14 PDC tank batteries (all of which are included in the 86 Tank Batteries listed on Appendix A).

62. Pursuant to Section 114(a) of the Act, 42 U.S.C. § 7414(a), in August 2015, EPA requested certain information from PDC about the Vapor Control Systems at a subset of the 86 Tank Batteries. Based on the response provided by PDC, EPA and CDPHE have concluded that:

a. PDC failed to conduct an engineering design analysis to ensure that its Vapor Control Systems were adequately sized to route all vapors to an emissions control device;

b. many of the Vapor Control Systems did not have sufficient capacity to route all vapors from the storage tanks to an emissions control device, causing vapors to be

emitted directly to the atmosphere from PRVs, thief hatches or other tank openings; and

c. PDC's operations and maintenance practices were inadequate to ensure that all storage tank vapors were routed to and incinerated by an emissions control device.

63. The 86 Tank Batteries identified in Appendix A include:

a. Tank batteries which, based on analysis of information provided by PDC, were not adequately designed to route all vapors to a control device; and/or

b. Tank batteries where CDPHE inspectors observed VOC emissions using an IR camera, including those tank batteries identified in the 2015 Compliance Advisory and the 2017 NOV.

64. At all times relevant to this Complaint, PDC has designated that VOC emissions from each of the 86 Tank Batteries were being controlled as part of PDC's D-J Basin system-wide control strategy to achieve the emission reductions required by SIP-Approved Reg. 7, Sec. XII.A.2 (State-Approved Reg. 7, Sec. XII.D.2).

65. Each of the 86 Tank Batteries are subject to the general requirements of Regulation 7 set forth at SIP-Approved Reg. 7, Secs. XII.A.2 & A.7 (State-Approved XII.D.2 and C.1.c), XII.D.2.a & b (State-Approved Reg. 7, Secs. XII.C.1.a & b), and XII.D.2.a(x), XVII.B.1.b, XVII.C.2.a, and XVII.C.2.b.

FIRST CLAIM FOR RELIEF

(Joint Claim by EPA and CDPHE for Violations of SIP-Approved Regulation 7)

66. Paragraphs 1 through 65 are re-alleged and incorporated herein by reference.

67. The allegations of this First Claim for Relief concern each of the 86 Tank

Batteries listed on Appendix A, and cover the period of time before PDC may have addressed the deficiencies described below after receiving EPA's request for information described in Paragraph 62 or the 2015 Compliance Advisory.

68. PDC failed to conduct an engineering design analysis to determine if the Vapor Control Systems at the 86 Tank Batteries have the capacity to route all condensate tank emissions, from the peak flow of flashing, working, and standing losses, to an emissions control device.

69. The Vapor Control Systems at some or all of the 86 Tank Batteries do not have sufficient capacity to convey all of the condensate tank vapors to the combustors.

70. The capacity of Vapor Control Systems can be reduced by, among other things, liquids condensing and accumulating in vent lines as vapors cool.

71. PDC failed to determine whether, when, or how often the Vapor Control Systems at some or all of the 86 Tank Batteries become obstructed by liquids build-up.

72. When the capacity of a Vapor Control System is exceeded, condensate vapors, including VOC, are emitted directly to the atmosphere through PRVs, thief hatches, or open or partially open vent lines.

73. PDC's operation and maintenance of Vapor Control Systems at some or all of the 86 Tank Batteries failed to minimize emissions to the maximum extent practicable due, among other things, to one or more of the following reasons:

a. Not promptly responding to emissions observations and taking appropriate corrective action to minimize the duration and quantity of emissions;

b. Not taking measures to minimize the occurrence or recurrence of preventable

emissions from Vapor Control Systems;

c. Not promptly cleaning oil stains on condensate storage tanks caused by vapors emanating from PRVs and thief hatches and indicative of tank vapor emissions so that frequency and timing of emissions could be assessed;

d. Not keeping and regularly reviewing maintenance records to track recurrent or systemic issues in order to implement proactive measures to replace or upgrade system components to prevent emissions from occurring; and

e. Not ensuring that all vent lines on Vapor Control Systems have an adequate slope to drain all liquids to adequately sized "drip pots," not evaluating the frequency of liquids buildup impairing the vapor carrying capacity of the vent lines and not establishing a site specific line blow-out maintenance schedule, and/or installing line pressure gauges to monitor obstructions in the vent lines and promptly clearing the lines when obstructed.

74. At the 86 Tank Batteries, PDC has violated, and is violating (subject to the temporal qualification of Paragraph 67), the requirements of SIP-Approved Reg. 7, Sec. XII.D.2. (State-Approved Reg. 7, Sec. XII.C.1) that:

a. "[a]ll air pollution control equipment … shall be operated and maintained consistent with manufacturer specifications and good engineering and maintenance practices. . . . In addition, all such air pollution control equipment shall be adequately designed and sized to achieve the control efficiency rates required by this Section XII and to handle reasonably foreseeable fluctuations of volatile organic compounds. Fluctuations in emissions that occur when the

separator dumps into the tank are reasonably foreseeable;" and

b. "[a]ll condensate collection, storage, processing and handling operations, regardless of size, shall be designed, operated, and maintained so as to minimize leakage of volatile organic compounds to the atmosphere to the maximum extent practicable."

75. Pursuant to Section 113(b) of the Act, 42 U.S.C. § 7413(b), PDC is liable for injunctive relief and civil penalties of up to $37,500 per day for each violation occurring between January 13, 2009 and November 2, 2015, and up to $95,284 per day for each violation occurring on or after November 3, 2015. *See* 40 C.F.R. § 19.4.

76. Pursuant to Sections 121 and 122 of the Colorado Act, PDC is liable for injunctive relief and civil penalties of up to $15,000 per day for each violation.

SECOND CLAIM FOR RELIEF
(State-Only Claim for Violations of Regulation 7)

77. Paragraphs 1 through 76 are re-alleged and incorporated herein by reference.

78. Between September 2013 and the date of filing this Complaint, on one or more occasions CDPHE inspectors observed hydrocarbon emissions from access points to storage tanks at 84 of the 86 Tank Batteries.

79. Despite being notified of these emissions observations, PDC has never made a demonstration to the Division that these emissions were not venting from an access point to the storage tank or that PDC operated its facilities in a manner consistent with good air pollution control practices for minimizing emissions. Further, PDC has not made a demonstration that it has developed, certified and implemented a STEM plan for its facilities that identifies, evaluates, and employs appropriate control technologies, monitoring practices, operational practices, and

other strategies designed to meet the requirements of Regulation 7, Sec. XVII.C.2.a.

80. As a result, at each of the 86 Tank Batteries, and potentially at all storage tanks owned or operated by PDC that are controlled to meet the requirements of Regulation 7, Secs. XII.D.2. or XVII.C., PDC has violated the requirement of Regulation 7, Sec. XVII.B.1.b to maintain and operate the facility and air pollution control equipment "in a manner consistent with good air pollution control practices for minimizing emissions." Further, PDC has violated the requirement of Regulation 7, Sec. XVII.C.2.a to "operate without venting hydrocarbon emissions from the thief hatch (or other access point to the tank) or pressure relief device during normal operation, unless venting is reasonably required for maintenance, gauging, or safety of personnel and equipment." PDC has also violated the requirement of Regulation 7, Sec. XVII.C.2.b. to develop, certify, and implement a STEM plan containing the strategies necessary to ensure compliance with Regulation 7, Sec. XVII.C.2.a.

81. PDC may also have violated the system-wide control requirement of Regulation 7, Sec. XII.D.2.a(x), by failing to capture and convey all tank vapors, including VOC, to an emissions control device, as described in this Complaint.

82. Pursuant to Sections 121 and 122 of the Colorado Act, PDC is liable for injunctive relief and civil penalties of up to $15,000 per day for each violation.

PRAYER FOR RELIEF

WHEREFORE, based on the above allegations, Plaintiffs request that this Court:

A. Permanently enjoin Defendant from further violating the Act, the Colorado SIP, and the regulations implementing the Act and Regulation 7, including both the provisions of the Colorado SIP and those state-only provisions cited in the Complaint;

B. Order Defendant to take appropriate actions to remedy, mitigate, and offset the harm to public health and the environment caused by the violations of the Act, the Colorado SIP, and the regulations implementing the Act and Regulation 7, including both the provisions of the Colorado SIP and those state-only provisions cited in the Complaint;

C. Assess a civil penalty against Defendant for each violation of the applicable provisions of the Act, the Colorado SIP, and the regulations implementing the Act and the Colorado SIP, of up to $37,500 per day for each violation occurring between January 13, 2009 and November 2, 2015, and up to $95,284 per day for each violation occurring on or after November 3, 2015;

D. Assess a civil penalty against Defendant pursuant to the Colorado Act for each violation of the state-only provisions of Regulation 7, of up to $15,000 per day for each violation; and

E. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

JEFFREY H. WOOD
Acting Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

s/ Mark C. Elmer
MARK C. ELMER
Senior Counsel
Environmental Enforcement Section
U.S. Department of Justice
999 18th Street, South Terrace, Suite 370
Denver, Colorado 80202
Telephone: (303) 844-1352
FAX: (303) 844-1350
Email: Mark.Elmer@usdoj.gov

Attorney for Plaintiff United States of America

OF COUNSEL:

JESSICA PORTMESS
VIRGINIA SORRELL
Legal Enforcement Program
Office of Enforcement, Compliance and
Environmental Justice
U.S. Environmental Protection Agency
1595 Wynkoop Street
Denver, Colorado 80202

FOR THE STATE OF COLORADO, ON BEHALF
OF THE COLORADO DEPARTMENT OF
PUBLIC HEALTH AND ENVIRONMENT

CYNTHIA COFFMAN
Attorney General
State of Colorado

s/Robyn Wille
ROBYN WILLE*
Colorado Reg. No. 40915
Assistant Attorney General
Air Quality Unit
Natural Resources and Environment Section
Department of Law
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 7th Floor
Denver, Colorado 80203
Telephone: (720) 508-6261
FAX: (720) 508-6039
Email: Robyn.Wille@coag.gov
*Counsel of Record

Attorney for Plaintiff State of Colorado

U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

Operating efficiently and effectively

EPA Paid $1.5 Million for Subsidized and Unoccupied Parking Spaces Over a 2-Year Period

Report No. 18-P-0036 **November 8, 2017**

Report Contributors:

Catherine Allen
Michael D. Davis
Heather Layne

Abbreviations

CFR	Code of Federal Regulations
CY	Calendar Year
EPA	U.S. Environmental Protection Agency
FMSD	Facilities Management and Services Division
GAO	U.S. Government Accountability Office
GSA	U.S. General Services Administration
IRS	Internal Revenue Service
OARM	Office of Administration and Resources Management
OIG	Office of Inspector General
OMB	Office of Management and Budget
SRO	Senior Resource Official
U.S.C.	United States Code

Cover photo: Garage parking ramp outside the Washington, D.C., Ronald Reagan Building at 13½ Street, off Pennsylvania Avenue. (EPA OIG photo)

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U.S. Environmental Protection Agency
Office of Inspector General

18-P-0036
November 8, 2017

At a Glance

Why We Did This Review

The Office of Inspector General (OIG) conducted an audit of the U.S. Environmental Protection Agency's (EPA's) subsidy programs for employee parking. The objective of this audit was to identify and analyze risks in the programs.

In 1984, Congress adopted the Deficit Reduction Act, which identifies employer-provided parking as a fringe benefit (i.e., compensation beyond direct wages and salaries). However, there is no law that requires federal agencies to provide this fringe benefit to their employees. In addition, Office of Management and Budget (OMB) Memorandum M-17-22 directs agencies to examine the total cost of their personnel—including employee-related costs such as salary, benefits, employee services and office expenses—to achieve workforce reductions and cost savings.

This report addresses the following:

- *Operating efficiently and effectively.*

Send all inquiries to our public affairs office at (202) 566-2391 or visit www.epa.gov/oig.

Listing of OIG reports.

EPA Paid $1.5 Million for Subsidized and Unoccupied Parking Spaces Over a 2-Year Period

What We Found

Only EPA headquarters (based in Washington, D.C.) and Region 4 (based in Atlanta, Georgia) subsidized employee parking. These offices paid over $840,000 to subsidize employee parking from January 1, 2015, through December 31, 2016. In this time period, none of the other EPA regional offices provided their employees with subsidized parking, which is not a required employee benefit.

The EPA paid $840,000 for subsidized parking and $690,000 for unoccupied parking spaces over a 2-year period.

In addition, we found that internal controls for subsidized employee parking could be improved in three areas: the allocation of "unusual hours" parking spaces, the verification of carpool participants, and the reconciliation of EPA parking records with monthly reports that detail the actual use of parking spaces.

We also found that, from January 2015 through December 2016, 29 percent of the parking spaces that headquarters leased for its employees and 27 percent of the parking spaces that Region 4 leased for its employees remained unoccupied. The EPA paid approximately $690,000 for these unoccupied parking spaces.

EPA staff stated that federal laws allowed the agency to provide parking subsidies to employees. However, Executive Order 13693 touts federal air quality goals, and no law requires subsidized parking to be a mandatory employee benefit. Consequently, the EPA was using valuable resources to subsidize employee parking when the funds could be put to better use in mission-critical programs.

Recommendations and Planned Agency Corrective Actions

We recommend that EPA headquarters and Region 4 comply with OMB Memorandum M-17-22, *Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce,* and decide whether the costs of providing subsidized parking are justified. If not, we recommend that the EPA eliminate or reduce the parking subsidy. The two offices should also verify the validity of carpools, determine the appropriate number of spaces needed, and return unneeded parking spaces to the U.S. General Services Administration. In addition, we recommend that EPA headquarters review monthly parking records to determine actual parking spaces required and used.

EPA headquarters and Region 4 concurred with all of our recommendations and provided corrective actions with milestone dates, including no longer offering reduced-rate parking to headquarters employees or free parking to Region 4 carpool participants. Recommendations 1 through 5 and Recommendation 9 are completed. The proposed corrective actions for Recommendations 6 through 8, when completed, will meet the intent of the recommendations.

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

OFFICE OF
INSPECTOR GENERAL

November 8, 2017

MEMORANDUM

SUBJECT: EPA Paid $1.5 Million for Subsidized and Unoccupied Parking Spaces Over a 2-Year Period
Report No. 18-P-0036

FROM: Charles Sheehan, Deputy Inspector General

TO: Donna Vizian, Acting Assistant Administrator
Office of Administration and Resources Management

Trey Glenn, Regional Administrator
Region 4

This is our report on the subject audit conducted by the Office of Inspector General (OIG) of the U.S. Environmental Protection Agency (EPA). The project number for this audit was OA-FY16-0221. This report contains findings that describe the problems the OIG has identified and corrective actions the OIG recommends.

The EPA's Office of Administration within the Office of Administration and Resources Management and Region 4's Facilities, Grants and Acquisitions Management Branch are responsible for implementing the recommendations.

Action Required

In accordance with EPA Manual 2750, your offices provided completed and planned corrective actions with completion dates in response to OIG recommendations. Therefore, a response to the final report is not required. The OIG may make periodic inquiries on your progress in implementing these corrective actions. Please update the EPA's Management Audit Tracking System as you complete planned corrective actions. Should you choose to provide a final response, we will post your response on the OIG's public website, along with our memorandum commenting on your response. Your response should be provided as an Adobe PDF file that complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The final response should not contain data that you do not want to be released to the public; if your response contains such data, you should identify the data for redaction or removal along with the corresponding justification.

We will post this report to our website at www.epa.gov/oig.

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Chapter 1
Introduction

Purpose

The Office of Inspector General (OIG) conducted an audit of the U.S. Environmental Protection Agency's (EPA's) subsidy programs for employee parking. The objective of this audit was to identify and analyze risks in these programs.

Background

The federal parking subsidy originated in 1984 when Congress adopted the Deficit Reduction Act. This act specifically defined employer-provided parking as a fringe benefit, enabling the exclusion of qualified parking costs from taxable income.[1] This benefit is outlined in Public Law No. 98-369 and is codified with amendments in 26 U.S.C. § 132(f).

Sign showing that public parking is available under the Ronald Reagan Building in Washington, D.C. (EPA OIG photo)

The Federal Management Regulations, located at 41 CFR Part 102, state that the federal government is "to offer employees transportation fringe benefits."[2] In addition, 41 CFR § 102-74.290 states that "[f]ederal agencies may allow employees to use parking spaces not required for official needs." The law does not require federal agencies to provide parking spaces to their employees as a fringe benefit or to subsidize the cost of parking.

Nevertheless, EPA headquarters (based in Washington, D.C.) and Region 4 (based in Atlanta, Georgia) chose to offer subsidized parking to its employees. The EPA's parking subsidy program at headquarters began prior to the agency's move to the Ronald Reagan Building in 1999. Region 4 established a parking policy, which detailed its parking subsidies, in the mid-1980s.

Per Internal Revenue Service (IRS) Revenue Procedure 2014-61, in calendar year (CY) 2015, Congress permitted a monthly parking subsidy of up to $250 per month per employee, which was not subject to income tax. In CY 2016, the

[1] Per 26 CFR § 1.132-9, qualified parking is "parking provided to an employee by an employer on or near the employer's business premises or at a location from which the employee commutes to work."
[2] 41 CFR § 102-74.205.

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parking subsidy benefit was increased to $255, as stipulated in IRS Revenue Procedure 2015-53.

Most EPA Locations Did Not Subsidize Parking

Only EPA headquarters and Region 4 provided a parking subsidy to their employees in CYs 2015 and 2016.[3] Region 10 provided one space for the Regional Administrator, while Region 6 provided a parking space for one employee with a disability.

As shown in Table 1, for CYs 2015 and 2016, the EPA paid over $1.5 million for subsidized and unoccupied parking spaces at headquarters and Region 4. See Chapter 2 for a discussion of subsidized parking and Chapter 4 for a discussion of unoccupied parking spaces.

Table 1: CYs 2015 and 2016 subsidized parking spaces

	Headquarters	Region 4	Total
Number of leased spaces	344	30	374
EPA net costs for employee-related parking spaces			
Employer-subsidized spaces	$811,628	$29,991	$841,619
Unoccupied spaces	682,363	11,083	693,446
Total	**$1,493,991**	**$41,074**	**$1,535,065**

Source: OIG analysis of data provided by EPA regions and offices.

Parking Subsidies at EPA Headquarters and Region 4

Each EPA location that offers parking subsidies to its employees is responsible for developing and implementing its own procedures and guidelines. These responsibilities include determining how many spaces to lease and which employees are eligible to use these spaces.

The EPA's March 4, 2014, Occupancy Agreement with the U.S. General Services Administration (GSA) includes 339 general parking spaces in the Ronald Reagan Building at a cost of $293.45 per space per month and five reserved spaces at a cost of $586.90 per space per month. The five reserved spaces are designated for EPA vehicles. In CYs 2015 and 2016, each employee using a general space paid $163.45 per month, while the EPA paid $130 per month. For unoccupied parking spaces, the EPA paid the full $293.45 per month. Other building tenants without a GSA lease pay $319 per month for a general space.

[3] Our audit focused on subsidized parking at headquarters and the ten regional offices, which are the same locations addressed in the EPA's *Sensitive Payments Area Internal Control Validation Report*, dated April 14, 2016. There are other EPA facilities that provide free, qualified parking to employees.

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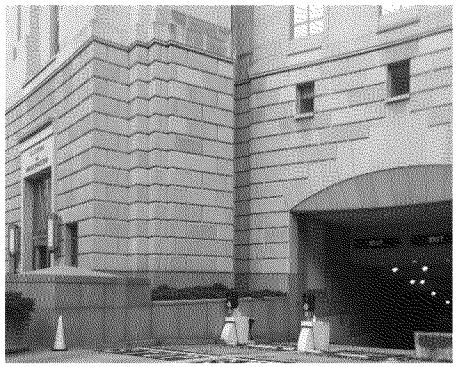
In CYs 2015 and 2016, Region 4 fully subsidized 30 spaces for employees; each of the 27 uncovered spaces cost $50 per month, while each of the three covered spaces cost $75 per month.

Responsible EPA Offices

According to the EPA's 2012 W*ashington, D.C.-Area Transit Subsidy Guidelines*, the Office of Administration and Resources Management (OARM) "provides direction for developing and establishing an effective and efficient Transit Subsidy Program" for EPA headquarters. The guidelines also specify that, within OARM, the Office of Administration "provides guidance for the management of the EPA's Transit Subsidy Program" and "ensures compliance with all EOs [executive orders] and regulations regarding federal commuting alternatives."

In Region 4, the Facilities, Grants and Acquisitions Management Branch oversees the parking subsidy.



Only two EPA locations provided subsidized parking to employees: Atlanta (top) and Washington, D.C. (bottom). (EPA OIG photos)

Scope and Methodology

We conducted this audit from August 15, 2016, to July 14, 2017, in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

We reviewed the following relevant laws, procedures and policy orders:

- Principles of Federal Appropriations Law (the U.S. Government Accountability Office [GAO] Redbook).
- Public Law 98-369, Deficit Reduction Act of 1984.
- Public Law 103-72, Federal Employees Clean Air Incentives Act.
- GSA, Federal Management Regulations, 41 CFR Part 102.

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- Office of Management and Budget (OMB) Circular No. A-123, *Management's Responsibility for Enterprise Risk Management and Internal Control*, July 15, 2016.

- OMB Memorandum M-07-15, *Federal Transit Benefits Program*, May 14, 2007.

- OMB Memorandum M-17-22, *Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce*, April 12, 2017.

The Ronald Reagan Building parking garage has four levels. (EPA OIG photo)

- EPA, *Washington, D.C.-Area Transit Subsidy Guidelines*, February 2012.

- EPA Region 4, *Regional Order R5160.1D,* June 13, 1986.

- EPA Region 4, *Carpool Parking Program—Standard Operating Procedures,* December 13, 2016.

- Executive Order 13150, *Federal Workforce Transportation*, April 21, 2000.

- Executive Order 13693, *Planning for Federal Sustainability in the Next Decade*, March 19, 2015.

- Executive Order 13781, *Comprehensive Plan for Reorganizing the Executive Branch*, March 13, 2017.

To identify and analyze risks in the EPA's parking subsidy offerings, we performed the following actions:

- Reviewed parking policies and procedures for headquarters and Region 4.

- Interviewed team members who oversee the parking subsidy at headquarters and Region 4, as well as staff at several other regional offices, to obtain an understanding of their oversight practices and internal controls.

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- Reviewed headquarters' monthly parking costs and income from January 1, 2015, through December 31, 2016.

- Obtained parking information from the headquarters database for two specific days—September 12, 2016, and December 30, 2016—to obtain a snapshot of parking activity at the Ronald Reagan Building.

- Compared the September 2016 parking report from Ronald Reagan Building management with the September 12, 2016, parking information from the headquarters database. (Note: The agency provided us with only one parking report from Ronald Reagan Building management: the September 2016 report.)

- Used September 2016 information to project space usage for our review period.

- Reviewed Region 4's parking contracts and costs from January 1, 2015, through December 31, 2016. Also reviewed Region 4's assigned parking spaces and carpool participants as of January 17, 2017.

- Reviewed the EPA's *Assessments of EPA's Sensitive Payment Areas, Internal Control Validation Report*, dated April 14, 2016, which contains information regarding subsidized employee parking agencywide.

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Chapter 2
EPA Subsidized Parking Is Not Required and May Divert Funds From Other Programs

Only EPA headquarters and Region 4 subsidized employee parking. From January 1, 2015, through December 31, 2016, EPA headquarters and Region 4 paid over $840,000 to offer this fringe benefit. OARM and Region 4 staff stated that various laws and regulations allow federal agencies to provide parking spaces to employees. However, there is no regulation or act that requires federal agencies to provide parking spaces or parking subsidies to their employees as a fringe benefit. To offer this subsidized parking at headquarters and Region 4, the EPA paid approximately $420,000 annually toward employees' personal parking costs. In light of efforts to reduce federal operating costs and the EPA's mission to promote air quality, the agency should review its practice of subsidizing employee parking, determine whether these parking subsidy programs are justified, and reduce or eliminate the programs accordingly.

Agencies Allowed but Not Required to Provide Parking Subsidy

The IRS and Congress allow federal agencies to subsidize parking spaces for employees. However, there is no regulation or act that requires federal agencies to provide parking spaces to or subsidize parking costs for their employees as a fringe benefit.[4] In fact, 40 U.S.C. § 586(c) authorizes an agency housed in a GSA-leased space to charge its employees for provided parking spaces at rates approved by the GSA.[5]

Federal Law and Executive Orders Encourage Public Transit and Cost Savings

With the goal of improving air quality and reducing traffic congestion, the Federal Employees Clean Air Incentives Act of 1993 (Public Law 103-172) provides "for the establishment of programs to encourage Federal employees to commute by means other than single-occupancy motor vehicles." The act, as codified at 5 U.S.C. § 7905, contains the following specifications:

[4] According to *American Federation of Government Employees* v. *Freeman*, 498 F. Supp. 651, 654-55 (D.D.C. 1980), government employees have no constitutionally protected property right to receive free or low-cost parking. In addition, *In the Matter of U.S. Commission on Civil Rights–Parking Fees for Employees with Disabilities*, B-291208, issued April 9, 2003, the Comptroller General notes that, in the commercial parking context, government employee parking costs are personal expenses that the government is not obligated to pay.

[5] *U.S. Int'l Trade Commission–Use of Appropriated Funds to Subsidize Employee Parking Permits,* B-322337 at 8 (August 3, 2012).

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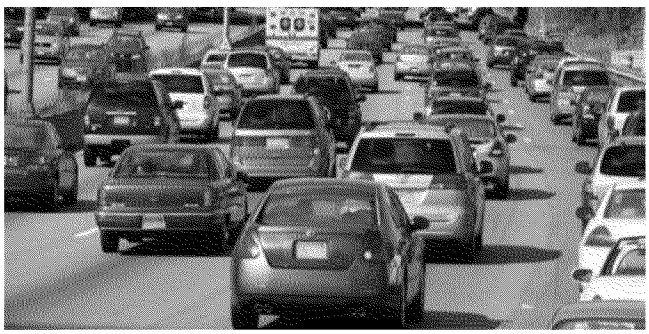
(b)(1) The head of each agency may establish a program to encourage employees of such agency to use means other than single occupancy motor vehicles to commute to or from work.

(2) A program established under this section may involve such options as—
(A) transit passes …;
(B) furnishing space, facilities, or services to bicyclists; and
(C) any non-monetary incentive which the agency head may otherwise offer under any other provision of law or other authority.

The Federal Management Regulations, located at 41 CFR Part 102, state that the federal government is "to offer employees transportation fringe benefits."[6] In addition, 41 CFR § 102-74.290 states that "[f]ederal agencies may allow employees to use parking spaces not required for official needs." However, nowhere does 41 CFR Part 102 state that agencies are required to subsidize parking spaces for use by employees.


Driving to work contributes to traffic congestion. (EPA photo)

Executive Order 13150, *Federal Workforce Transportation*, issued on April 21, 2000, requires federal agencies located in the National Capital Region (i.e., the Washington, D.C., metropolitan area) to implement a transit subsidy fringe benefit to discourage commuting by single-occupancy vehicles, improve air quality and reduce traffic congestion.

Executive Order 13693, *Planning for Federal Sustainability in the Next Decade*, was signed on March 19, 2015.[7] Executive Order 13693 establishes "a clear overarching objective of reducing greenhouse gas emissions across Federal operations" and encourages agencies to "promote sustainable commuting and work-related travel practices for Federal employees ... and reward carpooling and the use of public transportation, where consistent with agency authority and Federal appropriations law."

Executive Order 13781, *Comprehensive Plan for Reorganizing the Executive Branch*, issued on March 13, 2017, directs the Director of OMB to "improve the efficiency, effectiveness, and accountability of the executive branch." To facilitate

[6] 41 CFR § 102-74.205.
[7] Executive Order 13693 superseded Executive Order 13514, which was signed on October 5, 2009, "to establish an integrated strategy towards sustainability in the Federal Government and to make reduction of greenhouse gas emissions (GHG) a priority for Federal agencies."

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compliance with this executive order, OMB Memorandum M-17-22 directs agencies to develop and submit an Agency Reform Plan that outlines immediate actions to "achieve near-term … cost savings" consistent with the funding levels in the President's Fiscal Year 2018 Budget Blueprint. To identify ways to reduce the cost of the federal workforce, OMB advises agencies in Section III(D)(ii) of this memorandum to examine the total cost of their personnel, including employee benefits.

Case Study: GSA Significantly Reduced Its Parking Subsidy Program

In 2013, the GSA significantly reduced its employee parking subsidy program. GSA Instructional Letter 13-2, *Paid Parking for GSA Employees in Facilities Under the Jurisdiction, Custody or Control of GSA*, issued on August 5, 2013, details the GSA's decision and justification to eliminate the majority of free parking for its employees:

> In furtherance of … Executive Order [13514] and GSA's sustainability efforts and mobile work initiatives, GSA will no longer provide free parking to GSA employees who work in facilities under GSA's jurisdiction, custody or control, except in very limited circumstances. … This policy is designed to increase the sustainability of the Federal Government by discouraging the use of motor vehicles, thereby reducing GSA's greenhouse gas emissions. GSA seeks to encourage the use of public transportation and mobile work arrangements and reduce traffic congestion and its carbon footprint.

Parking garage at EPA headquarters. With the subsidy, EPA employees paid $163.45 per month for a parking space. Other tenants paid $319 per month. (EPA OIG photo)

Pursuant to the GSA's parking policy, "[a]ll employees who park in facilities under GSA's jurisdiction, custody or control must pay for parking." GSA employees pay full price. Exceptions are granted to employees who have severe disabilities, work at facilities not reasonably accessible to public transportation, or are involved with building management or security. Employees who meet one of those criteria are provided a parking space free of charge.

Even after these GSA actions and the additional emphasis in the more current Executive Order 13693 to reduce greenhouse gas emissions and promote sustainable commuting and work-related travel practices for federal employees, the EPA maintained its parking subsidy.

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EPA Headquarters and Region 4 Subsidized Employee Parking

From January 1, 2015, through December 31, 2016, EPA headquarters and Region 4 paid over $840,000 to subsidize employee parking. Based on the September 2016 parking report issued by Ronald Reagan Building management, of the 344 parking spaces that EPA headquarters contracted from the GSA, 16 were designated for government vehicles, 232.5 were occupied by employees, and 95.5 remained unoccupied.[8] Of the 30 parking spaces that Region 4 leased from the GSA, the three covered parking spaces were reserved for employees with physical disabilities. Table 2 outlines the EPA's parking subsidy expenditures.

Table 2: EPA CYs 2015 and 2016 employee parking subsidy costs

Location	Number of subsidized parking spaces [a]	Cost of subsidy paid by EPA
Headquarters	[b] 232.5	[c] $811,629
Region 4	22.0	[d] 29,991
Total	**254.5**	[c] **$841,620**

Source: OIG analysis of data provided by the EPA.

[a] Motorcycle spaces count as 0.5 of a parking space.
[b] The total number of spaces used by employees each month fluctuated slightly throughout CYs 2015 and 2016. The number of parking spaces subsidized is based on the Ronald Reagan Building management September 2016 parking report.
[c] Excludes the cost of spaces for 16 government vehicles and 95.5 unoccupied spaces.
[d] Includes the GSA overhead fee of 8.7%.

Headquarters Parking Subsidy

From January 2015 through December 2016, the total cost the EPA paid to the GSA for the agency's employee-occupied, unoccupied and government vehicle parking spaces at the Ronald Reagan Building parking garage was approximately $2.5 million. The EPA paid $1.6 million of this amount, and the remaining $850 thousand was paid by employees (Table 3).

Table 3: EPA headquarters and employee parking payments for CYs 2015 and 2016

Type of space	Number of spaces [a]	Amount employees paid to EPA	Amount paid by EPA	Total cost EPA paid to GSA
Employee-occupied spaces	232.5	$849,621	$811,629	$1,661,250
Unoccupied spaces	95.5	-	682,363	682,363
Government vehicle spaces	16	-	114,323	114,323
Total	**344**	**$ 849,621**	**$1,608,315**	**$2,457,936**

Source: OIG analysis of data provided by the EPA.

[a] Motorcycle spaces count for 0.5 of a parking space. The number of each type of space is based on the September 2016 parking report issued by Ronald Reagan Building management.

[8] Motorcycle spaces count as 0.5 of a parking space. Also, the total number of spaces used by employees each month fluctuated slightly throughout CYs 2015 and 2016, which means the total subsidy amount paid by the EPA each month fluctuated slightly as well.

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Headquarters Parking Guidelines

Section 6.1 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* specifies who may receive parking subsidies:

> Participants may be eligible to receive partially subsidized parking benefits if they:
>
> - Do not use any other Transit Subsidy Program (whether sponsored by EPA or any other public or private entity).
> - Have a base work location at either the Ronald Reagan Building Headquarters, 1310 L Street Office, EPA West Office, or another EPA-approved parking facility.
> - Can document that the vehicle is used in a carpool or by a disabled employee.
> - Establish an EPA employee as the principal carpool member.

Public rates at the Ronald Reagan Building. (EPA OIG photo)

Parking subsidies are only available for EPA employees, interns, volunteers, Public Health Service employees and authorized individuals.

Headquarters Staff Justified Parking Subsidy

Despite Chapter 6 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* being titled "Subsidized Parking," the Facilities Management and Services Division (FMSD) Deputy Director stated that the EPA does not have a parking "subsidy" program but rather provides employee parking at a "discounted rate." In addition, the Director of FMSD stated that those transit guidelines, although never rescinded and not expired, were outdated. In August 2017, after OIG provided a draft of this report to the agency, OARM issued updated guidelines, titled *Headquarters Transit Subsidy Program Guidelines*. Despite its title, these guidelines no longer establish a parking subsidy program.

OARM staff stated that Congress and 41 CFR Part 102 allow the EPA to provide parking spaces and parking subsidies to employees. According to these staff members, offering parking subsidies to employees is justified because 41 CFR § 102-74.205 states that the federal government is "to offer employees

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transportation fringe benefits." However, the EPA currently provides a transit subsidy fringe benefit to employees that is separate from the parking subsidy. These staff members also cited 41 CFR § 102-74.290, which states that "[f]ederal agencies may allow employees to use parking spaces not required for official needs," but nowhere does 41 CFR Part 102 require agencies to subsidize parking spaces for use by employees.

Region 4 Parking Subsidy

From January 2015 through December 2016, EPA Region 4 paid $41,074 in employee-related parking costs at the Sam Nunn Atlanta Federal Center parking garage, as shown in Table 4. Region 4 employees parked for free in these 30 spaces; their parking was fully subsidized.

Table 4: Region 4 parking payments for CYs 2015 and 2016

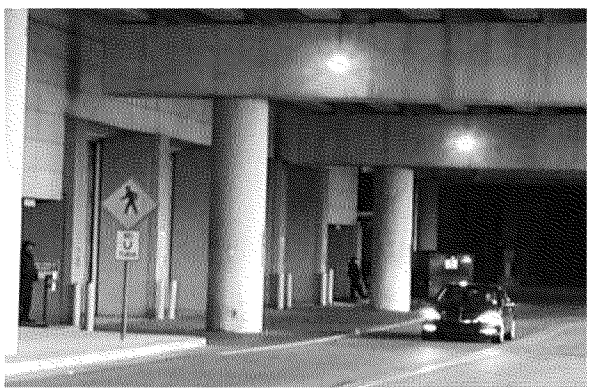
Type of space	Number of spaces	2015	2016	Total cost paid to GSA
Uncovered parking spaces	27	$16,200	$16,200	$32,400
Covered parking spaces [a]	3	2,700	2,700	5,400
GSA overhead (8.7%)	–	1,637	1,637	3,274
Total	**30**	**$20,537**	**$20,537**	**$41,074**

Source: OIG analysis of data provided by EPA Region 4.

[a] Covered parking spaces are intended for employees with disabilities.

Region 4 Parking Subsidy Guidelines

Unlike headquarters, only employees participating in carpools or employees with disabilities could take advantage of the subsidized parking offered by Region 4. However, Region 4's written policy on carpool parking did not reflect actual practices. Pursuant to Regional Order R5160.1D, dated June 13, 1986, a carpool was to be composed of two or more EPA employees. In practice, while Region 4 required a minimum of two participants, only one had to be an EPA employee.



Region 4 parking. (EPA OIG photo)

In December 2016, after the start of our audit, Region 4 issued *EPA Region 4, Carpool Parking Program—Standard Operating Procedures*. Paragraph 3 of this standard operating procedure includes a revised, two-participant definition:

> A [c]arpool is defined as a vehicle that contains at least one EPA employee, that works in the [Sam Nunn Atlanta Federal Center]

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(who must serve as the primary applicant), with a minimum of one additional federal employee to complete a carpool.

Employees must provide a valid driver's license. (Proof of federal employee's status is required: i.e. CAC Card or both Employee's Agency Badges).

Although it updates the qualified carpool definition, the new standard operating procedure does not contain information on Region 4's free/subsidized parking. In addition, the procedure has not been shared with Region 4 employees. According to the Region 4's Facilities, Grants and Acquisitions Management Branch staff, it is standard knowledge that the free carpool parking benefit exists. However, as part of this audit, we interviewed four Region 4 OIG employees; they had no knowledge of the free/subsidized parking.

In addition, Region 4's Facilities, Grants and Acquisitions Management Branch staff stated that many employees in Atlanta do not have access to public transportation. However, public transportation[9] is located directly across the street from the regional office.

Parking Subsidies Could Be Put to Better Use

While the parking subsidy is permitted, it is not required. In an age of dwindling federal resources, the EPA's use of taxpayer money—over $840,000 in a 2-year period—to fund employee parking may not be an effective use of federal resources and may take funds away from mission-critical public health and environmental initiatives.

Other federal agencies, such as the GSA, no longer provide subsidized parking to employees except those with disabilities, and nine of the 10 EPA regions also do not provide this fringe benefit. The GSA's Director of Operational Support Division and National Parking Manager observed that the GSA's new, nonsubsidized parking policy reduced the number of employees driving to work by over 80 percent.

In light of efforts to reduce federal operating costs, the EPA's mission to promote air quality, and the issuance of Executive Order 13781, the EPA should strive to be a good steward of taxpayer dollars by only offering parking subsidies in rare circumstances (e.g., to employees with disabilities). This reduction in parking subsidies would decrease personnel costs and save taxpayer dollars, allowing those funds to be used for programs. EPA headquarters and Region 4 should decide whether to follow the lead of most EPA regional offices and reduce subsidized parking for employees. Reducing the parking subsidy to reflect

[9] Per the Region 4 website, the Metropolitan Atlanta Rapid Transit Authority trains and buses are located across the street from the Sam Nunn Atlanta Federal Center, which is where the regional offices are housed.

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Executive Order 13693 also advances the goal of improving air quality and public health.

Recommendations

We recommend that the Assistant Administrator for Administration and Resources Management:

1. Comply with Office of Management and Budget Memorandum M-17-22, *Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce,* and decide whether the employee-related costs of continuing to offer parking subsidies are justified. If not, eliminate or reduce the parking subsidy.

We recommend that the Regional Administrator, Region 4:

2. Comply with Office of Management and Budget Memorandum M-17-22, *Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce,* and decide whether the employee-related costs of continuing to offer parking subsidies are justified. If not, eliminate or reduce the parking subsidy.

Agency Response and OIG Evaluation

OARM and Region 4 concurred with Recommendations 1 and 2.

As of October 1, 2017, OARM completed corrective actions for Recommendation 1. OARM stated that the "EPA will no longer offer reduced-rate parking to headquarters employees. The rate will be increased to $293.45 for all parking categories." The OIG concurs with the agency's actions, which satisfy the intent of Recommendation 1. Recommendation 1 is complete.

As of July 31, 2017, Region 4 completed corrective actions for Recommendation 2. Region 4 stated that it will no longer offer parking subsidies to carpool participants, with an effective date of July 31, 2017. Region 4 also stated that, as of August 31, 2017, it reduced the number of parking spaces for employees with disabilities from three to one. Region 4 will continue to evaluate the feasibility of retaining the remaining space. The OIG concurs with Region 4's actions, which satisfy the intent of Recommendation 2. Recommendation 2 is complete.

Appendices A and B contain the complete OARM and Region 4 responses.

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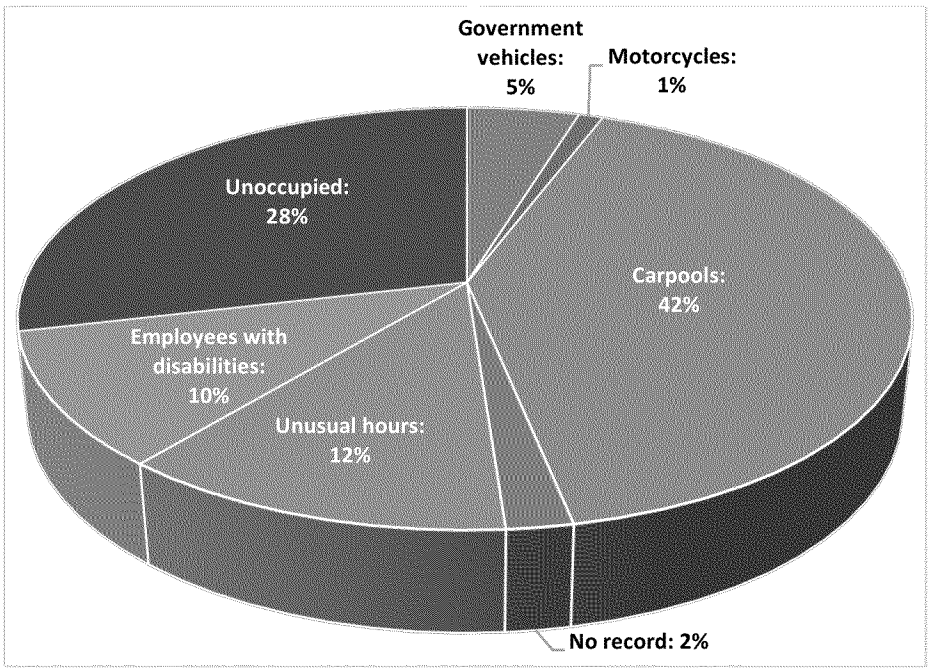
Chapter 3
Stronger Controls Were Needed for EPA Headquarters Parking

The largest portion of the agency's parking spaces at EPA headquarters was used by employees participating in carpools (Figure 1).[10] However, the spaces granted by EPA headquarters to participants of carpools were assigned without adequate justification or support. Some carpools included children to meet the three-person minimum carpool criterion. In addition, Senior Resource Officials (SROs)—typically, Senior Executive Service managers who report directly to an Assistant, Associate or Regional Administrator—approved parking spaces for employees who may need to work "unusual hours" without any qualifying justifications or supporting details.

Figure 1: Types of parking spaces at EPA headquarters



Source: September 2016 parking report provided by Ronald Reagan Building management.

Note: The "no record" category comprises nine subsidized spaces that were included in the September 2016 parking report but that were not accounted for in the EPA's parking database.

The GSA-issued Federal Management Regulations and the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* provide information regarding the priority order for assigning parking spaces to employees, including "unusual hours"

[10] Section 6.2 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* defines a carpool as three or more people, at least one of whom must be an EPA employee.

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spaces. In addition, the EPA's guidelines specify that non-EPA carpool members should be verified but do not address whether children qualify as carpool participants. However, OARM's Office of Administration Director said that, while the EPA followed the Federal Management Regulations to assign parking spaces, the agency did not verify information for non-EPA carpool members. The OARM Director further stated that children are valid carpool members.

Our analysis of headquarters parking data disclosed the following internal control deficiencies:

- Non-EPA employees in carpools not being verified to ensure they qualify as carpool participants.
- Children being counted as qualifying carpool participants.
- "Unusual hours" parking spaces being allocated without proper support.
- All subsidized parking spaces not being accounted for in the EPA's parking database (the "no record" category).

Inefficient controls over federal regulations and EPA guidelines could result in subsidized parking expenses for carpool, "unusual hours" and "no record" spaces being vulnerable to fraud, waste and abuse.

Determination of Priority Order for Parking Spaces

Federal Priority Order for Parking Spaces

The Federal Management Regulations, located at 41 CFR Part 102, specify which types of vehicles should receive priority for official parking spaces. Specifically, 41 CFR § 102-74.285 outlines this priority order:

Road congestion. (EPA photo)

(a) Official postal vehicles at buildings …;
(b) Federally owned vehicles used to apprehend criminals, fight fires and handle other emergencies;
(c) Private vehicles owned by Members of Congress (but not their staffs);
(d) Private vehicles owned by Federal judges …;
(e) Other Federally owned and lease vehicles …;
(f) Service vehicles, vehicles used in child care center operations …; and
(g) Private vehicles owned by employees, using spaces not needed for official business.

In addition, 41 CFR § 102-74.305 outlines the following priority for federal agencies to use when assigning parking spaces to private vehicles owned by employees:

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(a) Severely disabled employees …;
(b) Executive personnel and persons who work unusual hours;
(c) Vanpool/carpool vehicles;
(d) Privately owned vehicles of occupant agency employees that are regularly used for Government business at least 12 days per month …;
(e) Other privately owned vehicles of employees, on a space-available basis … [11]

EPA Headquarters' Priority Order for Parking Spaces

Section 6.1 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines,* "Qualifying Participants," addresses the priority order for parking subsidies:

> After disabled employees, carpools will be given preference, followed by other eligible employees based on availability. Federal employees who do not work for the EPA must submit a memorandum from their respective human resource office indicating that the individual is not participating in a transit program.

Headquarters Parking in the Ronald Reagan Building

From January 2015 through December 2016, EPA headquarters' parking spaces were assigned under the categories shown in Table 5. The EPA paid nearly $680,000 over a 2-year period (approximately $340,000 annually) for carpool, "unusual hours" and "no record" spaces. Chapter 4 of this report addresses unoccupied parking spaces, which constituted the highest single category of headquarters' parking costs.

Table 5: Types of headquarters parking spaces in CYs 2015 and 2016

Type of parking space [a]	Number of spaces	Percentage of all leased spaces	Amount paid by EPA
Carpools	146	42%	$484,011
Unusual hours	40	12	128,568
No record [b]	9	2	64,307
Subtotal	**195**	**56%**	**$676,886**
Employees with disabilities	35	10	125,358
Motorcycles	2.5	1	9,385
Total Subsidized Spaces	**232.5**	**67%**	**$811,629**

Source: OIG analysis of data provided by the EPA.

[a] Each employee using a space paid $163.45 per month. The amount paid by the EPA was the remaining $130 per space per month.

[b] The September 2016 parking report provided by Ronald Reagan Building management noted nine subsidized spaces that were not accounted for in the EPA's parking database.

[11] The Federal Management Regulations do not mention subsidized parking.

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Unsupported Carpools

In CYs 2015 and 2016, the highest percentage of occupied parking spaces were used by carpoolers: 42 percent (146 out of 344). As shown in Table 5, the net cost to the EPA to subsidize these carpool spaces was $484,011. Approximately 75 percent of these carpools (109 out of 146) included only one EPA employee (Table 6).

Table 6: EPA participants in subsidized carpool parking spaces

Participants in carpools	Number of parking spaces	Percentage
Only one EPA employee	109	75%
Two or more EPA employees	37	25%
Total	**146**	**100%**

Source: OIG analysis of data provided by EPA headquarters.

EPA employees who applied for a subsidized parking space based on participation in a carpool were asked to provide contact information for all the passengers in their carpool. To prevent abuse of this benefit, it was essential that the EPA verify the non-EPA carpool participants listed in the parking subsidy applications; however, the EPA did not perform this verification. In addition, some carpool applications were approved even though they did not list email addresses for the carpool participants.

Furthermore, Section 6.1 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* states the following requirement for carpool participants:

> Federal employees who do not work for the EPA must submit a memorandum from their respective human resource office indicating that the individual is not participating in a transit program.

In accordance with OMB Memorandum M-07-15, *Federal Transit Benefits Program*, Section 6.1 of the EPA's subsidy guidelines also requires that transit benefit records be checked against parking benefit records to verify that federal employees are not receiving both a transit and parking subsidy. However, EPA staff stated that they did not verify this information, nor did they require non-EPA carpool participants to submit a memorandum indicating that they were not participating in a transit program. OARM should have followed its written internal controls to avoid potential fraud, waste and abuse.

Children as EPA Carpool Participants

Of the EPA's 146 subsidized carpool parking spaces in CYs 2105 and 2016, 32 were assigned to carpools that included child participants (Table 7). Federal

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regulations are silent on children as carpool participants, and the EPA's subsidy guidelines do not address children in carpools.

Table 7: Subsidized carpools with children

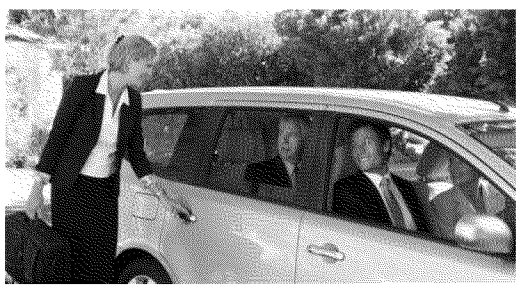
Carpool participants	Number of carpool parking spaces
Family-only carpools	20
Children and other commuters	12
Total carpools with children	**32**

Source: OIG analysis of data provided by EPA headquarters.

The federal definition of "carpool" does not specifically include children. Federal regulations at 41 CFR § 102-71.20 define a carpool as "a group of two or more people regularly using a motor vehicle for transportation to and from work on a continuing basis." Section 6.2, "Procurement," of the EPA's subsidy guidelines states, "To apply for parking at the Ronald Reagan Building, a carpool must consist of three or more people, at least one of whom must be an EPA employee."

While the EPA's subsidy guidelines do not address children in carpools, the EPA parking subsidy application form did allocate for child participants. The application form included the following driver/rider codes:

1. EPA Employee.
2. Non-EPA Employee.
3. School Age Child.
4. Triangle Tots Enrollee.[12]



Carpools include more than one person who regularly use a motor vehicle to and from work. (GSA photo)

OARM staff confirmed that the written guidelines do not address children in carpools, but they stated that Virginia state highways allow children to be included in the count for high-occupancy vehicle lanes. However, as noted above, the definition of a carpool in 41 CFR § 102-71.20 specifically states "to and from work" with no mention of school, daycare or children as qualifying participants. The EPA should revise its procedures to align with the Federal Management Regulations' definition of carpool. In addition, if children are in the car, they should not count as qualifying participants.

[12] Triangle Tots is an early education and child care center located in the Ronald Reagan Building.

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"Unusual Hours" Parking Spaces

In CYs 2015 and 2016, approximately 40 of the subsidized parking spaces at EPA headquarters were assigned to employees in the "unusual hours" category. Federal regulations at 41 CFR § 102-71.20 define "unusual hours":

> … work hours that are frequently required to be varied and do not coincide with any regular work schedule. This category includes time worked by individuals who regularly or frequently work significantly more than 8 hours per day. Unusual hours do not include time worked by shift workers, by those on alternate work schedules, and by those granted exceptions to the normal work schedule (e.g., flex time).

The parking garage used by EPA headquarters accommodates "unusual hours" parking by offering special rates in the evenings and on the weekends. (EPA OIG photo)

Each of the EPA's 13 national program offices, which are all located in the EPA's Washington, D.C., headquarters complex, were authorized to assign five parking spaces in the "unusual hours" category. The only requirement was that a parking application for one of these "unusual hours" spaces had to be approved by the employee's SRO. As shown in Table 5, the net cost to the EPA to subsidize its approved "unusual hours" spaces at headquarters in CYs 2015 and 2016 was $128,568.

The EPA did not require any justification for subsidized parking under the "unusual hours" category. There was no guidance in place to determine what work schedules or duties qualify for this type of subsidized parking. In addition, no guidance detailed how Assistant Administrators or OARM can verify that such a work schedule is being followed.

OARM's Office of Administration Director stated that OARM required all "unusual hours" parking assignments to be certified and approved by the applicable national program office Assistant Administrator (or a designee). However, the Director said that the 13 national program offices in headquarters may have used different definitions of "unusual hours" than what is presented in the Federal Management Regulations. The Director also stated that each Assistant Administrator may have had different criteria for approving the "unusual hours" parking applications.

We determined that 22 of the 40 (55 percent) "unusual hours" parking spaces used in CYs 2015 and 2016 were provided to Senior Executive Service employees, who are among the EPA's highest paid employees. As noted in the

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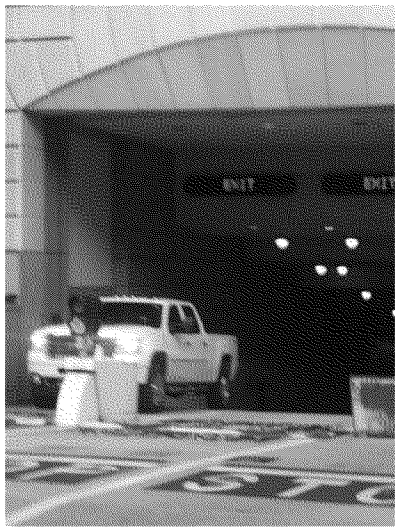
"Federal Priority Order for Parking Spaces" section above, 41 CFR § 102-74.305 gives "executive personnel and persons who work unusual hours" second priority in the assignment of parking spaces to their employees.



The parking garage used by headquarters is open 24 hours a day. (EPA OIG photo)

The Director of OARM's Office of Administration stated that the Assistant Administrators determine mission need. Approval for this type of subsidized parking was indicated with a check in the appropriate box on the application, which stated "executive" (not "unusual hours"), and no qualifying justification or supporting details were required. The EPA should closely examine this category of parking and develop guidelines consistent with the Federal Management Regulations requirements on the utilization of space for determining what qualifies as "unusual hours."

Missing Records

The September 2016 Ronald Reagan Building parking report provided by the building's management staff included nine spaces that were assigned to EPA employees but not accounted for in the EPA's parking database. As shown in Table 5, these nine "no record" spaces accounted for $64,307 of the EPA's parking subsidy expenditures in CYs 2015 and 2016.

Per Section 6.5, "Accounting," of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines*, the agency should reconcile the monthly report provided by the Ronald Reagan Building management with its parking database:

> Every month, a Processor will receive a list from the [GSA] detailing subsidized parking participants and payment amounts. The Processor will reconcile this list with his or her own records and notify GSA of any errors or irregularities.

However, FMSD did not reconcile this monthly report with the EPA's database for subsidized parking spaces. As required by the EPA's subsidy guidelines, FMSD should have performed this reconciliation to determine the number of spaces required and used to avoid potential waste and abuse.

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Parking Subsidy Dollars at Risk for Abuse

If EPA headquarters decides to continue to subsidize employee parking, it should review its policies and procedures regarding the assignment of subsidized parking spaces, particularly those related to carpools and "unusual hours" parking, for conformity with 41 CFR Part 102. In addition, FMSD should follow EPA policy and reconcile the EPA's parking data with the monthly parking reports to avoid missing records. Table 5 shows the net costs (approximately $680,000) to the EPA to subsidize these carpool, "unusual hours" and "no record" spaces during CYs 2015 and 2016. Without improved management controls, there is a risk of approximately $340,000 in annual funds being vulnerable to fraud, waste and abuse. The following list shows examples of potential abuse:

- Non-EPA federal employees in EPA carpools could also receive a transit subsidy.
- Employees may claim their children to meet the carpool requirements.
- Employees could create a carpool with fictitious passengers.

Recommendations

We recommend that, if the Office of Administration and Resources Management maintains the headquarters parking subsidy program, the Assistant Administrator for Administration and Resources Management:

3. Revise the parking subsidy policies and procedures to provide guidance on what work schedules or duties fall within the definition of "unusual hours" and the assignment of available parking spaces to employees prescribed in 41 CFR §§ 102-71.20 and 102-74.305.

4. Comply with Section 6.1 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* and require that federal employees in EPA carpools submit a memorandum certifying that they are not participating in a transit program.

5. Comply with the definition of "carpool" specified in 41 CFR § 102-71.20 when assigning parking spaces to employees, which requires "two or more" participants who are "regularly using a motor vehicle for transportation to and from work on a continuing basis."

6. Comply with Section 6.5 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* and reconcile information from the EPA's parking database with the monthly parking report from Ronald Reagan Building management.

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Agency Response and OIG Evaluation

OARM concurred with Recommendations 3 through 6.

As of October 1, 2017, OARM has completed corrective actions for Recommendations 3 through 5.

For Recommendation 3, OARM completed the following actions:

> The headquarters transit subsidy policy has been updated and no longer includes parking requirements. OARM will issue parking procedures for headquarters to include the federal definition of unusual hours and issuance of parking spaces in accordance with federal regulations. However, the headquarters parking application will be updated to include executives and unusual hours to comply with CFR 102-74.305 "(b) Executive personnel and persons who work unusual hours."

For Recommendation 4, OARM completed the following actions:

> The headquarters transit subsidy policy has been updated and no longer includes parking requirements. OARM will issue parking procedures for headquarters that will require federal and non-federal employees to submit a memorandum certifying that they are not participating in a transit program.

OARM disagreed with the OIG's original Recommendation 5, which recommended that children no longer qualify as participants in carpools. Based on our discussions with OARM in August 2017, we revised Recommendation 5 to require that EPA procedures meet the Federal Management Regulations' carpool definition of "two or more" people commuting to work and recognize that school-aged children who ride in carpool vehicles cannot be counted as one of the two required participants because they are not commuting to work. OARM concurred with the revised recommendation and completed the following corrective actions by October 1, 2017:

> EPA headquarters parking standard operating procedures requires a minimum of two of the participants to use the motor vehicle regularly to travel to and from work on a continuing basis.

The OIG concurs with the agency's actions, which satisfy the intent of Recommendations 3 through 5. Recommendations 3 through 5 are complete.

For Recommendation 6, OARM stated that the following corrective action will be completed by December 31, 2017:

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> The headquarters transit subsidy policy has been updated and no longer includes parking requirements. OARM will issue parking procedures for headquarters that will require the parking manager to work with the [Ronald Reagan Building] parking manager to ensure parking data correlate.

The proposed corrective actions for Recommendation 6 meet the intent of the recommendations.

The complete agency response to the draft report is in Appendix A.

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Chapter 4
Headquarters and Region 4 Paid for Unoccupied Parking Spaces

From January 2015 through December 2016, 29 percent of the parking spaces available to headquarters employees and 27 percent of the parking spaces available to Region 4 employees remained unoccupied. Lease agreements with the GSA allow the EPA to relinquish space after providing the required notice. OARM and Region 4 were not monitoring parking space usage, as required by the Federal Management Regulations. Also, OARM staff stated that they kept the unoccupied spaces because they did not know how many would be needed after office consolidations or for the new administration. To keep these unoccupied spaces, the agency would spend approximately $347,000 annually (Table 8), which could be put to better use in mission-critical programs. In light of efforts to reduce federal operating costs, the EPA should determine the number of spaces required and return unneeded spaces to the GSA.

Table 8: Unoccupied parking spaces in CYs 2015 and 2016

Location	Number of spaces	Biennial amount paid	Annual amount paid
Headquarters	95.5	$682,363	$341,182
Region 4	8.0	11,083	5,542
Total	**103.5**	**$693,446**	**$346,724**

Source: OIG analysis of data provided by EPA headquarters and Region 4.

Federal Standards on Parking and Space Management

Per 41 CFR § 102-74.295, the EPA is responsible for determining the total number of employee parking spaces needed and to allocate them efficiently and equitably. In addition, 41 CFR § 102-74.310 requires that federal agencies take "all feasible measures to improve the utilization of parking facilities," including the following actions:

(a) The conducting of surveys and studies;
(b) The periodic review of parking space allocations.

On June 10, 2010, a presidential memorandum, *Disposing of Unneeded Federal Real Estate,* issued the following directions:

- Federal agencies take immediate steps to make better use of remaining real property assets, factoring, among other measurements, utilization and occupancy rates.

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- To the extent permitted by law, agencies must accelerate the identification and disposal of excess and surplus assets and eliminate lease arrangements that are not cost effective.

The EPA's March 4, 2014, Occupancy Agreement with the GSA, which includes parking at the Ronald Reagan Building, defines the amount of notice that headquarters must provide before returning parking spaces:

> While this occupancy agreement (OA) addresses financial terms that cover multiple fiscal years, the parties agree that: The tenant agency may relinquish space upon four (4) months' notice at any point after the first twelve (12) months of occupancy.

Region 4 has a 1-year Reimbursable Work Authorization with the GSA for parking spaces, which can be renewed monthly.

Executive Orders and OMB Guidance Require Federal Agencies to Operate Efficiently

Executive Order 13693, *Planning for Federal Sustainability in the Next Decade*, was signed on March 19, 2015, and states in Section 3(h)(vi) that federal agencies should consider cost-effectiveness and community transportation infrastructure as they pertain to the use of space, "… including in the planning for new buildings or leases cost-effective strategies to optimize sustainable space usage."

In addition, Appendix 4 of OMB Memorandum M-17-22, which identifies ways to reduce costs and implement Executive Order 13781, recommends that agencies "consider their future real property needs and identify potential reductions to their real property inventory to increase operational efficiency."

EPA headquarters paid for unoccupied parking spaces. (EPA OIG photos)

Headquarters Paid for Unoccupied Parking Spaces

The EPA's headquarters lease agreement with the GSA requires the EPA to pay monthly for 344 spaces; however, in CYs 2015 and 2016, approximately 29 percent of these spaces remained unoccupied.

Unoccupied spaces in the Ronald Reagan Building parking garage fluctuated (e.g., because of employee retirements and separations). In September 2016, 95.5 spaces were unoccupied. If this exact number of spaces were unoccupied during

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our entire audit period (January 2015 through December 2016), the EPA would have paid approximately $680,000 for unoccupied parking spaces. If these spaces remain unoccupied, EPA would continue to pay approximately $340,000 annually for unoccupied parking spaces.

OARM did not monitor the use of parking spaces, as required by 41 CFR § 102-74.310. In addition, OARM's FMSD Branch Chief stated that the EPA continued to pay for the excess parking spaces because the agency did not know how many spaces would be needed after office consolidations. However, the Potomac Yard staff consolidation plan was completed in the spring of 2016, and the L Street Building staff consolidation was completed by September 2014, before our audit review period of January 1, 2015, through December 31, 2016. FMSD also stated that the number of spaces needed for the new administration was not known.

Region 4 Paid for Unoccupied Parking Spaces

According to a parking report dated January 17, 2017, that was provided to the OIG, eight of Region 4's parking spaces (27 percent) were unassigned. If this exact number of spaces were unoccupied for the 2-year audit period, Region 4 would have paid $11,000 for unoccupied parking spaces.

Region 4 did not monitor parking space use, as required by 41 CFR § 102-74.310. In response to our request for information, the Region 4 Planning and Business Operations Section Chief stated that these eight spaces were unoccupied due to staff retirements. However, Region 4 maintained a waiting list of employees interested in a subsidized parking space. If the spaces were monitored, parking spaces could have been assigned from the waiting list.

Unneeded Parking Spaces Should Be Returned to GSA

The GSA contract allows headquarters to relinquish parking spaces after a 4-month notice is provided. Headquarters had ample time after the new administration came on board and after the office consolidations were completed to determine an adequate number of spaces needed. The EPA should return any unoccupied spaces that are determined to be unneeded to the GSA.

If spaces remain unoccupied and they are not returned to the GSA, EPA headquarters and Region 4 could waste over $347,000 annually. If the EPA decides to continue the parking subsidy, the agency should—at a minimum—conduct a periodic review of parking space allocations, as required by 41 CFR § 102-74.310. Any unneeded parking spaces should then be returned to the GSA. If these spaces are not returned, the EPA will continue to spend valuable resources that could be put to better use in mission-critical programs.

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Recent Region 4 Actions

Region 4 returned the eight unoccupied parking spaces to the GSA. On March 29, 2017, Region 4 entered into an agreement with the GSA's parking management company to reduce the number of required spaces from 30 to 22. In addition, Region 4 will now pay for needed spaces on a monthly basis. Per the agreement, Region 4 will notify parking management by the 5th of each month regarding the number of parking spaces required for that month.

Recommendations

We recommend that, if the Office of Administration and Resources Management maintains its parking subsidy program, the Assistant Administrator for Administration and Resources Management:

7. Conduct periodic reviews of parking space use to determine the number of spaces required and used.

8. Return unneeded parking spaces to reduce the EPA's liability and monthly rental expenses.

We recommend that, if Region 4 maintains its parking subsidy, the Regional Administrator, Region 4:

9. Conduct periodic reviews of parking space use to determine the number of spaces required and used.

Agency Response and OIG Evaluation

OARM and Region 4 concurred with Recommendations 7 through 9.

For Recommendation 7, OARM stated that by December 31, 2017, the "headquarters parking procedures will include a requirement to conduct semi-annual reviews of unoccupied spaces and determine if spaces are still warranted."

For Recommendation 8, OARM stated that by December 31, 2017, the office "will provide GSA with notification to return 53 of the 73 unoccupied parking spaces as indicated in the [Ronald Reagan Building] June 2017 report." OARM discussed with us its plan to retain 20 parking spaces for unfilled political appointees and employees from the Potomac Yard location transferring to the EPA's Washington, D.C., location within the next 6 months.

The proposed corrective actions for Recommendations 7 and 8 meet the intent of the recommendations.

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As of August 31, 2017, Region 4 completed corrective actions for Recommendation 9. Region 4 stated that "subsidy parking spaces will be reduced to one parking space. In addition, Region 4 management, in consultation with employee and labor relations, will conduct periodic reviews of the physically challenged parking space." The OIG concurs with the agency's actions, which satisfy the intent of Recommendation 9. Recommendation 9 is complete.

The complete OARM and Region 4 responses to the draft report are in Appendices A and B.

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Status of Recommendations and Potential Monetary Benefits

RECOMMENDATIONS

Rec. No.	Page No.	Subject	Status[1]	Action Official	Planned Completion Date	Potential Monetary Benefits (in $000s)
1	13	Comply with Office of Management and Budget Memorandum M-17-22, *Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce*, and decide whether the employee-related costs of continuing to offer parking subsidies are justified. If not, eliminate or reduce the parking subsidy.	C	Assistant Administrator for Administration and Resources Management	10/1/17	$812
2	13	Comply with Office of Management and Budget Memorandum M-17-22, *Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce*, and decide whether the employee-related costs of continuing to offer parking subsidies are justified. If not, eliminate or reduce the parking subsidy.	C	Regional Administrator, Region 4	7/31/17	$30
3	21	Revise the parking subsidy policies and procedures to provide guidance on what work schedules or duties fall within the definition of "unusual hours" and the assignment of available parking spaces to employees prescribed in 41 CFR §§ 102-71.20 and 102-74.305.	C	Assistant Administrator for Administration and Resources Management	9/30/17	
4	21	Comply with Section 6.1 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* and require that federal employees in EPA carpools submit a memorandum certifying that they are not participating in a transit program.	C	Assistant Administrator for Administration and Resources Management	9/30/17	
5	21	Comply with the definition of "carpool" specified in 41 CFR § 102-71.20 when assigning parking spaces to employees, which requires "two or more" participants who are "regularly using a motor vehicle for transportation to and from work on a continuing basis."	C	Assistant Administrator for Administration and Resources Management	10/1/17	
6	21	Comply with Section 6.5 of the EPA's *Washington, D.C.-Area Transit Subsidy Guidelines* and reconcile information from the EPA's parking database with the monthly parking report from Ronald Reagan Building management.	R	Assistant Administrator for Administration and Resources Management	12/31/17	
7	27	Conduct periodic reviews of parking space use to determine the number of spaces required and used.	R	Assistant Administrator for Administration and Resources Management	12/31/17	
8	27	Return unneeded parking spaces to reduce the EPA's liability and monthly rental expenses.	R	Assistant Administrator for Administration and Resources Management	12/31/17	$682
9	27	Conduct periodic reviews of parking space use to determine the number of spaces required and used.	C	Regional Administrator, Region 4	8/31/17	

C = Corrective action completed.
R = Recommendation resolved with corrective action pending.
U = Recommendation unresolved with resolution efforts in progress.

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Appendix A

OARM Response to Draft Report

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

AUG 17 2017

OFFICE OF ADMINISTRATION AND RESOURCES MANAGEMENT

MEMORANDUM

SUBJECT: Response to the Office of Inspector General Draft Report Project No. OA-FY-16-0221 "*EPA Should Determine Whether Parking Subsidy Costs Are Justified and Eliminate Unused Parking*," dated July 17, 2017

FROM: Donna J. Vizian, Acting Assistant Administrator

TO: Kevin Christensen, Assistant Inspector General
Office of Audit

Thank you for the opportunity to respond to the Office of Inspector General's Draft Report Project No. OA-FY-16-0221 related to parking subsidy costs. Overall, the agency concurs with the report findings and recommendations and has attached its position on each of the report recommendations. The Office of Administration and Resources Management concurs with six out of seven recommendations and has provided corrective actions and estimated completion dates. The Office of Administration and Resources Management does not concur with report recommendation 5.

Please contact Vaughn Noga, director, Office of Administration, at (202) 564-8400 or noga.vaughn@epa.gov if you have any questions on this response.

Attachment

cc:

John Showman
Gayle Jefferson
Lynnann Hitchens
Vaughn Noga
Maryann Petrole
Steve Blankenship
Lenee Morina
Erin Collard
Lauren Lemley
Raphael Jackson
Marian P. Cooper
Matthew Bell

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AGENCY'S RESPONSE TO REPORT RECOMMENDATIONS

No.	Recommendation	High-level intended Corrective Agency	Estimated Completion by
1	Comply with OMB memorandum M-17-22, Comprehensive Plan for Reforming the Federal Government and Reducing the Federal Civilian Workforce, and make a decision whether the employee related costs of continuing the parking subsidy is justified. If not, eliminate or reduce the parking subsidy.	Agree: the EPA will no longer offer reduced-rate parking to headquarters employees. The rate will be increased to $293.45 for all parking categories effective October 1, 2017.	October 1, 2017
3	Revise the parking subsidy policies and procedures to provide guidance on what work schedules or duties that fall within the definition of "unusual hours" and the assignment of available parking spaces to employees prescribed in 41 CFR 102-71.20 and 102-74.305. In addition, revise the parking application form to remove the employee category "executives" and replace with "unusual hours".	Agree: The headquarters transit subsidy policy has been updated and no longer includes parking requirements. OARM will issue parking procedures for headquarters to include the federal definition of unusual hours and issuance of parking spaces in accordance with federal regulations. However, the headquarters parking application will be updated to include executives and unusual hours to comply with CFR 102-74.305 "(b) Executive personnel and persons who work unusual hours."	September 30, 2017
4	Comply with Section 6.1 of the EPA's Washington, DC-Area Transit Subsidy Guidelines and require that the federal employees in the EPA carpools submit a memorandum certifying that they	Agree: The headquarters transit subsidy policy has been updated and no longer includes parking requirements.	September 30, 2017

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	are not participating in a transit program.	OARM will issue parking procedures for headquarters that will require **federal and non-federal** employees to submit a memorandum certifying that they are not participating in a transit program.	
5	Comply with 41 CFR § 102-71.20 definition of carpool when assigning parking spaces to employees, which requires "two or more" participants who are "regularly using a motor vehicle for transportation to and from work on a continuing basis".	Agree: EPA headquarters parking standard operating procedures will require a minimum of two of the participants to use the motor vehicle regularly to travel to and from work on a continuing basis.	October 1, 2017
6	Comply with Section 6.5 of the EPA's Washington, DC-Area Transit Subsidy Guidelines and reconcile information from the EPA's parking database with the monthly parking report from Ronald Reagan Building management.	Agree: The headquarters transit subsidy policy has been updated and no longer includes parking requirements. OARM will issue parking procedures for headquarters that will require the parking manager to work with the RRB parking manager to ensure parking data correlate.	December 31, 2017
7	Conduct periodic reviews of parking space use to determine the number of spaces required and used.	Agree: The headquarters parking procedures will include a requirement to conduct semi-annual reviews of unused spaces and determine if spaces are still warranted.	December 31, 2017

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8	Return unused parking spaces to reduce the EPA's liability and monthly rental expenses.	Agree: OARM will provide GSA with notification to return 53 of the 73 unused parking spaces as indicated in the RRB June 2017 report.	December 31, 2017

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Region 4 Response to Draft Report

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 16 2017

MEMORANDUM

SUBJECT: Response to the Office of Inspector General's Draft Report titled, *EPA Should Determine Whether Parking Subsidy Costs Are Justified and Eliminate Unused Parking* (Project No. OA-FY16-0221)

FROM: for Vickie H. Tellis Keith R. Mills
Acting Assistant Regional Administrator

TO: Kevin Christensen, Assistant Inspector General
Office of Audit

After reviewing the Office of Inspector General's DRAFT report titled, *EPA Should Determine Whether Parking Subsidy Costs Are Justified and Eliminate Unused Parking*, Region 4 concurs with the two recommendations. Attached is the Region's written response to the findings and recommendations.

Please contact Angie Billups at 404-562-9943 should you have questions.

Attachment

cc:

V. Anne Heard
Kenneth L. Lapierre
Keith R. Mills
Kristy H. Eubanks
Kathie Johnson
Donald O. Fortson
Angie Billups

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No	Page No.	OIG Recommendations	Concur or Not Concur	Region 4 Improvement Plan	Status	Completion Date
2	12	Comply with OMB Memorandum M-17-22, Reforming the Federal Government and Reducing the Federal Civilian Workforce and make a decision whether the employee related costs of continuing the parking subsidy is justified. If not, eliminate or reduce the parking subsidy	Concur	Region 4 eliminated the carpool parking subsidy program with an effective date of July 31, 2017. As of August 31, 2017, Region 4 will reduce the physically challenged parking spaces from three to one. We will continue to evaluate the feasibility of retaining the remaining space.	C R	7/31/2017 8/31/2017
9	26	Conduct periodic reviews of parking space use to determine the number of spaces required and used.	Concur	Region 4 subsidy parking spaces will be reduced to one parking space. Region 4 management, in consultation with Employee & Labor Relations, will conduct periodic reviews of the physically challenged parking space.	C	8/31/2017

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Appendix C

Distribution

The Administrator
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Chief of Staff for Operations
Deputy Chief of Staff for Operations
Assistant Administrator for Administration and Resources Management
Regional Administrator, Region 4
Agency Follow-Up Official (the CFO)
Agency Follow-Up Coordinator
General Counsel
Associate Administrator for Congressional and Intergovernmental Relations
Associate Administrator for Public Affairs
Deputy Assistant Administrator for Administration and Resources Management
Deputy Regional Administrator, Region 4
Director, Office of Acquisition Management, Office of Administration and Resources Management
Director, Office of Administration, Office of Administration and Resources Management
Director, Office of Resources, Operations and Management, Office of Administration and Resources Management
Director, Office of Regional Operations
Deputy Director, Office of Administration, Office of Administration and Resources Management
Deputy Director, Office of Resources, Operations and Management, Office of Administration and Resources Management
Chief, Planning and Business Operations Section, Region 4
Chief, Information Systems and Management Branch, Region 4
Audit Follow-Up Coordinator, Office of the Administrator
Audit Follow-Up Coordinator, Office of Administration and Resources Management
Audit Follow-Up Coordinator, Region 4

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To: pbsinger@usatoday.com[pbsinger@usatoday.com]
From: Wilcox, Jahan
Sent: Thur 6/8/2017 7:18:58 PM
Subject: Thanks Paul.

I sending this in a clean email because of the table/timeline that is at the bottom of this email.

On background, wanted to point out that Susan Bodine has been nominated for the assistant administrator for enforcement and compliance assurance at the EPA. In the past few weeks, she has met with numerous senators and the general counselor from Obama's EPA is recommending her confirmation (can send you that letter if you want).

Unfortunately, Senator Carper has said he won't be supporting her because the EPA is not responding to his letters. We would like to point out that at this exact moment, we have received 20 letters from Senator Carper and we responded to 10 of those letters. Of the outstanding 10 letters: 7 have been received in the past 30 days, 2 has been in the past 70 days or less (one of those will be put in the mail tomorrow) and 1 has been in the past 90 days or less.

Some of the letters it just takes a long time to get all of the information together (specifically talking about 3 outstanding letters that are over 30 days that will shrink to 2 tomorrow as one will be delivered today) for a response and all of the other 7 letters are under 30 days. We feel like Carper is trying to find a reason to oppose these nominees, but there is no issue here. If you need something on-the-record, happy to pass along this statement and let me know if you need anything else.

"We've received 20 letters from Senator Carper and 10 have already received a detailed response. Of the remaining 10 letters: 7 were received in the past month and we are working to respond as quickly as possible. EPA staff is committed to being responsive to Congress." – EPA spokesman, Jahan Wilcox

RESEARCH …

EPW Chairman Tom Carper said he would oppose additional EPA nominees until he receives better responses from the EPA from his letters to the agency. "In a statement, Carper said he too met with Bodine on Tuesday, and while her resume is "helpful," the senator said he would oppose advancing additional EPA nominees until the agency provides better responses to the committee's members." (E&E News, 06/08/17)

Scott Fulton who is the President at The Environmental Law Institute and served at the EPA's General Counsel in the Obama Administration says Susan Bodine has a deep understanding of the EPA and recommends her for confirmation. "During the Obama Administration, when I served as EPA's General Counsel, Susan and I worked collaboratively on matters of shared concern to the Administration and the Congress. … Through these various intersections, I have found Susan to be fair minded, clear thinking, and strategic in her approach, as well as effective in her leadership. She has a deep understanding of EPA and the EPA-State relationship, which will equip her well to lead OECA." (The Environmental Law, 06/05/17)

From	Date of Letter	Subject of Request	Status of Response
Senators Whitehouse, Stabenow, Merkley, Warren, and Duckworth	June 6, 2017	Requests: **(1) communications between anyone in OA, OP, or OAR and Carl Icahn; and (2) any documents shared with or by Icahn** or his associates since Nov. 9th. Argues that they are entitled to the documents since Trump transition team has indicated that Icahn is not a federal employee.	Response in progress
Ranking Member Carper AL-17-000-9297	May 20, 2017	Asks for (1) detailed documents/ information relating to any enforcement action against or settlement with **Devon Energy**; (2) info regarding civil and criminal **enforcement** actions beginning each FY since 2009; (3) info regarding civil and criminal enforcement actions since the beginning of the Administration; and (4) an analysis of the impact of the proposed budget cuts for OECA on the employees, and on potential	Response in progress

		enforcement and compliance inspections, and compliance assistance enforcement actions.	
Ranking Member Carper AL-17-000-9039	May 19, 2017	Expresses concern about EPA's response to his March 17th letter requesting certain information and reiterates his request regarding: the **Administrator's calendar; the individuals who served on the transition/ beach-head team or are political appointees; and a list of open FOIA requests**.	Response in progress
Senator Carper AL-17-000-8893	May 17, 2017	Expresses concern about EPA's response to his April 7th letter requesting information on the **CPP EO and reiterates his request for the information**.	Response in progress
Senators Whitehouse and Merkley AL-17-000-8861	May 16, 2017	Asks questions **about ethics issues concerning Tate Bennett's appointment** as DAA for OCIR.	Response in progress
Senator Warren plus 7 Senators AL-17-000-9037	May 9, 2017	Requests information from the Commodities Futures Trading Commission, the Securities and Exchange Commission, and EPA regarding **Carl Icahn's renewable fuel credits investments**.	Response in progress
Ranking Member Carper AL-17-000-8557	May 9, 2017	Requests information about EPA's decision to replace 12 scientists from the **Board of Scientific Counselors**	Response in progress
Ranking Member Carper AL-17-000-7258	April 4, 2017	Requests all documents related to EPA's analysis of **H.R. 1430**	Response in progress
Ranking	March 31,	Requests a copy of all documents sent or	Should be signed and

Member Carper AL-17-000-7284	2017	received by EPA (including documents sent or received by members of EPA's beach-head and transition teams) since November 9, 2016 that are related to EPA's response to the PANNA/NRDC petition to ban all remaining uses of **chlorpyrifos**.	delivered today or tomorrow.
Senator Whitehouse plus 5 other Senators AL-17-000-6447	March 16, 2017	Requests information/ documents regarding "**Carl Icahn's role in any concluded or ongoing discussions concerning the Renewable Fuel Standard (RFS)** at the Environmental Protection Agency (EPA)."	Response in progress

COMPLETED

Senators Carper, Whitehouse, Merkley, and Markey AL-17-000-8302	May 1, 2017	Requests information and documents about the **Administrator's decision not to participate in OKGOP Gala**.	On June 1st, signed **letter** brought to CCU for delivery.
Senator Whitehouse AL-17-000-7145	March 24, 2017	Follow up questions to EPA's January 31, 2017 response to a previous letter from the Senator regarding **ethics agreements**	On June 1st, signed **letter** brought to CCU for delivery.
Senator Whitehouse plus 3 other Senators AL-17-000-7572	April 14, 2017	Questions regarding **EPA's decision to withdraw the ICR from the oil and gas industry. Includes some ethics questions.**	--On May 31, final response **letter** sent.
Senator Carper plus 16 other	May 12, 2017	New letter asks when they would receive a response to their April 6th letter regarding the	--On May 26th, that final response **letters**

Senators		**ICR**.	were signed.
AL-17-000-9041		----------	
----------		Numerous questions and document requests regarding **EPA's decision to withdraw the ICR from the oil and gas industry regarding methane emissions**.	
AL-17-000-7263	April 6, 2017		
Senator Carper	April 18, 2017	Questions about Politico article suggesting that industry groups were studying whether EPA could hire private sector lawyers to **rewrite the Clean Water Rule**.	--On May 17th, the response **letter** was signed and sent to the Hill.
AL-17-000-7709			
Senator Carper plus 22 other Senators	May 12, 2017	New letter asks when they would receive a response to their April 7th letter.	--On May 9th, the final response **letter** was cleared by OGC, and send out to the 23 Senators.

AL-17-000-7536		Numerous questions and some document requests regarding the **Clean Power Plan EO**	
	April 7, 2017		
Senators Carper, Whitehouse, Booker, Markey, and Harris	May 2, 2017	Requests information and documents about the **Administrator's ethics agreement and participation in the Ozone NAAQS actions.**	--On May 5th, a final response **letter** was sent.
AL-17-000-8301			
Senator Carper plus 9 other Senators	April 7, 2017	Asks questions about the **Administrator's ethics agreement** and about **participation in the CPP actions.**	--On May 5th, a final response **letter** was sent.
L-17-000-7478			
Ranking Member Carper	March 21, 2017	Asks questions about the **Administrator's ethics agreement** and about **recusal or**	--On May 5th, a final response **letter** was

and others from EPW minority		**participation in the Clean Water Rule actions.**	sent.
AL-17-000-7282			
Ranking Member Carper and others from EPW minority	March 17, 2017	Requests the Administrator to: "correct the record" regarding his **use of personal email** for official business; **comply with EPA policy regarding the use of personal email** accounts; **release his calendar** each month; address concerns about the "secrecy associated with **transition and other political appointees**;" and commit to the **timely review of FOIA requests**.	--On May 5th, a final response **letter** was sent.
AL-17-000-6492			

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Wed 9/6/2017 1:45:44 PM
Subject: Re: Buyouts

Ok thanks.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

On Wed, Sep 6, 2017 at 9:39 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

EPA workforce shrinking to Reagan-era levels: agency official
Reuters
September 6, 2017
https://www.reuters.com/article/us-myanmar-rohingya-bangladesh-landmines/exclusive-myanmar-laying-landmines-near-bangladesh-border-government-sources-in-dhaka-idUSKCN1BH04F

The workforce at the U.S. Environmental Protection Agency is on course to fall to its lowest level since Ronald Reagan was president, an agency official said on Tuesday.

In June, the EPA unveiled a buyout program that would contribute to the biggest cuts of any federal agency in President Donald Trump's 2018 budget proposal. The EPA employs about 15,000 people.

After buyouts and retirements, that number could drop to 14,428 by October, the official, who spoke on condition of anonymity, said in an email.

That would be below the fiscal 1988 level, when EPA staffing was 14,440, the official noted. A further 2,998 employees, or just over 20 percent of the total, are eligible to retire now, the official said.

In an April spending bill, the Republican-controlled Congress set a cap for EPA staffing at 15,000 employees for fiscal year 2017, rejecting proposed increases by the previous administration of Democratic President Barack Obama.

EPA Administrator Scott Pruitt said the reductions were ”giving long-serving, hard-working employees the opportunity to retire early.

”We’re proud to report that we’re reducing the size of government, protecting taxpayer dollars and staying true to our core mission of protecting the environment and American jobs,” he said in a separate statement.

Pruitt has rolled back a slew of Obama-era regulations limiting carbon dioxide emissions from fossil fuels.

He was also instrumental in convincing Trump to withdraw the United States from the Paris climate accord - a global pact to stem planetary warming through emissions cuts.

While acknowledging the planet is warming, Pruitt has questioned the gravity of the problem and the need for regulations that require companies to take costly measures to reduce their carbon footprint.

Before becoming head of the EPA, he was Oklahoma’s attorney general and repeatedly sued the agency he now runs to block federal environmental rules.

From: Wilcox, Jahan
Sent: Wednesday, September 6, 2017 9:39 AM
To: 'Timothy Cama' <tcama@thehill.com>
Subject: RE: Buyouts

Sure what Reuters printed was accurate.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Wednesday, September 6, 2017 9:37 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Buyouts

Hey, could you confirm the buyout figures/Pruitt statement going around?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Olivia Beavers[obeavers@thehill.com]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Abboud, Michael
Sent: Tue 10/3/2017 2:52:00 PM
Subject: RE: Looking for comment on NYT Pruitt article re. industry-heavy schedule

With the New York Times reporting on Administrator Pruitt's schedule, which many other outlets reported on this over the weekend – we wanted to remind you that former EPA Administrator Gina McCarthy regretted not meeting and connecting with rural America.

As Reuters reports:

"Among the millions of rural Americans who voted for incoming president Donald Trump, the U.S. Environmental Protection Agency's legacy of hard-nosed regulation earned it a reputation as a jobs killer - a fact that outgoing EPA Director Gina McCarthy says could prove to be one of her biggest regrets. 'We tried to change the outreach and messaging in rural America in a number of ways, but ... has it changed the rhetoric that people hear? It hasn't,' McCarthy said in an interview this week at EPA headquarters in Washington. 'We couldn't get it, but I wish we had.'" (EPA head's top regret: failing to connect with rural America, Reuters, 01/06/17)

Additionally, we wanted to make sure you had this list of every environmental, consumer protection and public health groups that the EPA has met with, which includes Oregon Governor Kate Brown and Hawaii Governor David Ige: The Nature Conservancy. Audubon Society. American Lung Association. American Public Health Association. American Academy of Pediatrics. March of Dimes. Alliance of Nurses for Healthy Environments. Physicians for Social Responsibility. Trust for America's Health. National Medical Association. Asthma and Allergy Foundation of America. National Environmental Health Association. NYU School of Medicine. National Association of Environmental Medicine. National Association of County and City Health Officials. Health Care Without Harm. Healthy Air Campaign. American Lung Association. Indiana NAACP. East Chicago Community Action Group. Twin City Ministerial Alliance. First Baptist Church East Chicago. Interfaith Federation. Association of Clean Water Administrators. Texas Health and Environment Coalition. Galveston Bay Foundation. Environmental Council of the States. Western Governors Association, including Democratic Governors Steve Bullock (Mont.), Kate Brown (Ore.), David Ige (Hawaii), and John Hickenlooper (Colo.)."

From: Olivia Beavers [mailto:obeavers@thehill.com]
Sent: Tuesday, October 3, 2017 10:25 AM
To: Press <Press@epa.gov>
Subject: Looking for comment on NYT Pruitt article re. industry-heavy schedule

Hello,

Would the EPA like to make an additional comment about the NYT story about Administrator Pruitt's schedule and what it calls an industry-heavy calendar?

Thank you,

Olivia

Reporter at The Hill

434-409-1614

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Fri 4/28/2017 4:24:33 PM
Subject: Re: Here is our statement, can you update?

Yup, doing it now.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Fri, Apr 28, 2017 at 12:24 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Also could you update your story with our statement? Thank you!

From: Wilcox, Jahan
Sent: Friday, April 28, 2017 12:03 PM
To: 'Timothy Cama' <tcama@thehill.com>
Subject: Here is our statement, can you update?

"Last year, the Supreme Court granted a stay on the Clean Power Plan, so we always knew there were serious legal problems with this initiative from the Obama Administration and we welcome this news from the D.C. Circuit." EPA spokesman, Jahan Wilcox

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Wed 9/6/2017 8:15:04 PM
Subject: Re: Buyouts

My phone's being screwy ... give me a minute.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

On Wed, Sep 6, 2017 at 4:12 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Just tried to call you. Give a buzz when you have a few seconds.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Wednesday, September 6, 2017 9:46 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Buyouts

Ok thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

On Wed, Sep 6, 2017 at 9:39 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

EPA workforce shrinking to Reagan-era levels: agency official
Reuters

September 6, 2017
https://www.reuters.com/article/us-myanmar-rohingya-bangladesh-landmines/exclusive-myanmar-laying-landmines-near-bangladesh-border-government-sources-in-dhaka-idUSKCN1BH04F

The workforce at the U.S. Environmental Protection Agency is on course to fall to its lowest level since Ronald Reagan was president, an agency official said on Tuesday.

In June, the EPA unveiled a buyout program that would contribute to the biggest cuts of any federal agency in President Donald Trump's 2018 budget proposal. The EPA employs about 15,000 people.

After buyouts and retirements, that number could drop to 14,428 by October, the official, who spoke on condition of anonymity, said in an email.

That would be below the fiscal 1988 level, when EPA staffing was 14,440, the official noted. A further 2,998 employees, or just over 20 percent of the total, are eligible to retire now, the official said.

In an April spending bill, the Republican-controlled Congress set a cap for EPA staffing at 15,000 employees for fiscal year 2017, rejecting proposed increases by the previous administration of Democratic President Barack Obama.

EPA Administrator Scott Pruitt said the reductions were "giving long-serving, hard-working employees the opportunity to retire early.

"We're proud to report that we're reducing the size of government, protecting taxpayer dollars and staying true to our core mission of protecting the environment and American jobs," he said in a separate statement.

Pruitt has rolled back a slew of Obama-era regulations limiting carbon dioxide emissions from fossil fuels.

He was also instrumental in convincing Trump to withdraw the United States from the Paris climate accord - a global pact to stem planetary warming through emissions cuts.

While acknowledging the planet is warming, Pruitt has questioned the gravity of the problem and the need for regulations that require companies to take costly measures to reduce their carbon footprint.

Before becoming head of the EPA, he was Oklahoma's attorney general and repeatedly sued the agency he now runs to block federal environmental rules.

From: Wilcox, Jahan
Sent: Wednesday, September 6, 2017 9:39 AM
To: 'Timothy Cama' <tcama@thehill.com>
Subject: RE: Buyouts

Sure what Reuters printed was accurate.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Wednesday, September 6, 2017 9:37 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Buyouts

Hey, could you confirm the buyout figures/Pruitt statement going around?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Thur 11/16/2017 5:12:18 PM
Subject: Wanted to make sure you saw this.

No. The toxicologist Trump nominated to head the EPA chemical office does not kick puppies and poison kids
The Washington Examiner

November 9, 2017
http://www.washingtonexaminer.com/no-the-toxicologist-trump-nominated-to-head-the-epa-chemical-office-does-not-kick-puppies-and-poison-kids/article/2640166

Democrats are devoted to a single line of attack against President Trump's nominee to head the EPA chemical and pesticides office. They accuse Michael Dourson, a toxicologist with decades of experience, of kicking puppies and poisoning kids.

Ranking member of the Committee on Environment, Sen. Tom Carper of Delaware concluded that Dourson didn't have "a good heart." Sen. Tom Udall of New Mexico declared the nominee "might be the worst yet." And Sen. Richard Blumenthal of Connecticut claimed the conservative would do a poor job regulating chemicals that "can literally kill people, or stunt the growth of children, or make people sick."

But if those Democrats took a closer look at Dourson, if they actually examined his record, they'd see evidence of the opposite. He doesn't kick puppies and he doesn't poison kids. He saves them. Literally.

When a Kentucky family of four became dangerously ill in 2013 and suspected pollutants on their property, no one believed them. Not the original owner. Not the builder. And not the public health inspector. It was Dourson and his nonprofit organization, TERA, who discovered that harmful levels of airborne hydrogen sulfide was making the children sick and their pets foam from the mouth.

•□□□□□□□□ **MUST WATCH VIDEO: https://www.youtube.com/watch?v=epwdtcl-Zmk**

Later in California, Dourson served as an expert witness to help 130 San Francisco families poisoned by chemicals seeping into their homes from a nearby rail line. "Dr. Dourson's work resulted in significant settlements with the railroad and related property owners due to the risk inherent in exposure to the TCE vapors," wrote trial attorney

Richard Bowles.

Clearly two examples are not enough to merit confirmation of the toxicologist. But when combined with the decades of experience, his 15 years of work with the EPA, and the four bronze medals he won from the agency, however, they seem to suggest that Dourson is a decently, honorable fellow and a more-than-qualified nominee.

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Wed 9/6/2017 8:21:01 PM
Subject: Re: Buyouts

I just tried you a few times.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

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My phone's being screwy ... give me a minute.

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Timothy Cama, Staff writer
The Hill
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Secure: timothy.cama@protonmail.com

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Ok thanks.

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Timothy Cama, Staff writer

The Hill

(202) 695-6245

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Reuters
September 6, 2017
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Before becoming head of the EPA, he was Oklahoma’s attorney general and repeatedly sued the agency he now runs to block federal environmental rules.

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Subject: RE: Buyouts

Sure what Reuters printed was accurate.

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Sent: Wednesday, September 6, 2017 9:37 AM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Buyouts

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Thanks.

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Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Wed 7/5/2017 2:50:47 PM
Subject: RE: Washington Post got an interview too?

No I can send you a long list of people that we haven't done yet. We will try to get you in, he's on the road this week.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Monday, July 3, 2017 6:12 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Washington Post got an interview too?

Now I feel like it's everybody but me ...

The EPA, along with the American Petroleum Institute, had argued that the stay Pruitt imposed last month was not subject to judicial review, because it did not constitute final action on the rule. In a recent interview with The Washington Post, Pruitt said, “Just because you provide a time for implementation or compliance that’s longer doesn’t mean that you’re going to necessarily reverse or redirect the rule.”

But the court rejected that interpretation, writing, “EPA’s stay, in other words, is essentially an order delaying the rule’s effective date, and this court has held that such orders are tantamount to amending or revoking a rule.”

The ruling could affect myriad agencies that

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--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

Cc: Ricalde, Katy[katy.ricalde@FOXNEWS.COM]
From: Wilcox, Jahan
Sent: Wed 5/17/2017 10:05:02 PM
Subject: Re: Lunch or Coffee with Pruitt

Katy

I will email you tomorrow with available dates and hopefully we can get this on the schedule this summer. Thank you!

Jahan

Sent from my iPhone

On May 17, 2017, at 5:27 PM, Baier, Bret <bret.baier@FOXNEWS.COM> wrote:

I'm sure we can work that out.

Thanks for the invite

Bret

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Wednesday, May 17, 2017 4:10 PM
To: Baier, Bret
Subject: Lunch or Coffee with Pruitt

Bret –

Hope you are doing well. We got lunch when I was with Cuccinelli and then traded some emails while I was with Rubio. I'm currently at the EPA and curious if you had time for an off-the-record coffee or lunch this summer with Scott Pruitt this summer. If you can let me know that would be great. Thank you!

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 9/28/2017 12:35:53 PM
Subject: Background - EPA Official
Authorization for Charter Aircraft_Administator OK_7.26.2017.pdf
Request for Charter Service from Denver to Durango Package_8.24.2017.pdf
Request for Authorization_Use of MilAir-GC Memo_6.7.2017.pdf

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

JUL 26 2017

OFFICE OF GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Request for Charter Services

FROM: Elise B. Packard EBP
Acting Principal Deputy General Counsel
Office of General Counsel

TO: Kevin Chmielewski
Deputy Chief of Staff for Operations
Office of the Administrator

This memorandum responds to your request for authorization for the Administrator, seven EPA staff, and a non-federal employee to use charter aircraft on July 27, 2017. I have concluded that the circumstances you have provided in your request satisfy the regulations and policies governing EPA's use of charter aircraft. I am therefore authorizing the individuals listed in your request to travel on the Department of Interior's aircraft on July 27, 2017 from Tulsa, OK to Guymon, OK and from Guymon to Oklahoma City, OK.

As provided in your request, the Administrator, seven EPA staff, and one member of the media, are scheduled to use charter aircraft on the morning of July 27, 2017 to travel from Tulsa to Guymon for the purpose of meeting with landowners impacted by EPA's Waters of the United States Rule. The same individuals will then fly on the charter aircraft from Guymon to Oklahoma City to meet with state officials.

EPA employees

An agency's use of charter services is governed by OMB Circular A-126, OMB Bulletin 93-11, and 41 CFR §§ 102.33, 301-10.260 –10.266. Under these policies and procedures, OGC may authorize EPA employees to travel on charter aircraft in three situations:

a) Mission Requirements. The activities undertaken on the trip are operational functions that are necessary to discharge an agency's official responsibilities. Examples include transportation of troops or equipment, evacuation, intelligence gathering or counter narcotics work, search and rescue, transportation of prisoners, and scientific applications such as research that requires the use of aircraft for experiments.
b) Required Use. EPA can charter aircraft for its officials under this type of authorization for the purposes of bona fide communications (e.g., 24-hour secure communications) or security reasons (e.g., highly unusual circumstances that present a clear and

present danger) or exceptional scheduling requirements (e.g., a national emergency or other compelling operational considerations).

c) Other Official Travel. Official travel that does not qualify as a "mission requirement" or "required use" travel may be undertaken by chartered aircraft in limited circumstances. To meet this test, EPA must determine 1) the travel is for the purpose of conducting agency business and 2) no commercial service is reasonably available to effectively fulfill EPA's requirements or that the actual cost of using a chartered aircraft is less than the cost of commercial airline service.

Here, the travel satisfies the criteria of "other official travel" because the travel is for the purpose of conducting agency business and there are no commercial aircraft that offer flights to Guymon. As stated in your request, the purpose of the visit to Guymon is to meet with Gary Weabie of the Panhandle Irrigators Association, and landowners whose farms have been affected by the Waters of the United States Rule. Your request also provides that Guymon is in a remote location and Guymon Municipal Airport is too small to accommodate commercial aircraft.

Non-federal employee

Under 31 U.S.C. § 1345, EPA funds are not available to pay for the transportation of non-federal employees to meetings (a term DOJ's Office of Legal Counsel interprets broadly) unless otherwise authorized by law (such as under invitational travel orders, as authorized by 5 U.S.C. §5703). Absent such authority, a non-federal employee may travel on government aircraft only if he or she is occupying a seat that would otherwise be vacant. That is, non-federal employees may ride along only if the vehicle has available extra seats, and EPA does not expend any additional funds to accommodate the non-federal employees (e.g., EPA does not rent a larger vehicle to accommodate the non-federal employees).

It is permissible for the member of the media noted in the request to accompany the EPA employees on the charter flight because we have determined that s/he will be occupying a seat on the aircraft that would otherwise be vacant. Therefore, EPA will not be spending appropriated funds on a non-federal employee.

Conclusion

Based on the information provided to me, I authorize the use of government aircraft for the requested individuals on July 27, 2017 from Tulsa to Guymon and from Guymon to Oklahoma City. Travel on a charter service is appropriate here because the purpose of the trip is to conduct the Administrator's official business of studying the impact of EPA regulations on farmers, and the town is not accessible through commercial means. The member of the media may also accompany the EPA employees on the flight because there is no additional cost to the Agency to accommodate him or her.

If you have any questions regarding this memorandum, please do not hesitate to contact me (202-564-7729) or Stephanie Rich (202-564-4963).

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

JUN 07 2017

OFFICE OF
GENERAL COUNSEL

MEMORANDUM

SUBJECT: Request for Authorization for Government (Military) Aircraft Travel

FROM: Kevin S. Minoli
Acting General Counsel

TO: Ryan Jackson
Chief of Staff

This memorandum responds to your request for my review of whether the circumstances regarding the Administrator's schedule and obligations on June 7, 2017 and June 8, 2017, satisfy the standard for the authorized use of a government aircraft for one portion of the necessary transportation between those obligations, and, if so, your request for my authorization, pursuant to 41 CFR sec. 301-70.803(b). Because I conclude that the regulatory and other standards are satisfied by the circumstances as they have been provided to me, this memo provides authorization for the Administrator and required accompanying EPA staff to travel from Cincinnati, Ohio, to the John F. Kennedy International Airport (JFK Airport) in New York, New York,on a military aircraft operated by the United States Department of the Air Force. The travel will occur today, June 7, 2017.

The Administrator is currently scheduled to depart Washington, DC, to travel to Rome, Italy, later today (June 7, 2017) as the lead official on a diplomatic mission for the United States Government. While in Italy, the Administrator is schedule to represent the Unites States at the G-7 Environment Ministerial, in bi-lateral meetings with individual Environment Ministers, in bi-lateral meetings with the Vatican, and in meetings with United States businesses that have locations in Italy. This official, mission-critical travel has been coordinated with the Department of State and the local United States Embassy. See attachment 1, "Notional Itinerary for EPA Administrator Mission to Italy."

In addition, the President directed Administrator Pruitt to accompany the President today (June 7, 2017) aboard Air Force One and travel to Cincinnati, Ohio, to attend and participate in water infrastructure-related public events. See attachment 2, "The Visit of the President to Cincinnati, OH Wednesday, June 7, 2017." As explained in the June 7 memoranda from the Deputy Chief of Staff respectively, the Administrator's original travel itinerary had to be changed to depart for Italy from Cincinnati, Ohio, instead of Washington, D.C., given the need to immediately travel to Cincinnati to support the Presidential event. See attachment 3, Email from John Reeder, Deputy Chief of Staff, to Kevin Minoli, Acting General Counsel, and Elise Packard, Acting Principal Deputy General Counsel, June 7, 2017. According to the attached schedules, the Administrator

will not complete his obligations with the President until 2:05 p.m. Currently, the Administrator is scheduled to depart JFK Airport at 7:35 p.m. I understand from the information provided to me by you and the attached email from the Deputy Chief of Staff that there are no commercial flights leaving Cincinnati, Ohio for JFK Airport that would arrive in time for the scheduled flight to Italy. I also understand from you that there are no other viable flight itineraries that would arrive in Italy on schedule have been identified.

EPA's use of non-commercial travel services is governed by OMB Circular A-126, OMB Bulletin 93-11, and the Federal Travel Regulations at 41 CFR parts 301-10 and 301-70. Under these policies and procedures, the "agency's senior legal official or his/her principal deputy must authorize all travel on Government aircraft by senior Federal officials on a trip-by-trip basis, in advance and in writing." 41 CFR sec. 301-70.803(b). Travel can be authorized on government aircraft in three situations:

a) Mission Requirements. The activities undertaken on the trip are operational functions that are necessary to discharge an agency's official responsibilities. Examples include transportation of troops or equipment, evacuation, intelligence gathering or counter narcotics work, search and rescue, transportation of prisoners, and scientific applications such as research that requires the use of aircraft for experiments;

b) Required Use. Travel via government aircraft is authorized if it is for the purposes of bona fide communications (e.g., 24-hour secure communications) or security reasons (e.g., highly unusual circumstances that present a clear and present danger) or exceptional scheduling requirements (e.g., a national emergency or other compelling operational considerations); or

c) Other Official Travel. Official travel that does not qualify as a "mission requirement" or "required use" travel may be undertaken in a government aircraft in limited circumstances. EPA must determine that no commercial service is reasonably available to effectively fulfill its requirements (i.e., no commercial service must be able to meet the traveler's departure and/or arrival times within a 24-hour period unless extraordinary circumstances justify a shorter period or that the actual cost of using a chartered aircraft is less than the cost of commercial airline service).

See, OMB Circular A-126, OMB Bulletin 93-11, and the Federal Travel Regulations at 41 CFR parts 301-10 and 301-70. I evaluated this travel request under the "required use" and "other official travel" Standards. Regarding "required use", OMB Circular A-126 states that a "required use" travel determination must be consistent with established agency policies for determining when such use is permitted. The EPA's Travel Manual states in relevant part:

> ...use of a federal government aircraft, chartered or federal government owned, must comply with the OMB Circular A-126. The EPA must need the service to fulfill a mission requirement, exceptional scheduling, communication or security requirements, or there is a substantial cost savings to the federal government.

Referring back to the standard for a "required use" authorization described above, use of a government aircraft may be authorized for one of three reasons: 1) bona fide communications; 2) security; or 3) exceptional scheduling considerations. The requested travel on a government aircraft is not necessary for communications or security reasons. There are, however, exceptional scheduling considerations that satisfy the standard for authorizing this travel on a government aircraft. The Administrator's schedule requires him to accompany the President in Cincinnati, Ohio, today, June 7, 2017, and requires him to represent the United States Government at previously-scheduled meetings in Rome, Italy tomorrow, June 8, 2017. Both obligations have been deemed critical to the mission of the agency. The temporal proximity and geographic distance between the two obligations jointly constitute an exceptional scheduling requirement.

In order to authorize travel on a government aircraft under the "other official use" standard, it must be determined that no commercial service is reasonably available to fulfill the agency's requirements. This is generally established when there is no commercial service available to meet the traveler's departure and/or arrival times within a 24-hour period, unless extraordinary circumstances justify a shorter period. Here, the extraordinary circumstances described above justify a shorter period of consideration other than 24-hours. Additionally, based on the information provided to me by you and in the attachments, there is no commercial service available to meet the agency's travel need.

Based on the information provided to me, I authorize the use of government aircraft for the Administrator's travel today (June 7, 2017) from Cincinnati, Ohio, to JFK Airport based on the conclusion that the travel satisfies both the "required use" standard and the "other official travel" standard for such an authorization. My review and authorization is limited to the authorization to travel on a government aircraft; it does not represent any other required authorizations or approvals, such as those necessary under EPA's Travel Policy, nor does it represent the authorization or approval of the individual trips themselves.

Attachments

cc: John Reeder, Deputy Chief of Staff

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

AUG 24 2017

OFFICE OF GENERAL COUNSEL

MEMORANDUM

SUBJECT: Approval of Request for Charter Service from Denver to Durango

FROM: Kevin S. Minoli
Acting General Counsel
Office of General Counsel

TO: Kevin Chmielewski
Deputy Chief of Staff for Operations
Office of the Administrator

This memorandum responds to your request for written approval for the Administrator and three EPA employees to use a charter service to fly from Denver to Durango, CO on August 4, 2017. I have concluded that the circumstances you have provided in your request satisfy the regulations and policies governing EPA's use of charter aircraft. I am therefore, memorializing my prior verbal approval of your request.

On August 4, 2017, the Administrator and his staff were scheduled to attend a meeting at Gold King Mine, near Durango, to discuss the mine spill with the Colorado Congressional delegation, the Colorado Governor, key community leaders, and stakeholders. The Administrator was scheduled to take a commercial flight from Denver at 9:10 a.m. that would arrive in Durango at 11 a.m. When the Administrator and his staff arrived at the airport in Denver for their departure to Durango, they learned that the flight had been delayed. The delay pushed the flight's arrival time beyond the Administrator's scheduled meeting time at Gold King Mine.

Pursuant to OMB Circular A-126, in emergency situations, EPA's General Counsel or Principal General Counsel may give prior verbal approval of the Agency's use of a charter service and after-the-fact written certification. In this case, the Administrator urgently needed a mode of transportation to make his meeting and did not have sufficient time to request formal approval from OGC. I was contacted by the EPA's Chief of Staff, Ryan Jackson, to provide verbal approval of the use of a private charter service. Based on the facts presented to me, I gave my verbal approval for the Agency's use of a charter service, which I believed qualified as "other official travel" under GSA's authorized uses of charter aircraft. Ryan Jackson agreed to deliver the appropriate paperwork to OGC the following week so I could provide my formal approval. This information was documented in an email dated August 4, 2017.

An agency's use of charter services is governed by OMB Circular A-126 and 41 CFR §§ 102.33, 301-10.260 –10.266. Under these policies and procedures, one of the three situations in which OGC may approve EPA's use of a charter service is for "other official travel." To meet this test, EPA must determine 1) the travel is for the purpose of conducting agency business and 2) no commercial service is reasonably available to effectively fulfill EPA's requirements or that the actual cost of using a chartered aircraft is less than the cost of commercial airline service. Here, the travel satisfies the criteria of "other official travel." As stated in your request, the purpose of the Administrator's visit was to meet with state representatives and stakeholders to discuss EPA's response to the Gold King Mine spill. You also state in your request that there were no alternative commercial flights that would allow the Administrator and his team to make the meeting on time.

Based on information provided to me, I am formally authorizing EPA's use of a charter service from August 4, 2017 from Denver to Durango. If you have any questions regarding this memorandum, please do not hesitate to contact me (202-564-8040) or Stephanie Rich (202-564-4963).

CORRESPONDENCE ROUTING AND TRANSMITTAL SLIP

Routed From *printed 08/24/2017 03:09:47 PM*

Law Office	Originator	Date Due	ID Number
CRFLO	Stephanie Rich	09/01/2017	OGC-3088

Action Requested

- ☐ Concurrence by GC
- ☐ Concurrence by Front Office
- ☐ FYI
- ☐ Signature by GC
- ☐ Signature by Front Office
- ☐ Other

Routed To

Law Office	Approver	Approved?
1. Front Office	Shaun Trudeau	✔ YES 08/24/2017 02:18:40 PM
2. Front Office	Kevin Minoli	
3.		
4.		
5.		
6.		
7.		
8.		

Package Information

Document Type

Memorandum

Case Name/Subject	Case or File Number
Approval of Request for Charter Service from Denver to Durango	N/A

Comments from the ORIGINATOR

MEMORANDUM

SUBJECT: Justification for Charter Services for the Administrator

FROM: Kevin Chmielewski,
Deputy Chief of Staff for Operations

TO: Kenneth Redden,
Acting Associate General Counsel,
Civil Rights and Finance Law Office

This memorandum requests that the Office of General Counsel approve the use of charter services for the Administrator under the circumstances set forth below. If you have any questions regarding this matter, please contact me at 202-564-3140 or Millan Hupp of my staff at 202-564-1748.

JUSTIFICATION FOR AIRPLANE CHARTER IN COLORADO

The Administrator and other EPA employees visited Gold King Mine in Durango, Colorado. The following employees are traveled via charter from Denver to Durango on August 4th:

E. Scott Pruitt, Administrator
Pasquale Perrotta, Protective Security Detail
Lincoln Ferguson, Senior Advisor to the Administrator
Amy Graham, Deputy Associate Administrator, OPA

PURPOSE

Administrator was scheduled to be at Gold King Mine for a tour and meeting beginning at 11AM. His flight was scheduled to land in Durango (1 hour, 45 min) from Gold King at 9:10AM. The traveling EPA staff did not learn of the delay until arrival at the airport in Denver that morning. The flight continued to be delayed, all the while they searched for alternative options. None became available and with no indication for an immediate depart for the already scheduled commercial flight, the decision was made to pursue a charter plane in order to fulfill the mission.

Therefore, the Administrator departed from Denver, CO on August 4th, 2017 via a charter aircraft to Durango, CO to make a mission critical meeting at Gold King Mine. This meeting involved the Colorado Congressional delegation, the Governor, and key community leaders and stakeholders, and it was essential that the Administrator attend. The Administrator's original commercial flight was delayed beyond the timeframe for the scheduled meeting. Thus only allowing for the option to use a charter aircraft.

From: Minoli, Kevin
To: Redden, Kenneth; Askew, Wendel; Talbert-Duarte, Angelia; Rich, Stephanie; Fugh, Justina
Cc: Reeder, John; Brown, Reginald; Davis, Gail; Packard, Elise
Subject: Update on Administrator"s Travel Today
Date: Friday, August 04, 2017 12:58:12 PM

All- I wanted to provide an update on the Administrator's travel situation today. As those of you who are in the office know, the flight the Administrator intended to take from Denver to Durango today was delayed to such a degree that he would miss a mission critical meeting at Gold King Mine. That meeting involved the Colorado Congressional delegation, the Governor, and key community leaders and stakeholders, and it was essential that the Administrator attend. Based upon my conversation with Ryan Jackson, there were no other available flights from Denver to Durango that would have worked with the scheduled meeting. People also looked into flights from airports near to Denver into Durango or other locations near Gold King Mine. While there was one potential alternative identified that had one seat available (and the airline may have gone as far as to reserve that seat in case we determined it would meet the travel needs and requirements), Ryan's understanding from the security detail was that there was not any additional seat for a Special Agent to accompany the Administrator and, therefore, that flight did not meet the travel and security needs. Similarly, there was only one seat available on a plane with the Governor, so without the Governor removing someone else from the trip that was not an option either. After calling an consulting with me, there was a decision to secure a flight with a commercially-available charter service (http://mayoaviation.com/charter/). Ryan relayed that the cost was approximately $5200. Ryan will deliver all of the paperwork to the AO team and us on Monday when they return to the office. At that point will we document the oral consultation and conclusion more formally.

AO folks, I cc'd you so everyone had awareness of where things stand from my perspective. If you want to talk through any aspect of this understanding today, please give me a call.

Thanks, Kevin

Kevin S. Minoli
Acting General Counsel
Office of General Counsel
US Environmental Protection Agency
Main Office Line: 202-564-8040

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Wed 7/5/2017 7:22:18 PM
Subject: FW: EPA Proposes RFS Volumes Reflective of Market Realities for 2018 - Preview

Release going out shortly. You can write now if you want.

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Wednesday, July 5, 2017 3:10 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: EPA Proposes RFS Volumes Reflective of Market Realities for 2018 - Preview

EPA Proposes RFS Volumes Reflective of Market Realities for 2018
Starting Technical Analysis to Inform Future Reset Rules

WASHINGTON – (July 5, 2017) Today, the U.S. Environmental Protection Agency (EPA) signed a proposed rule setting the minimum amount of renewable fuels that must be supplied to the market in calendar year 2018 under the Renewable Fuel Standards (RFS) program. Today's action proposes volume requirements and associated percentage standards that maintain renewable fuel volumes at levels comparable to the 2017 standards, recognizing limits to the growth of cellulosic and advanced biofuels.

EPA is committed to successfully administering the RFS consistent with the direction entrusted to the Agency by Congress and is on track to meet the November 30th statutory deadline to make today's proposed Renewable Volume Obligations (RVOs) final. The proposed volumes are based on requirements under the law and an analysis of current market dynamics, including energy demand, biofuel production, and market constraints. The proposed standards will help stabilize the renewable fuels program and provide certainty for stakeholders.

"Increased fuel security is an important component of the path toward American energy dominance," said EPA Administrator Scott Pruitt. **"We are proposing new volumes consistent with market realities focused on actual production and consumer demand while being cognizant of the challenges that exist in bringing advanced biofuels into the marketplace. Timely implementation provides certainty to American refiners, the agriculture community and broader fuels industry, all of which play an important role in the RFS program."**

Some key elements of today's action:

•□□□□□□□□ Non-advanced or "conventional" renewable fuel volumes are maintained at the **15-billion gallon** target set by Congress.

•□□□□□□□□ The biomass-based diesel standard for 2019 would be maintained at the 2018 levels of **2.1 billion gallons.**

•□□□□□□□□ EPA is beginning technical analysis that will inform a future rule to reset the statutory volumes for cellulosic, advanced, and total biofuels. The law requires this reset when certain conditions are met.

EPA is also taking comment on addressing concerns that some RFS obligations are increasingly met with imported fuel from Brazil, Argentina and Indonesia. Additionally, the Agency is assessing higher levels of ethanol-free gasoline and bolstering an existing memorandum of understanding with the U.S. Commodity Futures Trading Commission (CFTC) to analyze and address a host of market concerns, including the need for increased transparency.

"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.

Proposed and Final Renewable Fuel Volume Requirements for 2014-2019

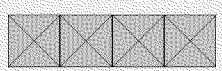
	2017	Proposed 2018	Proposed 2019
Cellulosic biofuel (million gallons):	311	238	n/a
Biomass-based diesel (billion gallons):	2.0	2.1*	2.1
Advanced biofuel (billion gallons):	4.28	4.24	n/a
Renewable fuel (billion gallons):	19.28	19.24	n/a

*Biomass-based diesel standard is final for 2018.

For more information on today's announcement, go to: https://www.epa.gov/renewable-fuel-standard-program/2017-announcements-renewable-fuel-standard

http://usenvironmentalprotectionagency.cmail20.com/t/d-i-khfjtd-l-y/

Visit The EPA's Newsroom



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

Unsubscribe

To: Timothy Cama[tcama@thehill.com]
Cc: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Abboud, Michael
Sent: Mon 10/16/2017 2:23:08 PM
Subject: RE: Sue and settle event

Hey Tim off the record details will be coming this morning. I'll make sure you get them.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Monday, October 16, 2017 9:59 AM
To: Press <Press@epa.gov>
Subject: Sue and settle event

Hi-

Devin and I must have missed our invitation to this "sue and settle" event, or maybe it got caught in our spam filter: https://twitter.com/JohnDSiciliano/status/919919925845745668

Will you be releasing the details about it widely?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Fri 4/28/2017 4:03:21 PM
Subject: Here is our statement, can you update?

"Last year, the Supreme Court granted a stay on the Clean Power Plan, so we always knew there were serious legal problems with this initiative from the Obama Administration and we welcome this news from the D.C. Circuit."
EPA spokesman, Jahan Wilcox

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Shesgreen, Deirdre[dshesgreen@usatoday.com]
From: Wilcox, Jahan
Sent: Thur 11/16/2017 10:22:39 PM
Subject: RE: Dourson

Off-the-record, we will decline to comment/respond to your inquiries.

I hope you take time to read this story and because the TV clip is from the Cincinnati market hope you watch this video (especially around the 2:00 minute mark).

No. The toxicologist Trump nominated to head the EPA chemical office does not kick puppies and poison kids
The Washington Examiner

November 9, 2017
http://www.washingtonexaminer.com/no-the-toxicologist-trump-nominated-to-head-the-epa-chemical-office-does-not-kick-puppies-and-poison-kids/article/2640166

Democrats are devoted to a single line of attack against President Trump's nominee to head the EPA chemical and pesticides office. They accuse Michael Dourson, a toxicologist with decades of experience, of kicking puppies and poisoning kids.

Ranking member of the Committee on Environment, Sen. Tom Carper of Delaware concluded that Dourson didn't have "a good heart." Sen. Tom Udall of New Mexico declared the nominee "might be the worst yet." And Sen. Richard Blumenthal of Connecticut claimed the conservative would do a poor job regulating chemicals that "can literally kill people, or stunt the growth of children, or make people sick."

But if those Democrats took a closer look at Dourson, if they actually examined his record, they'd see evidence of the opposite. He doesn't kick puppies and he doesn't poison kids. He saves them. Literally.

When a Kentucky family of four became dangerously ill in 2013 and suspected pollutants on their property, no one believed them. Not the original owner. Not the builder. And not the public health inspector. It was Dourson and his nonprofit organization, TERA, who discovered that harmful levels of airborne hydrogen sulfide was making the children sick and their pets foam from the mouth.

•□□□□□□□ **MUST WATCH VIDEO:**
https://www.youtube.com/watch?v=epwdtcl-Zmk

Later in California, Dourson served as an expert witness to help 130 San Francisco families poisoned by chemicals seeping into their homes from a nearby rail line. "Dr. Dourson's work resulted in significant settlements with the railroad and related property owners due to the risk inherent in exposure to the TCE vapors," wrote trial attorney Richard Bowles.

Clearly two examples are not enough to merit confirmation of the toxicologist. But when combined with the decades of experience, his 15 years of work with the EPA, and the four bronze medals he won from the agency, however, they seem to suggest that Dourson is a decently, honorable fellow and a more-than-qualified nominee.

From: Shesgreen, Deirdre [mailto:dshesgreen@usatoday.com]
Sent: Thursday, November 16, 2017 5:13 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Dourson

Hi Jahan,

I'm sure you saw that Sens. Tillis and Burr said yesterday they would oppose Michael Dourson's confirmation to the EPA's chemical safety office. I'm doing a story about what happens if it becomes clear he would not be able to win confirmation. Here are my questions:

If another Republican comes out against him, that means his nomination would be defeated on the Senate floor. Would the Trump administration withdraw his name from consideration it is clear he won't be confirmed?

If his nomination is either withdrawn or defeated on the floor, would Administrator Pruitt keep him on board or would he remove him from his current post at EPA?

Thanks,

Deirdre

Deirdre Shesgreen

Washington Correspondent

USA TODAY/The Cincinnati Enquirer/The Springfield News-Leader

(202) 330-3890

dshesgreen@usatoday.com

Twitter handle: @dshesgreen

To: Singer, Paul[pbsinger@usatoday.com]
From: Wilcox, Jahan
Sent: Tue 6/13/2017 2:33:30 PM
Subject: RE: Thanks Paul.

Sounds good.

Since Carper is bringing this issue up again, on background as an EPA official, wanted to share that we have received 414 letters from Congress and have responded to 386.

From: Singer, Paul [mailto:pbsinger@usatoday.com]
Sent: Saturday, June 10, 2017 11:34 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Thanks Paul.

Jahan sorry for delay (crazy crazy week)

This is interesting - I used to deal with Susan Bodine when I ran Inside EPA in the 1990s.

I'll look into this

Thanks

Singer

Paul Singer

202-746-6047

On Jun 8, 2017, at 3:19 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

I sending this in a clean email because of the table/timeline that is at the bottom of this email.

On background, wanted to point out that Susan Bodine has been nominated for the assistant administrator for enforcement and compliance assurance at the EPA. In the past few weeks, she has met with numerous senators and the general counselor from Obama's EPA is recommending her confirmation (can send you that letter if you want).

Unfortunately, Senator Carper has said he won't be supporting her because the EPA is not responding to his letters. We would like to point out that at this exact moment, we have received 20 letters from Senator Carper and we responded to 10 of those letters. Of the outstanding 10 letters: 7 have been received in the past 30 days, 2 has been in the past 70 days or less (one of those will be put in the mail tomorrow) and 1 has been in the past 90 days or less.

Some of the letters it just takes a long time to get all of the information together (specifically talking about 3 outstanding letters that are over 30 days that will shrink to 2 tomorrow as one will be delivered today) for a response and all of the other 7 letters are under 30 days. We feel like Carper is trying to find a reason to oppose these nominees, but there is no issue here. If you need something on-the-record, happy to pass along this statement and let me know if you need anything else.

"We've received 20 letters from Senator Carper and 10 have already received a detailed response. Of the remaining 10 letters: 7 were received in the past month and we are working to respond as quickly as possible. EPA staff is committed to being responsive to Congress." – EPA spokesman, Jahan Wilcox

RESEARCH …

EPW Chairman Tom Carper said he would oppose additional EPA nominees until he receives better responses from the EPA from his letters to the agency. "In a statement, Carper said he too met with Bodine on Tuesday, and while her resume is "helpful," the senator said he would oppose advancing additional EPA nominees until the agency provides better responses to the committee's members." (E&E News, 06/08/17)

Scott Fulton who is the President at The Environmental Law Institute and served at the EPA's General Counsel in the Obama Administration says Susan Bodine has a deep understanding of the EPA and recommends her for confirmation. "During the Obama Administration, when I served as EPA's General Counsel, Susan and I worked collaboratively on matters of shared concern to the Administration and the Congress. … Through these various intersections, I have found Susan to be fair minded, clear thinking, and strategic in her approach, as well as effective in her leadership. She has a deep understanding of EPA and the EPA-State relationship, which will equip her well to lead OECA." (The Environmental Law, 06/05/17)

From	Date of Letter	Subject of Request	Status of Response
Senators Whitehouse, Stabenow, Merkley, Warren, and Duckworth	June 6, 2017	Requests: **(1) communications between anyone in OA, OP, or OAR and Carl Icahn; and (2) any documents shared with or by Icahn** or his associates since Nov. 9th. Argues that they are entitled to the documents since Trump transition team has indicated that Icahn is not a federal employee.	Response in progress
Ranking Member Carper AL-17-000-9297	May 20, 2017	Asks for (1) detailed documents/ information relating to any enforcement action against or settlement with **Devon Energy**; (2) info regarding civil and criminal **enforcement** actions beginning each FY since 2009; (3) info regarding civil and criminal enforcement actions since the beginning of the Administration; and (4) an analysis of the impact of the proposed budget cuts for OECA on the employees, and on potential enforcement and compliance inspections, and	Response in progress

		compliance assistance enforcement actions.	
Ranking Member Carper AL-17-000-9039	May 19, 2017	Expresses concern about EPA's response to his March 17th letter requesting certain information and reiterates his request regarding: the **Administrator's calendar; the individuals who served on the transition/ beach-head team or are political appointees; and a list of open FOIA requests**.	Response in progress
Senator Carper AL-17-000-8893	May 17, 2017	Expresses concern about EPA's response to his April 7th letter requesting information on the **CPP EO and reiterates his request for the information**.	Response in progress
Senators Whitehouse and Merkley AL-17-000-8861	May 16, 2017	Asks questions **about ethics issues concerning Tate Bennett's appointment** as DAA for OCIR.	Response in progress
Senator Warren plus 7 Senators AL-17-000-9037	May 9, 2017	Requests information from the Commodities Futures Trading Commission, the Securities and Exchange Commission, and EPA regarding **Carl Icahn's renewable fuel credits investments**.	Response in progress
Ranking Member Carper AL-17-000-8557	May 9, 2017	Requests information about EPA's decision to replace 12 scientists from the **Board of Scientific Counselors**	Response in progress
Ranking Member Carper AL-17-000-7258	April 4, 2017	Requests all documents related to EPA's analysis of **H.R. 1430**	Response in progress
Ranking Member Carper	March 31, 2017	Requests a copy of all documents sent or received by EPA (including documents sent or	Should be signed and delivered today or

		received by members of EPA's beach-head and transition teams) since November 9, 2016 that are related to EPA's response to the PANNA/NRDC petition to ban all remaining uses of **chlorpyrifos**.	tomorrow.
AL-17-000-7284			
Senator Whitehouse plus 5 other Senators	March 16, 2017	Requests information/ documents regarding "**Carl Icahn's role in any concluded or ongoing discussions concerning the Renewable Fuel Standard (RFS)** at the Environmental Protection Agency (EPA)."	Response in progress
AL-17-000-6447			

COMPLETED

Senators Carper, Whitehouse, Merkley, and Markey	May 1, 2017	Requests information and documents about the **Administrator's decision not to participate in OKGOP Gala**.	On June 1st, signed **letter** brought to CCU for delivery.
AL-17-000-8302			
Senator Whitehouse	March 24, 2017	Follow up questions to EPA's January 31, 2017 response to a previous letter from the Senator regarding **ethics agreements**	On June 1st, signed **letter** brought to CCU for delivery.
AL-17-000-7145			
Senator Whitehouse plus 3 other Senators	April 14, 2017	Questions regarding **EPA's decision to withdraw the ICR from the oil and gas industry. Includes some ethics questions.**	--On May 31, final response **letter** sent.
AL-17-000-7572			
Senator Carper plus 16 other Senators	May 12, 2017	New letter asks when they would receive a response to their April 6th letter regarding the **ICR**.	--On May 26th, that final response **letters** were signed.

AL-17-000-9041		----------	
----------		Numerous questions and document requests regarding **EPA's decision to withdraw the ICR from the oil and gas industry regarding methane emissions**.	
AL-17-000-7263	April 6, 2017		
Senator Carper	April 18, 2017	Questions about Politico article suggesting that industry groups were studying whether EPA could hire private sector lawyers to **rewrite the Clean Water Rule**.	--On May 17th, the response **letter** was signed and sent to the Hill.
AL-17-000-7709			
Senator Carper plus 22 other Senators	May 12, 2017	New letter asks when they would receive a response to their April 7th letter.	--On May 9th, the final response **letter** was cleared by OGC, and send out to the 23 Senators.

AL-17-000-7536		Numerous questions and some document requests regarding the **Clean Power Plan EO**	
	April 7, 2017		
Senators Carper, Whitehouse, Booker, Markey, and Harris	May 2, 2017	Requests information and documents about the **Administrator's ethics agreement and participation in the Ozone NAAQS actions.**	--On May 5th, a final response **letter** was sent.
AL-17-000-8301			
Senator Carper plus 9 other Senators	April 7, 2017	Asks questions about the **Administrator's ethics agreement** and about **participation in the CPP actions.**	--On May 5th, a final response **letter** was sent.
L-17-000-7478			
Ranking Member Carper and others from	March 21, 2017	Asks questions about the **Administrator's ethics agreement** and about **recusal or participation in the Clean Water Rule**	--On May 5th, a final response **letter** was sent.

EPW minority		**actions.**	
AL-17-000-7282			
Ranking Member Carper and others from EPW minority	March 17, 2017	Requests the Administrator to: "correct the record" regarding his **use of personal email** for official business; **comply with EPA policy regarding the use of personal email** accounts; **release his calendar** each month; address concerns about the "secrecy associated with **transition and other political appointees**;" and commit to the **timely review of FOIA requests**.	--On May 5th, a final response **letter** was sent.
AL-17-000-6492			

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Fri 4/28/2017 4:24:02 PM
Subject: RE: Here is our statement, can you update?

Also could you update your story with our statement? Thank you!

From: Wilcox, Jahan
Sent: Friday, April 28, 2017 12:03 PM
To: 'Timothy Cama' <tcama@thehill.com>
Subject: Here is our statement, can you update?

"Last year, the Supreme Court granted a stay on the Clean Power Plan, so we always knew there were serious legal problems with this initiative from the Obama Administration and we welcome this news from the D.C. Circuit."
EPA spokesman, Jahan Wilcox

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Tue 6/13/2017 3:13:18 PM
Subject: Re: EPW Dem letters

Can I have 15 minutes?

Sent from my iPhone

On Jun 13, 2017, at 11:03 AM, Devin Henry <dhenry@thehill.com> wrote:

Hey Jahan,
Covering an EPW hearing. Sen. Carper said he has concerns about a lack of response from the EPA to 11 oversight letters he's sent your way. Do you have a response to his concerns?

Relevant comments from Sen. Carper: *"The minority remains disappointed that the committee has not received complete written responses from administrator Pruitt to 11 oversight letters the committee has sent to the EPA this year ...*
Absent a heartfelt commitment by the EPA to provide complete and timely responses to our current information requests, I will find it very difficult to support moving forward with consideration of any EPA nominees."

Thanks,

-Devin

--
Devin Henry
Staff Writer, The Hill
P: (202) 349-8127
C: (952) 913-7254
Twitter: @dhenry

To: Shesgreen, Deirdre[dshesgreen@usatoday.com]
From: Wilcox, Jahan
Sent: Fri 11/17/2017 3:32:37 PM
Subject: RE: Dourson

ON-THE-RECORD STATEMENT … "Dr. Michael Dourson is a highly qualified scientist to lead EPA's Office of Chemical Safety and Pollution. He worked at EPA for 15 years, founded a program that characterized the health hazards of chemicals, performed pro-bono work that saved a family near Cincinnati and his expertise on TCE contamination resulted in settlements that helped 130 families outside of San Francisco." – Jahan Wilcox, EPA Spokesperson

BACKGROUND …

Dr. Michael Dourson is toxicologist with certification from the American Board of Toxicology, the Academy of Toxicological Sciences, and the Society for Risk Analysis. "President Donald J. Trump announced his intention to nominate Dr. Michael Dourson of Ohio to be head EPA's chemical and pesticides office. Dr. Dourson is a professor in the Risk Science Center at the University of Cincinnati, College of Medicine. He founded the nonprofit Toxicology Excellence for Risk Assessment and worked at the U.S. Environmental Protection Agency, where he won four medals. Dr. Dourson served in multiple positions at the American Board of Toxicology, Society of Toxicology, Society for Risk Analysis, and Toxicology Education Foundation. In addition, to serving on numerous government panels, he is also a member on the editorial board of three toxicology journals." (EPA Press Release, 07/17/17)

Dr. Michael Dourson founded the nonprofit risk organization called Toxicology Excellence for Risk Assessment. "The nonprofit risk organization that Dr. Michael Dourson founded, Toxicology Excellence for Risk Assessment - TERA, has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Sixty-seven percent of Dr. Dourson's peer reviewed publications was sponsored by government or self-sponsored. TERA, an independent non-profit organization, does work to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. The TERA's five websites include numerous projects and information that demonstrate this transparent and/or collaborative work. An additional ten to twenty percent of TERA's effort is pro bono. Dr. Dourson testified as a scientific expert on three different occasions for plaintiffs suing industry about the devastating health effects that could occur from exposures to TCE, hydrogen sulfide and pesticides."

Dourson Helped 130 Bay Area Families Reach A Settle Due To Pollution Committed By A Railroad Company. "My experience with Dr. Dourson dates back a few years when I was pursuing a lawsuit in California. In my case, 130 homes in an area outside the San Francisco were affected by TCE from a nearby rail line. When I began looking for an expert witness, I was

quickly referred to Dr. Dourson as having the necessary background and experience in this area through his prior experience, as well as his work at the University of Cincinnati and through his non-profit organization, TERA. In my case, and for the 130 homeowners and families involved, Dr. Douson, provided necessary expert testimony demonstrating the risks and effects of TCE contamination to the properties involved and their occupants. Dr. Dourson's work resulted in significant settlements with the railroad and related property owners due to the risk inherent in exposure to the TCE vapors." (Richard Bowles, Letter To Senate EPW Committee, 11/07/17)

According to Cincinnati's ABC Affiliate, Dourson's pro-bono found the mystery of what was killing animals, sickening children on a property outside of Cincinnati.
https://www.youtube.com/watch?v=epwdtcl-Zmk&feature=youtu.be

-

Additional Information …

National Institutes of Health (NIH), International Toxicity Estimates for Risk (ITER): https://toxnet.nlm.nih.gov/newtoxnet/iter.htm

University of Cincinnati Risk Science Center: https://med.uc.edu/eh/centers/rsc

Alliance for Risk Assessment: https://med.uc.edu/eh/centers/rsc/risk-resources/ara

Occupational Alliance for Risk Science: https://med.uc.edu/eh/centers/rsc/risk-resources/oars

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

From: Shesgreen, Deirdre [mailto:dshesgreen@usatoday.com]
Sent: Thursday, November 16, 2017 5:13 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Dourson

Hi Jahan,

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If his nomination is either withdrawn or defeated on the floor, would Administrator Pruitt keep him on board or would he remove him from his current post at EPA?

Thanks,

Deirdre

Deirdre Shesgreen

Washington Correspondent

USA TODAY/The Cincinnati Enquirer/The Springfield News-Leader

(202) 330-3890

dshesgreen@usatoday.com

Twitter handle: @dshesgreen

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Tue 6/13/2017 3:21:54 PM
Subject: Re: EPW Dem letters

"We've responded to 386 of the 416 letters received from Congress, including 11 of the 20 letters received from EPW Ranking Member Tom Carper.

Of the remaining 9 letters from Senator Carper, 7 were received in the past month and we are working to respond as quickly as possible. EPA staff is committed to being responsive to Congress." – EPA spokesman, Jahan Wilcox

Sent from my iPhone

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Absent a heartfelt commitment by the EPA to provide complete and timely responses to our current information requests, I will find it very difficult to support moving forward with consideration of any EPA nominees."

Thanks,

-Devin

--
Devin Henry
Staff Writer, The Hill
P: (202) 349-8127
C: (952) 913-7254

Twitter: @dhenry

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Fri 9/15/2017 3:17:56 PM
Subject: Re: Political appointees' resumes

On the metro at the moment. I'll call in a few.

On Sep 15, 2017 at 10:07 AM, <Jahan Wilcox> wrote:

Also want to get coffee this afternoon at like 1 or 2?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Friday, September 15, 2017 9:45 AM
To: Press <Press@epa.gov>
Subject: Political appointees' resumes

Hi folks-

As you probably know, American Oversight received via FOIA the resumes of all the EPA politicals (as of August or some other time in the summer, I believe. Some aren't there, like Liz Bowman). Here are the records: https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d2811f1dbf

I am possibly doing a story on these, with a deadline of about 4 today (but earlier is always better, as usual). I'm looking mostly at any patterns, like campaign experience, Oklahoma connections, working for regulated industries, environmental regulation experience, etc.

So, if you would like to comment for this, please do. And if there's anything in the resumes that is incorrect, please let me know. I don't want this to become like the AP Dow meeting story.

Thanks much.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

Region	Facility Name	Address	City	State	Legal Interest	Primary Use	Expiration Date	EPA Annual Cost	Reported SF
HQ	Ardwick Industrial Plaza	8335-8361 Ardwick Ardmore	Landover	MD	GSA Leased	Warehouse/Storage	02/28/2021	$ 332,042.32	30,000
HQ	Connecting Wing	Constitution Ave., NW	Washington	DC	GSA Owned	Office	09/20/2026	$ 3,175,355.16	90,039
HQ	EPA East	1201 Constitution Avenue NW	Washington	DC	GSA Owned	Office	09/30/2026	$ 16,659,137.93	434,738
HQ	EPA West	1301 Constitution Ave., NW	Washington	DC	GSA Owned	Office	09/30/2026	$ 13,666,430.58	359,385
HQ	One Potomac Yard	One Potomac Yard	Arlington	VA	GSA Leased	Office	03/01/2021	$ 7,606,057.55	312,460
HQ	The Ariel Rios Federal Building	1200 Pennsylvania Ave., NW	Washington	DC	GSA Owned	Office	09/30/2019	$ 51,075,685.84	686,128
HQ	The Ronald Reagan Building	1300 Pennsylvania Avenue NW	Washington	DC	GSA Owned	Office	09/30/2020	$ 20,821,417.65	37,542
HQ	The Ronald Reagan Building - Garage	1300 Pennsylvania Avenue NW	Washington	DC	GSA Owned	Parking	09/30/2018	$ 1,214,678.27	0
R01	Environmental Effects Research Laboratory	27 Tarzwell Drive	Narragansett	RI	EPA Owned	Laboratory	04/01/2100	$ -	96,870
R01	New England Regional Laboratory	11 Technology Drive	Chelmsford	MA	GSA Leased	Laboratory	08/31/2021	$ 2,721,848.88	68,950
R01	Robert N. Giaimo Federal Building	150 Court Street	New Haven	CT	GSA Owned	Office	07/31/2020	$ 43,961.82	2,438
R01	Stamford Government Center	888 Washington Blvd	Stamford	CT	GSA Leased	Office	10/31/2019	$ 64,967.23	1,380
R01	The John W. McCormack Post Office & Courthouse	90 Devonshire St.	Boston	MA	GSA Owned	Office	10/14/2019	$ 12,679,432.06	328,862
R01	West Cummings Park Warehouse	222 West Cummings Park	Woburn	MA	GSA Leased	Warehouse/Storage	10/14/2025	$ 72,200.00	4,500
R02	Buffalo Resident Office	186 Exchange Street	Buffalo	NY	GSA Leased	Office	05/26/2019	$ 30,783.83	984
R02	Caribbean Environmental Protection Division - The Tunick Building	1336 Beltgen Road, Charlotte Amalie	St. Thomas	VI	GSA Leased	Office	11/29/2026	$ 91,568.02	1,277
R02	City View Plaza	State Road 165	Guaynabo	PR	GSA Leased	Office	12/31/2022	$ 1,214,497.68	21,620
R02	Edison Laboratory	2890 Woodbridge Avenue	Edison	NJ	EPA Owned	Laboratory	2/1/2100	$ -	370,638
R02	OSWER - REAC Trailer Complex	2890 WoodBridge Avenue	Edison	NJ	EPA Owned	Laboratory	2/1/2100	$ -	35,736
R02	Ted Weiss Federal Office Building (formerly Foley Square FOB)	290 Broadway	New York City	NY	GSA Owned	Office	03/31/2021	$ 20,353,270.06	313,491

R02	The Galleries	441 South Salina Street	Syracuse	NY	GSA Leased	Office	11/30/2021	$	57,454.04	2,729
R02	Urban Watershed Research Facility	2890 Woodbridge Avenue	Edison	NJ	EPA Owned	Laboratory		$	-	11,899
R02	Vieques Office Park	PO Box 275	Vieques	PR	GSA Leased	Office	06/30/2017	$	13,175.76	774
R03	Annapolis City Marina	410 Severn Avenue	Annapolis	MD	GSA Leased	Office	02/03/2019	$	565,080.00	22,524
R03	DUSWM Administration Building	4520 Metropolitan Court	Frederick	MD	EPA Special Use	Warehouse/Storage	02/01/2100	$	-	200
R03	Emergency Operations, Conference & Training Center	7 Chelsea Parkway, Suite 707	Boothwyn	PA	GSA Leased	Office	06/07/2018	$	133,968.13	7,360
R03	Environmental Science Center	701 Mapes Road	Fort Meade	MD	EPA Owned	Laboratory	02/01/2100	$	-	167,745
R03	Mt. Weather COOP Facility	19844 Blue Ridge Mountain Road	Mt Weather	VA	EPA Special Use	Office		$	-	10,980
R03	Region Three Headquarters	1650 Arch Street	Philadelphia	PA	GSA Leased	Office	05/31/2018	$	7,434,509.08	307,847
R03	Robert C Byrd Courthouse	300 Virginia St.	Charleston	WV	EPA Special Use	Office	01/01/2100	$	-	450
R03	Secure Vehicle Storage	3900 Columbia Ave.	Linwood	PA	GSA Leased	Warehouse/Storage	04/30/2019	$	144,804.00	9,000
R03	The Valley Building	1202 Eoff Street	Wheeling	WV	GSA Leased	Warehouse/Storage	05/31/2023	$	13,299.49	2,263
R03	Wheeling Field Office	1060 Chapline Street, Suite 303	Wheeling	WV	GSA Leased	Office	01/31/2018	$	320,124.00	15,945
R04	Airport Executive C Building	2203 N Lois Avenue	Tampa	FL	GSA Leased	Office	06/28/2021	$	49,177.00	2,201
R04	Azalea Property	6324 Fairview RD	Charlotte	NC	GSA Leased	Office	12/22/2022	$	50,705.16	2,154
R04	Brickell Plaza Federal Office Building	909 SE 1st Avenue	South Miami	FL	GSA Owned	Office	10/05/2020	$	84,567.00	3,089
R04	Building A Administration Wing	109 T. W. Alexander Drive	Durham	NC	EPA Owned	Office		$	-	
R04	Carter-Pacific Business Center	2999 Pacific Drive, Suite F	Norcross	GA	GSA Leased	Office	02/27/2026	$	269,709.68	15,120
R04	Ecosystems Research Division	960 College Station Road	Athens	GA	EPA Owned	Laboratory		$	-	84,138
R04	Ed Jones Federal Building & Courthouse	109 South Highland	Jackson	TN	GSA Owned	Office	03/31/2019	$	2,850.00	387
R04	Emergency Response Team Facility	4920 Olympic Boulevard	Erlanger	KY	GSA Leased	Warehouse/Storage	08/10/2018	$	375,055.50	24,416
R04	Federal Building, Post Office and Courthouse	200 S Jefferson Street	Winchester	TN	GSA Owned	Office	01/20/2022	$	7,703.52	906

R04	Federal Law Enforcement Training Center	1131 Chapel Crossing Road Building 318CC	Glynco	GA	State Government-Owned	Office		$	-	1,900
R04	Field Research Annex	130 North Oconee Access Road	Athens	GA	EPA Owned	Laboratory		$	-	8,364
R04	Grand Slam	Page Road and I-40	Durham	NC	GSA Leased	Warehouse/Storage	06/15/2024	$	494,380.20	49,951
R04	Gulf Ecology Division	One Sabine Island Drive	Gulf Breeze	FL	EPA Owned	Laboratory	2/1/2100	$	-	81,337
R04	Gulf of Mexico Program Office	2510 14th ST	Gulfport	MS	GSA Leased	Office	07/28/2025	$	277,395.75	8,280
R04	Human Studies Facility	104 Mason Farm Road	Chapel Hill	NC	EPA Leased	Laboratory	01/30/2025	$	768,900.00	155,633
R04	Knoxville Resident Office	408 N. Cedar Bluff Road	Knoxville	TN	GSA Leased	Office	12/05/2021	$	32,161.25	1,831
R04	Nashville Resident Office	E. Kefauver FB, 801 Broadway	Nashville	TN	GSA Leased	Office	02/13/2021	$	27,579.14	1,826
R04	National Air & Radiation Environmental Laboratory	Maxwell AFB, Gunter Annex, 540 South Morris Avenue	Montgomery	AL	EPA Owned	Laboratory		$	-	94,502
R04	Perry Lane Place	2180 Perry Lane Road Suite 102	Brunswick	GA	GSA Leased	Office	01/14/2018	$	91,453.37	4,800
R04	Prudential Building	701 San Marco Boulevard	Jacksonville	FL	GSA Leased	Office	06/30/2023	$	148,923.20	5,917
R04	Region 4 TALLAHASSEE Office	325 JOHN KNOX RD	Tallahassee	FL	GSA Leased	Office	03/31/2023	$	7,588.13	281
R04	Region Four Field Equipment Center	The Paul Martin Building 396 Commerce Boulevard	Athens	GA	GSA Leased	Warehouse/Storage	01/31/2018	$	148,794.45	12,000
R04	Region Four Science and Ecosystems Support Division Laboratory	980 College Station Road	Athens	GA	GSA Leased	Laboratory	10/10/2023	$	824,207.82	57,760
R04	Region Four South Florida Office	400 North Congress Avenue, Suite 120	West Palm Beach	FL	GSA Leased	Office	05/31/2018	$	16,433.96	619
R04	Research Triangle Park	EPA-RTP Campus, 109 TW Alexander Drive	Durham	NC	EPA Owned	Laboratory		$	-	1,214,275
R04	Romano Mazzoli Federal Building	600 Martin Luther King, Jr. Place	Louisville	KY	GSA Owned	Office	08/31/2025	$	43,339.55	2,856
R04	Sam Nunn Atlanta Federal Center	61 Forsyth Street SW	Atlanta	GA	GSA Owned	Office	05/08/2018	$	7,512,660.00	346,142
R05	450 S. Federal Parking Facility	450 South Federal Street	Chicago	IL	GSA Owned	Parking	01/31/2021	$	35,012.29	0
R05	Andrew W. Breidenbach Environmental Research Center	26 West Martin Luther King Drive	Cincinnati	OH	EPA Owned	Laboratory	02/01/2100	$	-	455,044

R05	Center Hill Business Park	5871 Highland Ridge Drive, Suite 5871	Cincinnati	OH	GSA Leased	Warehouse/Storage	12/31/2019	$ 78,917.00	7,920
R05	Center Hill Research Facility	5995 Center Hill Avenue	Cincinnati	OH	EPA Owned	Laboratory	11/30/2019	$ 57,881.00	20,468
R05	Emergency Relocation Site	MPCA Building, 5th Floor 520 Lafayette Road	St. Paul	MN	EPA Special Use	Office	02/01/2100	$ -	100
R05	Environmental Research Laboratory - Duluth	6201 Congdon Boulevard	Duluth	MN	EPA Owned	Laboratory	02/01/2100	$ -	89,950
R05	Experimental Stream Field Station	1003 U.S. Rt. 50	Milford	OH	GSA Leased	Laboratory	12/15/2017	$ 42,800.00	3,791
R05	Federal Building - South Clark Street	536 South Clark Street	Chicago	IL	GSA Owned	Laboratory	06/30/2020	$ 961,871.07	58,537
R05	Islander Park 1 Building	7550 Lucerne Drive	Middleburg Heights	OH	GSA Leased	Office	01/31/2021	$ 53,987.47	2,997
R05	Kenwood Warehouse	11015 Kenwood Avenue	Blue Ash	OH	GSA Leased	Warehouse/Storage	09/13/2019	$ 696,567.76	115,000
R05	Large Lakes and Rivers Forecasting Research Station	9311 Groh Road	Grosse Ile	MI	EPA Owned	Office	02/01/2100	$ -	35,547
R05	Market Tower	10 West Market Street	Indianapolis	IN	GSA Leased	Office	06/28/2024	$ 68,461.14	2,407
R05	National Vehicle Fuel & Emissions Laboratory	2565 Plymouth Road	Ann Arbor	MI	EPA Owned	Laboratory	02/01/2100	$ -	210,596
R05	National Vehicle Fuel & Emissions Laboratory Office Building	2000 Traverwood Drive	Ann Arbor	MI	GSA Leased	Office	03/31/2018	$ 2,512,773.58	66,652
R05	Norwood Professional Building	4411 Montgomery Road	Norwood	OH	GSA Leased	Office	08/31/2018	$ 680,987.75	28,883
R05	Ralph H. Metcalfe Federal Building	77 West Jackson Boulevard	Chicago	IL	GSA Owned	Office	12/31/2017	$ 15,746,511.49	410,865
R05	Region 5 Emergency Response Center	Suburban North Regional Office Building 9511 Harrison Street Room M100	Des Plaines	IL	EPA Special Use	Warehouse/Storage	02/01/2100	$ -	1,856
R05	Saginaw, Michigan	804 S. Hamilton	Saginaw	MI	GSA Leased	Office	10/30/2021	$ 48,794.51	2,024
R05	Shadeland Office Building	2525 North Shadeland Ave	Indianapolis	IN	EPA Special Use	Office	02/01/2100	$ -	300
R05	Steinmart Plaza, Westlake, Oh	25089 Center Ridge Road	Westlake	OH	GSA Leased	Office	06/30/2023	$ 551,291.06	17,198
R05	Test and Evaluation Leased Property (1.2 Acres)	1600 Gest Street	Cincinnati	OH	EPA Owned	Laboratory	08/09/2017	$ -	36,101

R05	Tribal Environmental Liaison - Traverse City (Relocation)	806 Hastings Street	Traverse City	MI	GSA Leased	Office	01/21/2026	$ 4,880.72	188
R05	US Courthouse	300 South 4th Street	Minneapolis	MN	GSA Owned	Office	09/04/2017	$ 49,453.65	1,792
R05	Union Station Parking	310 South Canal	Chicago	IL	GSA Leased	Parking	09/30/2019	$ 103,502.00	0
R05	Warehouse 111A (300 N. Elizabeth)	300 N. Elizabeth Street	Chicago	IL	GSA Leased	Warehouse/Storage	04/22/2019	$ 98,833.00	5,050
R05	Willowbrook Center	600 Joliet Road	Willowbrook	IL	GSA Leased	Warehouse/Storage	07/31/2020	$ 189,039.96	10,872
R06	Business Bank Centre (6100 Corporate Boulevard)	6100 Corporate Boulevard, Suite 350	Baton Rouge	LA	GSA Leased	Office	05/26/2019	$ 153,587.28	4,767
R06	Environmental Laboratory	10625 Fallstone Road	Houston	TX	GSA Leased	Laboratory	06/30/2020	$ 2,102,881.99	41,126
R06	Fountain Place	1445 Ross Avenue	Dallas	TX	GSA Leased	Office	09/30/2023	$ 5,440,790.63	236,821
R06	GT Mickey Leland Federal Building	1919 Smith Street	Houston	TX	GSA Owned	Office	02/15/2019	$ 152,715.72	4,632
R06	Gaar Corner	Gaar Corner	Ada	OK	EPA Owned	Laboratory	2/1/2100	$ -	2,550
R06	Pioneer Building	4050 Rio Bravo	El Paso	TX	GSA Leased	Office	10/31/2020	$ 34,673.18	1,955
R06	Region 6 Tulsa	224 S Boulder Ave.	Tulsa	OK	GSA Owned	Office	12/31/2022	$ 6,833.08	367
R06	Region 6 Warehouse	16650 Westgrove Drive,	Addison	TX	GSA Leased	Warehouse/Storage	07/31/2019	$ 518,998.00	22,194
R06	Robert S. Kerr Environmental Research Center	PO Box 1198, 919 Kerr Research Drive	Ada	OK	EPA Owned	Laboratory		$ -	91,938
R06	Terminal Annex Federal Building	207 South Houston Street	Dallas	TX	GSA Owned	Warehouse/Storage	02/28/2019	$ 60,276.00	8,364
R07	Child Care Center	1408 East Court Avenue	Des Moines	IA	GSA Leased	Childcare Center	03/23/2023	$ 2,832.14	45
R07	Federal Building-Iowa	210 Walnut Street	Des Moines	IA	GSA Owned	Office	07/31/2017	$ 17,984.31	1,149
R07	Kansas City Science & Technology Center	3rd & Minnesota Avenue	Kansas City	KS	GSA Leased	Laboratory	03/13/2023	$ 3,387,171.00	71,979
R07	Region 7 Headquarters	11201 Renner Blvd	Lenexa	KS	GSA Leased	Office	10/31/2027	$ 4,778,039.79	169,585
R07	Region 7 Superfund Warehouse	212 Little Bussen	Eureka	MO	GSA Leased	Warehouse/Storage	11/14/2026	$ 91,287.00	4,025
R07	Region 7 Warehouse, Hunt Midwest, Subtrop Building 81C	8600 NE Underground Road, Pillar 253	Kansas City	MO	GSA Leased	Warehouse/Storage	03/29/2021	$ 217,029.86	43,200
R07	Robert A. Young Federal Building	1222 Spruce Street	St. Louis	MO	GSA Owned	Office	07/31/2027	$ 57,401.16	4,212
R08	420 South Garfield	420 South Garfield	Pierre	SD	GSA Leased	Office	03/31/2020	$ 2,579.68	170

R08	Arvada Warehouse	5046 West 58th Avenue	Arvada	CO	GSA Leased	Warehouse/Storage	09/30/2035	$ 243,837.62	11,540
R08	Bismarck CID	3425 Miriam Ave	Bismarck	ND	GSA Leased	Office	07/18/2026	$ 13,328.40	640
R08	Central Regional Laboratory-Colorado	16194 West 45th Drive	Golden	CO	GSA Leased	Laboratory	03/22/2018	$ 1,603,856.55	39,215
R08	Denver Federal Center	West 6th Avenue & Kipling Street	Lakewood	CO	GSA Owned	Laboratory	08/03/2018	$ 2,467,010.03	134,645
R08	Mike Mansfield FB/CH	400N Main St.	Butte	MT	GSA Owned	Office	03/31/2020	$ 6,449.57	588
R08	Region 8 Castle Rock Warehouse	1230 Park St.	Castle Rock	CO	GSA Leased	Warehouse/Storage	02/15/2020	$ 242,367.43	10,800
R08	Region 8 Headquarters (16th and Wynkoop)	1695 Wynkoop Street	Denver	CO	GSA Leased	Office	6/30/2018	$ 8,631,454.00	248,849
R08	Senator Max Sieben Baucus Federal Building	10 West 15th Street	Helena	MT	GSA Leased	Office	01/31/2022	$ 422,403.00	2,411
R08	Union Park Plaza	155 Van Gordon Street	Lakewood	CO	GSA Leased	Childcare Center		$ -	120
R08	Wallace F. Bennett Federal Building	125 South State Street	Salt Lake City	UT	GSA Owned	Office	04/30/2021	$ 49,226.10	2,170
R09	475 West Broadway	475 West Broadway	San Diego	CA	GSA Leased	Childcare Center		$ -	40
R09	610 West Ash Street	610 West Ash Street	San Diego	CA	GSA Leased	Office	01/31/2017	$ 160,586.93	4,576
R09	75 Hawthorne Street	75 Hawthorne Street	San Francisco	CA	GSA Leased	Office	11/29/2026	$ 30,737,569.50	226,890
R09	Building 16B Specturm	3201 Sunrise Avenue	Las Vegas	NV	GSA Leased	Warehouse/Storage	10/31/2019	$ 191,537.83	11,000
R09	Federal Courthouse	501 I Street	Sacramento	CA	GSA Owned	Office	03/31/2019	$ 20,109.48	2,453
R09	La Plaza Building Complex	4220 Maryland Parkway	Las Vegas	NV	GSA Leased	Office	09/30/2020	$ 5,964,269.41	104,339
R09	Los Angeles Field Office	600 Wilshire Boulevard	Los Angeles	CA	GSA Leased	Office	05/04/2026	$ 295,867.87	16,652
R09	Prince Kuhio Federal Office Building	300 Ala Moana Boulevard	Honolulu	HI	GSA Owned	Office	05/31/2020	$ 100,197.49	1,621
R09	Rapid Response Center Warehouse - San Francisco	674 Harrison Street	San Francisco	CA	GSA Leased	Warehouse/Storage	11/30/2021	$ 350,765.34	9,456
R09	Region 9 Lab	1337 South 46th Street	Richmond	CA	GSA Leased	Laboratory	01/31/2019	$ 2,598,674.00	92,700
R09	Sandra D. O'Connor Courthouse	401 W. Washington Street	Phoenix	AZ	GSA Owned	Office	06/30/2021	$ 69,500.09	2,320
R09	Southern California Response Warehouse	2445 Palm Drive	Signal Hill	CA	GSA Leased	Warehouse/Storage	05/31/2020	$ 314,932.43	13,500
R09	UNLV On-Campus EPA Facilities	944 East Harmon Avenue	Las Vegas	NV	GSA Leased	Laboratory	09/30/2020	$ 1,937,350.36	72,778
R10	Alaska Operations Office-Anchorage	222 West 7th Avenue	Anchorage	AK	GSA Owned	Office	04/03/2017	$ 417,799.99	12,518

R10	Alaska Operations Office-Juneau	709 West 9th Street, Room 223	Juneau	AK	GSA Owned	Office	12/30/2025	$	24,880.74	941
R10	Banner Bank Building	950 Bannock St	Boise	ID	GSA Leased	Office	07/11/2022	$	261,981.63	9,678
R10	Coastal Ecology Branch	2111 SE Marine Science Drive	Newport	OR	EPA Owned	Laboratory		$	-	41,223
R10	Couer D' Alene Office	1910 Northwest Boulevard, Suite 208	Coeur D' Alene	ID	GSA Leased	Office	10/31/2020	$	32,181.70	1,240
R10	ERU Warehouse	57 Silverado Way	Anchorage	AK	GSA Leased	Warehouse/Storage	07/31/2019	$	105,115.37	5,966
R10	Environmental Research Laboratory - Corvallis	200 SW 35th Street	Corvallis	OR	EPA Owned	Laboratory		$	-	107,090
R10	Eugene Office c/o Department of Environmental Quality	1102 Lincoln Street, Suite 210	Eugene	OR	State Government-Owned	Office		$	-	150
R10	Federal Center South Warehouse	4735 East Marginal Way	Seattle	WA	GSA Owned	Warehouse/Storage	08/31/2019	$	28,101.00	7,134
R10	Fox Tower	805 SW Broadway	Portland	OR	GSA Leased	Office	10/23/2017	$	364,315.35	1,978
R10	Hanford Project Office	825 Jadwin Ave	Richland	WA	GSA Owned	Office	09/20/2026	$	29,645.35	5,207
R10	M & K Plaza	Plaza IV, 800 Park Boulevard, Suite 600	Boise	ID	EPA Special Use	Office		$	-	300
R10	Park Place Building	1200 Sixth Avenue	Seattle	WA	GSA Leased	Office	04/30/2025	$	5,199,822.93	170,404
R10	Parkrose Business Center	1811 NE Sumner Street	Portland	OR	GSA Leased	Warehouse/Storage	03/06/2026	$	43,508.65	3,983
R10	Sea King Industrial Park	1620 South 92nd Place	Seattle	WA	GSA Leased	Warehouse/Storage	07/30/2017	$	145,321.04	8,432
R10	Washington Operations Office	300 Desmond Drive SE	Lacey	WA	GSA Leased	Office	03/26/2021	$	124,019.83	4,393
R10	Willamette Research Station	1350 SE Goodnight Road	Corvallis	OR	EPA Owned	Laboratory		$	-	20,918

To: Shesgreen, Deirdre[dshesgreen@usatoday.com]
From: Wilcox, Jahan
Sent: Fri 11/17/2017 3:49:38 PM
Subject: RE: Dourson

OTR – Coleman (my first boss of my bosses) hammered him for his tasteless abortion/rape joke in '08.

From: Shesgreen, Deirdre [mailto:dshesgreen@usatoday.com]
Sent: Friday, November 17, 2017 10:45 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Dourson

Thanks. I've been pulled off this temporary to do a story about the suddenly busy Senate Ethics Committee. but appreciate you getting me a comment on the record!!!! I will probably file on Monday now.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, November 17, 2017 10:33 AM
To: Shesgreen, Deirdre <dshesgreen@usatoday.com>
Subject: RE: Dourson

ON-THE-RECORD STATEMENT … "Dr. Michael Dourson is a highly qualified scientist to lead EPA's Office of Chemical Safety and Pollution. He worked at EPA for 15 years, founded a program that characterized the health hazards of chemicals, performed pro-bono work that saved a family near Cincinnati and his expertise on TCE contamination resulted in settlements that helped 130 families outside of San Francisco." – Jahan Wilcox, EPA Spokesperson

BACKGROUND …

Dr. Michael Dourson is toxicologist with certification from the American Board of Toxicology, the Academy of Toxicological Sciences, and the Society for Risk Analysis. "President Donald J. Trump announced his intention to nominate Dr. Michael Dourson of Ohio to be head EPA's chemical and pesticides office. Dr. Dourson is a professor in the Risk Science Center at the University of Cincinnati, College of Medicine. He founded the nonprofit

Toxicology Excellence for Risk Assessment and worked at the U.S. Environmental Protection Agency, where he won four medals. Dr. Dourson served in multiple positions at the American Board of Toxicology, Society of Toxicology, Society for Risk Analysis, and Toxicology Education Foundation. In addition, to serving on numerous government panels, he is also a member on the editorial board of three toxicology journals." (EPA Press Release, 07/17/17)

Dr. Michael Dourson founded the nonprofit risk organization called Toxicology Excellence for Risk Assessment. "The nonprofit risk organization that Dr. Michael Dourson founded, Toxicology Excellence for Risk Assessment - TERA, has spent 1/3 of its time working with industry sponsors and 2/3 of its time working with government sponsors. Sixty-seven percent of Dr. Dourson's peer reviewed publications was sponsored by government or self-sponsored. TERA, an independent non-profit organization, does work to protect human health by conducting scientific research and development on risk issues in a transparent and collaborative fashion. The TERA's five websites include numerous projects and information that demonstrate this transparent and/or collaborative work. An additional ten to twenty percent of TERA's effort is pro bono. Dr. Dourson testified as a scientific expert on three different occasions for plaintiffs suing industry about the devastating health effects that could occur from exposures to TCE, hydrogen sulfide and pesticides."

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###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

From: Shesgreen, Deirdre [mailto:dshesgreen@usatoday.com]
Sent: Thursday, November 16, 2017 5:13 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Dourson

Hi Jahan,

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Thanks,

Deirdre

Deirdre Shesgreen

Washington Correspondent

USA TODAY/The Cincinnati Enquirer/The Springfield News-Leader

(202) 330-3890

dshesgreen@usatoday.com

Twitter handle: @dshesgreen

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Fri 9/15/2017 4:54:11 PM
Subject: Re: Can we do Monday afternoon

Yeah I heard there's a fire today. Shocking.
I thought you lived on the Hill, in Meg Mali's old building?

Anyway, yeah, let's plan for Monday then.

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Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

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> I got stuck in VA with metro problems.
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> Sent from my iPhone

To: mgreenwood@thehill.com[mgreenwood@thehill.com]
From: Wilcox, Jahan
Sent: Thur 9/14/2017 2:21:08 PM
Subject: What is your number

http://thehill.com/policy/energy-environment/350594-miami-mayor-rips-pruitt-climate-change-criticism-in-light-of-irma

Miami mayor rips Pruitt climate change criticism in light of Irma

By Max Greenwood, 9/13/17

Miami Mayor Tomás Regalado on Wednesday slammed Environmental Protection Agency Administrator Scott Pruitt's suggestion that it is inappropriate to discuss climate change in the wake of Hurricane Irma as "insensitive."

"It is insensitive on his part, because I wish that he would have been here when people ran from high rises, because of the storm surge," Regalado, a Republican, said on CNN. "I wish that he would have been here when we were told that we were facing apocalyptic moments with a Cat 5 hurricane."

Pruitt said in an interview with CNN in the days before Irma struck Florida that it would be insensitive to discuss climate change as a potential catalyst for catastrophic hurricanes because the focus should be instead on the victims of such storms.

“To have any kind of focus on the cause and effect of the storm versus helping people, or actually facing the effect of the storm, is misplaced,” he said, adding: "To use time and effort to address it at this point is very, very insensitive to this people in Florida.”

Pruitt's comments, however, drew criticism from climate advocates, who accused the EPA chief of dismissing the threats posed by climate change.

In an interview with the Miami Herald, Regalado rejected Pruitt's claim, saying that Hurricane Irma and Hurricane Harvey, which devastated swaths of Texas and Louisiana late last month,

offered opportunities to discuss climate change.

"This is the time to talk about climate change. This is the time that the president and the E.P.A. and whoever makes decisions needs to talk about climate change," Regalado said. "If this isn't climate change, I don't know what is. This is a truly, truly poster child for what is to come."

Jahan Wilcox
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Work Email: wilcox.jahan@epa.gov

To: Shesgreen, Deirdre[dshesgreen@usatoday.com]
From: Wilcox, Jahan
Sent: Fri 11/17/2017 3:50:49 PM
Subject: RE: Dourson

First boss of *many bosses

From: Wilcox, Jahan
Sent: Friday, November 17, 2017 10:50 AM
To: 'Shesgreen, Deirdre' <dshesgreen@usatoday.com>
Subject: RE: Dourson

OTR – Coleman (my first boss of my bosses) hammered him for his tasteless abortion/rape joke in '08.

From: Shesgreen, Deirdre [mailto:dshesgreen@usatoday.com]
Sent: Friday, November 17, 2017 10:45 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Dourson

Thanks. I've been pulled off this temporary to do a story about the suddenly busy Senate Ethics Committee. but appreciate you getting me a comment on the record!!!! I will probably file on Monday now.

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, November 17, 2017 10:33 AM
To: Shesgreen, Deirdre <dshesgreen@usatoday.com>
Subject: RE: Dourson

ON-THE-RECORD STATEMENT … "Dr. Michael Dourson is a highly qualified scientist to lead EPA's Office of Chemical Safety and Pollution. He worked at EPA for 15 years, founded a program that characterized the health hazards of chemicals, performed pro-bono work that saved a family near Cincinnati and his expertise on TCE contamination resulted in settlements that helped 130 families outside of San Francisco." – Jahan Wilcox,

EPA Spokesperson

BACKGROUND …

Dr. Michael Dourson is toxicologist with certification from the American Board of Toxicology, the Academy of Toxicological Sciences, and the Society for Risk Analysis. "President Donald J. Trump announced his intention to nominate Dr. Michael Dourson of Ohio to be head EPA's chemical and pesticides office. Dr. Dourson is a professor in the Risk Science Center at the University of Cincinnati, College of Medicine. He founded the nonprofit Toxicology Excellence for Risk Assessment and worked at the U.S. Environmental Protection Agency, where he won four medals. Dr. Dourson served in multiple positions at the American Board of Toxicology, Society of Toxicology, Society for Risk Analysis, and Toxicology Education Foundation. In addition, to serving on numerous government panels, he is also a member on the editorial board of three toxicology journals." (EPA Press Release, 07/17/17)

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Deirdre Shesgreen

Washington Correspondent

USA TODAY/The Cincinnati Enquirer/The Springfield News-Leader

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dshesgreen@usatoday.com

Twitter handle: @dshesgreen

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Fri 9/15/2017 6:04:22 PM
Subject: Re: Can we do Monday afternoon

Ahhh, ok. See you Monday.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

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>>>
>>> Sent from my iPhone

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Wed 6/14/2017 5:40:28 PM
Subject: RE: House approps testimony?

OTR – If I get it ahead of time, will share.

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Wednesday, June 14, 2017 1:38 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: House approps testimony?

Hey Jahan,

I'm doing a preview for the morning about tomorrow's House appropriations committee meeting with Administrator Pruitt. Was wondering if you guys are putting out any written testimony early, and if you could pass it on, if so?

Let me know. Thanks.

-Devin

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: (952) 913-7254

Twitter: @dhenry

To: Timothy Cama[tcama@thehill.com]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Thur 9/14/2017 4:07:59 PM
Subject: RE: Bodine letter

"We will respond to Senator Whitehouse through the proper channel." EPA spokesman, Jahan Wilcox

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Thursday, September 14, 2017 10:57 AM
To: Press <Press@epa.gov>
Subject: Bodine letter

Hi-

As you probably heard, some Senate Democrats wrote a letter about Susan Bodine's current position at EPA: https://www.whitehouse.senate.gov/imo/media/doc/2017-09-13%20Susan%20Bodine%20letter.pdf

Would you like to comment on it?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Shesgreen, Deirdre[dshesgreen@usatoday.com]
From: Wilcox, Jahan
Sent: Fri 11/17/2017 4:00:23 PM
Subject: RE: Dourson

312. Just as crazy as Coleman v. Wellstone/Mondale which was the first race I interned on.

Have a great Thanksgiving!

From: Shesgreen, Deirdre [mailto:dshesgreen@usatoday.com]
Sent: Friday, November 17, 2017 10:56 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: RE: Dourson

Ha, I had no idea. That was a crazy race. How many votes did Franken win by, like 300?

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Friday, November 17, 2017 10:51 AM
To: Shesgreen, Deirdre <dshesgreen@usatoday.com>
Subject: RE: Dourson

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To: Wilcox, Jahan[wilcox.jahan@epa.gov]
Cc: Devin Henry[dhenry@thehill.com]
From: Timothy Cama
Sent: Fri 9/15/2017 7:38:53 PM
Subject: Re: Hey Tim and Devin -

Awesome, thanks.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

On Fri, Sep 15, 2017 at 3:36 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Wanted to make sure you got this release. It will be going out shortly after 4:00 PM but you can write on it now.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Friday, September 15, 2017 3:33 PM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: EPA Administrator Scott Pruitt Visits Houston To Review Hurricane Harvey Response Efforts - Preview

CONTACT: press@epa.gov

EPA Administrator Scott Pruitt Visits Houston To Review Hurricane Harvey Response Efforts

HOUSTON (September 15, 2017) – Environmental Protection Agency (EPA) Administrator Scott Pruitt visited Houston, Texas, today to review the Agency's response efforts in areas affected by Hurricane Harvey.

"EPA remains committed to providing the necessary resources and personnel to ensure those affected by the devastation of Hurricane Harvey receive proper Agency attention**," said Administrator Pruitt.** "We continue to work closely with our federal, state, and local partners to

ensure Superfund are being properly secured, fuel prices remain stabilized, and infrastructure and environmental assessments are thoroughly carried out."

Administrator Pruitt began his visit to Texas by touring the San Jacinto River Waste Pits Superfund site and received a briefing from on-the-ground EPA response personnel. Administrator Pruitt was joined by Acting Regional Administrator for Region 6 Samuel Coleman, Chairman of the Texas Commission on Environmental Quality (TCEQ) Bryan Shaw, and Federal Emergency Management Agency (FEMA) officials.

While Administrator Pruitt toured the site, an EPA dive team was conducting underwater inspections. EPA will continue to keep the public informed as assessments of the site continue and site determinations are made by the dive team.

Following his tour of the San Jacinto Superfund site, Administrator Pruitt received an aerial tour of additional affected Superfund sites in the region by the United States Coast Guard. Sites included: Patrick Bayou, U.S. Oil Recovery, San Jacinto River Waste Pits, Highlands Acid Pits, French Unlimited, Brio Refining, and Dixie Oil Processors.

EPA personnel will continue to monitor Superfund sites in Texas affected by Hurricane Harvey, compile data on regulated facilities, sample possible environmental contaminants, and conduct air monitoring of the affected areas.

EPA Administrator Scott Pruitt meets with Acting Regional Administrator for Region 6 Samuel Coleman (right) and other local leaders at the San Jacinto Superfund in Texas.

EPA Administrator Scott Pruitt and Acting Regional Administrator for Region 6 Samuel Coleman speak with Scott Jones of the Galvenston Bay Foundation and Jackie Young of the Texas Health and Environment Coalition.

EPA Administrator Scott Pruitt on a Coast Guard aerial tour of regional Superfund sites.

http://usenvironmentalprotectionagency.cmail19.com/t/d-i-uybkyt-l-r/

Visit The EPA's Newsroom

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

Unsubscribe

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 6/15/2017 2:34:22 PM
Subject: Hey Tim -
Budget Testiony.pdf

This is embargoed until 11:00 AM ET. Attached is Pruitt's testimony that he will give this morning.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

TESTIMONY OF
SCOTT PRUITT

ADMINISTRATOR
U.S. ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE

SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
U.S. HOUSE COMMITTEE ON APPROPRIATIONS

June 15, 2017

Good morning, Chairman Calvert, Ranking Member McCollum, and members of the Subcommittee. I am joined by Holly Greaves, my senior advisor for budget and audit, and we are here today to discuss the Environmental Protection Agency's (EPA) proposed FY 2018 budget.

As the Administrator of the Environmental Protection Agency, I am a firm believer in EPA's mission to protect human health and the environment and am committed to helping provide future generations with a better and healthier environment. I also firmly believe that federal agencies exist to administer the law. Congress passes statutes, and those statutes outline the responsibilities and work that EPA must do. Any action by EPA that exceeds the authority granted to it by Congress, by definition, cannot be consistent with the Agency's mission.

At the outset, it is important to recognize the tremendous progress that has been made over the years toward a cleaner environment across the country. The proposed budget supports EPA's highest priorities with federal funding for core work in air and water quality, contaminated land clean-ups, enforcement and ensuring the safety of chemicals in the marketplace so we can continue this progress. The president's budget aims to reduce redundancies and inefficiencies, and prioritize EPA's core statutory mission of providing Americans with clean air, land, and water.

EPA can accomplish a lot when the Agency focuses on working cooperatively with the states and tribes to improve health and the environment. It is essential for the federal government, state governments, and tribal governments to work together to provide the environmental protection that our laws demand and that the American people deserve. I strongly support cooperative federalism, and make every effort to partner with EPA's counterparts in state, local, and tribal governments to further these goals.

I recognize that states have unique environmental needs, and I will continue to engage in meaningful discussions about how shared environmental goals related to the regions can best be achieved. We will work collaboratively with states, tribes and local governments to provide flexibility to address important priorities. And, I look forward to working with you all, and other Members of Congress, to ensure we meet the environmental needs of your communities.

SierraClubvEPA_3:18-cv-02372_N.D.Cal. ED_001518_00004833-00001

In my testimony today, I will focus on five main areas where EPA is protecting human health and the environment: air, water, land, chemicals and enforcement. I will also outline how EPA is reducing inefficiencies and redundancies, to better serve the American people and maximize every taxpayer dollar we are allocated.

Improving America's Air Quality

By funding air quality work at $448 million, EPA will continue to perform key activities in support of protecting human health and the environment through improving the quality of the nation's air with a focus on states achieving greater levels of attainment.

States have made tremendous progress and significant investment in cleaning up the air. Since 1980, total emissions of the six criteria air pollutants regulated under the National Ambient Air Quality Standards program have dropped by 63 percent and ozone levels have declined 33 percent. We are focused on finding ways to get more accurate measurements of the areas of the country that need help improving their air quality – and then working with states on meeting the standards set by the Agency.

Areas designated as being in "nonattainment" of the standard face consequences, including: increased regulatory burdens, restrictions on infrastructure investment, and increased costs to businesses.

EPA is working with states to give them additional time on their initial designations of nonattainment areas for the 2015 ozone standard to better understand some lingering technical questions and information needs. The agency also is looking at ways to provide greater flexibility in the development of their air quality improvement plans. And, I am establishing an Ozone Cooperative Compliance Task Force to develop additional flexibilities for states to comply with the ozone standard.

My staff and I inherited an unacceptable backlog of air quality implementation plans from the previous administration. The backlog of these State Implementation Plans (SIPs) creates vast uncertainty for states and compromises air quality benefits that otherwise could be attained. I am committed to reducing the SIP backlog and have directed my staff to work with the states to reduce this backlog as quickly as possible.

The proposed budget also provides funding for the Greenhouse Gas Reporting Program which requires mandatory greenhouse gas emissions reporting to inform the annual GHG inventory, a U.S. treaty obligation. Additionally, in FY 2018, the Federal Vehicle and Fuels Standards and Certification program will focus its efforts on certification decisions. The agency will conduct activities supporting pre-certification confirmatory testing for emissions and fuel economy for passenger cars.

When it comes to people living and working in areas that meet air quality standards, we are committed to working with states to do better than what was happening under the previous administration.

Restoring the Role of States in the Regulation of Water
The president has made it clear that maintaining infrastructure is critical to the foundation of this country's commerce. At EPA, this means in large part ensuring we continue to make investments in drinking water and wastewater infrastructure.

The FY 2018 budget includes $2.3 billion to capitalize the State Revolving Funds to assist our implementing partners in revitalizing and rebuilding our nation's aging water resources. The FY 2018 budget also includes $20 million for the Water Infrastructure Finance and Innovation Act (WIFIA) program to address aging water infrastructure. The $20 million provided for WIFIA could provide up to $1 billion in credit assistance, which, when combined with other funding resources, could spur an estimated $2 billion in total infrastructure investment.

Established by the Water Infrastructure Finance and Innovation Act of 2014, EPA's WIFIA program is a federal loan and guarantee program that aims to accelerate investment in our nation's drinking water and wastewater infrastructure by providing long-term, low-cost supplemental credit assistance for eligible projects, including those of regional or national significance. WIFIA supports projects to repair, rehabilitate, and replace aging water treatment plants and pipe systems, and construct new infrastructure including desalination, water recycling, and drought mitigation projects.

Organizations from across the country are seeking to partner with EPA to invest in their local communities and improve water infrastructure with WIFIA, with 'letters of interest' from prospective buyers across 19 states, including: Arkansas, Arizona, California, Colorado, Florida, Georgia, Illinois, Indiana, Kansas, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, Pennsylvania, Tennessee, Washington, and Wisconsin.

EPA will continue to partner with states, drinking water utilities, and other stakeholders to identify and address current and potential sources of drinking water contamination, particularly in areas of significant regional and national importance. These efforts are integral to infrastructure efforts because source water protection can reduce the need for additional drinking water treatment and avoids the associated costs.

To assure the American people that their water is safe to drink, the EPA's drinking water regulatory program monitors for a broad array of contaminants, evaluates whether contaminants are of public health concern, and regulates contaminants when there is a meaningful opportunity for health risk reduction for persons served by public water systems. In addition, the EPA will work to reduce lead risks through revisions to the Lead and Copper Rule (LCR), and regulations to implement the Water Infrastructure Improvement for the Nation Act and the Reduction of Lead in Drinking Water Act.

EPA will continue to provide scientific water quality criteria information to our partners and the public, review and approve state water quality standards, and review and approve state lists of impaired waters. In FY 2018, the agency will work with states and other partners on Total Maximum Daily Loads (TMDLs) as required by the Clean Water Act, as well as on other waterbody restoration plans for listed impaired waterbodies. EPA also will continue to

implement and support core water quality programs that control point-source discharges through permitting and pre-treatment programs.

Like President Trump, I believe that we need to work with our state governments to understand what they think is the best way to protect their waters, and what actions they are already taking to do so. EPA should only intervene when states demonstrate an unwillingness to comply with the law or to do their job, with regard to keeping water clean and safe for families, businesses, and the public at large.

The Clean Water Act asserts federal control over "navigable waters" without providing clarity or details about the law's scope. President Trump signed an executive order on February 28, 2017 to directing the EPA and the Corps of Engineers to review the Obama Administration's Clean Water Rule – also known as the "Waters of the U.S." or WOTUS – and propose to rescind or revise the rule as appropriate and consistent with the law and to ensure that we are meeting the original goals and policies of the Clean Water Act, as Congress has established.

To meet the objectives of the executive order, the EPA and the Office of the Assistant Secretary of the Army for Civil Works have already begun soliciting input from states, tribes, and other stakeholders and are following a two-step process that will provide as much certainty as possible, as quickly as possible, to the regulated community and the public during this process.

Cleaning up Contaminated Land to Revitalize Communities

In an effort to restore the cleanup of contaminated lands to its rightful place at the center of the EPA's core mission, I am prioritizing Superfund cleanups. EPA's Superfund program is responsible for the cleanup of some of the nation's most contaminated areas. One of my first actions as Administrator was to visit the community of East Chicago, Indiana, a Superfund site where residents have been dealing for decades with lead contamination from a former smelter. We've installed a new ombudsman office in the community to make sure residents are kept informed, we have worked with the state and local officials on providing clean drinking water, and we have worked with some of the responsible parties to secure more money to clean up additional homes.

During my confirmation process and in my time as Administrator, I have heard from families and community members, elected officials, and business leaders that the cleanup of contaminated sites takes too long. I have already taken a number of steps to elevate these issues within the Agency and to make sure that we are doing all we can to ensure cleanups are occurring without delay, sites are being put back to productive use wherever possible, and families and nearby residents know that their communities are safe. I have changed the approval process for sites with remedies estimated to cost $50 million or more to ensure they get the appropriate level of attention from myself and my senior staff. I have also established a Superfund task force to provide me with recommendations on how EPA can streamline and improve the Superfund program.

In addition to the Superfund program, the Brownfields grants programs will safely clean-up and restore to enable the redevelopment of contaminated land under my leadership at EPA. These

programs not only return land to productive use but also help spur economic development and job creation. Brownfields grants have a community driven approach, with over 67,000 acres of idle land made ready for productive use and over 124,300 jobs and $23.6 billion leveraged.

Land cleanup and restoration efforts, including Superfund cleanup and Brownfields land restoration projects, will continue at a funding level of $992 million in FY 2018. When it comes to cleaning up these sites, I believe that with better leadership, and reducing inefficiencies and administrative costs, we can take steps to accelerate the pace of the clean-ups.

Ensuring the Safety of Chemicals in Commerce

Ensuring the safety of chemicals used in commerce is a priority. Resources are needed to support efforts to minimize American exposure to pesticides, help maintain a healthy food supply and address public health concerns.

The EPA's toxics program will maintain its 'zero tolerance' goal for preventing the introduction of unsafe new chemicals into commerce. In FY 2018, $65 million is requested for the Toxic Substances Control Act (TSCA) Chemical Risk Review and Reduction Program to support the agency's significant continuing and new responsibilities for ensuring that chemicals in commerce do not present unreasonable risks to human health or the environment. New chemicals will be evaluated and decisions will be based on the best available science and the weight of evidence.

EPA reviews about 1,000 new chemicals per year, and must complete the review of each submission within a specified timeframe, resulting in about 300 chemicals under review at any given time. By January 2017, the number under review had grown to about 600.

Under my leadership, we have split by half the backlog of new chemical submissions being reviewed under TSCA, with plans to fully eliminate the backlog by the end of July. The agency is also increasing transparency for the public and the regulated community about these chemicals.

We are working with companies to gather all the relevant information early in the process, to inform safety reviews for new chemicals. Reviewing new chemicals quickly will enable those deemed safe to enter the marketplace to support jobs and our economy.

The reduction in the backlog is the result of prioritizing and implementing process efficiencies. EPA will continue to work with all stakeholders to identify additional changes to improve the quality, efficiency and transparency of the new chemical review program.

For chemicals in commerce, EPA will maintain an ambitious schedule for initiating and completing chemical risk evaluations and, where risks are identified, for initiating and completing regulatory actions to address those risks. EPA also will implement the new mandates related to determinations on claims for confidentiality for chemical identities.

In FY 2018, the agency will continue implementing TSCA activities not amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act. The agency also will provide firm and individual certifications for safe work practices for lead-based paint abatement and renovation and repair efforts, as well as provide for the operation and maintenance of the online Federal Lead-Based Paint program database (FLPP) that supports the processing of applications for training providers, firms and individuals.

Identifying, assessing, and reducing the risks presented by the pesticides on which our society and economy rely is integral to ensuring environmental and human safety. Chemical and biological pesticides help meet national and global demands for food. They provide effective pest control for homes, schools, gardens, highways, utility lines, hospitals, and drinking water treatment facilities, while also controlling vectors of disease. The program ensures that the pesticides available in the U.S. are safe when used as directed. In addition, the program is increasing the focus on pollinator health, working with other federal partners, states, and private stakeholder groups to stem pollinator declines and increase pollinator habitat.

In FY 2018, EPA will invest resources to improve the compliance of pesticide registrations with the Endangered Species Act. A portion of the funding also will ensure that pesticides are correctly registered and applied in a manner that protects water quality.

Punishing Bad Actors

EPA will remain focused on punishing bad actors. That means enforcing civil and criminal cases in areas that address substantial impacts to human health and the environment. EPA's enforcement efforts have produced billions of dollars in cleanup commitments from violators and billions of pounds of pollution prevented and cleaned up as a result of those commitments to date.

As states are the primary implementers of many enforcement action programs, we will focus agency resources on non-delegated programs. We will rely on our state partners to achieve compliance and enforcement goals, and we will focus resources on our direct implementation responsibilities and oversight, emphasizing violations with public health and environmental impacts.

Streamlining

As careful stewards of taxpayer resources, we will look to attack waste by examining our programs that are unnecessary, redundant, or those that have served their purpose and accomplished their mission or are outside EPA's statutory mandates. The FY 2018 budget identifies and eliminates programs so that EPA can focus on its statutory mission, achieving greater value and greater results.

In FY 2018, these efforts include streamlining permitting processes and National Environmental Policy Act (NEPA) infrastructure project reviews along with the focused effort on improving Superfund processes. We will build on business process improvements by partnering with states, tribes, and local governments to expand and support approaches across all our programs.

To help achieve its mission, EPA will develop, review and analyze program requirements and implement options to effectively align and redistribute the agency's workforce based on priorities and technological advances. The result of these analyses is expected to create a need to reshape the workforce and maintain the current hiring freeze. The agency will also offer voluntary early out retirement pay (VERA) and voluntary separation incentive pay (VSIP) in FY 2018 to achieve effective reshaping.

This budget does not include plans to close regional offices, but we will continue to prioritize efforts that save taxpayer dollars through space consolidation and essential renovations to reduce and optimize our physical footprint.

The budget request also significantly reduces or eliminates funding for mature programs that no longer need a federal presence or can be implemented by others. We will work with states and tribes to target resources to core statutory work and provide flexibility to address particular priorities and concerns. The FY 2018 President's Budget identifies and eliminates programs, to save taxpayers $1.03 billion relative to our FY 2017 Enacted budget.

We are committed to performing the work that is necessary to meet our mission of protecting public health and the environment. With support from our state and local partners – and by working with each of you, and your colleagues in Congress, we can make a real difference to communities across America.

I look forward to answering your questions.

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 5/4/2017 1:35:28 PM
Subject: WE: EPA's Pruitt warns: Less coal means nation more vulnerable to attack

NOTE: "I mean, it's a smart strategy for this country to invest in technology and innovation, burn coal, burn natural gas, use renewables, make sure we advance nuclear," Pruitt said. "But it truly needs to be a part of the fuel diversity with utilities across the country."

EPA's Pruitt warns: Less coal means nation more vulnerable to attack
The Washington Examiner
May 3, 2017
http://www.washingtonexaminer.com/epas-pruitt-warns-less-coal-means-nation-more-vulnerable-to-attack/article/2622067

Environmental Protection Agency Administrator Scott Pruitt warned Wednesday that taking coal out of the nation's fuel mix would make the U.S. much more vulnerable if attacked, especially as natural gas dominates much of the market.

"What would happen if we had an attack on our infrastructure when you've diverted to natural gas almost exclusively and you don't have coal there as a safeguard to preserve the grid?" Pruitt asked in an interview with Fox Business's Varney and Co.

"Utility companies across this country need fuel diversity. You need solid hydrocarbons on-site that you can store, so when peak demand rises, you've got solid hydrocarbons to draw on," Pruitt told the program's host Charles Payne.

The North American Electric Reliability Corporation, the congressionally mandated grid watchdog that develops mandatory reliability standards for utilities, is focused on examining the challenge faced by an electric system dominated by natural gas and more renewables.

The group said in its 2016 reliability report that there are advantages to having tons of coal on site at a power plant to maintain the power supply, whereas natural gas is a just-in-time resource that must be transported via pipeline. Pipelines cannot always keep up with demand if there is a spike in electricity consumption during a bout of extreme hot or cold weather.

NERC works with the nation's lead grid regulator, the Federal Energy Regulatory Commission,

in evaluating those issues and approving standards to prevent blackouts and brownouts.

"I mean, it's a smart strategy for this country to invest in technology and innovation, burn coal, burn natural gas, use renewables, make sure we advance nuclear," Pruitt said. "But it truly needs to be a part of the fuel diversity with utilities across the country."

Pruitt's statements show a willingness to wade into matters regarding the electric grid, which is an area the EPA does not directly oversee but has influenced immensely by its regulations on coal plants.

Pruitt's remarks come as Energy Secretary Rick Perry is conducting a grid study that would address some of the concerns the EPA chief raised.

FERC has principal oversight over the wholesale electric and natural gas markets and routinely examines those matters with NERC.

Republicans had blasted the Obama administration's EPA for not adequately consulting with FERC in developing its climate change regulations, because of the impact the rules would have on the grid.

The platform from the 2016 Republican National Convention even proposed the idea of transforming the EPA into a bipartisan commission akin to FERC or the Nuclear Regulatory Commission. Both commissions are formed by equal numbers of Republicans and Democrats with the chairman being of the same party as the president.

###

Jahan Wilcox
EPA
Strategic Communications Advisor

Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Mon 9/18/2017 2:47:09 PM
Subject: Re: Coffee at 2p? Peets on 13th and G work

Works for me. See you there.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

On Mon, Sep 18, 2017 at 10:16 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Thur 9/14/2017 8:37:48 PM
Subject: Hey

This release will be going out at 5:00 PM. You can write/report on this right now.

Jahan

CONTACT: press@epa.gov

EPA TO RECONSIDER CERTAIN COAL ASH RULE PROVISIONS

WASHINGTON (September 14, 2017) The United States Environmental Protection Agency (EPA) has granted two petitions to reconsider substantive provisions of the final rule regulating coal combustion residuals (CCR) as nonhazardous waste under subtitle D of the Resource Conservation and Recovery Act (RCRA).

"In light of EPA's new statutory authority, it is important that we give the existing rule a hard look and consider improvements that may help states tailor their permit programs to the needs of their states, in a way that provides greater regulatory certainty, while also ensuring that human health and the environment remain protected," said **EPA Administrator Scott Pruitt**.

In granting the petitions, EPA determined that it was appropriate, and in the public's interest to reconsider specific provisions of the final CCR rule based in part on the authority provided through the Water Infrastructure for Improvements to the Nation (WIIN) Act. EPA is not committing to changing any part of the rule, or agreeing with the merits of the petition – the Agency is simply granting petitions to reconsider specific provisions. Should EPA decide to revise specific provisions of the final CCR rule, it will go through notice and comment period.

The petition from the Utility Solid Waste Activities Group (USWAG) was submitted May 12, 2017, and seeks reconsideration of 11 specific provisions of the final CCR rule, including provisions prohibiting the use of alternative points of compliance for ground water contamination, regulating inactive surface impoundments, and defining what activities constitute beneficial use of CCR. The petition from AES Puerto Rico LLP was submitted May 31, 2017, and seeks reconsideration of certain on-site storage practices.

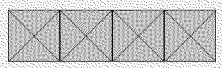
The current rule went into effect on October 19, 2015 and regulates how CCR generated from electric utilities and independent power producers is managed and disposed of in surface impoundments and landfills. The rule also defines what constitutes beneficial use of CCR; and, therefore, is excluded from the rule's requirements.

In December 2016, the WIIN Act was enacted into law. Section 2301 of the WIIN Act provides authority for states to operate permit programs under subtitle D of RCRA, as long as the EPA determines that the state's requirements are as protective as the standards in the 2015 final rule or

successor regulations. Should EPA decide to revise specific provisions of the final CCR rule, it will go through a notice and comment process.

http://usenvironmentalprotectionagency.cmail19.com/t/d-i-uyltjly-l-r/

Visit The EPA's Newsroom



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

Unsubscribe

.

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Mon 9/18/2017 5:48:47 PM
Subject: Re: Coffee at 2 still work

Yup yup.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

On Mon, Sep 18, 2017 at 1:45 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

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

MAY - 4 2017

THE ADMINISTRATOR

MEMORANDUM

SUBJECT: My Ethics Obligations

FROM: E. Scott Pruitt
Administrator

TO: Acting Assistant Administrators
Acting General Counsel
Inspector General
Acting Regional Administrators

This memorandum provides you with written notification regarding my ethics obligations. I have conferred with the Office of General Counsel's Ethics Office (OGC/Ethics) and understand that I must recuse myself from matters in which I have a financial interest, or a personal or business relationship. I also understand that I have certain obligations to my state bar and also under the President's Ethics Pledge that I have signed. This recusal statement addresses all of my ethics obligations.

Obligations Under the President's Ethics Pledge

I understand that I have ethics obligations with respect to my former employer and my former client, the State of Oklahoma. The President's Ethics Pledge provides more restrictions than the federal ethics rules, but I am advised by OGC/Ethics that the additional restrictions contained in the pledge that regard former employer and former client do not apply to me. The Executive Order defines "former employer" to exclude state government,[1] and the Office of Government Ethics has determined that this same exclusion applies to the definition of "former client."[2] Therefore, OGC/Ethics has confirmed that I am not subject to the additional pledge restrictions regarding former employers or former clients.

Ethics Obligations Under the Impartiality Provisions

Pursuant to federal ethics rules, I understand that I have a one-year cooling off period with my former employer and former client. I also understand that I have a "covered relationship" with certain

[1] *See* Exec. Order 13,770, Section 2(j), which provides that "'former employer' does not include … State government."

[2] *See* Office of Government Ethics Legal Advisory 17-02 (February 6, 2017), which states that, "[w]ith respect to Executive Order 13770, ethics officials and employees may continue to rely on OGE's prior guidance regarding Executive Order 13490 to the extent that such guidance addresses language common to both orders," and Office of Government Ethics Legal Advisory DO-09-011 (March 26, 2009), which states that "based on discussions with the White House Counsel's office, OGE has determined that the definition of former client is intended to exclude the same governmental entities as those excluded from the definition of former employer."

organizations in which I was active during the past year. For one year after my resignation as Attorney General, and one year from my resignation from the entities specified below, I will not participate personally and substantially in any particular matter involving specific parties in which any of the following entities is a party or represents a party, unless I am first authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d). This federal ethics limitation does not extend to particular matters of general applicability, such as rulemaking.

Name of Entity	Date when recusal from specific party matters ends under Federal Ethics Obligations
State of Oklahoma	February 18, 2018
Southern Baptist Theological Seminary	February 18, 2018
Windows Ministry Incorporated	February 18, 2018
Rule of Law Defense Fund	December 9, 2017

Commitment to My Ethical Responsibilities

To demonstrate my profound commitment to carrying out my ethical responsibilities, while I am the Administrator of the United States Environmental Protection Agency, I will not participate in any active cases in which Oklahoma is a party, petitioner or intervenor, including the following:

Case Name	Citation
American Petroleum Institute, et al. v. EPA	No. 13-1108 (D.C. Cir.)
Florida *et al.* v. EPA	No. 15-1267 (D.C. Cir.)
Murray Energy, *et al.* v. EPA	No. 15-3751 (6th Cir.)
Murray Energy, *et al.* v. EPA	No. 15-1385 (D.C. Cir.) (consolidated with 15-1392, 15-1490, 15-1491 & 15-1494)
Murray Energy Corp. v. EPA	No. 16-1127 (D.C. Cir.)
Oklahoma *ex rel.* Pruitt v. EPA	No. 15-cv-00381 (10th Cir.)
Oklahoma *ex rel.* Pruitt v. EPA appeal pending *sub nom*, State of Oklahoma *ex rel.* Hunter, No. 16-5039 (10th Cir.)	No. 4:15-cv-381 (N.D. Okla.)
In Re Volkswagen "Clean Diesel" Marketing, Sales, Practices, And Products Liability Litigation (extends to criminal case too)	No. 2672 MDL CRB (JSC) (N.D. Cal.) Criminal case: E.D. Michigan
State of North Dakota v. EPA	No. 15-1381 (D.C. Cir.) (joined with No. 15-1399, then consolidated with No. 15-1381)
State of West Virginia, *et al.* v. EPA	No. 15-1363 (D.C. Cir.)
Walter Coke Inc. v. EPA	No. 15-1166 (D.C. Cir.)
Wildearth Guardians v. EPA	No. 13-cv-02748 (D.C. Colo.)

I understand that this commitment is longer than is required by the federal impartiality standards, but I am taking this action to avoid even the appearance of any impropriety under federal ethics or professional responsibility obligations.

With respect to cases involving EPA in which Oklahoma joined other states in filing an amicus brief, I understand that Oklahoma was not a party to the litigation itself. I have informed the Designated Agency Ethics Official (DAEO) that Oklahoma itself neither authored the amici briefs nor otherwise participated in the litigation in any way. Most of those cases are resolved, except for *Building Industry Association of the Bay Area, et al. v. Department of Commerce, et al.* (the U.S. Supreme Court denied *certiorari*); *Sierra Club et al., plaintiffs-appellees v. Regina McCarthy in her capacity as Administrator of the United States Environmental Protection Agency, defendants-appellees; State of Arizona et al, intervenor-plaintiff-appellants,* No. 15-15894 (9th Cir.), on appeal from N.D. Cal., No. 13-cv-03953-SI (this case is fully argued and briefed is awaiting decision only); *Wyoming v. EPA,* Nos. 14-9512 and 14-9514 (10th Cir.) (the standard of review argument advanced in the amicus brief that Oklahoma joined was uncontested on review); and *National Association of Manufacturers, petitioner, v. U.S. Department of Defense, U.S. Army Corps of Engineers, and U.S. EPA, et al., respondents,* No. 16-299 (S. Ct.) (U.S. Supreme Court granted *certiorari,* briefing for petitioners and supporting persons is complete, and case will be argued in the upcoming October term).

Thus far, I have not participated in any of the cases listed in this recusal statement officially at all and will continue to recuse for now. In the event that I wish to participate, I will seek an ethics determination from the DAEO, who will apply the federal impartiality standard set forth at 5 C.F.R. § 2635.502. I understand that my professional responsibility obligations may impose consent requirements in order to participate. I will provide notification of such consent, if sought and obtained, to EPA's ethics officials.

Screening Arrangement

In order to help ensure that I do not participate in matters relating to any of the entities listed above, I have taken or will take the following steps:

1. I am instructing Ryan Jackson, Chief of Staff to screen all EPA matters, including existing litigation, directed to my attention that involve outside entities or that require my participation, to determine if they involve any of the entities or organizations listed above.

2. Until such time as a Presidentially Appointed Senate confirmed appointee is confirmed and sworn into a position such as the Deputy Administrator, General Counsel or Assistant Administrator, I am designating the Chief of Staff to take appropriate action or refer it with the Agency for appropriate action or assignment, without my knowledge or involvement.

3. I will provide the Chief of Staff and Sarah Greenwalt, Senior Advisor to the Administrator, with a copy of this memorandum so that they may fully understand the purpose and scope of my

recusal obligations and this screening arrangement. In order to help ensure that I do not inadvertently participate in matters from which I am recused, I am directing the Chief of Staff and/or Ms. Greenwalt to seek the assistance of OGC/Ethics if they are ever uncertain whether or not I may participate in a matter.

4. I will provide a copy of this memorandum to my principal subordinates. I will also instruct my principal subordinates that all inquiries and comments involving any of the entities listed above should be directed to the Chief of Staff without my knowledge or involvement.

5. In consultation with OGC/Ethics, I will revise and update my ethics agreement and/or this memorandum whenever is warranted by changed circumstances, including changes in my financial interests, my personal or business relationships, or the nature of my official duties.

6. In the event of any changes to this screening arrangement, I will provide a copy of the revised screening arrangement memorandum to the Chief of Staff, OGC/Ethics, and any principal subordinates.

cc: Ryan Jackson, Chief of Staff
Sarah Greenwalt, Senior Advisor to the Administrator
Kevin S. Minoli, Designated Agency Ethics Official
Justina Fugh, Alternate Designated Agency Ethics Official

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Tue 5/23/2017 3:52:08 PM
Subject: RE: Budget

Don't quote me but correct no briefing.

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

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Mon 9/18/2017 7:55:36 PM
Subject: Meeting/grants

Good meeting today. Keep me posted on things.
Did you look into the Konkus grant reviews yet? Just wanted to know if you could tell me on record how many grants he's rejected and/or which grants they are.

Thanks.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245
Secure: timothy.cama@protonmail.com

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Fri 9/15/2017 2:07:36 PM
Subject: RE: Political appointees' resumes

Also want to get coffee this afternoon at like 1 or 2?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Friday, September 15, 2017 9:45 AM
To: Press <Press@epa.gov>
Subject: Political appointees' resumes

Hi folks-

As you probably know, American Oversight received via FOIA the resumes of all the EPA politicals (as of August or some other time in the summer, I believe. Some aren't there, like Liz Bowman). Here are the records: https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d2811f1dbf

I am possibly doing a story on these, with a deadline of about 4 today (but earlier is always better, as usual). I'm looking mostly at any patterns, like campaign experience, Oklahoma connections, working for regulated industries, environmental regulation experience, etc.

So, if you would like to comment for this, please do. And if there's anything in the resumes that is incorrect, please let me know. I don't want this to become like the AP Dow meeting story.

Thanks much.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Tue 5/23/2017 5:00:09 PM
Subject: RE: Budget

Just tried to call you.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 23, 2017 12:58 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Budget

Ok thanks.

On that topic, is the administrator planning to do any mainstream media interviews and/or a press conference with questions?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

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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

SHELDON WHITEHOUSE
RHODE ISLAND

ENVIRONMENT AND PUBLIC WORKS
HEALTH, EDUCATION, LABOR, AND PENSIONS
JUDICIARY

United States Senate

WASHINGTON, DC 20510-3903

August 10, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20004

Dear Administrator Pruitt:

As a member of the Senate Environment and Public Works Committee, one of my responsibilities is to conduct oversight over the Environmental Protection Agency. To that end, I request you provide documents related to air travel taken by you or any EPA employee since February 17, 2017, on any flight other than a regularly scheduled, commercial flight (e.g., charters, company jets). Insofar as any responsive documents do not include the following information, please indicate:

- Date, departure city, and destination;
- Cost of the flight;
- Who arranged and paid for the flight;
- Flight roster, including affiliations;
- Why a commercial flight was not used; and
- Purpose and length of the trip.

I request a response no later than August 24, 2017. If you have any questions, please do not hesitate to contact Emily Enderle at emily_enderle@whitehouse.senate.gov.

Sincerely,

Sheldon Whitehouse
United States Senator

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

SEP 15 2017

OFFICE OF
CONGRESSIONAL AND
INTERGOVERNMENTAL
RELATIONS

The Honorable Sheldon Whitehouse
United States Senate
Washington, D.C. 20510

Dear Senator Whitehouse:

Thank you for your letter of August 10, 2017, regarding air travel of EPA employees. The Administrator ask that I respond on his behalf.

Enclosed please find the information you requested about chartered flights taken by Administrator Pruitt and other EPA officials. The four trips referenced in the enclosed travel list represent the only flights of interest ("any flight other than a regularly scheduled, commercial flight") taken by the Administrator or other appointed officials between February 17, 2017 and the date of your letter.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Kyle Aarons in my office at (202) 564-7351 or Aarons.Kyle@epa.gov.

Sincerely,

Troy M. Lyons
Associate Administrator

Enclosure

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on 100% Post-Consumer, Process Chlorine Free Recycled Paper

1. Military Air Flight

Date: June 7, 2017

Itinerary: 2:40 PM – 4:00 PM: Andrews Air Force Base to Covington, Ohio
7:00 PM – 8:25 PM: Covington, Ohio to JFK Airport, New York
9:10 PM – 10:00 PM: JFK, New York to Andrews Air Force Base

Cost of flight: $36,068.50

Arrangements: The President of the United States directed a White House Support Mission to be provided by the White House Military Office for Administrator Pruitt. The flight was paid for by the EPA via an interagency agreement with the Department of the Air Force.

EPA Employees: E. Scott Pruitt, Administrator
Lincoln Ferguson, Senior Advisor to the Administrator
Kevin Chmielewski, Deputy Chief of Staff of Operations
Pasquale Perrotta, Protective Security Detail

Justification: Given the time constraints due to Administrator Pruitt's participation in an event with the President of the United States, scheduled meetings with Vatican officials the next day, and his subsequent engagement in G7 bi-lateral meetings and discussions, there were no viable commercial flights that would allow him to make the final flight out of the United States to Rome, Italy on June 7, 2017. Additionally, reciprocity restrictions in conjunction with our federal agent's firearms, changing airlines and complying with the Federal Fly America Act regulations created further impediments to the Administrator's ability to fulfill his scheduled obligations.

Notes: Expenses under this reimbursable interagency agreement are for the Administrator's travel provided by the White House Military Office for transport from Cincinnati, Ohio to JFK International Airport, New York City on June 7, 2017 for the purpose of enabling Administrator Pruitt to meet his scheduled commitments at the Vatican and at the G7 bi-lateral meetings as mentioned in the previous paragraph. Reimbursement in the amount of $36,068.50 was for a total flight time of three hours and thirty-five minutes at a cost of $10,075.00 per hour. Flight time included round trip for the aircraft to travel from and to its home base.

2. Charter flight via Interagency Agreement with the Department of the Interior

Date: July 27, 2017

Itinerary:

9:00 AM – 10:00 AM: Tulsa International, Tulsa, Oklahoma to Guymon Municipal, Guymon, Oklahoma
12:30 PM – 1:24 PM: Guymon Municipal, Oklahoma to Oklahoma City, Oklahoma

Cost of Flight: $14,434.50

Arrangements: The flight was arranged and paid for by the EPA.

EPA Employees:
E. Scott Pruitt, Administrator
Elizabeth (Tate) Bennett, Deputy Associate Administrator, OCIR
Lincoln Ferguson, Senior Advisor to the Administrator
Amy Graham, Deputy Associate Administrator, OPA
Sarah Greenwalt, Senior Advisor to the Administrator for Water and Cross-Cutting Issues
Daisy Letendre, Senior Advisor for Policy and Strategic Communications
Pasquale Perrotta, Protective Security Detail

Justification: Due to the remote location of Guymon, Oklahoma, the Guymon Municipal Airport is too small to accommodate commercial aircraft. In addition, given the Administrator's schedule and because there is no commercial aircraft available to Guymon, the Administrator needed to use the services of a chartered aircraft to travel from Tulsa to Guymon. The time constraints on the Administrator's schedule did not allow the Administrator to travel by ground transportation as it would have been five hours of travel time, one way.

Notes: On July 27th, 2017 the Administrator departed at approximately 8:30 AM from Tulsa, Oklahoma on a charter aircraft to Guymon, Oklahoma to meet with Gary Weable of the Panhandle Irrigators Association, and landowners whose farms have been affected by the Waters of the United States rule. At approximately 11:30 AM the Administrator departed Hooker, Oklahoma by ground transportation and returned to Guymon to depart to Oklahoma City, arriving at approximately 2:00 PM. In Oklahoma City the Administrator met with members of the Oklahoma state government. The Administrator departed Oklahoma City at approximately 5:00 PM to return to Tulsa where he had an early morning meeting the next day.

3. Private Air Charter, Mayo Aviation

Date: August 4, 2017

Itinerary: Denver, Colorado to Durango, Colorado

Cost of Flight: $5,719.58

Arrangements: This flight was arranged and paid for by the EPA.

EPA Employees: E. Scott Pruitt, Administrator
Lincoln Ferguson, Senior Advisor to the Administrator
Amy Graham, Deputy Associate Administrator, OPA
Pasquale Perrotta, Protective Security Detail

Justification: On August 4, 2017, the flight the Administrator intended to take from Denver to Durango, CO was delayed ultimately for eight hours, which would have caused him to miss a mission critical meeting at Gold King Mine. That meeting involved the Colorado Congressional delegation, the Governor, and key community leaders and stakeholders, and it was essential that the Administrator attend. There were no other available flights from Denver to Durango that would have worked with the scheduled meeting. Staff also looked into flights from airports near to Denver into Durango or other locations near Gold King Mine. There was only one seat available on a plane with the Governor, so without the Governor removing someone else from the trip that was not an option either. There was a decision to secure a flight with a commercially-available charter service (http://mayoaviation.com/charter/) at a cost of approximately $5,700.

Notes: The purpose of the trip was to allow the Administrator to scheduled commitments as specified in the previous paragraph. The length of the trip was two hours.

4. North Dakota State Aircraft

Date:	August 9, 2017
Itinerary:	Grand Forks, North Dakota
Cost of Flight:	$2,144.40
Arrangements:	This flight was arranged by the State of North Dakota.
EPA Employees:	E. Scott Pruitt, Administrator Millan Hupp, Director for Scheduling and Advance Pasquale Perrotta, Protective Security Detail
Justification:	The Governor of the State of North Dakota offered seats on a state-owned plane to transport the Administrator and his staff to this event. There is no government rate established for this route. This in-kind contribution by the State of North Dakota was approved by the EPA Ethics office (see attached approval forms).
Notes:	This flight was to enable the Administrator to participate in a roundtable discussion and a tour of the University of North Dakota's Environmental Research Center.

Status >>> Approved by Approving Official <<< Status

EPA Approval to Accept Travel Under Ethics Reform Act of 1989

○ for-profit ● not for-profit

Event Location	Grand Forks, ND	**Your Role**	advance for the Adminstrator
Travel Starts	08/09/2017	**Travel Ends**	08/09/2017
Event Sponsor(s)	University of North Dakota	**Nature of Event**	roundtable discussion and tour of University of North Dakota's Environmental Research Center
DEO	Justina Fugh		
Employee Name	**Millan Hupp**	**Spousal expenses included?**	○ Yes ● No
Title	Director for Scheduling and Advance		
Organization	OA		
Phone Number	202-564-0000		

Who is the non-federal person(s) or entity(s) paying travel expenses?

Name: State of North Dakota (Governor Doug Burgum)

Address: 600 East Boulevard Avenue Bismarck, ND 58505-0100

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

state governmental agency

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved*	○ Yes ● No
Is this travel being paid through an EPA contract, Federal assistance agreement O R F E D E R A L G R A N T (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved*	○ Yes ● No
Are any of these sources otherwise affected by EPA matters in which you participate? If *"Yes,"* attach explanation (below).	○ Yes ● No

Itemization of benefits

Amount & METHOD of payment

	IN KIND ticket, meals etc., est. the $	IN CASH must be a check etc. made out to EPA
Common carrier transportation	$596.80	$0.00
Meals	$0.00	$0.00
Lodging	$0.00	$0.00
Local transportation	$0.00	$0.00
Waiver of fees	$0.00	$0.00
Other (specify)	$0.00	$0.00

Sub Total $596.80 Sub Total $0.00

TOTAL →→→→→ **$596.80**

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations? ○ Yes ● No

Any other explanations or attachments

The Governor of the State of North Dakota offered seats on the State-owned plane to transport the Administrator to this event. There is no government rate established for this route.

Approving Official's Certification

Approved By: Justina Fugh Date: 08/09/2017

☐ Hold Pending Review

NOTE FROM APPROVING OFFICIAL:

Additional Attachments / Explanations:

Status >>> Approved by Approving Official <<< Status

EPA
Approval to Accept Travel
Under Ethics Reform Act of 1989

○ **for-profit** ● **not for-profit**

Event Location Grand Forks, ND

Your Role Speaker and participant

Travel Starts 08/09/2017

Travel Ends 08/09/2017

Event Sponsor(s) University of North Dakota

Nature of Event roundtable discussion and tour of University of North Dakota's Environmental Research Center

DEO Justina Fugh

Employee Name **Pasquale Perrotta**

Spousal expenses included? ○ Yes ● No

Title Special Agent

Organization OECA,OCEFT

Phone Number 202-564-2542

Who is the non-federal person(s) or entity(s) paying travel expenses?

Name: State of North Dakota (Governor Doug Burgum)

Address: 600 East Boulevard Avenue Bismarck, ND 58505-0100

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

state governmental entity

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved* ○ Yes ● No

Is this travel being paid through an EPA contract, Federal assistance agreement O R F E D E R A L G R A N T (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved* ○ Yes ● No

Are any of these sources otherwise affected by EPA matters in which you participate? ○ Yes ● No

If *"Yes,"* attach explanation (below).

Itemization of benefits

	Amount & METHOD of payment	
	IN KIND ticket, meals etc., est. the $	IN CASH must be a check etc. made out to EPA
Common carrier transportation	$773.80	$0.00
Meals	$0.00	$0.00
Lodging	$0.00	$0.00
Local transportation	$0.00	$0.00
Waiver of fees	$0.00	$0.00
Other (specify)	$0.00	$0.00

Sub Total $773.80 Sub Total $0.00

TOTAL →→→→→ **$773.80**

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations? ○ Yes ● No

Any other explanations or attachments

The Governor of the State of North Dakota offered seats on the State-owned plane to transport the Administrator and his staff to this event. There is no government rate established for this route. This traveler is entitled to business class accommodation due to security concerns.

Approving Official's Certification

Approved By: Justina Fugh Date:08/09/2017

☐ Hold Pending Review

NOTE FROM APPROVING OFFICIAL:

Additional Attachments / Explanations:

Status >>> Approved by Approving Official <<< Status

EPA Approval to Accept Travel Under Ethics Reform Act of 1989

○ for-profit ● not for-profit

Event Location	Grand Forks, ND	**Your Role**	Speaker and participant
Travel Starts	08/09/2017	**Travel Ends**	08/09/2017
Event Sponsor(s)	University of North Dakota	**Nature of Event**	roundtable discussion and tour of University of North Dakota's Environmental Research Center
DEO	Justina Fugh		
Employee Name	**Scott Pruitt**	**Spousal expenses included?**	○ Yes ● No
Title	Administrator		
Organization	OA		
Phone Number	202-564-4700		

Who is the non-federal person(s) or entity(s) paying travel expenses?

Name: State of North Dakota (Governor Doug Burgum)

Address: 600 East Boulevard Avenue Bismarck, ND 58505-0100

Explain the interest of the source in the matters handled by your office. If the source of the travel expenses is an organization, describe the membership of the organization. For example, the "Center for Sound Science" may be largely made up of companies which produce chemicals regulated by your program or interest groups who take a position on our policies or regulations. **This explanation is mandatory!** (You can attach files below.)

State governmental entity

Are any of these sources a party to a matter which is pending before you for decision, such as a contract or assistance agreement matter, permit, license, etc.? *If "Yes", then acceptance of travel expenses cannot be approved* ○ Yes ● No

Is this travel being paid through an EPA contract, Federal assistance agreement O R F E D E R A L G R A N T (including a recipient's matching share)? *If "Yes", then acceptance of travel expenses cannot be approved* ○ Yes ● No

Are any of these sources otherwise affected by EPA matters in which you participate? ○ Yes ● No

If *"Yes,"* attach explanation (below).

Itemization of benefits

Amount & METHOD of payment

	IN KIND ticket, meals etc., est. the $	IN CASH must be a check etc. made out to EPA
Common carrier transportation	$773.80	$0.00
Meals	$0.00	$0.00
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Local transportation	$0.00	$0.00
Waiver of fees	$0.00	$0.00
Other (specify)	$0.00	$0.00

Sub Total $773.80 Sub Total $0.00

TOTAL →→→→→ **$773.80**

(NOTE: For travel outside the United States, different rules may apply. Check with your ethics advisor.)

Does this amount exceed the amount payable under Federal Travel Regulations? ○ Yes ● No

Any other explanations or attachments

The Governor of the State of North Dakota offered seats on the State-owned plane to transport the Administrator to this event. There is no government rate established for this route. This traveler is entitled to business class accommodation due to security concerns.

Approving Official's Certification

Approved By: Justina Fugh Date:08/09/2017

☐ Hold Pending Review

NOTE FROM APPROVING OFFICIAL:

Additional Attachments / Explanations:

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Tue 5/23/2017 5:01:53 PM
Subject: RE: Budget

Yes – call whenever.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 23, 2017 1:00 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Budget

Sorry, on Interior's budget call now. Try back in a few?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

On Tue, May 23, 2017 at 12:57 PM, Timothy Cama <tcama@thehill.com> wrote:

Ok thanks.

On that topic, is the administrator planning to do any mainstream media interviews and/or a press conference with questions?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

On Tue, May 23, 2017 at 11:52 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Don't quote me but correct no briefing.

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

To: Timothy Cama[tcama@thehill.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Graham, Amy[graham.amy@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]
From: Wilcox, Jahan
Sent: Fri 9/15/2017 4:09:45 PM
Subject: Here is our statement

"Administrator Pruitt has assembled a team of professionals who come from wide-ranging backgrounds. From former Capitol Hill aides – including the Senate EPW Committee – to officials from trade associations and individuals who have worked outside of Washington, the EPA has a diverse and talented team to implement President Trump's mission of protecting the environment." - EPA spokesman, Jahan Wilcox

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
Cc: Bowman, Liz[Bowman.Liz@epa.gov]; Abboud, Michael[abboud.michael@epa.gov]; Hewitt, James[hewitt.james@epa.gov]
From: Wilcox, Jahan
Sent: Tue 10/10/2017 6:52:39 PM
Subject: RE: CPP call

No. We did not host this call.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, October 10, 2017 2:29 PM
To: Press <Press@epa.gov>
Subject: CPP call

Hi-

Do you have a recording or notes from this morning's call with conservative groups about the Clean Power Plan? Or can I get the information that was relayed in it?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Mon 6/12/2017 2:24:58 PM
Subject: Re: Superfund

Looping back on this since G7's over. When could we schedule something?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, May 30, 2017 at 4:12 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Yes, please hold me to it. It will be after Italy (June 15) but hopefully before the 4th.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 30, 2017 4:01 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Superfund

Yep, I did.

Any progress on getting me an interview with Pruitt? I'm holding you to that promise!

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

On Tue, May 30, 2017 at 10:24 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

I was out but it looks like you wrote, correct?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Friday, May 26, 2017 3:01 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Superfund

Hey, never heard back from you guys re: Superfund. Anything you wanted to say beyond what Pruitt's already said?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

Current Card Data

Email:	BROADNAX.KEVIN@EPA.GOV		
AO First Name:	LISA	**AO Last Name:**	ROGERS
AO Email:	ROGERS.LISA@EPA.GOV		

You may correct your email address with the card provider, Approving official changes should be submitted to HQ Purchase Card Program Coordinators. Click on the transaction number below to allocate a transaction. If you do purchases first then you will have an opportunity to apply full or partial credit.

The link below provides an alternative allocation page where several transactions can be applied to one commitment with a single submission.

Bulk Allocation

Account	Card Name	Trans#	Post Date	Purchases Completed	Type	Amount	Allocated
**** **** **** 1332	Kevin Broadnax	1649666	04/11/2016	24HOUR FITNESS USA,INC	Purchase	$14,799.63	Yes

Transactions for the Last 90 Days
Specify Your Own Report

The Office of Acquisition Management provides this Purchase Card Web Site for cardholders. Before disputing any purchase card transaction please review the appropriate guidelines.

SP2 JPMC Bank (Fleet): Dispute Guidelines Customer Service:(888)297-0781
SP2 JPMC Bank (Purchase): Dispute Guidelines Customer Service:(888)297-0781
Purchase Card Program issues: Linda McKay (202)564-4361 Relanda Bailey (202)564-2940
Fleet Card Program issues: Bryford Metoyer (202)564-0310
Allocation and Finance issues: Lindsey Williard (513)487-2827 Patti Andrews (513)487-2067

SierraClubvEPA_3:18-cv-02372_N.D.Cal. ED_001518_00004904-00001

24 FITNESS

USA

date: 04/01/2016

invoice #: 100784-2

INVOICE

name: United States Environmental Science Division
address: 944 East Harmon Avenue
Las Vegas, NZ 89119
contact: Kevin Broadnax
phone: 702-798-2572

corporate id#: 100784CORP
corporate sales manager: Josh Fisher

EP-CARD-16-Z-0042

qty	description	unit price	total
37	1 Year Super-Sport	$399.99	14799.63

Monica Ferguson
4/8/2016

subtotal	$14799.63
credits	<$0>
total	$14799.63
amount paid	$0
balance due	$14799.63

please make checks payable to: 24 Hour Fitness, USA, Inc.
mail to: 24 Hour Fitness, USA, Inc.
24 Hour Fitness
PO Box 51018
Los Angeles, CA 90051-5318

tax id# 94-2899899

you 24

ORDER FOR SUPPLIES OR SERVICES

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER: 03/31/2016

2. CONTRACT NO. (If any):

3. ORDER NO.: EP-CARD-16-Z-0042

4. REQUISITION/REFERENCE NO.: See Schedule

5. ISSUING OFFICE (Address correspondence to):
ORD/OARS/EMD/SAB
US EPA/ORD/OARS/EMD/SAB
944 EAST HARMON AVE
LAS VEGAS NV 89119

6. SHIP TO:
a. NAME OF CONSIGNEE: POC MARIA GREGORIO 702-798-2183
b. STREET ADDRESS: US EPA/SED
944 EAST HARMON AVE
c. CITY: LAS VEGAS
d. STATE: NV
e. ZIP CODE: 89119
f. SHIP VIA:

7. TO: Ken Wagner
a. NAME OF CONTRACTOR: 24 HOUR FITNESS USA, INC.
b. COMPANY NAME:
c. STREET ADDRESS: 12647 ALCOSTA SUITE 500
9255433228
d. CITY: SAN RAMON
e. STATE: CA
f. ZIP CODE: 945834436

8. TYPE OF ORDER
[X] a. PURCHASE
REFERENCE YOUR: QUOTE
100784-1
Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.
[ ] b. DELIVERY
Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.

9. ACCOUNTING AND APPROPRIATION DATA: See Schedule

10. REQUISITIONING OFFICE: NERL LV 1

11. BUSINESS CLASSIFICATION (Check appropriate box(es))
[X] a. SMALL [ ] b. OTHER THAN SMALL [ ] c. DISADVANTAGED [ ] d. WOMEN-OWNED [ ] e. HUBZone
[ ] f. SERVICE-DISABLED VETERAN-OWNED [ ] g. WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOSB PROGRAM [ ] h. EDWOSB

12. F.O.B. POINT: Destination

13. PLACE OF
a. INSPECTION: Destination
b. ACCEPTANCE: Destination

14. GOVERNMENT B/L NO.:

15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date): 04/03/2016

16. DISCOUNT TERMS:

17. SCHEDULE (See reverse for Rejections)

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	DUNS Number: 026112198 ''IGF::OT::IGF'' 1552.232-74 Payments Simplified Acquisition Procedures Financing (JUN 2006) Simplified acquisition procedures financing in the form of advance prior to performance Continued ...					

18. SHIPPING POINT:
19. GROSS SHIPPING WEIGHT:
20. INVOICE NO.:

17(h) TOTAL (Cont. pages): $14,799.63

21. MAIL INVOICE TO:
a. NAME: RTP Finance Center
b. STREET ADDRESS (or P.O. Box): US Environmental Protection Agency
ATTN: KEVIN BROADNAX
944 EAST HARMON AVE
c. CITY: LAS VEGAS
d. STATE: NV
e. ZIP CODE: 89119

SEE BILLING INSTRUCTIONS ON REVERSE

17(i) GRAND TOTAL: $14,799.63

22. UNITED STATES OF AMERICA BY (Signature): Kevin Broadnax

23. NAME (Typed): KEVIN BROADNAX
TITLE: CONTRACTING/ORDERING OFFICER
CONTRACTING OFFICER
702-798-2572 - OFFICE
702-798-2380 - FAX

AUTHORIZED FOR LOCAL REPRODUCTION
PREVIOUS EDITION NOT USABLE

OPTIONAL FORM 347 (Rev. 2/2012)
Prescribed by GSA/FAR 48 CFR 53.213(f)

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 03/31/2016 | CONTRACT NO. | ORDER NO. EP-CARD-16-2-0042

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	will be provided under this commercial item order in accordance with the payment schedule below. If both advance and interim payments are to be made, the payment schedule shown below will specify the type of payment provided for each line item. Payment Schedule Advance Payment The Government shall pay the contractor as follows upon the submission of proper invoices or vouchers approved by the project officer: [71 FR 32284, June 5, 2006] FITNESS MEMBERSHIPS FOR EPA EMPLOYEES- SEE ATTACHED LIST OF EMPLOYEES Admin Office: ORD/OARS/EMD/SAB US EPA/ORD/OARS/EMD/SAB 944 EAST HARMON AVE LAS VEGAS NV 89119 Period of Performance: 04/06/2015 to 04/05/2016					
0001	Wellness program - gym memberships. Period of Service April 4, 2016 to April 3, 2017. 19 Memberships @ $399.99 (list attached) $13,199.67 Requested by Maria Gregorio, SED IO. Requisition No: PR-OAR-16-00531, PR-OARM-16-00394, PR-OLEM-16-00178, PR-ORD-16-00866 Delivery Location Code: NERL LV 1 NERL LV 1 US Environmental Protection Agency National Exposure Research Lab 944 East Harmon Avenue Las Vegas NV 89193-3478 USA Amount: $7,599.81 Accounting Info: 16-17-C-26UH000-101FK6XR1-2506-26A3C-1 626UHE032-001 BFY: 16 EFY: 17 Fund: C Budget Org: 26UH000 Program (PRC): 101FK6XR1 Budget (BOC): 2506 Cost: 26A3C DCN - Line ID: 1626UHE032-001 Continued ...				14,799.63	

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H)) $14,799.63

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 03/31/2016 | CONTRACT NO. | ORDER NO. EP-CARD-16-Z-0042

ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	Funded: $7,599.81 Delivery Location Code: NERL LV 2 NERL LV 2 US Environmental Protection Agency National Exposure Research Lab 3201 Sunrise Avenue Las Vegas NV 89101 USA Amount: $1,199.97 Accounting Info: 16-17-B-52M-ZZZGF5-2504-1652LVC005-001 BFY: 16 EFY: 17 Fund: B Budget Org: 52M Program (PRC): ZZZGF5 Budget (BOC): 2504 DCN - Line ID: 1652LVC005-001 Funded: $1,199.97 Delivery Location Code: NERL LV 2 NERL LV 2 US Environmental Protection Agency National Exposure Research Lab 3201 Sunrise Avenue Las Vegas NV 89101 USA Amount: $1,999.95 Accounting Info: 16-T-72G-303D72-2504-HQ00BM00-1672GE50 14-001 BFY: 16 Fund: T Budget Org: 72G Program (PRC): 303D72 Budget (BOC): 2504 Job #: HQ00BM00 DCN - Line ID: 1672GE5014-001 Funded: $1,999.95 Delivery Location Code: NERL LV 2 NERL LV 2 US Environmental Protection Agency National Exposure Research Lab 3201 Sunrise Avenue Las Vegas NV 89101 USA Amount: $3,999.90 Accounting Info: 15-16-C-33F00HS-104A72-2504-1633F6E217 -001 BFY: 15 EFY: 16 Fund: C Budget Org: 33F00HS Program (PRC): 104A72 Budget (BOC): 2504 DCN - Line ID: 1633F6E217-001 Funded: $3,999.90 Continued ...					

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H)) $0.00

READ INSTRUCTIONS ON NEXT PAGE

REQUISITION

PROCUREMENT REQUEST NO.
PR-OLEM-16-00178

REQUISITION DATE
03/28/2016

1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT
Joe Lavergne/(702) 784-8005

3. ORIGINATING OFFICE DATA
DO NOT USE

4. ADDITIONAL INFORMATION (Suggested supply sources, security data, etc.)

2. TYPE OF REQUEST (Check one)
A. [X] NEW REQUEST
B. [ ] CHANGE TO PENDING PR NO.
C. [ ] MODIFICATION TO CONTRACT OR ORDER NO.

5. APPROVALS

APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)	INTERNAL ROUTING ROUTING SYMBOL (E)
(1) AUTHORIZED REQUISITIONER Joe Lavergne	OLEM/OSRTI	03/29/2016		
(2) Financial Interface	COTS	03/29/2016		
(3) Edith Roman	OLEM/OSRTI	03/29/2016		
(4)				

6. CONSIGNEE AND DESTINATION
OSRTI-TIFSD-ERT-LV
USEPA Environmental Response Team West
4220 South Maryland Parkway
Building D, Suite 800
Las Vegas NV 89119

7. DATE(S) REQUIRED
04/15/2016

8. GOVERNMENT FURNISHED PROPERTY
[ ] YES [X] NO (If "yes," see par. 8 of instructions on next page.)

9. DESCRIPTION OF ITEMS OR SERVICES

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST UNIT (E)	ESTIMATED COST AMOUNT (F)
	Brand Name: N Rec Proc Method: UNKNOWN BFY: 16 Fund: T Budget Org: 72G Program (PRC): 303D72 Budget (BOC): 2504 Job #: HQ00BM00 DCN - Line ID: 1672GE5014-001 FOB: Destination				
0001	Annual Fitness Membership for the following individuals: Joe Lavergne Terrence Johnson Lyndsey Nguyen Henry Gerard Howard Ray Ledbetter Please make payment as soon as invoice is received. 24 Hr. Fitness POC: Lauren Fellows lfellows@24hourfit.com	5	EA	399.99	1,999.95
				TOTAL ESTIMATED COST	$1,999.95

10. ACCOUNTING DATA
Accounting Info : 16-T-72G-303D72-2504-1672GE5014-001

REQUISITION

PROCUREMENT REQUEST NO.
PR-OAR-16-00531

REQUISITION DATE
03/09/2016

1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT
Vivian Rice-Smuin/702-784-8213

3. ORIGINATING OFFICE DATA
OAR ORIA NCRFO

4. ADDITIONAL INFORMATION (Suggested supply sources, security data, etc.)

2. TYPE OF REQUEST (Check one)
A. X NEW REQUEST
B. CHANGE TO PENDING PR NO.
C. MODIFICATION TO CONTRACT OR ORDER NO.

5. APPROVALS

APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)	INTERNAL ROUTING ROUTING SYMBOL (E)
(1) AUTHORIZED REQUISITIONER Vivian Rice-Smuin	OAR/ORIA	03/09/2016		
(2). Financial Interface	COTS	03/15/2016		
(3) Andrea Stafford	OAR/ORIA	03/09/2016		
(4)				

6. CONSIGNEE AND DESTINATION
OAR ORIA NCRFO
US Environmental Protection Agency
National Center for
Radiation Field Operations
4220 South Maryland Parkway, Bldg C
Las Vegas NV 89119

7. DATE(S) REQUIRED
03/31/2016

8. GOVERNMENT FURNISHED PROPERTY
_ YES X NO (If "yes," see par. 8 of instructions on next page.)

9. DESCRIPTION OF ITEMS OR SERVICES

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST UNIT (E)	ESTIMATED COST AMOUNT (F)
	Brand Name: N Rec Proc Method: UNKNOWN BFY: 15 EFY: 16 Fund: C Budget Org: 33F00HS Program (PRC): 104A72 Budget (BOC): 2504 DCN - Line ID: 1633F6E217-001 FOB: Destination				
0001	Fitness Membership for NCRFO employees for FY16				4,000.00

TOTAL ESTIMATED COST
$4,000.00

10. ACCOUNTING DATA
Accounting Info : 15-16-C-33F00HS-104A72-2504-1633F6E217-001

$3,999.90 (.10)

REQUISITION

PROCUREMENT REQUEST NO.
PR-ORD-16-00866

REQUISITION DATE
03/02/2016

1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT
Maria Gregorio/702-798-2183

3. ORIGINATING OFFICE DATA
NERL LV 1

4. ADDITIONAL INFORMATION (Suggested supply sources, security data, etc.)

2. TYPE OF REQUEST (Check one)
A. X NEW REQUEST
B. CHANGE TO PENDING PR NO.
C. MODIFICATION TO CONTRACT OR ORDER NO.

5. APPROVALS

APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)	INTERNAL ROUTING ROUTING SYMBOL (E)
(1) AUTHORIZED REQUISITIONER Bunny Grangaard	RD/NERL/SE	03/15/2016		
(2) Financial Interface	COTS	03/16/2016		
(3) Eva Tankersley	RD/OARS/BE	03/16/2016		
(4) Todd Baker	ORD/NERL/I	03/16/2016		

6. CONSIGNEE AND DESTINATION
NERL LV 1
US Environmental Protection Agency
National Exposure Research Lab
944 East Harmon Avenue
Las Vegas NV 89193-3478

7. DATE(S) REQUIRED
04/03/2016

8. GOVERNMENT FURNISHED PROPERTY
YES X NO (If "yes," see par. 8 of instructions on next page.)

9. DESCRIPTION OF ITEMS OR SERVICES

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST UNIT (E)	ESTIMATED COST AMOUNT (F)
	Brand Name: N Rec Proc Method: UNKNOWN BFY: 16 EFY: 17 Fund: C Budget Org: 26UH000 Program (PRC): 101FK6XR1 Budget (BOC): 2506 Cost: 26A3C DCN - Line ID: 1626UHE032-001 FOB: Destination Period of Performance: 04/04/2016 to 04/03/2017				
0001	Wellness program - gym memberships. Period of Service April 4, 2016 to April 3, 2017. 19 Memberships @ $400.00 (list attached) $7600.00 Requested by Maria Gregorio, SED IO.				7,600.00
				TOTAL ESTIMATED COST	$7,600.00

10. ACCOUNTING DATA
Accounting Info : 16-17-C-26UH000-101FK6XR1-2506-26A3C-1626UHE032-001

7,599.81

REQUISITION

PROCUREMENT REQUEST NO.
PR-OARM-16-00394

REQUISITION DATE
03/29/2016

1. NAME, PHONE NUMBER, AND ROUTING SYMBOL OF PERSON TO CONTACT
Lizabeth Engebretson/702-798-2432

3. ORIGINATING OFFICE DATA
CPOD

4. ADDITIONAL INFORMATION (Suggested supply sources, security data, etc.)

2. TYPE OF REQUEST (Check one)
A. [X] NEW REQUEST
B. [ ] CHANGE TO PENDING PR NO.
C. [ ] MODIFICATION TO CONTRACT OR ORDER NO.

5. APPROVALS

APPROVING OFFICIALS (A)	ROUTING SYMBOL (B)	DATE (C)	INTERNAL ROUTING INITIALS (D)	INTERNAL ROUTING ROUTING SYMBOL (E)
(1) AUTHORIZED REQUISITIONER Nancy Porter	RM-CINCINNA	03/29/2016		
(2) Financial Interface	COTS	03/29/2016		
(3) Nicole Modafari	RM-CINCINNA	03/29/2016		
(4)				

6. CONSIGNEE AND DESTINATION
NERL LV 1
US Environmental Protection Agency
National Exposure Research Lab
944 East Harmon Avenue
Las Vegas NV 89193-3478

7. DATE(S) REQUIRED
03/29/2016

8. GOVERNMENT FURNISHED PROPERTY
[ ] YES [X] NO (If "yes," see par. 8 of instructions on next page.)

9. DESCRIPTION OF ITEMS OR SERVICES

ITEM NO. (A)	ITEM OR SERVICE (Include Specifications and Special Instructions) (B)	QUANTITY (C)	UNIT (D)	ESTIMATED COST UNIT (E)	ESTIMATED COST AMOUNT (F)
	Brand Name: N Rec Proc Method: UNKNOWN BFY: 16 EFY: 17 Fund: B Budget Org: 52M Program (PRC): ZZZGF5 Budget (BOC): 2504 DCN - Line ID: 1652LVC005-001 FOB: Destination				
0001	Gym memberships for the following individuals: Tamara Gummer Anzel Tate Dominique Sandoval				1,200.00

TOTAL ESTIMATED COST
$1,200.00

10. ACCOUNTING DATA
Accounting Info : 16-17-B-52M-ZZZGF5-2504-1652LVC005-001

$1,199.97

It's been a long-time coming..... was it worth the wait?

Kasumin 2L – A New Tool for Managing Walnut Blight

By J. E. Adaskaveg and P. A. Cavanaugh

Eleven years ago, no one thought that it would take so long to obtain a pesticide registration. In September 2006, kasugamycin was submitted to IR-4 for registration on walnuts by the first author who identified the novel compound through research efforts with the California Walnut Board (CWB) and Arysta Life Science. Kasugamycin is a unique bactericide because it is not used in animal or human medicine. The EPA, however, classified it as an antibiotic based on its aminoglycoside chemistry that is similar to streptomycin. The original Pesticide Registration Improvement Extension (PRIA) date set by EPA was 2012 (six years after the IR-4 submission). The US-EPA is required by law to review registration petitions in a timely manner. Because of additional data requirements, including meeting new standards for social insect (i.e., honey bees) toxicology, EPA requested that the registrant withdraw and resubmit the registration package in 2015 with the additional toxicology data and with a new PRIA date of January, 2018. Now the time is here for the full registration (FIFRA Section 3)!

What is all the fuss about?

Well, the fuss is about two very important issues. The first and foremost is that walnut growers need alternatives, or more specifically, additional modes of action for managing walnut blight caused by *Xanthomonas arboricola* pv. *juglandis* (*Xaj*). After the industry used copper exclusively for ca. 50 years (1930s to 1980s) copper resistance developed in the bacterial pathogen. This led to the search for alternatives, and in 1991, copper-maneb (e.g., Manex) mixtures were identified and emergency registrations ensued for 22 years before a full registration was obtained for the related compound mancozeb in 2014. The walnut industry and UC researchers knew that more alternatives were needed, otherwise someday the pathogen would develop resistance to copper-mancozeb. Living on the edge is having only one treatment available to manage a disease that cannot only limit the crop each season but

could economically destroy the entire industry by making harvests inconsistent, of low quality, and unprofitable. This is not something anyone would want to risk economic investment in or betting on for a livelihood.

The second issue is that there is a disconnect between desperate agricultural needs and what EPA deems as a reasonable request and timeline for a pesticide to be registered. Kasugamycin was ineligible for an emergency registration (FIFRA Section 18) because copper-mancozeb was the Section 18 material, and once mancozeb was registered, there was an alternative (i.e., A section 18 requires that no alternative is available). The other aspect was the EPA scientific process itself. The current review guidelines focus on animal and human usage for compounds classified as antibiotics. Thus, an improved scientific process is needed for the evaluation of plant agricultural needs separate from that of other agricultural and human uses of compounds classified as antibiotics. Additionally, environmental monitoring of the effects of antibiotic usage on non-target bacteria that are human pathogens is being done in orchards where antibiotics are applied. This information is demonstrating that plant agricultural applications are not selecting for antibiotic-resistant strains of non-target bacteria. These issues are now being addressed to improve the scientific review process and ultimately the timeline for registration of future bactericides (plant uses of antibiotics).

Use on Walnuts

Kasugamycin will be registered by Arysta as Kasumin 2L for managing blight on walnuts caused by *Xaj*. The rate on walnuts will be 64 fl oz/A in a minimum of 100 gal water/A for ground application or in a minimum of 20 gal water/A for aerial application. Adjuvants that are stickers may also be used. Reduced spray volumes may be utilized for small trees provided that the volume of water is sufficient for adequate coverage of treated foliage. Applications should be initiated when conditions favor disease development. Thus, this is the same timing as for applications of copper-mancozeb. In orchards with a history of the disease and when high rainfall is forecasted, applications should be initiated at 20-40% catkin expansion. Under less favorable conditions for disease (i.e., low rainfall forecasts), applications

should start at 20-40% pistillate flower expansion or the "prayer stage". The preharvest interval is 100 days or approximately mid- to late June depending on the walnut cultivar harvest date.

Resistance Management

The registration of Kasumin now allows for resistance management strategies to be followed because we have different modes of action between copper compounds (e.g., Kocide 3000, ChampIon++, Badge X2, Champ, Nordox, etc.), mancozeb (e.g., Manzate, Dithane), and kasugamycin (e.g., Kasumin 2L). For Kasumin 2L, no more than four applications per year or 256 fl oz/A/year (maximum of 64 fl oz/application x 4 applications) can be applied with a minimum interval of 7 days between applications. Alternate-row applications, applications in orchards that are being fertilized with animal waste/manure, or animal grazing in orchards treated with Kasumin are not allowed. The first restriction is to prevent the selection of resistance to the target pathogen Xaj; whereas, the latter two restrictions are to ensure that the selection of non-target, human-pathogen bacteria is prevented.

Best Usage Strategies

Adaskaveg's research with the CWB and Arysta Life Science has shown that the best strategies of applications of Kasumin are in mixtures with copper products or mancozeb. Ideally, rotations of these mixtures such as copper-mancozeb, Kasumin-mancozeb, and Kasumin-copper, in this order should be done and have been proven highly effective. Furthermore, these rotations will help to prevent the selection of resistance to kasugamycin and mancozeb, as well as prevent the further selection of resistance in the pathogen to higher levels of copper. If additional applications are needed, then the series can be repeated. Additionally, in 2017, we tested weekly alternations of Kasumin alone and copper-mancozeb. After four applications (2 of each), blight was reduced from 39% in the nontreated control to 3% incidence in the rotation and was statistically similar to four applications of copper-mancozeb that had 5% incidence of blighted nuts.

General guidelines

In general, walnut blight management should follow with 7- to 10-day re-applications of bactericides after the first flower application. This is to ensure low epiphytic (leaf and stem surfaces) populations of the pathogen so that when wetness occurs from dew or rainfall, it will take longer for the pathogen population to increase and subsequently cause infections. The walnut tree is increasing its canopy exponentially in the weeks following bloom and thus, adequate bactericide residues are needed for protecting the crop against disease. For northern California, a minimum of four applications is suggested for most walnut cultivars following bloom, and additional applications may be necessary around forecasted rainfall events in May and June. XanthoCast is a model to help time applications of bactericides based on wetness (dew and rainfall) and temperatures that are favorable for disease. XanthoCast is available in northern California on the website http://www.agtelemetry.com/.

Conclusions

The integration of bactericides with different modes of action and application strategies including rotations of bactericide mixtures with different modes of action combined with forecasting tools such as XanthoCast should provide the stewardship necessary for managing walnut blight for years to come. The Kasumin registration has been a long time coming. Was it worth the wait? If it provides an additional tool for the effective management of walnut blight, delays resistance to copper-mancozeb for another 25 years, and allows walnut growers of California continue to have a successful industry … then, yes it was worth the wait.

ENVIRONMENTAL INTEGRITY PROJECT

1000 Vermont Avenue, NW
Suite 1100
Washington, DC 20005
Main: 202-296-8800
Fax: 202-296-8822
www.environmentalintegrity.org

May 11, 2017

Environmental Integrity Project

U.S. Environmental Protection Agency
Office of Inspector General Hotline
1200 Pennsylvania Avenue, N.W.
Mailcode 2431T
Washington, DC 20460

To Whom It May Concern:

I am writing to respectfully request that the Office of Inspector General investigate whether reassigning ten criminal investigators to expand the personal security detail for EPA Administrator Scott Pruitt is a wasteful use of taxpayer funds.

The Washington Post reported on April 12, 2017, that ten agents from the U.S. Environmental Protection Agency's Office of Criminal Enforcement will be reassigned to provide around the clock security for Administrator Scott Pruitt. Other news organizations have reported the same story. The transfer would more than double the size of the previous Administrator's security detail. Meanwhile, EPA's budget proposal for 2018 would eliminate fifty staff from the Agency's criminal enforcement program while cutting travel and other "non-salary" expenses from $6 million to $4.2 million a year.

According to the webpage for the Inspector General's hotline, "Waste involves the taxpayers not receiving a reasonable value for money in connection with any government-funded activities due to an inappropriate act or omission. Most waste does not involve a violation of law; rather, waste relates primarily to mismanagement, inappropriate actions, and inadequate oversight." When determining whether the recent expansion of the Administrator's personal security detail meets this definition, please consider:

- The type and quality of evidence used to justify this extraordinary increase;
- Whether that evidence suggests that potential threats to the Mr. Pruitt's personal safety are much greater than they were for his predecessor;
- The amount of tax dollars spent on the Administrator's security, including salary and benefits for nearly twenty staff, overtime payments, travel costs and other expenses;
- The impact that reassigning ten criminal investigators to guard the EPA Administrator on a twenty four hour basis will have on EPA's ability to investigate and prosecute environmental crimes.

Thank you for your attention to our request.

Respectfully,

Eric Schaeffer
Executive Director

cc: U.S. Senators Sheldon Whitehouse, Ben Cardin, and Chris Van Hollen; and U.S. Representative Jamie Raskin.

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Tue 5/23/2017 9:07:04 PM
Subject: Who says we only talk to friendly outlets, unless that includes the NYT? Have a great night!

"Is it federalism to impose your policy on other states?" **Mr. Pruitt asked in a recent interview in his office.** "It seems to me that Mr. Brown is being the aggressor here," he said. "But we expect the law will show this."

New York Times

https://www.nytimes.com/2017/05/23/us/california-engages-world-and-fights-washington-on-climate-change.html?_r=0

California Engages World, and Fights Washington, on Climate Change

Coral Davenport and Adam Nagourney 5/23/17

LOS ANGELES — The environmental ministers of Canada and Mexico went to San Francisco last month to sign a global pact — drafted largely by California — to lower planet-warming greenhouse pollution. Gov. Jerry Brown flies to China next month to meet with climate leaders there on a campaign to curb global warming. And a battery of state lawyers is preparing to battle any attempt by Washington to weaken California's automobile pollution emission standards.

As President Trump moves to reverse the Obama administration's policies on climate change, California is emerging as the nation's de facto negotiator with the world on the environment. The state is pushing back on everything from White House efforts to roll back pollution rules on tailpipes and smokestacks, to plans to withdraw or weaken the United States' commitments under the Paris climate change accord.

In the process, California is not only fighting to protect its legacy of sweeping environmental protection, but also holding itself out as a model to other states — and to nations — on how to fight climate change.

"I want to do everything we can to keep America on track, keep the world on track, and lead in all the ways California has," said Mr. Brown, who has embraced this fight as he enters what is likely to be the final stretch of a 40-year career in California government. "We're are looking to do everything we can to advance our program, regardless of whatever happens in Washington."

Since the election, California has stood as the leading edge of the Democratic resistance to the Trump administration, on a range of issues including immigration and health care. Mr. Trump lost to Hillary Clinton here by nearly four million votes. Every statewide elected official is a Democrat, and the party controls both houses of the Legislature by a two-thirds margin. Soon after Mr. Trump was elected, Democratic legislative leaders hired Eric H. Holder Jr., the former

attorney general, to represent California in legal fights with the administration.

But of all the battles it is waging with Washington, none have the global implications of the one over climate change.

The aggressive posture on the environment has set the stage for a confrontation between the Trump administration and the largest state in the nation. California has 39 million people, making it more populous than Canada and many other countries. And with an annual economic output of $2.4 trillion, the state is an economic powerhouse and has the sixth-largest economy in the world.

California's efforts cross party lines. Arnold Schwarzenegger, who served as governor from 2003 to 2011, and led the state in developing the most aggressive pollution-control programs in the nation, has emerged as one of Mr. Trump's biggest Republican critics.

Mr. Trump and his advisers appear ready for the fight.

Scott Pruitt, the Environmental Protection Agency chief, whom Mr. Trump has charged with rolling back Obama-era environmental policies, speaks often of his belief in the importance of federalism and states' rights, describing Mr. Trump's proposals as a way to lift the oppressive yoke of federal regulations and return authority to the states. But of Mr. Brown's push to expand California's environmental policies to the country and the world, Mr. Pruitt said, "That's not federalism — that's a political agenda hiding behind federalism."

"Is it federalism to impose your policy on other states?" Mr. Pruitt asked in a recent interview in his office. "It seems to me that Mr. Brown is being the aggressor here," he said. "But we expect the law will show this."

In one of his earliest strikes, Mr. Trump signed an executive order in March aimed at dismantling the Clean Power Plan, President Barack Obama's signature climate policy change. Much of the plan, which Mr. Trump denounced as a "job killer," was drawn from environmental policies pioneered in California.

Mr. Brown has long been an environmental advocate, including when he first served as governor in the 1970s. He has made this a central focus as he enters his final 18 months in office. In an interview, he said the president's action was "a colossal mistake and defies science."

"Erasing climate change may take place in Donald Trump's mind, but nowhere else," Mr. Brown said.

The leadership role being embraced by California goes to the heart of what has long been a central part of this state's identity. For more than three decades, California has been at the vanguard of environmental policy, passing ambitious, first-in-the-nation legislation on pollution control and conservation that have often served as models for national and even international environmental law.

"With Trump indicating that he will withdraw from climate change leadership, the rest of the global community is looking to California, as one of the world's largest economies, to take the lead," said Mario Molina, a Nobel Prize-winning scientist from Mexico who advises nations on climate change policy. "California demonstrates to the world that you can have a strong climate policy without hurting your economy."

The Senate leader, Kevin de Leon, introduced legislation this month that would accelerate, rather than retrench, California's drive to reduce emissions, requiring that 100 percent of retail electricity in the state come from renewable sources by 2045. Mr. de Leon said it was "important that we send a signal to the rest of the world" at a time of what he described as "blowback" from Washington.

Mr. Schwarzenegger, who tangled with Mr. Trump after the president mocked him for receiving low ratings as his replacement on "The Apprentice," described Mr. Trump's environmental policies as a threat to the planet.

"Saying you'll bring coal plants back is the past," Mr. Schwarzenegger said. "It's like saying you'll bring Blockbuster back, which is the past. Horses and buggies, which is the past. Pagers back, which is the past."

He said California had shown it was possible to adopt aggressive environmental policies without hurting the economy. "We're outdoing the rest of the country on G.D.P.," Mr. Schwarzenegger said.

Even before Mr. Trump took office, California's tough regulatory rules had stirred concern among business leaders, who said it had increased their costs. They warned that the situation would become worse if California stood by its regulatory rules while Washington moved in the other direction.

"We're very concerned about that," said Robert C. Lapsley, the president of the California Business Roundtable. "If we are 1 percent of the problem, and we have the most far-reaching climate policies on the planet while all the other states are slowing down because Washington is slowing down, that is going to create an absolute imbalance."

"Washington will create a less competitive environment for California businesses here because businesses in other states will not have to meet the same mandates," he added. "There is no question that businesses are going to move out."

The precise contours of this battle will become clear in the months ahead, as Mr. Trump's environmental policies take shape. For now, the critical questions are whether the United States will withdraw from the Paris agreement, an international compact to reduce greenhouse pollution, and whether the Environmental Protection Agency will revoke a waiver issued by President Richard M. Nixon that permits California to set fuel economy standards exceeding federal requirements.

Revoking the waiver, which was central to a policy that has resulted in noticeably cleaner air in

places like Los Angeles, would force the state to lower its tough fuel economy standards, which are also intended to promote the rapid spread of electric cars. As they stand, the rules would force automakers to build fleets of cars that would reach mileage of 54.5 miles per gallon by 2025.

California is preparing for a legal challenge.

"You have to be concerned when anybody talks about going backward," said Xavier Becerra, the state attorney general. "In this case we think we have a strong case to be made based on the facts and the history."

Mr. Trump is already moving to weaken federal auto emission standards that were influenced by California's tougher standards. Automakers, who met with the president in the Oval Office days after he assumed the presidency, have long complained that the standards forced them to build expensive electric vehicles that consumers may not want.

And the companies have lobbied for years to stop the federal government from allowing California to set cleaner tailpipe regulations than the rest of the nation, arguing that the double standard necessitates building two types of cars. In Detroit, those companies see President Trump as their best chance for finally ending onerous California car requirements. But in the meantime, over a dozen other states have adopted California's auto emissions standards — and Mr. Brown is betting that the sheer size of that market will be enough to make the Trump administration reconsider any effort to roll back the California waiver.

"Because we're such a big part of the car market, and places like New York and Massachusetts are tied in with the U.S., our standard will prevail," he said.

Beyond pushing to maintain its state climate laws, California has tried to forge international climate pacts. In particular, Mr. Brown's government helped draft and gather signatures for a memorandum of understanding whose signers, including heads of state and mayors from around the world, pledged to take actions to lower emissions enough to keep global temperatures from rising over two degrees Celsius. That is the point at which scientists say the planet will tip into a future of irreversible rising seas and melting ice sheets.

That pact is voluntary, but California, Canada and Mexico are starting to carry out a joint climate policy with some teeth.

California's signature climate change law is the cap-and-trade program. It places a statewide cap on planet-warming carbon dioxide emissions, and then allows companies to buy and sell pollution credits. The California measure was the model for a national climate law that Mr. Obama tried unsuccessfully to have passed in 2010.

Given the setbacks in Washington, California environmental officials are working with Mexico and Canada to create what is informally called the "Nafta" of climate change — a carbon-cutting program that spans the region.

“Canada’s all in when it comes to climate action, and we’ll partner with anyone who wants to move forward,” said Catherine McKenna, Canada’s environment minister.

Already, California’s cap-and-trade market is connected to a similar one in Quebec, now valued at about $8 billion, and the Province of Ontario is linking with the joint California-Quebec market this year. Climate policy experts in Sacramento and Mexico City are in the early stages of drafting a plan to link Mexico with that joint market.

In April, a delegation from California traveled to Beijing to meet with Chinese counterparts to help them craft a cap-and-trade plan. “We have people working in China, in their regulatory agencies, consulting with them, speaking fluent Mandarin, working with the Chinese government — giving them advice on cap and trade,” Mr. Brown said.

The Clean Power Plan was central to the United States’ pledge under the 2015 Paris agreement, which commits the nation to cut its emissions about 26 percent from 2005 levels by 2025. Now that Mr. Trump has moved to roll back the plan, it will be almost impossible for the United States to meet its Paris commitments.

That has resonated powerfully in China. The heart of the Paris agreement was a 2014 deal forged by Mr. Obama and President Xi Jinping of China in which the world’s two largest economies and largest greenhouse polluters agreed to act jointly to reduce their emissions.

“China is committed to establishing a cap-and-trade this year, and we are looking for expertise across the world as we design our program — and we are looking closely at the California experience,” said Donquan He, a vice president of Energy Foundation China, an organization that works with the Chinese government on climate change issues.

Mr. Brown recently met with the prime minister of Fiji, who will serve as chairman of this fall’s United Nations climate change meeting in Bonn, Germany, which aims to put the Paris agreement in force, with or without the United States. The governor said he planned to attend as a representative of his state.

“We may not represent Washington, but we will represent the wide swath of American people who will keep the faith on this,” he said.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Wed 5/10/2017 9:53:55 PM
Subject: Hey Tim

Wanted to make sure you saw this post and more importantly the audio from Pruitt's interview with Rob Port on WDAY-AM (Fargo). I don't think anyone here has written from the interview because it was aired in North Dakota.

Jahan

Audio: EPA Administrator Scott Pruitt Touts Friendlier, More Cooperative Relationship With States
Rob Port
WDAY-AM

May 10, 2017

https://www.sayanythingblog.com/entry/audio-epa-administrator-scott-pruitt-touts-friendlier-cooperative-relationship-states/

"If you go back to the inception of the agency…Congress has been very insistent in saying the states have a role," EPA Administrator Scott Pruitt told me during an interview on my radio show today. "The past administration simply disregarded that," he continued.

Pruitt told me he wants the EPA to focus on "cooperative federalism" during his tenure, and lately he's backed up those words with action.

"The days of coercive federalism are over," he told Governor Doug Burgum in a letter last month, communicating that the EPA wouldn't expect the states to spend money on preparing to comply with the Clean Power Plan which has been stayed by the U.S. Supreme Court.

He said that during the three administrations prior to Obama – Geroge W. Bush,

Clinton, and George H.W. Bush – there were only 5 federal plans issued under the Clean Air Act. During the 8 years of the Obama administration there were 56.

Earlier this week the EPA announced pending approval for North Dakota's proposal for a state-run program exploring a carbon capture and sequestration program which would use emissions from coal-fired power plants to help push oil out of the ground in away that leaves the emissions in the ground. "North Dakotans know better than anyone the needs of their environment, economy, and communities," Pruitt said in his releasing announcing that decision.

That's a big departure from the Obama era where states like North Dakota saw the EPA, rightly I think, as an enemy to their well being.

Pruitt highlighted for me just how egregious the Obama administration was in flexing the EPA's muscle. He said that during the three administrations prior to Obama – Geroge W. Bush, Clinton, and George H.W. Bush – there were only 5 federal plans issued under the Clean Air Act.

During the 8 years of the Obama administration there were 56.

And for all that, Pruitt said very little was accomplished. "Look at the past administration's record and ask yourself what did they achieve," he told me, adding that the Obama administration was "using regulatory power to create winners and losers."

The EPA is an especially consequential agency for North Dakota where our chief industries are energy and agriculture. I asked Pruitt what his message was for people in our state working in those industries.

He talked then of certainty, saying it was important for the EPA to make clear rules from a process that provides plenty of opportunity for input and compliance.

Here's the full audio (bottom of the post):
https://www.sayanythingblog.com/entry/audio-epa-administrator-scott-pruitt-touts-friendlier-cooperative-relationship-states/

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Tue 5/23/2017 10:24:15 PM
Subject: RE: Who says we only talk to friendly outlets, unless that includes the NYT? Have a great night!

I don't know but can check and will do.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 23, 2017 5:09 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Who says we only talk to friendly outlets, unless that includes the NYT? Have a great night!

Well, get me on the list for an interview!

Hey, is he going to any of the Rangers games when they're in town next month?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

On Tue, May 23, 2017 at 5:07 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> "Is it federalism to impose your policy on other states?" **Mr. Pruitt asked in a recent interview in his office.** "It seems to me that Mr. Brown is being the aggressor here," he said. "But we expect the law will show this."
>
> **New York Times**

https://www.nytimes.com/2017/05/23/us/california-engages-world-and-fights-washington-on-climate-change.html?_r=0

California Engages World, and Fights Washington, on Climate Change

Coral Davenport and Adam Nagourney 5/23/17

LOS ANGELES — The environmental ministers of Canada and Mexico went to San Francisco last month to sign a global pact — drafted largely by California — to lower planet-warming greenhouse pollution. Gov. Jerry Brown flies to China next month to meet with climate leaders there on a campaign to curb global warming. And a battery of state lawyers is preparing to battle any attempt by Washington to weaken California's automobile pollution emission standards.

As President Trump moves to reverse the Obama administration's policies on climate change, California is emerging as the nation's de facto negotiator with the world on the environment. The state is pushing back on everything from White House efforts to roll back pollution rules on tailpipes and smokestacks, to plans to withdraw or weaken the United States' commitments under the Paris climate change accord.

In the process, California is not only fighting to protect its legacy of sweeping environmental protection, but also holding itself out as a model to other states — and to nations — on how to fight climate change.

"I want to do everything we can to keep America on track, keep the world on track, and lead in all the ways California has," said Mr. Brown, who has embraced this fight as he enters what is likely to be the final stretch of a 40-year career in California government. "We're are looking to do everything we can to advance our program, regardless of whatever happens in Washington."

Since the election, California has stood as the leading edge of the Democratic resistance to the Trump administration, on a range of issues including immigration and health care. Mr. Trump lost to Hillary Clinton here by nearly four million votes. Every statewide elected official is a Democrat, and the party controls both houses of the Legislature by a two-thirds margin. Soon after Mr. Trump was elected, Democratic legislative leaders hired Eric H. Holder Jr., the former attorney general, to represent California in legal fights with the administration.

But of all the battles it is waging with Washington, none have the global implications of the one over climate change.

The aggressive posture on the environment has set the stage for a confrontation between the Trump administration and the largest state in the nation. California has 39 million people, making it more populous than Canada and many other countries. And with an annual

economic output of $2.4 trillion, the state is an economic powerhouse and has the sixth-largest economy in the world.

California's efforts cross party lines. Arnold Schwarzenegger, who served as governor from 2003 to 2011, and led the state in developing the most aggressive pollution-control programs in the nation, has emerged as one of Mr. Trump's biggest Republican critics.

Mr. Trump and his advisers appear ready for the fight.

Scott Pruitt, the Environmental Protection Agency chief, whom Mr. Trump has charged with rolling back Obama-era environmental policies, speaks often of his belief in the importance of federalism and states' rights, describing Mr. Trump's proposals as a way to lift the oppressive yoke of federal regulations and return authority to the states. But of Mr. Brown's push to expand California's environmental policies to the country and the world, Mr. Pruitt said, "That's not federalism — that's a political agenda hiding behind federalism."

"Is it federalism to impose your policy on other states?" Mr. Pruitt asked in a recent interview in his office. "It seems to me that Mr. Brown is being the aggressor here," he said. "But we expect the law will show this."

In one of his earliest strikes, Mr. Trump signed an executive order in March aimed at dismantling the Clean Power Plan, President Barack Obama's signature climate policy change. Much of the plan, which Mr. Trump denounced as a "job killer," was drawn from environmental policies pioneered in California.

Mr. Brown has long been an environmental advocate, including when he first served as governor in the 1970s. He has made this a central focus as he enters his final 18 months in office. In an interview, he said the president's action was "a colossal mistake and defies science."

"Erasing climate change may take place in Donald Trump's mind, but nowhere else," Mr. Brown said.

The leadership role being embraced by California goes to the heart of what has long been a central part of this state's identity. For more than three decades, California has been at the vanguard of environmental policy, passing ambitious, first-in-the-nation legislation on pollution control and conservation that have often served as models for national and even international environmental law.

"With Trump indicating that he will withdraw from climate change leadership, the rest of the global community is looking to California, as one of the world's largest economies, to take the lead," said Mario Molina, a Nobel Prize-winning scientist from Mexico who advises nations on climate change policy. "California demonstrates to the world that you can have a strong climate policy without hurting your economy."

The Senate leader, Kevin de Leon, introduced legislation this month that would accelerate, rather than retrench, California's drive to reduce emissions, requiring that 100 percent of retail electricity in the state come from renewable sources by 2045. Mr. de Leon said it was "important that we send a signal to the rest of the world" at a time of what he described as "blowback" from Washington.

Mr. Schwarzenegger, who tangled with Mr. Trump after the president mocked him for receiving low ratings as his replacement on "The Apprentice," described Mr. Trump's environmental policies as a threat to the planet.

"Saying you'll bring coal plants back is the past," Mr. Schwarzenegger said. "It's like saying you'll bring Blockbuster back, which is the past. Horses and buggies, which is the past. Pagers back, which is the past."

He said California had shown it was possible to adopt aggressive environmental policies without hurting the economy. "We're outdoing the rest of the country on G.D.P.," Mr. Schwarzenegger said.

Even before Mr. Trump took office, California's tough regulatory rules had stirred concern among business leaders, who said it had increased their costs. They warned that the situation would become worse if California stood by its regulatory rules while Washington moved in the other direction.

"We're very concerned about that," said Robert C. Lapsley, the president of the California Business Roundtable. "If we are 1 percent of the problem, and we have the most far-reaching climate policies on the planet while all the other states are slowing down because Washington is slowing down, that is going to create an absolute imbalance."

"Washington will create a less competitive environment for California businesses here because businesses in other states will not have to meet the same mandates," he added. "There is no question that businesses are going to move out."

The precise contours of this battle will become clear in the months ahead, as Mr. Trump's environmental policies take shape. For now, the critical questions are whether the United States will withdraw from the Paris agreement, an international compact to reduce greenhouse pollution, and whether the Environmental Protection Agency will revoke a waiver issued by President Richard M. Nixon that permits California to set fuel economy standards exceeding federal requirements.

Revoking the waiver, which was central to a policy that has resulted in noticeably cleaner air in places like Los Angeles, would force the state to lower its tough fuel economy standards, which are also intended to promote the rapid spread of electric cars. As they stand, the rules would force automakers to build fleets of cars that would reach mileage of 54.5 miles per gallon by 2025.

California is preparing for a legal challenge.

"You have to be concerned when anybody talks about going backward," said Xavier Becerra, the state attorney general. "In this case we think we have a strong case to be made based on the facts and the history."

Mr. Trump is already moving to weaken federal auto emission standards that were influenced by California's tougher standards. Automakers, who met with the president in the Oval Office days after he assumed the presidency, have long complained that the standards forced them to build expensive electric vehicles that consumers may not want.

And the companies have lobbied for years to stop the federal government from allowing California to set cleaner tailpipe regulations than the rest of the nation, arguing that the double standard necessitates building two types of cars. In Detroit, those companies see President Trump as their best chance for finally ending onerous California car requirements. But in the meantime, over a dozen other states have adopted California's auto emissions standards — and Mr. Brown is betting that the sheer size of that market will be enough to make the Trump administration reconsider any effort to roll back the California waiver.

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Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Fri 9/15/2017 6:13:56 PM
Subject: RE: Here is our statement

I was just re-reading this and if there is a space issue we'd prefer if the statement said … **"From former Capitol Hill aides – including the Senate EPW Committee – to officials from trade associations and individuals who have worked outside of Washington, the EPA has a diverse and talented team to implement President Trump's mission of protecting the environment."** - EPA spokesman, Jahan Wilcox

From: Wilcox, Jahan
Sent: Friday, September 15, 2017 12:10 PM
To: 'Timothy Cama' <tcama@thehill.com>
Cc: Bowman, Liz <Bowman.Liz@epa.gov>; Graham, Amy <graham.amy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: Here is our statement

"Administrator Pruitt has assembled a team of professionals who come from wide-ranging backgrounds. From former Capitol Hill aides – including the Senate EPW Committee – to officials from trade associations and individuals who have worked outside of Washington, the EPA has a diverse and talented team to implement President Trump's mission of protecting the environment." - EPA spokesman, Jahan Wilcox

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

Board of Scientific Counselors (BOSC)

Executive Committee Nominees

Paul Gilman – Chair
Chief Sustainability Officer
Covanta

Lucinda Johnson – Vice Chair
Associate Institute Director
Natural Resources Research Institute

Viney Aneja
North Carolina State University

Robert Blanz
Chief Technical Officer
Arkansas Department of Environmental Quality

Lance Brooks
Division Chief
Defense Threat Reduction Agency

Shahid Chaudhry
Sr. Mechanical Engineer/Water-Energy Nexus Specialist
California Energy Commission

Kari Cutting
Vice President
North Dakota Petroleum Council

Courtney Flint
Professor
Utah State University

Charlette Geffen
Director of Research Strategy
Pacific Northwest National Laboratory

Matthew Naud
Environmental Coordinator
City of Ann Arbor

Paula Olsiewski
Alfred P. Sloan Foundation

Joseph Rodricks
Principal
Ramboll Environ

Leslie Rubin
Morehouse School of Medicine

Chi Ho Sham
Vice President & Chief Scientist
Eastern Research Group

Sandra Smith
Principal Toxicologist/Project Manager
AECOM

James Stevens
Distinguished Research Fellow
Eli Lilly and Co, Lilly Research Laboratories

Deborah Swackhamer
Professor Emerita
University of Minnesota (retired)

Katrina Waters
Director
Pacific Northwest National Laboratory

Sustainable and Healthy Communities (SHC) Subcommittee Nominees

Courtney Flint – Chair
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Environmental Coordinator
City of Ann Arbor

Richard Feiock
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Florida State Unverisity

Jay Golden
Vice Chancellor of Research, Economic Development & Professor
East Carolina University

Kimberly Gray
Chair and Professor, Department of Civil & Environmental Engineering
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Elena Irwin
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Ohio State University

James Kelly
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Wisconsin Division of Public Health

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AECOM

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Bart Croes
Research Division Chief
California Air Resources Board

Jennifer Hains
Ambient Air Data Management Division Chief
Maryland Department of the Environment

Cara Keslar
Monitoring Section Supervisor
Wyoming Department of Environmental Quality

Michael Kleinman
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Myron Mitchell
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Louie Rivers
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North Carolina State University

Annette Rohr
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Constance Senior
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Art Werner
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Katrina Waters – Chair
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GlaxoSmithKline

Richard Becker
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American Chemistry Council

Juan Colberg
Sr. Director, Chemical Technology & Innovation
Pfizer

Richard DiGiulio
Professor and Director, Superfund Research Center
Duke University

Chris Gennings
Research Professor
Icahn School of Medicine at Mount Sinai

Dale Johnson
President and CEO, Emiliem Inc. &
Adjunct Professor, University of California, Berkeley and University of Michigan School of Public Health

Daland Juberg
Global Leader, Human Health Assessment
Dow AgroSciences

Juleen Lam
University of California, San Francisco

Timothy Malloy
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University of California, Los Angeles

Jennifer McPartland
Senior Scientist
Environmental Defense Fund

Jane Rose
Principal Scientist
The Procter and Gamble Company

Gina Solomon
Deputy Secretary for Science and Health
California EPA and University of California, San Francisco

Ponisseril Somasundaran
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Columbia University

Donna Vorhees
Health Effects Institute and Boston University

Cliff Weisel
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Rutgers University

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Duke University

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Paula Olsiewski – Chair
Alfred P. Sloan Foundation

Lance Brooks – Vice Chair
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Defense Threat Reduction Agency

Charles Barton
Valspar Corporation

Murray Cohen
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Frontline Healthcare Workers Safety Foundation

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San Francisco Public Utilities Commission

Shawn Gibbs
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Indiana University

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Director
SUEZ (United Water)

David Klein
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Texas Tech University

Debra Reinhart
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University of Central Florida

Edwin Roehl
Advanced Data Mining International

Monica Schoch-Spana
Johns Hopkins University

Robert Scudder
HAZMAT Section Volunteer
Mayes County Emergency Management

Chi Ho Sham
Vice President & Chief Scientist
Eastern Research Group

Justin Teeguarden
Staff Scientist
Pacific Northwest National Laboratory

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Food and Drug Administration

Safe and Sustainable Water Resources (SSWR) Subcommittee Nominees

Joseph Rodricks – Chair
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Robert Blanz – Vice Chair
Chief Technical Officer
Arkansas Department of Environmental Quality

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BW Primoris, Primoris Services Corporation

Jerad Bales
Executive Director
Consortium of Universities for the Advancement of Hydrologic Science, Inc. (CUAHSI)

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Associate Professor
Pennsylvania State University

Steve Carr
Research Scientist
Los Angeles County Sanitation Districts

Shahid Chaudhry
Sr. Mechanical Engineer/Water-Energy Nexus Specialist
California Energy Commisison

David Cole
Water Quality Specialist
Oregon Department of Environmental Quality

Timothy Davis
Associate Professor
Bowling Green State University

Joel Ducoste
Professor of Environmental Engineering
North Carolina State University

Elizabeth Fassman-Beck
Associate Professor
Stevens Institute of Technology

Fred Hitzhusen
Professor Emeritus
Ohio State University (retired)

Lucinda Johnson
Associate Institute Director
Natural Resources Research Institute

Kate Lajtha
Professor
Oregon State University

Michelle Lorah
Research Hydrologist
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John Lowenthal
Senior Biologist
Cardno

Tim Verslycke
Principal
Gradient

Stephen Weisberg
Executive Director

Southern California Coastal Water Research Project Authority

Louisiana State University

John White
Professor

2018 Prospective CASAC

Chairman: Tony Cox

New Members of the CASAC – Appointed by Administrator Pruitt

James Boylan
Georgia Department of Natural Resources

Tony Cox*
Cox Associates

Larry Wolk
Colorado Department of Public Health & Environment

Current Members of the CASAC

Judith Chow
Desert Research Institute

Ivan J. Fernandez
University of Maine

Michigan State University

Elizabeth (Lianne) A. Sheppard
University of Washington

Jack Harkema

2018 Prospective SAB

Chairman: Michael Honeycutt

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Rodney Andrews
University of Kentucky

Frederick Bernthal
Universities Research Association

Bob Blanz
Arkansas Department of Environmental Quality

Todd Brewer
City Utilities of Springfield

Samuel Cohen
University of Nebraska Medical Center

Tony Cox
Cox Associates

John D. Graham
Indiana University

Michael Honeycutt*
Texas Commission on Environmental Quality

Merlin R. Lindstrom
Phillips 66 Research Center

Robert W. Merritt
Total

Larry Monroe
Southern Company

Robert Phalen
University of California, Irvine

Robert Puls
Robert Puls Environmental Consulting

Anne Smith
NERA Economic Consulting

Richard Smith
University of North Carolina

Donald van der Vaart
NC State Government

Kimberly White
American Chemistry Council

Stanley S. Young
CGStat

Current Members of the SAB

Deborah Bennett
University of California, Davis

Joel G. Burken
Missouri University of Science and Technology

Janice E. Chambers
Mississippi State University

Alison C. Cullen
University of Washington

Otto C. Doering III
Purdue University

Joel J. Ducoste
North Carolina State University

Susan P. Felter
Procter & Gamble

R. William Field
University of Iowa

2018 Prospective SAB

Christopher H. Frey
North Carolina State University

Joseph A. Gardella
University at Buffalo

Steven P. Hamburg
Environmental Defense Fund

Cynthia M. Harris
Florida A&M University

Robert. E. Mace
Texas Water Development Board

Clyde F. Martin
Texas Tech University

Sue Marty
The Dow Chemical Company

Kristina D. Mena
University of Texas Health Science Center at Houston

Surabi Menon
ClimateWorks Foundation

Thomas F. Parkerton
ExxonMobil Biomedical Science

Richard L. Poirot
Independent Consultant

Kenneth M. Portier
Independent Consultant

Kenneth Ramos
University of Arizona

Tara L. Sabo-Attwood
University of Florida

William Schlesinger
Cary Institute of Ecosystem Studies

Jay Turner
Washington University

Jeanne VanBriesen
Carnegie Mellon University

Peter J. Wilcoxen
Syracuse University

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Thur 6/22/2017 5:46:36 PM
Subject: Re: WSJ: EPA to Unveil New Chemical Testing Rules

Yeah, that'd be awesome.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Thu, Jun 22, 2017 at 1:46 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Yes. Do you want the release? We are waiting for the links to go live.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Thursday, June 22, 2017 1:44 PM
To: Press <Press@epa.gov>
Subject: Re: WSJ: EPA to Unveil New Chemical Testing Rules

Hey, are you folks planning to release the details on this widely? Thanks.

--

Timothy Cama, Staff writer

The Hill

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www.thehill.com

On Thu, Jun 22, 2017 at 1:35 PM, EPA Press Office <press@epa.gov> wrote:

IN CASE YOU MISSED IT ...

WSJ: EPA To Unveil New Chemical Testing Rules

The Wall Street Journal
Eli Stokols
June 22, 2017
https://www.wsj.com/articles/epa-to-unveil-new-chemical-testing-rules-1498141553

The Environmental Protection Agency on Thursday will release new rules to clarify the agency's process of testing the chemicals used in everyday products and other commerce, a matter of deep importance to manufacturers, consumers and environmental advocates.

The new rules implement the Toxic Substances Control Act (TSCA), which requires the agency to identify toxic chemicals used in commerce. The law, which passed a year ago this week with bipartisan support after long and contentious negotiations among lawmakers, environmentalists and the industry, was an effort to clarify federal testing guidelines and restore consumer confidence in the government's testing program.

The new rules will lay out EPA procedures to determine which chemicals currently used in commerce need to be evaluated for dangers to consumers and will describe the best scientific practices to assess those risks. It will also include new procedures to distinguish between chemicals that have been made, sold or used in the last decade and others no longer used in commerce.

The industry has long lobbied for less stringent scientific assessments for newer chemicals that companies are trying to get into the marketplace sooner.

"If the public knows we have these procedures in place to evaluate chemicals, the public should have more trust about the safety of the products on the shelves," said Nancy Beck, a deputy assistant administrator appointed by EPA Administrator Scott Pruitt, who has led the process to finalize the rules. The law gave the EPA a full year to do so.

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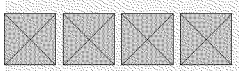

U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

To: Timothy Cama[tcama@thehill.com]; Stokols, Eli[eli.stokols@wsj.com]
From: Wilcox, Jahan
Sent: Thur 9/28/2017 8:16:25 PM
Subject: Hey Tim and Eli

On background and without attribution, wanted to make sure you saw this clip that details the 1 charter flight and 3 government flights that EPA Administrator Scott Pruitt has taken.

•□□□□□□□□ **VIDEO:**
https://www.youtube.com/watch?v=Gi0lubqu5Mo&feature=youtu.be

ROUGH TRANSCRIPT …

SANDRA SMITH: John, you're getting new information on EPA Administrator Scott Pruitt's charter and government flights.

JOHN ROBERTS: All of this started with HHH Secretary Tom Price and if the revelation that he spent $400,000 on private flights. Now people are talking about the EPA Administrator Scott Pruitt taking a number of noncommercial flights.

A source tells me it was four flights in total. The only charter flight was one between Denver, Colorado and Duragno. This was after the commercial flight on United Airlines that the Administrator was booked on, was delayed for eight hours and he would have missed this event in a mine had they not chartered the flight. They also asked the Governor of Colorado if they could jump on his plane. They were initially told there was no room. And then after they chartered the aircraft, the Governor said well we've got one seat, which still wouldn't have been any good. The Administrator could've flown but his staff wouldn't have.

The other flights were government flights. One was a military flight from Cincinnati to JFK so the Administrator could jump a commercial flight to Italy … so that he attend the G7 Summit. Another was a Department of Interior flight inside of Oklahoma. Would have taken more than five hours to drive there. The EPA reimbursed the Department of Interior for that. The other one was ride on the Governor of North Dakota's aircraft between two cities in North Dakota, between

Fargo and Grand Forks for which the governor was reimbursed. All of that was cleared by the EPA office of ethics. So they're saying this is not a Tom Price situation, this is completely different. Sandra.

SMITH: John Roberts, thank you.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Wed 4/19/2017 3:45:20 PM
Subject: Re: Hey Tim

Hey Jahan, good to hear from you. Where have you been since Rubio dropped out of the presidential race?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Wed, Apr 19, 2017 at 11:39 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Don't know if I've touched based yet but over at the EPA now. Also off-the-record, wanted to pass along this editorial from the WSJ.

Highway From the Endangerment Zone

The Wall Street Journal

April 19, 2017

https://www.wsj.com/articles/highway-from-the-endangerment-zone-1492555808

Scott Pruitt has emerged as a leading voice in the Trump Administration for U.S. withdrawal from the Paris global climate deal, so it's ironic that the Environmental Protection Agency chief is being assailed from the right for being soft on carbon. Too many conservatives these days are searching for betrayals where none exist.

As Attorney General of Oklahoma, Mr. Pruitt successfully sued to stop the enforcement of President Obama's regulations known as the Clean Power Plan, or CPP, and he's preparing to dismantle them for good as EPA administrator. The rap from the right is that he won't challenge the underlying determination for regulating CO 2 emissions known as an endangerment finding. In 2009 the EPA concluded in this finding that carbon dioxide and other greenhouse gases pose a threat to public health and the environment, and this document serves as the nominal legal basis for the CPP and other anticarbon rules.

Mr. Pruitt's critics claim that withdrawing from the CPP without reversing endangerment will strengthen his opponents in the inevitable green lawsuits that are coming. Endangerment findings create a legal obligation for the EPA to regulate the relevant pollutants, even if carbon is far different from traditional hazards like SO X and NO X .

The endangerment finding was deeply misguided and flawed in its execution, and nobody fought it more than we did. But there's a practical reason that Mr. Pruitt is right about the risks of trying to revoke it now. The finding has been upheld by the courts, and creating a legally bulletproof non-endangerment rule would consume a tremendous amount of EPA resources, especially at an agency with few political appointees and a career staff hostile to reform.

Technical determinations about the state of the science are supposed to be entitled to judicial deference, but the reality is that the D.C. Circuit Court of Appeals that would hear the case is packed with progressive judges. Climate change has become a theological conviction on the left, so Mr. Pruitt would almost certainly lose either with a three-judge panel or en banc.

The Supreme Court's appetite for such a case is also minimal, since it would run directly at the 2007 ruling in Massachusetts v. EPA that prepared the way for the endangerment finding. Justice Anthony Kennedy was in that 5-4 majority.

Mr. Pruitt is already taking on difficult and controversial challenges, so better for the Administration to use scarce political capital where it will make a difference instead of burning it on a doomed mission. The endangerment finding doesn't dictate any specific regulation, and Mr. Pruitt has the discretion to interpret the Clean Air Act to achieve his favored policy outcomes, including to repeal legally tenuous central planning like CPP.

A future Democratic President could use the endangerment finding to revive something like CPP, but then that same Administration could restore endangerment too. Mr. Pruitt is a natural target for the left, but when conservatives are impugning one of the leaders of President Trump's economic deregulation project as a sellout, maybe the problem is the critics, not Mr. Pruitt.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Devin Henry[dhenry@thehill.com]; Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Fri 9/15/2017 7:35:05 PM
Subject: Heads-up

We will have a Texas specific release coming out shortly that you might or might not be interested in.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: King, Ledge[lsrking@gannett.com]; Abboud, Michael[abboud.michael@epa.gov]
Cc: Singer, Paul[pbsinger@usatoday.com]
From: Wilcox, Jahan
Sent: Wed 10/11/2017 7:58:29 PM
Subject: RE: Sue & Settle

Ledge –

Off-the-record, our Sue and Settle pen and pad will be held on **Monday, October 16, 2017 at 9:00 AM**. You are welcome to attend.

From: King, Ledge [mailto:lsrking@gannett.com]
Sent: Tuesday, September 26, 2017 7:11 PM
To: Abboud, Michael <abboud.michael@epa.gov>
Cc: Wilcox, Jahan <wilcox.jahan@epa.gov>; Singer, Paul <pbsinger@usatoday.com>; Graham, Amy <graham.amy@epa.gov>
Subject: Re: Sue & Settle

Ok. Any word on a reschedule?

Sent from my iPhone

On Sep 26, 2017, at 7:06 PM, Abboud, Michael <abboud.michael@epa.gov> wrote:

> Ledge and Paul-
>
> We have to cancel the pen and pad session due to a scheduling issue. Sorry for the late notice.
>
> Sent from my iPhone
>
> On Sep 25, 2017, at 3:19 PM, King, Ledge <lsrking@gannett.com> wrote:
>
> > Great. Thanks.

Ledge

From: Wilcox, Jahan [mailto:wilcox.jahan@epa.gov]
Sent: Monday, September 25, 2017 3:17 PM
To: King, Ledge <lsrking@gannett.com>; Singer, Paul <pbsinger@usatoday.com>
Cc: Graham, Amy <graham.amy@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>
Subject: RE: Sue & Settle

This is all I need – see you on Wednesday.

From: King, Ledge [mailto:lsrking@gannett.com]
Sent: Monday, September 25, 2017 3:14 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Cc: Singer, Paul <pbsinger@usatoday.com>
Subject: RE: Sue & Settle

Thanks for the kind words, Jahan.

Yes, I'll be attending. Do I need to give you any more notice or will this do?

Ledge

From: Singer, Paul
Sent: Monday, September 25, 2017 2:17 PM
To: King, Ledge <lsrking@gannett.com>
Subject: FW: Sue & Settle

From: "Wilcox, Jahan" <wilcox.jahan@epa.gov>
Date: Monday, September 25, 2017 at 2:10 PM
To: "Singer, Paul" <pbsinger@usatoday.com>
Cc: "Abboud, Michael" <abboud.michael@epa.gov>, "Graham, Amy" <graham.amy@epa.gov>
Subject: Sue & Settle

Paul –

Off-the-record, Administrator Pruitt will be holding a pen-and-pad regarding sue and settle at the EPA. We will have more detail tomorrow that we can share but we wanted to invite you or Ledge wanted to attend. I worked with Ledge while on Rubio campaign – great guy – or if there is something else please let me know. Or if there is someone else from USA Today please let me know. We anticipate there were be about 6-7 outlets and then we will do television and radio later in the week, but all of the news and details will be shared first at this pen and pad.

Wednesday, September 27 from 9:30 AM – 10:30 AM

EPA Headquarters (Please arrive by 9:15 AM and at the entrance above the Federal Triangle Metro)

Please let me know if there is anything else you need from me.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Tue 5/30/2017 2:24:33 PM
Subject: RE: Superfund

I was out but it looks like you wrote, correct?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Friday, May 26, 2017 3:01 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Superfund

Hey, never heard back from you guys re: Superfund. Anything you wanted to say beyond what Pruitt's already said?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Mon 4/24/2017 2:34:53 PM
Subject: Re: Just tried to call you

Sorry, on the phone. Want me to call back?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Mon, Apr 24, 2017 at 10:34 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]; Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Fri 9/15/2017 7:36:51 PM
Subject: Hey Tim and Devin -

Wanted to make sure you got this release. It will be going out shortly after 4:00 PM but you can write on it now.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Friday, September 15, 2017 3:33 PM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: EPA Administrator Scott Pruitt Visits Houston To Review Hurricane Harvey Response Efforts - Preview

CONTACT: press@epa.gov

EPA Administrator Scott Pruitt Visits Houston To Review Hurricane Harvey Response Efforts

HOUSTON (September 15, 2017) – Environmental Protection Agency (EPA) Administrator Scott Pruitt visited Houston, Texas, today to review the Agency's response efforts in areas affected by Hurricane Harvey.

"EPA remains committed to providing the necessary resources and personnel to ensure those affected by the devastation of Hurricane Harvey receive proper Agency attention**," said Administrator Pruitt.** "We continue to work closely with our federal, state, and local partners to ensure Superfund are being properly secured, fuel prices remain stabilized, and infrastructure and environmental assessments are thoroughly carried out."

Administrator Pruitt began his visit to Texas by touring the San Jacinto River Waste Pits Superfund site and received a briefing from on-the-ground EPA response personnel. Administrator Pruitt was joined by Acting Regional Administrator for Region 6 Samuel Coleman, Chairman of the Texas Commission on Environmental Quality (TCEQ) Bryan Shaw, and Federal Emergency Management Agency (FEMA) officials.

While Administrator Pruitt toured the site, an EPA dive team was conducting underwater inspections. EPA will continue to keep the public informed as assessments of the site continue and site determinations are made by the dive team.

Following his tour of the San Jacinto Superfund site, Administrator Pruitt received an aerial tour of additional affected Superfund sites in the region by the United States Coast Guard. Sites included: Patrick Bayou, U.S. Oil Recovery, San Jacinto River Waste Pits, Highlands Acid Pits, French Unlimited, Brio Refining, and Dixie Oil Processors.

EPA personnel will continue to monitor Superfund sites in Texas affected by Hurricane Harvey, compile data on regulated facilities, sample possible environmental contaminants, and conduct air monitoring of the affected areas.

EPA Administrator Scott Pruitt meets with Acting Regional Administrator for Region 6 Samuel Coleman (right) and other local leaders at the San Jacinto Superfund in Texas.

EPA Administrator Scott Pruitt and Acting Regional Administrator for Region 6 Samuel Coleman speak with Scott Jones of the Galvenston Bay Foundation and Jackie Young of the Texas Health and Environment Coalition.

EPA Administrator Scott Pruitt on a Coast Guard aerial tour of regional Superfund sites.

http://usenvironmentalprotectionagency.cmail19.com/t/d-i-uybkyt-l-r/

Visit The EPA's Newsroom

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

Unsubscribe

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Tue 5/30/2017 8:12:11 PM
Subject: RE: Superfund

Yes, please hold me to it. It will be after Italy (June 15) but hopefully before the 4th.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, May 30, 2017 4:01 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Superfund

Yep, I did.

Any progress on getting me an interview with Pruitt? I'm holding you to that promise!

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

On Tue, May 30, 2017 at 10:24 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Devin Henry
Sent: Fri 5/12/2017 7:19:39 PM
Subject: Subcommittee resignations?

Hey Jahan,
I'm probably going to put up something short on the resignations this afternoon and figured you might want to respond.

Let me know if the administrator or someone else has a response and I'll include it.

Thanks.

-Devin

--
Devin Henry
Staff Writer, The Hill
P: (202) 349-8127
C: (952) 913-7254
Twitter: @dhenry

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Wed 5/31/2017 1:56:14 PM
Subject: RE: Paris

Off the record - You will have to contact the White House. We don't have any information to share at this time.

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Wednesday, May 31, 2017 8:29 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Paris

Jahan, we're trying to confirm the Paris news. Is there anything you can tell me (on background, of course)?

Let me know.

Devin.

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: (952) 913-7254

Twitter: @dhenry

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Mon 6/19/2017 5:55:44 PM
Subject: Here you go ...

Here is an on-the-record statement that you can use:

"We have ended taxpayer-funded fitness centers at EPA; a program that was costing American taxpayers $900,000 per year. Disinvestment in using federal funds for EPA fitness centers will allow the agency to invest this money in core activities to protect the environment. – EPA spokesperson, Jahan Wilcox

In terms of the email below, can you cite it as background from an EPA official and I put the exact figure in red for you.

==========

From: Coomber, Robert
Sent: Wednesday, June 14, 2017 6:02 PM
To: LER Community <LER_Community@epa.gov>; RHRO <RHRO@epa.gov>
Cc: Corbett, Krysti <Corbett.Krysti@epa.gov>; Hitchens, Lynnann <hitchens.lynnann@epa.gov>; Vizian, Donna <Vizian.Donna@epa.gov>
Subject: HEADS UP -- Official Notice -- Discontinuation of Agency-Wide Fitness Benefits and Fitness Center Funding

LER Community and HROs,

Please be aware that tomorrow morning we will be notifying the unions regarding the discontinuation of fitness subsidies and fitness center funding. This will create a local impact and implementation bargaining obligation.

Path Forward - Parameters for Negotiations
* Elimination of benefits will initially be scheduled for 7/31/2017, with a fallback date to 9/30/2017, unless your obligated resources are exhausted before those dates. Locations with currently obligated resources (contract or IAG) can use the date when funds are exhausted, or earlier. No additional funds for fitness centers will be obligated.
* Allowable in-kind support:
o For those facilities with owned equipment, provide routine maintenance through the end of equipment life, as local funding allows. EPA will not cover the costs of replacing equipment at end of life or purchasing new equipment.

o Maintain current leased space housing fitness equipment through the end of the lease. New space or expansion of space will not be accommodated under current lease agreements or in owned facilities.
o Lease renewals going forward will not include fitness center space in the program of requirements.
o Provide administrative support for funding mechanisms, such as interagency agreements or contracts, in which employees cover all fitness center costs. The Office of Acquisition Management will consolidate mechanisms to the extent practicable in order to minimize administrative burden.
o Provide support for no cost agreements with other agencies or parties willing to provide fitness center access either at no cost or cost to employees.

Please feel free to contact me with any questions or concerns.

The notice is below.

Best,

Bob

EPA Unions:

This serves as official notice that the Agency will discontinue fitness subsidies and fitness center funding Agency-wide, which will result in a savings of nearly $ 900K per year for the Agency. Discontinuation of this funding is scheduled for July 31, 2017. Any negotiations on this issue will be conducted at the local level. We will hold a briefing on this issue on DATE and TIME. We will be sending out calendar invitations to the briefing in the near future.

Regards,

Robert D. Coomber
Senior Labor Attorney
Labor and Employee Relations Division
Desk Phone: (202) 564-0955
Cell Phone: (202) 236-4965
coomber.robert@epa.gov

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Wed 5/31/2017 5:20:41 PM
Subject: RE: Paris

OTR – We don't comment on Pruitt's schedule and defer to anything about the President's schedule to the WH.

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Wednesday, May 31, 2017 1:18 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Paris

Jahan, heard a rumor Administrator Pruitt is meeting with the president today ... is that off-base, or is that happening?

On Wed, May 31, 2017 at 9:56 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Off the record - You will have to contact the White House. We don't have any information to share at this time.

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Sent: Wednesday, May 31, 2017 8:29 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Paris

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Devin.

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

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Twitter: @dhenry

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: (952) 913-7254

Twitter: @dhenry

To: Devin Henry[dhenry@thehill.com]; Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 9/28/2017 8:44:07 PM
Subject: Hey Devin and Tim
Authorization for Charter Aircraft_Administator OK_7.26.2017.pdf
Request for Charter Service from Denver to Durango Package_8.24.2017.pdf
Request for Authorization_Use of MilAir-GC Memo_6.7.2017.pdf

On background and without attribution, wanted to make sure you saw this clip that details the 1 charter flight and 3 government flights that EPA Administrator Scott Pruitt has taken.

•□□□□□□□□ **VIDEO:**
https://www.youtube.com/watch?v=Gi0lubqu5Mo&feature=youtu.be

ROUGH TRANSCRIPT …

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Fargo and Grand Forks for which the governor was reimbursed. All of that was cleared by the EPA office of ethics. So they're saying this is not a Tom Price situation, this is completely different. Sandra.

SMITH: John Roberts, thank you.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 5/11/2017 1:52:04 PM
Subject: Pruitt's interview from HH

EPA Administrator Scott Pruitt On The New Direction At The E.P.A.
May 11, 2017

Audio: 05-11hhs-pruitt

http://www.hughhewitt.com/epa-administrator-scott-pruitt-new-direction-e-p/

Transcript:

HH: My guest at the top of this hour, EPA Administrator Scott Pruitt, who I reflexively call General Pruitt from his days as the Attorney General of Oklahoma. But I'm going to try and call him Administrator Pruitt. Good morning, Administrator, great to have you.

SP: Hugh, good morning from Washington, D.C. How are you?

HH: Good. We're both in the Beltway. I'm back. You know, up until 24 hours ago, the big firing story in D.C. was the allegation that you'd fired your scientific advisory board. That was bogus. Would you go back and replace what you're actually doing there?

SP: You know, Hugh, as you know, the board of scientific counselors that we have at the EPA, they serve three year terms. And so those are reviewed every three years. Those same individuals can apply through the competitive process. And what's really been emphasized by Congress as I went through the confirmation process is geographical representation, because you want to ensure as you're dealing with rulemaking – air, water, whatever rulemaking we're doing, that the geographical uniqueness of our country as we're patching rules is taken in consideration. And so you need scientists, you need individuals that have expertise and knowledge in those areas. And so it's a good thing that these spots are reviewed every three years. These same individuals could very well be put back on the board. But it's just simply a process to ensure that we have the type of representation, voices heard, so that we're informed as we do rulemaking. The recent firing that took place, there was no firing that took place. These individuals can apply, will apply, I'm sure, in some instances, and very well could be put back on the board. But it's the right thing to

do to ensure transparency, its activity, peer-reviewed science and geographical representation on the board.

HH: You're no stranger to partisan attacks, but the hyper-partisan coverage of EPA, everything you do has, I don't know, is it wearying? Or are you just smiling and laughing it off?

SP: Look, I mean, this is an area of the last eight years that has taken on, forgive the reference, toxicity in Washington, D.C., and it's because the past administration politicized everything. You know, we were told for eight years that you can't be pro-growth, pro-jobs and pro-environment, though that's entirely inconsistent with our history as a country. You know, people don't know this, but since 1980, we've obviously grown our gross domestic product in this country substantially, but at the same time, we've reduced our air pollution under the Clean Air Act by 65%. You know, so we have a CO2 footprint in this country that's pre-1994, you know, not because largely of government mandate, but because of innovation and technology by the private sector. We are leading the world at striking a balance between growth and jobs and the environment, but it didn't serve political ends the last eight, the political ends of the administration, the past administration. And so restoring that balance, that common sense, you know, that discussion to these matters, I think, is entirely important, and very important, and we're seeking to do that.

HH: You know, at some risk to my ratings, I want to talk about CERCLA and Superfund, because it does not matter to anyone who doesn't live near or work near one of these sites. But the Superfund scandal is that we're still talking about it after all these years. And I am not now, nor have I ever been a CERCLA lawyer. I know my NEPA and I know my ESA and my Clean Air Act, but I don't do CERCLA, because it's so doggone complicated. Can you explain what it is and what your agenda for the EPA is regarding these toxic waste sites and these poison sites around the country?

SP: Yeah, some of the most important work that we do as an agency, or should be doing, better put, is with respect to the Superfund responsibilities. And as you know, we have about 1,300-plus sites across the country. You know, the Port of Portland in Oregon, East Chicago in Indiana, Columbia Falls in Montana, Westlake, just outside of St. Louis, I mean, we have areas of our country that are pristine that have buried lead or uranium like in Westlake in St. Louis. And what's happened over the years is it's languished. The program has not had the kind of awareness and leadership and attitude of getting these sites cleaned up. We've had sites, and we have sites today like the Westlake site that was listed in the early to mid-1990s, thereabouts. Here we are in 2017, and there still has not been a decision, a decision by the EPA on what to do to remove the uranium or cap the uranium that's on site there. That's not clean up. That's just a

decision. You know, and so that's just, that's very unfortunate and wrong for the people of that area, because the parameters…

HH: How can that happen? How can that actually happen that it goes 20 years without a decision on what to do, much less do it?

SP: It's just poor leadership. It's poor focus. I mean, that's what really strikes me, Hugh, when you look at the past administration's environmental record. I mean, the past administration is viewed as the environmental savior. But when you look at air attainment in this country, we're at 40% non-attainment right now on ozone. About 140 million people live in non-attainment areas for air quality, under air quality programs. Superfund sites, we have more today than when President Obama came into office. Water infrastructure, you had Flint and you had Gold King. And so what's, and the regulations that they issued on carbon, they failed twice. They struck out twice. So when you look at their record, what exactly did they accomplish for the environment that folks are so excited about? You know, we're coming in trying to focus on a back to basics agenda to say look, it's unacceptable for the Westlake facility in St. Louis, Missouri to languish on a national priority list for 20-plus years. It's time for leadership. It's time for leadership in East Chicago, you know, action to be taken. So look, we have tremendous opportunity to do very good things for the environment. And all the people want to focus on here are the things that you mentioned, which is you know, doing our job to make sure that the science advisory board, and all those boards that we have, actually have geographical representation and informed opinions so we can do rulemaking properly.

HH: I don't even know if you want anyone back from a scientific advisory board that has allowed problems like this uranium problem about which I know nothing to languish. I do know you have to decide in the world of environmental science. You have to get the best advice and decide what is endangered, what isn't, what needs clean up first, what doesn't. But you need to decide, not dither. And the dithering of the last eight years is amazing. Let me turn over to the Waters of the United States. Now I live in this world. And by the way, congratulations on your recusal. I also want people to know you promised to the Senate you'd take the advice of ethics counselor on what you need to recuse yourself from, your days as Oklahoma attorney general, and you just did that. No one notes this. You actually, you know made a promise and followed through on it.

SP: Yes, I mean, Hugh, that was something that to the senators individually and there in the confirmation process and all that, we went through it and made sure that we evaluated the cases, made informed decisions about what cases I needed to be recused from. They were specific matters that Oklahoma was a party. Those cases, and that's really been since day one. I mean,

that's been a matter of practice, and it's also now a matter of formality. So it was the right thing and is the right thing to do, and we've definitely kept that promise.

HH: Oh, congratulations on that, but we have a couple of minutes left, and I want to talk about Waters of the United States. You have begun a rulemaking. This is vital to the growth of the country's economy. And now you've reached out to the governors who have to live with these decisions in the economies of their state, sometimes on state land, and solicited their input. When was the last time that happened from a federal agency?

SP: Well, they have been so, so encouraged. I mean, I met with about 18-20 governors my first week after being sworn in, and I have gone out into the field across the country. Governor Greitens of Missouri, you know, Governor Holcomb in Indiana, Governor Sandoval in Nevada. He and I spent quite a bit of time talking and evaluating various issues. But they are so excited to have someone at the EPA that is listening to them, that's partnering with them as opposed to treating them as adversaries. So when you look at Waters of the United States, you know, the land use decisions has historically, legally and otherwise, been the province of the states, localities and private property owners. The past administration just disregarded that and created a definition that literally transformed dry creek beds, puddles across this country under federal jurisdiction. So we're changing all that as we should, getting the definition right. But we're partnering with those at the state level, Hugh, governors and those that use private property to say how do we work together to regulate water as opposed to work against each other.

HH: Now I know you are in pre-decisional mode, so you have not made up your mind. You're in notice and comment rulemaking, and people ought to go and find that and send in their comments on Waters of the United States. And you and your team will review those. There will be hundreds, thousands, maybe tens of thousands of comments. But this APA process, you can't make up your mind before you begin it, and you haven't. When, though, do you expect reasonably for Americans to expect a draft rule, an interim, you know, you have to put out a draft for more comment. When do you expect to get that?

SP: Well, this federalism process that we're going through, Hugh, is very, very important. And you're right. The comments we're receiving help inform our decision. But as far as the timing of the process, I anticipate and hope that by the end of the year or first quarter of '18 that we'll have a final rule. So the process we're in has already begun, notice and comments, ensuring that we're hearing their voices of everyone across the country. But hopefully, the final rule will occur sometime late this year or early next.

HH: And then you will get sued. That will be inevitable. And by that time, the Department of Justice, they will have a new head of ENDA, I assume, and they will have a team up and running. Will you persevere? This is the most important thing for growth in the country is to get this Waters of the United States as well as some ESA reforms, I talked to Ryan Zinke about this. Will you persevere on this? And by the way, less than a minute, do you…

SP: Yeah, absolutely.

HH: Do you, go ahead.

SP: I mean, I think, look, the folks across the country, citizens and industry and states and the federal government deserve a clarity on what a Water of the United States equals. And the reason for that is, as you know, it provides certainty to those that are regulated. If you are going to determine on a case by case basis what a Water of the United States is, then that doesn't provide advance notice on how to regulate, how to take care of it, and how to invest. So it's a situation we need to get right.

HH: It kills growth. It just kills growth. Administrator Scott Pruitt of the EPA, come back early and often. Good to talk to you this morning. Thank you for joining us. Follow him @EPAScottPruitt on Twitter.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Thur 6/22/2017 5:45:48 PM
Subject: RE: WSJ: EPA to Unveil New Chemical Testing Rules

Will take

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Thursday, June 22, 2017 1:44 PM
To: Press <Press@epa.gov>
Subject: Re: WSJ: EPA to Unveil New Chemical Testing Rules

Hey, are you folks planning to release the details on this widely? Thanks.

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Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

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IN CASE YOU MISSED IT ...

WSJ: EPA To Unveil New Chemical Testing Rules

The Wall Street Journal
Eli Stokols
June 22, 2017

https://www.wsj.com/articles/epa-to-unveil-new-chemical-testing-rules-1498141553

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The new rules implement the Toxic Substances Control Act (TSCA), which requires the agency to identify toxic chemicals used in commerce. The law, which passed a year ago this week with bipartisan support after long and contentious negotiations among lawmakers, environmentalists and the industry, was an effort to clarify federal testing guidelines and restore consumer confidence in the government's testing program.

The new rules will lay out EPA procedures to determine which chemicals currently used in commerce need to be evaluated for dangers to consumers and will describe the best scientific practices to assess those risks. It will also include new procedures to distinguish between chemicals that have been made, sold or used in the last decade and others no longer used in commerce.

The industry has long lobbied for less stringent scientific assessments for newer chemicals that companies are trying to get into the marketplace sooner.

"If the public knows we have these procedures in place to evaluate chemicals, the public should have more trust about the safety of the products on the shelves," said Nancy Beck, a deputy assistant administrator appointed by EPA Administrator Scott Pruitt, who has led the process to finalize the rules. The law gave the EPA a full year to do so.

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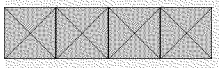

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Washington, D.C. 20004

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To: tcama@thehill.com[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Wed 4/19/2017 3:39:15 PM
Subject: Hey Tim

Don't know if I've touched based yet but over at the EPA now. Also off-the-record, wanted to pass along this editorial from the WSJ.

Highway From the Endangerment Zone

The Wall Street Journal

April 19, 2017

https://www.wsj.com/articles/highway-from-the-endangerment-zone-1492555808

Scott Pruitt has emerged as a leading voice in the Trump Administration for U.S. withdrawal from the Paris global climate deal, so it's ironic that the Environmental Protection Agency chief is being assailed from the right for being soft on carbon. Too many conservatives these days are searching for betrayals where none exist.

As Attorney General of Oklahoma, Mr. Pruitt successfully sued to stop the enforcement of President Obama's regulations known as the Clean Power Plan, or CPP, and he's preparing to dismantle them for good as EPA administrator. The rap from the right is that he won't challenge the underlying determination for regulating CO 2 emissions known as an endangerment finding. In 2009 the EPA concluded in this finding that carbon dioxide and other greenhouse gases pose a threat to public health and the environment, and this document serves as the nominal legal basis for the CPP and other anticarbon rules.

Mr. Pruitt's critics claim that withdrawing from the CPP without reversing endangerment will strengthen his opponents in the inevitable green lawsuits that are coming. Endangerment findings create a legal obligation for the EPA to regulate the relevant pollutants, even if carbon is far different from traditional hazards like SO X and NO X .

The endangerment finding was deeply misguided and flawed in its execution, and nobody fought it more than we did. But there's a practical reason that Mr. Pruitt is right about the risks of trying to revoke it now. The finding has been upheld by the courts, and creating a legally bulletproof non-endangerment rule would consume a tremendous amount of EPA resources, especially at an agency with few political appointees and a career staff hostile to reform.

Technical determinations about the state of the science are supposed to be entitled to judicial deference, but the reality is that the D.C. Circuit Court of Appeals that would hear the case is packed with progressive judges. Climate change has become a theological conviction on the left, so Mr. Pruitt would almost certainly lose either with a three-judge panel or en banc.

The Supreme Court's appetite for such a case is also minimal, since it would run directly at the 2007 ruling in Massachusetts v. EPA that prepared the way for the endangerment finding. Justice Anthony Kennedy was in that 5-4 majority.

Mr. Pruitt is already taking on difficult and controversial challenges, so better for the Administration to use scarce political capital where it will make a difference instead of burning it on a doomed mission. The endangerment finding doesn't dictate any specific regulation, and Mr. Pruitt has the discretion to interpret the Clean Air Act to achieve his favored policy outcomes, including to repeal legally tenuous central planning like CPP.

A future Democratic President could use the endangerment finding to revive something like CPP, but then that same Administration could restore endangerment too. Mr. Pruitt is a natural target for the left, but when conservatives are impugning one of the leaders of President Trump's economic deregulation project as a sellout, maybe the problem is the critics, not Mr. Pruitt.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 6/22/2017 5:46:02 PM
Subject: RE: WSJ: EPA to Unveil New Chemical Testing Rules

Yes. Do you want the release? We are waiting for the links to go live.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Thursday, June 22, 2017 1:44 PM
To: Press <Press@epa.gov>
Subject: Re: WSJ: EPA to Unveil New Chemical Testing Rules

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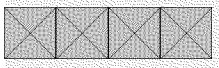

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Washington, D.C. 20004

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To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Mon 9/18/2017 2:16:36 PM
Subject: Coffee at 2p? Peets on 13th and G work

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Wed 4/19/2017 4:13:25 PM
Subject: RE: Hey Tim

I went to North Dakota for Doug Burgum. We won by like 50 and I'll take the credit – just kidding.

Coffee or cold beers soon?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Wednesday, April 19, 2017 11:45 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Hey Tim

Hey Jahan, good to hear from you. Where have you been since Rubio dropped out of the presidential race?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

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April 19, 2017

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Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 6/22/2017 5:50:10 PM
Subject: FW: EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act - Preview

Tim

You are welcome to write on this release but please do not share it, as we are waiting for links and I don't want this release to be moving around. Also you're the first person who has this release.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Thursday, June 22, 2017 1:48 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act - Preview

EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act

Agency Meeting Statutory Responsibilities and Deadlines

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EPA Administrator Scott Pruitt signs new TSCA rules surrounded by staff from EPA's Office of Chemical Safety and Pollution Prevention.

The *Act* amends the nation's primary chemicals management law known as the *Toxic Substances*

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EPA has completed the following implementation activities at this one-year anniversary:

•□□□□□□□□ Finalized a rule to establish EPA's process and criteria for identifying high priority chemicals for risk evaluation and low priority chemicals for which risk evaluation is not needed. In response to public comments, this final rule affirms EPA's commitment to following the best available science, engaging stakeholders in the prioritization process, and recognizing the value of designating chemicals as low priority when appropriate.

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•□□□□□□□□ Finalized a rule to require industry reporting of chemicals manufactured or processed in the U.S. over the past 10 years. This reporting will be used to identify which chemical substances on the TSCA Inventory are active in U.S. commerce and will help inform the chemicals EPA prioritizes for risk evaluation. In response to public comments, EPA streamlined the reporting requirements for manufacturers and processors in the final rule to help reduce regulatory burden.

•□□□□□□□□ Released scope documents for the initial ten chemicals for risk evaluation under the amended law. These documents identify what uses of the chemicals will be evaluated and how the evaluation will be conducted.

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This past year has been marked by many EPA accomplishments to implement the amended law. More information on EPA's progress to date and a full list of all the TSCA implementation activities can be found here*:* https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/frank-r-lautenberg-chemical-safety-21st-century-act-5

To receive a link to these new rules please email press@epa.gov

http://usenvironmentalprotectionagency.cmail19.com/t/d-i-kdlhhdk-l-y/

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To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Mon 9/18/2017 5:45:50 PM
Subject: Coffee at 2 still work

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Wed 10/18/2017 6:05:28 PM
Subject: RE: Michael Dourson

https://www.eenews.net/eedaily/stories/1060063925/search?keyword=Dourson

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Wednesday, October 18, 2017 9:13 AM
To: Press <Press@epa.gov>
Subject: Michael Dourson

Hi-

Could you please confirm or deny that Michael Dourson is now working at EPA as an adviser? And when did he start?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

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To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 6/22/2017 7:07:49 PM
Subject: FW: EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act - Preview

From: EPA Press Office [mailto:press=epa.gov@cmail20.com] **On Behalf Of** EPA Press Office
Sent: Thursday, June 22, 2017 3:06 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: EPA Marks Chemical Safety Milestone on 1st Anniversary of Lautenberg Chemical Safety Act - Preview

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1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

Unsubscribe

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Mon 9/18/2017 8:01:19 PM
Subject: RE: Meeting/grants

Let me check.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Monday, September 18, 2017 3:56 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Meeting/grants

Good meeting today. Keep me posted on things.

Did you look into the Konkus grant reviews yet? Just wanted to know if you could tell me on record how many grants he's rejected and/or which grants they are.

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245

Secure: timothy.cama@protonmail.com

To: Shesgreen, Deirdre[dshesgreen@usatoday.com]
From: Wilcox, Jahan
Sent: Wed 10/18/2017 9:22:01 PM
Subject: RE: urgent request for comment

On background – here are the Obama nominees that did the same thing.

EPA Appointee from previous administration who was nominated for a position and joined EPA in an advisor role **prior to Senate confirmation**:

ROBERT PERCIASEPE

EOD: 09/08/09

Title: Senior Advisor to the Administrator

Confirmed: 12/24/09

PAS Position: Deputy Administrator

EPA Appointees from previous administration who were nominated for a position and joined EPA in an advisor/different role but **never confirmed by the Senate**:

Stanley Meiburg

EOD: 10/02/14

Title: Senior Advisor to the Administrator

Nominated: 01/27/15

PAS Position: Deputy Administrator

Result: Not Confirmed/Nomination returned to President's desk

Janet McCabe

EOD: 11/09/09

Title: Principal Deputy Assistant Administrator for Air and Radiation

Nominated: 1st Nomination submitted 01/07/14; 2nd Nomination submitted 06/24/15

PAS Position: Assistant Administrator for Air and Radiation

Result: Not Confirmed/Nomination returned to President's desk

Thomas Burke
EOD: 01/11/15

Title: Deputy Assistant Administrator for Research and Development and Science Advisor

Nominated: 1st Nomination submitted 11/12/13; 2nd Nomination submitted 01/06/14; 3rd Nomination submitted 03/26/15

PAS Position: Assistant Administrator for Research and Development

Result: Not Confirmed/Nomination returned to President's desk

Kenneth Kopocis

EOD: 11/02/11

Title: Deputy Assistant Administrator for Water

Nominated: 1st Nomination submitted 06/13/11; 2nd Nomination submitted 03/13/13; 3rd Nomination submitted 01/06/14; 4th Nomination submitted 06/24/15

PAS Position: Assistant Administrator for Water

Result: Not Confirmed/Nomination returned to President's desk

Karl Brooks

EOD: 02/01/10 (as Regional Administrator for Region 7)

Title: Deputy Assistant Administrator for Administration and Resources Management (reassigned on 02/22/15 and left EPA in February 2016)

Nominated: 1st Nomination submitted 05/14/15

PAS Position: Assistant Administrator for Administration and Resources Management

Result: Not Confirmed/Nomination returned to President's desk

Ann Dunkin

EOD: 08/10/14 (as Senior Advisor to the Administrator)

Title: Chief Information Officer (reassigned 02/22/15)

Nominated: 1st Nomination submitted 01/30/14; 2nd Nomination submitted 02/15/15

PAS Position: Assistant Administrator for Environmental Information

Result: Not Confirmed/Nomination returned to President's desk

Jane Nishida (CAREER EMPLOYEE)

EOD: 01/30/11 (as Director, Office of Regional and Bilateral Affairs)

Title: Principal Deputy Assistant Administrator for International and Tribal Affairs (reassigned on 12/15/13)

Nominated: 1st Nomination submitted 04/07/14; 2nd Nomination submitted 02/12/15

PAS Position: Assistant Administrator for International and Tribal Affairs

Result: Not Confirmed/Nomination returned to President's desk

From: Shesgreen, Deirdre [mailto:dshesgreen@usatoday.com]
Sent: Wednesday, October 18, 2017 5:13 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Wilcox, Jahan <wilcox.jahan@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>

Cc: Press <Press@epa.gov>
Subject: urgent request for comment

Hi,

I'm a reporter with USA TODAY. Can one of please confirm that Michael Dourson, who is awaiting Senate confirmation, is already working at EPA and that his title is "advisor to Administrator Pruitt"? When did Administrator Pruitt tap him for that role?

My deadline is ASAP.

Thanks,

Deirdre

Deirdre Shesgreen

Washington Correspondent

USA TODAY/The Cincinnati Enquirer/The Springfield News-Leader

(202) 330-3890

dshesgreen@usatoday.com

Twitter handle: @dshesgreen

USA TODAY
A GANNETT COMPANY

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Tue 5/23/2017 4:57:36 PM
Subject: Re: Budget

Ok thanks.
On that topic, is the administrator planning to do any mainstream media interviews and/or a press conference with questions?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, May 23, 2017 at 11:52 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Don't quote me but correct no briefing.

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

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Tue 5/23/2017 5:00:20 PM
Subject: Re: Budget

Sorry, on Interior's budget call now. Try back in a few?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, May 23, 2017 at 12:57 PM, Timothy Cama <tcama@thehill.com> wrote:

Ok thanks.
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Timothy Cama, Staff writer
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Tricia

Tricia Lynn

Office of Public Affairs

U.S. EPA

Office: 202.564.2615

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Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Tue 8/1/2017 5:26:04 PM
Subject: Re: Flint

Sure, thanks.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, Aug 1, 2017 at 1:25 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> We're going to be making some new on Flint. Do you want the release before we send it out at 2:00 PM?

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Tue 8/1/2017 5:35:05 PM
Subject: Re: Flint

Great, thanks. Devin's taking since I'm on a deadline.

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, Aug 1, 2017 at 1:28 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

You can write on this now. The release will go out at 2:00 PM.

EPA Announces Michigan Can Forgive Flint's Past Drinking Water Debt

WASHINGTON – Today, the U.S. Environmental Protection Agency (EPA) concurred with Michigan's plans to forgive $20.7 million dollars in past Drinking Water State Revolving Fund debt owed by the City of Flint. Taking this step is in line with the May 2017 Consolidated Appropriation's Act signed by President Trump and will help Flint, the state, and EPA continue working together to protect public health and improve the city's water system.

"Forgiving Flint's past debt will better protect public health and reduce the costs associated with maintaining the city's water system over time," said EPA Administrator Scott Pruitt. **"Rebuilding our nation's infrastructure is one of the President's top priorities, and EPA is especially focused on those communities, like Flint, that need it the most. Forgiving the city's debt will ensure that Flint will not need to resume payments on the loan, allowing progress toward updating Flint's water system to continue."**

“We appreciate the continued partnership and support from the U.S. Environmental Protection Agency," said Governor Rick Snyder. "The loan forgiveness being extended to Flint will allow for state funding to be spent on high priority infrastructure needs that maintain recent water quality improvements and address public health concerns.”

Over the past year, EPA has worked in partnership with the State of Michigan and the City of Flint to ensure that the water quality in Flint continues to improve. The most recent test results show that lead levels in Flint’s water are well below the 15 parts per billion federal lead action level for lead. This partnership has produced one of the most robust drinking water data sets in the country and EPA remains committed to working closely with the state of Michigan, Flint and local partners to protect public health and ensure that Flint’s water quality continues to remain safe to drink.

More information: epa.gov/flint

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, August 1, 2017 1:26 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Flint

Sure, thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

On Tue, Aug 1, 2017 at 1:25 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Devin Henry[dhenry@thehill.com]; Press[Press@epa.gov]
From: Wilcox, Jahan
Sent: Wed 7/26/2017 8:01:44 PM
Subject: RE: Inside EPA response

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Wednesday, July 26, 2017 3:56 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Inside EPA response

Hey Jahan,

Wondering if you have an agency response to Mr. Schnare's op-ed in Inside EPA today https://insideepa.com/share/203829?s=07252017

I'll be writing a post on the Red Team-Blue Team stuff and note his comments about not meshing with Administrator Pruitt, and was hoping you might have something to add.

Thanks,

-Devin

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: (952) 913-7254

Twitter: @dhenry

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

April 17, 2017

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Reforming the Federal Government and Reducing the Workforce

FROM: Michael P. Flynn
Acting Deputy Administrator

TO: General Counsel
Assistant Administrators
Inspector General
Chief Financial Officer
Chief of Staff
Associate Administrators
Regional Administrators

On April 12, 2017, the Office of Management and Budget issued a memorandum that provides guidance on implementing a comprehensive plan for reforming the federal government and reducing the workforce. The guidance requires the following four deliverables by June 30, 2017:

1. Draft Agency Reform Plan;
2. Draft Agency FY 2018 – 2022 Strategic Plan;
3. Draft Workforce Reduction Plan; and
4. Plan to Maximize Employee Performance.

Final plans for the first three are due in September with the OMB budget submission. The guidance outlines a number of different requirements and speaks to the interrelationships between the different plans.

A workgroup recently was formed to begin scoping out an approach to developing an Agency Reform Plan. The April 12 OMB memorandum also addresses the requirement issued earlier to reduce the size of the federal workforce. While this memorandum ends the government-wide hiring freeze, each agency must determine based on its situation if a hiring freeze should continue.

Given our resource situation, we will continue a freeze on external hiring. Very limited exceptions to this external hiring freeze may be permitted on a case-by-case basis with approval

by the Acting Deputy Administrator. Internal reassignments may proceed where appropriate, but Senior Resource Official approval will be required if the reassignment is across NPMs or regions.

The OMB guidance also requires all agencies to begin taking immediate actions on near-term workforce reductions. In light of this guidance, we will begin the steps necessary to initiate an early out/buy out (VERA/VSIP) program. Our goal is to complete this program by the end of FY 2017.

I appreciate your patience as we work through the details of the guidance and will work with you as we move forward.

cc: Administrator
Deputy Assistant Administrators
Deputy Regional Administrators
Assistant Regional Administrators

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Tue 8/1/2017 8:56:16 PM
Subject: Re: Science advisor letter

You really don't have the letter?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, Aug 1, 2017 at 4:29 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

I don't have the letter but saw the Examiner posted it on their site.

https://www.scribd.com/book/355277408/EPA

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Tuesday, August 1, 2017 4:25 PM
To: Press <Press@epa.gov>
Subject: Science advisor letter

Hi-

Could I get a copy of the letter the office of the science advisor sent to the Sierra Club regarding Pruitt's carbon dioxide comments?

Thanks.

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

To: Timothy Cama[tcama@thehill.com]; Devin Henry[dhenry@thehill.com]; jeasley@thehill.com[jeasley@thehill.com]
From: Wilcox, Jahan
Sent: Fri 9/29/2017 1:57:18 PM
Subject: Media Efforts To Expand "Private Jetgate" To EPA Come Up Dry

Media Efforts To Expand "Private Jetgate" To EPA Come Up Dry
Hot Air
Jazz Shaw
September 29, 2017
https://hotair.com/archives/2017/09/29/media-efforts-expand-private-jetgate-epa-come-dry/

The press has their teeth into an actual story with questions about Trump administration officials taking private or military jets for business travel when commercial, public flights would be cheaper. Particularly in a White House which made cutting costs and government waste a mantra on the campaign trail, making good on those promises is crucial, even if the amounts of money we're talking about aren't massive. When I first wrote about HHS Secretary Tom Price and his adventures in air travel I suggested that he should reimburse the excess costs of those flights. Yesterday we found out that he was going to do just that… sort of.

The Fourth Estate, never happy with a single scandal, has been digging into the travel expenses of the rest of the cabinet. Nothing wrong with that, since everyone should be held to the same standard. But the Washington Post (among others) seems to have hit a sour note when they raised questions about a grand total of four flights taken by EPA chief Scott Pruitt.

Environmental Protection Agency Administrator Scott Pruitt has taken at least four noncommercial and military flights since mid-February, costing taxpayers more than $58,000 to fly him to various parts of the country, according to records provided to a congressional oversight committee and obtained by The Washington Post…

The most expensive of the four trips came in early June, when Pruitt traveled from Andrews Air Force Base to Cincinnati to join President Trump as he pitched a plan to revamp U.S. infrastructure. From there, the administrator and several staff members continued on a military jet to John F. Kennedy airport in New York to catch a flight to Italy for an international meeting of environmental ministers. The cost of that flight was $36,068.50.

It seems odd that they're fleshing out an entire story as if there's a scandal here when they go on to provide at least part of the details of those flights and how they came to be. While the question was definitely worth asking, this is more of a story of yelling, "Squirrel!" only to find that there was no squirrel there to begin with.

I spoke with a source at the EPA on background and was able to confirm what led to the four flights the WaPo brought up. The biggest ticket item was the Cincinnati – JFK trip. The President requested the Secretary's presence at an infrastructure event in Ohio, but there was no commercial flight available which could get them through the second leg of the travel they had already committed to. Immediately following the event, Pruitt and his staff had to make it to JFK

in New York for a connecting flight to Italy where he was already scheduled to attend a G7 event. In keeping with the usual protocol, Pruitt's team requested approval for the military travel from the Office of General Counsel. That approval was given and I have a copy of the approval memorandum. (Click on thumbnail for full size image.)

The second one which attracted media eyeballs was the dreaded charter flight(!) from Denver to Durango, Colorado. This was a scheduled meeting with state officials and landowners affected by the Gold King mine spill. The Secretary and his team had scheduled a normal, commercial flight out of Denver at roughly 9 in the morning which would have gotten them to the meeting on time. They then found out that their flight had been delayed by eight hours and there was no alternate commercial flight available. Once again they requested clearance from the Office of General Counsel to take alternate transportation and approval was given. That memorandum is below. (Again, click on the thumbnail for the full size image.)

The other two trips on non-commercial flights were under similar circumstances. The North Dakota trip referenced by the WaPo was a case where Pruitt's team was invited by the Governor to accompany him on his own plane for a flight between Fargo and Grand Forks. But the cost of the flight had to be reimbursed owing to federal regulations. The fourth trip (the one in Oklahoma) was taken because travel by car would have tied up the entire team for ten hours round trip. All of this travel was approved in advance.

In short, there's just no there, there, as the saying goes. Fox News John Roberts picked up some of these details yesterday and went over them in a short report. The video of that is below. Beyond that, this well has gone dry. Again, I don't fault the media for asking the question because we want everyone in the government to be as lean and efficient with the taxpayers' purse as possible, but Pruitt obviously followed the rules, so we're not dealing with another Tom Price situation here.

https://www.youtube.com/watch?time_continue=1&v=Gi0lubqu5Mo

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Tue 5/23/2017 9:08:54 PM
Subject: Re: Who says we only talk to friendly outlets, unless that includes the NYT? Have a great night!

Well, get me on the list for an interview!
Hey, is he going to any of the Rangers games when they're in town next month?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, May 23, 2017 at 5:07 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> "Is it federalism to impose your policy on other states?" **Mr. Pruitt asked in a recent interview in his office.** "It seems to me that Mr. Brown is being the aggressor here," he said. "But we expect the law will show this."
>
> **New York Times**
>
> https://www.nytimes.com/2017/05/23/us/california-engages-world-and-fights-washington-on-climate-change.html?_r=0
>
> **California Engages World, and Fights Washington, on Climate Change**
>
> Coral Davenport and Adam Nagourney 5/23/17
>
> LOS ANGELES — The environmental ministers of Canada and Mexico went to San Francisco last month to sign a global pact — drafted largely by California — to lower planet-warming greenhouse pollution. Gov. Jerry Brown flies to China next month to meet with climate leaders there on a campaign to curb global warming. And a battery of state lawyers is preparing to battle any attempt by Washington to weaken California's automobile pollution emission standards.
>
> As President Trump moves to reverse the Obama administration's policies on climate change, California is emerging as the nation's de facto negotiator with the world on the environment. The state is pushing back on everything from White House efforts to roll back pollution rules on tailpipes and smokestacks, to plans to withdraw or weaken the United States' commitments under the Paris climate change accord.
>
> In the process, California is not only fighting to protect its legacy of sweeping

environmental protection, but also holding itself out as a model to other states — and to nations — on how to fight climate change.

"I want to do everything we can to keep America on track, keep the world on track, and lead in all the ways California has," said Mr. Brown, who has embraced this fight as he enters what is likely to be the final stretch of a 40-year career in California government. "We're are looking to do everything we can to advance our program, regardless of whatever happens in Washington."

Since the election, California has stood as the leading edge of the Democratic resistance to the Trump administration, on a range of issues including immigration and health care. Mr. Trump lost to Hillary Clinton here by nearly four million votes. Every statewide elected official is a Democrat, and the party controls both houses of the Legislature by a two-thirds margin. Soon after Mr. Trump was elected, Democratic legislative leaders hired Eric H. Holder Jr., the former attorney general, to represent California in legal fights with the administration.

But of all the battles it is waging with Washington, none have the global implications of the one over climate change.

The aggressive posture on the environment has set the stage for a confrontation between the Trump administration and the largest state in the nation. California has 39 million people, making it more populous than Canada and many other countries. And with an annual economic output of $2.4 trillion, the state is an economic powerhouse and has the sixth-largest economy in the world.

California's efforts cross party lines. Arnold Schwarzenegger, who served as governor from 2003 to 2011, and led the state in developing the most aggressive pollution-control programs in the nation, has emerged as one of Mr. Trump's biggest Republican critics.

Mr. Trump and his advisers appear ready for the fight.

Scott Pruitt, the Environmental Protection Agency chief, whom Mr. Trump has charged with rolling back Obama-era environmental policies, speaks often of his belief in the importance of federalism and states' rights, describing Mr. Trump's proposals as a way to lift the oppressive yoke of federal regulations and return authority to the states. But of Mr. Brown's push to expand California's environmental policies to the country and the world, Mr. Pruitt said, "That's not federalism — that's a political agenda hiding behind federalism."

"Is it federalism to impose your policy on other states?" Mr. Pruitt asked in a recent interview in his office. "It seems to me that Mr. Brown is being the aggressor here," he said. "But we expect the law will show this."

In one of his earliest strikes, Mr. Trump signed an executive order in March aimed at dismantling the Clean Power Plan, President Barack Obama's signature climate policy

change. Much of the plan, which Mr. Trump denounced as a "job killer," was drawn from environmental policies pioneered in California.

Mr. Brown has long been an environmental advocate, including when he first served as governor in the 1970s. He has made this a central focus as he enters his final 18 months in office. In an interview, he said the president's action was "a colossal mistake and defies science."

"Erasing climate change may take place in Donald Trump's mind, but nowhere else," Mr. Brown said.

The leadership role being embraced by California goes to the heart of what has long been a central part of this state's identity. For more than three decades, California has been at the vanguard of environmental policy, passing ambitious, first-in-the-nation legislation on pollution control and conservation that have often served as models for national and even international environmental law.

"With Trump indicating that he will withdraw from climate change leadership, the rest of the global community is looking to California, as one of the world's largest economies, to take the lead," said Mario Molina, a Nobel Prize-winning scientist from Mexico who advises nations on climate change policy. "California demonstrates to the world that you can have a strong climate policy without hurting your economy."

The Senate leader, Kevin de Leon, introduced legislation this month that would accelerate, rather than retrench, California's drive to reduce emissions, requiring that 100 percent of retail electricity in the state come from renewable sources by 2045. Mr. de Leon said it was "important that we send a signal to the rest of the world" at a time of what he described as "blowback" from Washington.

Mr. Schwarzenegger, who tangled with Mr. Trump after the president mocked him for receiving low ratings as his replacement on "The Apprentice," described Mr. Trump's environmental policies as a threat to the planet.

"Saying you'll bring coal plants back is the past," Mr. Schwarzenegger said. "It's like saying you'll bring Blockbuster back, which is the past. Horses and buggies, which is the past. Pagers back, which is the past."

He said California had shown it was possible to adopt aggressive environmental policies without hurting the economy. "We're outdoing the rest of the country on G.D.P.," Mr. Schwarzenegger said.

Even before Mr. Trump took office, California's tough regulatory rules had stirred concern among business leaders, who said it had increased their costs. They warned that the situation would become worse if California stood by its regulatory rules while Washington moved in the other direction.

“We’re very concerned about that,” said Robert C. Lapsley, the president of the California Business Roundtable. “If we are 1 percent of the problem, and we have the most far-reaching climate policies on the planet while all the other states are slowing down because Washington is slowing down, that is going to create an absolute imbalance.”

“Washington will create a less competitive environment for California businesses here because businesses in other states will not have to meet the same mandates,” he added. “There is no question that businesses are going to move out.”

The precise contours of this battle will become clear in the months ahead, as Mr. Trump’s environmental policies take shape. For now, the critical questions are whether the United States will withdraw from the Paris agreement, an international compact to reduce greenhouse pollution, and whether the Environmental Protection Agency will revoke a waiver issued by President Richard M. Nixon that permits California to set fuel economy standards exceeding federal requirements.

Revoking the waiver, which was central to a policy that has resulted in noticeably cleaner air in places like Los Angeles, would force the state to lower its tough fuel economy standards, which are also intended to promote the rapid spread of electric cars. As they stand, the rules would force automakers to build fleets of cars that would reach mileage of 54.5 miles per gallon by 2025.

California is preparing for a legal challenge.

“You have to be concerned when anybody talks about going backward,” said Xavier Becerra, the state attorney general. “In this case we think we have a strong case to be made based on the facts and the history.”

Mr. Trump is already moving to weaken federal auto emission standards that were influenced by California’s tougher standards. Automakers, who met with the president in the Oval Office days after he assumed the presidency, have long complained that the standards forced them to build expensive electric vehicles that consumers may not want.

And the companies have lobbied for years to stop the federal government from allowing California to set cleaner tailpipe regulations than the rest of the nation, arguing that the double standard necessitates building two types of cars. In Detroit, those companies see President Trump as their best chance for finally ending onerous California car requirements. But in the meantime, over a dozen other states have adopted California’s auto emissions standards — and Mr. Brown is betting that the sheer size of that market will be enough to make the Trump administration reconsider any effort to roll back the California waiver.

“Because we’re such a big part of the car market, and places like New York and Massachusetts are tied in with the U.S., our standard will prevail,” he said.

Beyond pushing to maintain its state climate laws, California has tried to forge international climate pacts. In particular, Mr. Brown’s government helped draft and gather signatures for

a memorandum of understanding whose signers, including heads of state and mayors from around the world, pledged to take actions to lower emissions enough to keep global temperatures from rising over two degrees Celsius. That is the point at which scientists say the planet will tip into a future of irreversible rising seas and melting ice sheets.

That pact is voluntary, but California, Canada and Mexico are starting to carry out a joint climate policy with some teeth.

California's signature climate change law is the cap-and-trade program. It places a statewide cap on planet-warming carbon dioxide emissions, and then allows companies to buy and sell pollution credits. The California measure was the model for a national climate law that Mr. Obama tried unsuccessfully to have passed in 2010.

Given the setbacks in Washington, California environmental officials are working with Mexico and Canada to create what is informally called the "Nafta" of climate change — a carbon-cutting program that spans the region.

"Canada's all in when it comes to climate action, and we'll partner with anyone who wants to move forward," said Catherine McKenna, Canada's environment minister.

Already, California's cap-and-trade market is connected to a similar one in Quebec, now valued at about $8 billion, and the Province of Ontario is linking with the joint California-Quebec market this year. Climate policy experts in Sacramento and Mexico City are in the early stages of drafting a plan to link Mexico with that joint market.

In April, a delegation from California traveled to Beijing to meet with Chinese counterparts to help them craft a cap-and-trade plan. "We have people working in China, in their regulatory agencies, consulting with them, speaking fluent Mandarin, working with the Chinese government — giving them advice on cap and trade," Mr. Brown said.

The Clean Power Plan was central to the United States' pledge under the 2015 Paris agreement, which commits the nation to cut its emissions about 26 percent from 2005 levels by 2025. Now that Mr. Trump has moved to roll back the plan, it will be almost impossible for the United States to meet its Paris commitments.

That has resonated powerfully in China. The heart of the Paris agreement was a 2014 deal forged by Mr. Obama and President Xi Jinping of China in which the world's two largest economies and largest greenhouse polluters agreed to act jointly to reduce their emissions.

"China is committed to establishing a cap-and-trade this year, and we are looking for expertise across the world as we design our program — and we are looking closely at the California experience," said Donquan He, a vice president of Energy Foundation China, an organization that works with the Chinese government on climate change issues.

Mr. Brown recently met with the prime minister of Fiji, who will serve as chairman of this fall's United Nations climate change meeting in Bonn, Germany, which aims to put the

Paris agreement in force, with or without the United States. The governor said he planned to attend as a representative of his state.

"We may not represent Washington, but we will represent the wide swath of American people who will keep the faith on this," he said.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Wed 5/17/2017 1:06:08 PM
Subject: Pruitt's Interview

Tim –

Wanted to make sure you saw this clip and rough transcript from Pruitt's interview this morning.

Jahan

Scott Pruitt On Cleaning Up Last Administration's Toxic Mess
Fox News
May 17, 2017

http://video.foxnews.com/v/5437601555001/?playlist_id=930909787001#sp=show-clips

ADMIN. SCOTT PRUITT: let me tell you what is going on. president trump trying his best to drain the swamp. much of that draining happened at the environmental protection agency after the obama administration left behind get this a huge toxic mess.

AINSLEY EARHARDT: more than 1300 super fund sites which are heavily contaminated still require clean up

STEVE DOOCY: apparently that's still just the beginning. e.p.a. administrator mr. scott pruitt joins us live. good morning to you. : the press made president obama out to be the environmental savior. yet, when you look at the plate, it's a big number.

ADMIN. PRUITT: absolutely. in fact, ainsley, you said these fights across the country have some of the uranium and led, posing great risk to the citizens in those areas. examples where the e.p.a. didn't take any steps at all. a site outside of st. louis called westlake that's taken the e.p.a. 27 years to make a decision. not clean it up but make a decision on what should be done to clean it up.

DOOCY: that's crosses democrat and republican administrations.

ADMIN. PRUITT: absolutely. i think when you look at the environmental left they look at the past administration as environmental savior. look at areas in the country that don't meet the air quality standards almost 40% of the country that qualify there. 120 million people. we had gold king in colorado. flint in michigan with water. super fund sites across the country. the area they struck them down twice. the supreme court struck them down twice.

EARHARDT: does this mean can you get cancer if you are exposed to all of.

ADMIN. PRUITT: this quite possibly, yes. that's why it's so important to focus the core of the mission on those areas. this president is a doer. action oriented leader. the past administration talked a lot. this administration is actually doing things to clean up the environment. focusing on those areas you mentioned.

BRIAN KILMEADE: super fund sites that need to be cleaned up. what's first target.

ADMIN. PRUITT: we are very focused on east lake. chicago. a site that has led.

KILMEADE: do you know how to do it.

ADMIN. PRUITT: we have a plan in place going to announce very soon on westlake. it's very important to make those citizens know we are going to take steps to clean up and china up quickly.

EARHARDT: mr. pruitt, we are talking about memos and what's happening in the white house. this is what the american public really needs to be foe cuffed on, right? steve: our personal safety. ainsley: protecting our kids from cancer.

ADMIN. PRUITT: they want leadership. and this president is providing leadership in so many areas. it gets lost in washington, d.c. malaise.

DOOCY: provide leadership to do what with the environment.

ADMIN. PRUITT: clean up these sites. set a goal and say 1322 sites unaccept somebody. get st. louis cleaned up.

DOOCY: how much is it going to cost?

ADMIN. PRUITT: the great thing about this is we have funding. people out there responsible for these sites to clean up. moneys are there to do so. it's not a matter of money. it's a matter of leadership and attitude and management. we need to do it much better.

KILMEADE: when are you going to make a decision about leaving and staying in paris on the paris agreement.

ADMIN. PRUITT: i think when the president gets back from the g 7. i'm actually attending the g 7 early june as well there will be a decision on paris. very important we make decisions there soon.

KILMEADE: it will be one of the big top topics. many in the mainstream media turning anti-trump bias into a business.

###

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Mon 4/24/2017 2:34:14 PM
Subject: Just tried to call you

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Mon 4/24/2017 2:35:15 PM
Subject: RE: Just tried to call you

Yes. When you are free.

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Monday, April 24, 2017 10:35 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: Just tried to call you

Sorry, on the phone. Want me to call back?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

On Mon, Apr 24, 2017 at 10:34 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Mon 8/14/2017 3:49:05 PM
Subject: Out of the office Re: FW: Administrator Scott Pruitt Talks About EPA, WOTUS and Baseball

I am out of the office on vacation until Aug. 21. If you need something before then, please contact Devin Henry at dhenry@thehill.com.

--

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Sat 8/19/2017 8:16:54 PM
Subject: Out of the office Re: Wanted to make sure you got this.

I am out of the office on vacation until Aug. 21. If you need something before then, please contact Devin Henry at dhenry@thehill.com.

--

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Tue 5/30/2017 8:00:30 PM
Subject: Re: Superfund

Yep, I did.
Any progress on getting me an interview with Pruitt? I'm holding you to that promise!

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

On Tue, May 30, 2017 at 10:24 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

I was out but it looks like you wrote, correct?

From: Timothy Cama [mailto:tcama@thehill.com]
Sent: Friday, May 26, 2017 3:01 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Superfund

Hey, never heard back from you guys re: Superfund. Anything you wanted to say beyond what Pruitt's already said?

--

Timothy Cama, Staff writer

The Hill

(202) 695-6245 (Also on Signal and WhatsApp)

www.thehill.com

To: dhenry@thehill.com[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Tue 4/25/2017 8:57:49 PM
Subject: What is your number?

From: McGonagle, Kevin
Sent: Tuesday, April 25, 2017 4:54 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: The Hill: Lawmakers push back against reported plan to close regional EPA office, 4/25/17

The Hill

http://thehill.com/policy/energy-environment/330521-lawmakers-push-back-against-reported-plan-to-close-regional-epa

Lawmakers push back against reported plan to close regional EPA office

By Devin Henry 4/25/17 4:40 PM

Three dozen Midwestern Democrats — and one Republican — are urging the Trump administration not to close a regional Environmental Protection Agency (EPA) office as part of an administrative restructuring.

In a Tuesday letter to EPA Administrator Scott Pruitt, the members said they have "grave concerns" about a report this month that said the Trump administration is considering closing the EPA Region 5 office in Chicago.

The members — led by Sen. Dick Durbin (D-Ill.) and Marcy Kaptur (D-Ohio) — said the regional headquarters is charged with protecting most of the nation's fresh water supply, the Great Lakes and the Mississippi River watershed, and that it also regulates industrial pollution and works on Superfund clean-up efforts throughout the Midwest.

They said the office has a special responsibility to work with Canadian officials on Great Lakes water quality, and they noted the office oversees Flint, Mich. and the water crisis in the city.

"While shutting down EPA's Region 5 Chicago office would make it more difficult and less efficient for the federal government to work in partnership with state and local communities, it is unclear that it would reduce costs to the EPA as a whole," the members wrote.

"We urge you to protect the environmental health and well-being of our states by keeping Region 5 intact and fully supporting its critical mission."

EPA's Region 5 covers Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin. Thirty-eight members signed the letter, including Republican Sen. Rob Portman (R-Ohio).

The Chicago Sun-Times reported last week that the Trump administration is considering closing the Region 5 office as part of an agency restructuring. Trump has proposed a 31 percent cut to the EPA's $8.1 billion annual budget.

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Thur 9/28/2017 10:27:16 AM
Subject: Flights

Hey Jahan-

Could I get the latest non-commercial flight documents that are going around? Or are those coming from elsewhere?

Thanks.

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Tue 4/25/2017 9:09:33 PM
Subject: RE: What is your number?

Just call me now – 202-309-0934.

The story you wrote is missing a response from the EPA (unknown if you actually tried to reach out to us or just decided to post a story without looking for a comment).

Also disappointed you decided to cite an old story from the Chicago Sun-Times that is not accurate when you could've included this from the Tribune.

The Chicago Tribune: "EPA officials tour lead-contaminated East Chicago area, deny plans to close Chicago office." "Federal officials touring a lead-contaminated East Chicago neighborhood on Wednesday downplayed the Trump administration's proposed cuts to the U.S. Environmental Protection Agency and said there are no plans to close its Chicago regional office. Robert Kaplan, Region 5's acting regional administrator, said he's been assured that the EPA's Chicago office would remain open after speaking with the federal agency's representatives in Washington, D.C., despite reports the local office could be consolidated in Kansas City, Mo. "They reaffirmed there's no discussion about shutting the Chicago office," Kaplan said. Kaplan's comments came at the end of EPA Administrator Scott Pruitt's visit to East Chicago to discuss the ongoing clean up efforts at the U.S.S. Lead Superfund site. Pruitt, during his brief remarks, did not comment on any proposed cuts to the EPA but instead pledged his agency's support for East Chicago. During Pruitt's visit, his first to a Superfund site since being appointed administrator, he toured the Calumet neighborhood, met with local, state and federal officials, and talked with residents and community members about how the lead and arsenic contamination has affected their lives." (Chicago Tribune, 04/19/17)

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Tuesday, April 25, 2017 5:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: What is your number?

Hey there.

952-913-7254, but I'm jumping on the White House's monuments call and won't be able to chat for a few minutes. You have a number i can call you at when this is done?

-Devin

On Tue, Apr 25, 2017 at 4:57 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

From: McGonagle, Kevin
Sent: Tuesday, April 25, 2017 4:54 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: The Hill: Lawmakers push back against reported plan to close regional EPA office, 4/25/17

The Hill

http://thehill.com/policy/energy-environment/330521-lawmakers-push-back-against-reported-plan-to-close-regional-epa

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--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: (952) 913-7254

Twitter: @dhenry

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Thur 9/28/2017 11:20:38 AM
Subject: Re:

Ok cool. Thanks.

On Sep 28, 2017 at 6:42 AM, <Jahan Wilcox> wrote:

Off the record - It's not forwarding but can get them to you later this morning.

Sent from my iPhone

On Sep 28, 2017, at 6:38 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

"Administrator Pruitt took one charter flight and three government flights." EPA spokesperson, Liz Bowman

To: Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Tue 4/25/2017 9:14:14 PM
Subject: RE: What is your number?

Thank you.

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Tuesday, April 25, 2017 5:13 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: What is your number?

This White House call just began. I'll update when i can and call when this is done.

-Devin

On Tue, Apr 25, 2017 at 5:09 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Just call me now – 202-309-0934.

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The Chicago Tribune: "EPA officials tour lead-contaminated East Chicago area, deny plans to close Chicago office." "Federal officials touring a lead-contaminated East Chicago neighborhood on Wednesday downplayed the Trump administration's proposed cuts to the U.S. Environmental Protection Agency and said there are no plans to close its Chicago regional office. Robert Kaplan, Region

5's acting regional administrator, said he's been assured that the EPA's Chicago office would remain open after speaking with the federal agency's representatives in Washington, D.C., despite reports the local office could be consolidated in Kansas City, Mo. "They reaffirmed there's no discussion about shutting the Chicago office," Kaplan said. Kaplan's comments came at the end of EPA Administrator Scott Pruitt's visit to East Chicago to discuss the ongoing clean up efforts at the U.S.S. Lead Superfund site. Pruitt, during his brief remarks, did not comment on any proposed cuts to the EPA but instead pledged his agency's support for East Chicago. During Pruitt's visit, his first to a Superfund site since being appointed administrator, he toured the Calumet neighborhood, met with local, state and federal officials, and talked with residents and community members about how the lead and arsenic contamination has affected their lives." (Chicago Tribune, 04/19/17)

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Tuesday, April 25, 2017 5:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: What is your number?

Hey there.

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-Devin

On Tue, Apr 25, 2017 at 4:57 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> **From:** McGonagle, Kevin
> **Sent:** Tuesday, April 25, 2017 4:54 PM
> **To:** AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
> **Subject:** The Hill: Lawmakers push back against reported plan to close regional EPA office, 4/25/17

The Hill

http://thehill.com/policy/energy-environment/330521-lawmakers-push-back-against-reported-plan-to-close-regional-epa

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By Devin Henry 4/25/17 4:40 PM

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The Chicago Sun-Times reported last week that the Trump administration is considering closing the Region 5 office as part of an agency restructuring. Trump has proposed a 31 percent cut to the EPA's $8.1 billion annual budget.

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Devin Henry

Staff Writer, The Hill

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C: (952) 913-7254

Twitter: @dhenry

--

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Staff Writer, The Hill

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C: (952) 913-7254

Twitter: @dhenry

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Devin Henry
Sent: Wed 5/31/2017 12:28:41 PM
Subject: Paris

Jahan, we're trying to confirm the Paris news. Is there anything you can tell me (on background, of course)?
Let me know.

Devin.
--
Devin Henry
Staff Writer, The Hill
P: (202) 349-8127
C: (952) 913-7254
Twitter: @dhenry

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Devin Henry
Sent: Wed 5/31/2017 5:17:38 PM
Subject: Re: Paris

Jahan, heard a rumor Administrator Pruitt is meeting with the president today ... is that off-base, or is that happening?

On Wed, May 31, 2017 at 9:56 AM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Off the record - You will have to contact the White House. We don't have any information to share at this time.

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Wednesday, May 31, 2017 8:29 AM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Paris

Jahan, we're trying to confirm the Paris news. Is there anything you can tell me (on background, of course)?

Let me know.

Devin.

--

Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: (952) 913-7254

Twitter: @dhenry

--
Devin Henry
Staff Writer, The Hill
P: (202) 349-8127
C: (952) 913-7254
Twitter: @dhenry

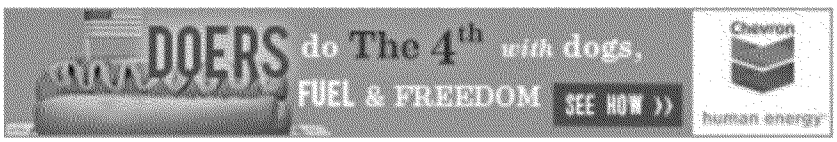
To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Mon 7/3/2017 10:12:03 PM
Subject: Washington Post got an interview too?

Now I feel like it's everybody but me ...

The EPA, along with the American Petroleum Institute, had argued that the stay Pruitt imposed last month was not subject to judicial review, because it did not constitute final action on the rule. In a recent interview with The Washington Post, Pruitt said, “Just because you provide a time for implementation or compliance that’s longer doesn’t mean that you’re going to necessarily reverse or redirect the rule.”

But the court rejected that interpretation, writing, “EPA’s stay, in other words, is essentially an order delaying the rule’s effective date, and this court has held that such orders are tantamount to amending or revoking a rule.”

The ruling could affect myriad agencies that have delayed the Obama administration’s regulations, some for long periods. And it underscores the extent to which activists are turning to the courts to block President Trump’s most ambitious policy shifts.



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--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Timothy Cama
Sent: Fri 5/26/2017 7:00:58 PM
Subject: Superfund

Hey, never heard back from you guys re: Superfund. Anything you wanted to say beyond what Pruitt's already said?

--
Timothy Cama, Staff writer
The Hill
(202) 695-6245 (Also on Signal and WhatsApp)
www.thehill.com

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Devin Henry
Sent: Tue 4/25/2017 9:05:02 PM
Subject: Re: What is your number?

Hey there.
952-913-7254, but I'm jumping on the White House's monuments call and won't be able to chat for a few minutes. You have a number i can call you at when this is done?

-Devin

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From: McGonagle, Kevin
Sent: Tuesday, April 25, 2017 4:54 PM
To: AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
Subject: The Hill: Lawmakers push back against reported plan to close regional EPA office, 4/25/17

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http://thehill.com/policy/energy-environment/330521-lawmakers-push-back-against-reported-plan-to-close-regional-epa

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--
Devin Henry
Staff Writer, The Hill
P: (202) 349-8127
C: (952) 913-7254
Twitter: @dhenry

To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Devin Henry
Sent: Tue 4/25/2017 9:13:11 PM
Subject: Re: What is your number?

This White House call just began. I'll update when i can and call when this is done.
-Devin

On Tue, Apr 25, 2017 at 5:09 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

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From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Tuesday, April 25, 2017 5:05 PM
To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: What is your number?

Hey there.

952-913-7254, but I'm jumping on the White House's monuments call and won't be able to chat for a few minutes. You have a number i can call you at when this is done?

-Devin

On Tue, Apr 25, 2017 at 4:57 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

> **From:** McGonagle, Kevin
> **Sent:** Tuesday, April 25, 2017 4:54 PM
> **To:** AO OPA OMR CLIPS <AO_OPA_OMR_CLIPS@epa.gov>
> **Subject:** The Hill: Lawmakers push back against reported plan to close regional EPA office, 4/25/17
>
> **The Hill**
>
> http://thehill.com/policy/energy-environment/330521-lawmakers-push-back-against-reported-plan-to-close-regional-epa
>
> **Lawmakers push back against reported plan to close regional EPA office**
>
> By Devin Henry 4/25/17 4:40 PM
>
> Three dozen Midwestern Democrats — and one Republican — are urging the Trump administration not to close a regional Environmental Protection Agency (EPA) office

as part of an administrative restructuring.

In a Tuesday letter to EPA Administrator Scott Pruitt, the members said they have "grave concerns" about a report this month that said the Trump administration is considering closing the EPA Region 5 office in Chicago.

The members — led by Sen. Dick Durbin (D-Ill.) and Marcy Kaptur (D-Ohio) — said the regional headquarters is charged with protecting most of the nation's fresh water supply, the Great Lakes and the Mississippi River watershed, and that it also regulates industrial pollution and works on Superfund clean-up efforts throughout the Midwest.

They said the office has a special responsibility to work with Canadian officials on Great Lakes water quality, and they noted the office oversees Flint, Mich. and the water crisis in the city.

"While shutting down EPA's Region 5 Chicago office would make it more difficult and less efficient for the federal government to work in partnership with state and local communities, it is unclear that it would reduce costs to the EPA as a whole," the members wrote.

"We urge you to protect the environmental health and well-being of our states by keeping Region 5 intact and fully supporting its critical mission."

EPA's Region 5 covers Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin. Thirty-eight members signed the letter, including Republican Sen. Rob Portman (R-Ohio).

The Chicago Sun-Times reported last week that the Trump administration is considering closing the Region 5 office as part of an agency restructuring. Trump has proposed a 31 percent cut to the EPA's $8.1 billion annual budget.

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Devin Henry

Staff Writer, The Hill

P: (202) 349-8127

C: (952) 913-7254

Twitter: @dhenry

--
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To: Wilcox, Jahan[wilcox.jahan@epa.gov]
From: Devin Henry
Sent: Tue 4/25/2017 10:07:02 PM
Subject: Re: What is your number?

Hey, sorry Jahan, that call ran long ...
I get your concern on that, and admittedly I missed the Tribune story (I took some time off that week so it was all spotty), so thanks for the heads-up there. It's tough to ignore a letter, relevant to the beat, from 40 members (including a Republican), no matter the make-up of the party affiliation, you know?

Do you have a list of all the press contacts over at the EPA these days? It's hard for me to keep straight, and it's pretty hit or miss when I try to get responses to things like this.

Coffee, yes. Maybe early next week? Tuesday? I'll be working on a couple things between now and then.

Give me a call if you want to chat more. Sorry I couldn't get on the phone earlier.

-Devin

On Tue, Apr 25, 2017 at 5:39 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Thanks for the update.

Just one more off-the-record point, but it's frustrating to see a story about D lawmakers urging Pruitt to do something that we are not going to do?

Also want to grab coffee soon?

From: Wilcox, Jahan
Sent: Tuesday, April 25, 2017 5:14 PM
To: 'Devin Henry' <dhenry@thehill.com>
Subject: RE: What is your number?

Thank you.

From: Devin Henry [mailto:dhenry@thehill.com]
Sent: Tuesday, April 25, 2017 5:13 PM

To: Wilcox, Jahan <wilcox.jahan@epa.gov>
Subject: Re: What is your number?

This White House call just began. I'll update when i can and call when this is done.

-Devin

On Tue, Apr 25, 2017 at 5:09 PM, Wilcox, Jahan <wilcox.jahan@epa.gov> wrote:

Just call me now – 202-309-0934.

The story you wrote is missing a response from the EPA (unknown if you actually tried to reach out to us or just decided to post a story without looking for a comment).

Also disappointed you decided to cite an old story from the Chicago Sun-Times that is not accurate when you could've included this from the Tribune.

The Chicago Tribune: "EPA officials tour lead-contaminated East Chicago area, deny plans to close Chicago office." "Federal officials touring a lead-contaminated East Chicago neighborhood on Wednesday downplayed the Trump administration's proposed cuts to the U.S. Environmental Protection Agency and said there are no plans to close its Chicago regional office. Robert Kaplan, Region 5's acting regional administrator, said he's been assured that the EPA's Chicago office would remain open after speaking with the federal agency's representatives in Washington, D.C., despite reports the local office could be consolidated in Kansas City, Mo. "They reaffirmed there's no discussion about shutting the Chicago office," Kaplan said. Kaplan's comments came at the end of EPA Administrator Scott Pruitt's visit to East Chicago to discuss the ongoing clean up efforts at the U.S.S. Lead Superfund site. Pruitt, during his brief remarks,

did not comment on any proposed cuts to the EPA but instead pledged his agency's support for East Chicago. During Pruitt's visit, his first to a Superfund site since being appointed administrator, he toured the Calumet neighborhood, met with local, state and federal officials, and talked with residents and community members about how the lead and arsenic contamination has affected their lives." (Chicago Tribune, 04/19/17)

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By Devin Henry 4/25/17 4:40 PM

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"We urge you to protect the environmental health and well-being of our states by keeping Region 5 intact and fully supporting its critical mission."

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To: Timothy Cama[tcama@thehill.com]; Devin Henry[dhenry@thehill.com]
From: Wilcox, Jahan
Sent: Fri 9/15/2017 7:36:53 PM
Subject: Hey Tim and Devin -

Wanted to make sure you got this release. It will be going out shortly after 4:00 PM but you can write on it now.

From: EPA Press Office [mailto:press=epa.gov@cmail19.com] **On Behalf Of** EPA Press Office
Sent: Friday, September 15, 2017 3:33 PM
To: Hewitt, James <hewitt.james@epa.gov>
Subject: EPA Administrator Scott Pruitt Visits Houston To Review Hurricane Harvey Response Efforts - Preview

CONTACT: press@epa.gov

EPA Administrator Scott Pruitt Visits Houston To Review Hurricane Harvey Response Efforts

HOUSTON (September 15, 2017) – Environmental Protection Agency (EPA) Administrator Scott Pruitt visited Houston, Texas, today to review the Agency's response efforts in areas affected by Hurricane Harvey.

"EPA remains committed to providing the necessary resources and personnel to ensure those affected by the devastation of Hurricane Harvey receive proper Agency attention**," said Administrator Pruitt.** "We continue to work closely with our federal, state, and local partners to ensure Superfund are being properly secured, fuel prices remain stabilized, and infrastructure and environmental assessments are thoroughly carried out."

Administrator Pruitt began his visit to Texas by touring the San Jacinto River Waste Pits Superfund site and received a briefing from on-the-ground EPA response personnel. Administrator Pruitt was joined by Acting Regional Administrator for Region 6 Samuel Coleman, Chairman of the Texas Commission on Environmental Quality (TCEQ) Bryan Shaw, and Federal Emergency Management Agency (FEMA) officials.

While Administrator Pruitt toured the site, an EPA dive team was conducting underwater inspections. EPA will continue to keep the public informed as assessments of the site continue and site determinations are made by the dive team.

Following his tour of the San Jacinto Superfund site, Administrator Pruitt received an aerial tour of additional affected Superfund sites in the region by the United States Coast Guard. Sites included: Patrick Bayou, U.S. Oil Recovery, San Jacinto River Waste Pits, Highlands Acid Pits, French Unlimited, Brio Refining, and Dixie Oil Processors.

EPA personnel will continue to monitor Superfund sites in Texas affected by Hurricane Harvey, compile data on regulated facilities, sample possible environmental contaminants, and conduct air monitoring of the affected areas.

EPA Administrator Scott Pruitt meets with Acting Regional Administrator for Region 6 Samuel Coleman (right) and other local leaders at the San Jacinto Superfund in Texas.

EPA Administrator Scott Pruitt and Acting Regional Administrator for Region 6 Samuel Coleman speak with Scott Jones of the Galvenston Bay Foundation and Jackie Young of the Texas Health and Environment Coalition.

EPA Administrator Scott Pruitt on a Coast Guard aerial tour of regional Superfund sites.

http://usenvironmentalprotectionagency.cmail19.com/t/d-i-uybkyt-l-r/

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1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004

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To: Devin Henry[dhenry@thehill.com]; Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Fri 9/15/2017 7:35:07 PM
Subject: Heads-up

We will have a Texas specific release coming out shortly that you might or might not be interested in.

Jahan Wilcox
EPA
Strategic Communications Advisor
Work Cell: 202.309.0934
Work Email: wilcox.jahan@epa.gov

To: Timothy Cama[tcama@thehill.com]
From: Wilcox, Jahan
Sent: Thur 9/28/2017 12:36:16 PM
Subject: Background - EPA Official
Authorization for Charter Aircraft_Administator OK_7.26.2017.pdf
Request for Charter Service from Denver to Durango Package_8.24.2017.pdf
Request for Authorization_Use of MilAir-GC Memo_6.7.2017.pdf